

## Licensing Committee

---

### **MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 6 MARCH 2023 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.**

#### **Present:**

Cllr Peter Hutton (Chairman), Cllr Allison Bucknell (Vice-Chairman),  
Cllr Steve Bucknell, Cllr Daniel Cave, Cllr Sam Charleston, Cllr Kevin Daley,  
Cllr Andrew Davis, Cllr Ruth Hopkinson, Cllr George Jeans, Cllr Stewart Palmen  
(Substitute), Cllr Tim Trimble, and Cllr Robert Yuill

#### **Also Present:**

Asifa Ashraf (Senior Solicitor), Linda Holland (Licensing Manager), Tom Ince  
(Principal Compliance Officer), Michael Kersley (Transport Project Co-Ordinator) and  
Lisa Pullin (Democratic Services Officer)

---

#### **1 Apologies and Substitutions**

Apologies were received from Cllr Trevor Carbin and from Mike Edgar (Senior Solicitor), Rebecca Wherlock (Principal Solicitor), Jason Salter (Head of Service – Passenger Transport) and DI Troy Smith.

Cllr Stewart Palmen was substituting for Cllr Trevor Carbin.

Cllr Sam Charleston had been appointed to Licensing Committee by Full Council on 21 February 2023 in place of Cllr Pip Ridout.

#### **2 Minutes**

The minutes of the meeting held on 5 December 2022 were presented to the Committee.

#### **Resolved:**

**That the minutes of the meeting held on 5 December 2022 be approved and signed as a correct record.**

#### **3 Chairman's Announcements**

The Chairman gave details of the fire exits to be used in the event of the alarm sounding and made the following announcements:

#### **Cllr Pip Ridout**

Thank you to Cllr Pip Ridout for her service to the Licensing Committee and welcome to Cllr Sam Charleston who will be taking up the seat.

## King Charles III Coronation – May 2023

There had been an announcement that there would be a universal extension for all those with alcohol on their premises licence to be able to extend their opening hours on Friday 5, Saturday 6 and Sunday 7 May in recognition of the Kings Coronation.

### 4 **Declarations of Interest**

There were no declarations of interest.

### 5 **Public Participation**

No questions or statements had been submitted to the Committee from the public prior to the meeting.

### 6 **Licensing Appeals Update**

There were no known appeals pending.

Linda Holland (Licensing Manager) reported that there were no current Licensing Sub Committee hearings planned but there was quite a number of applications coming in across a whole range of licensable activities including new festivals for Wiltshire.

A Committee Member asked if there were any requests for a review hearing likely? Linda Holland reported that there was nothing currently on the horizon that she was aware of.

### 7 **Minutes of the Licensing Sub Committees**

There had been no Licensing Sub Committee hearings since the last meeting on 5 December 2022.

### 8 **Update on Project Vigilant**

DI Troy Smith from Wiltshire Police was unfortunately unable to attend the meeting due to operational issues but had submitted a written update on Project which is attached as Appendix 1 to these minutes.

A Committee Member noted that the Project Vigilant only referred to females and stated that it was not only males that are perpetrators in these types of situations/offences and asked if there could be something included for other vulnerable people?

A Committee Member expressed their disappointment that the Police representative was unable to attend again and asked if this was the case again if someone could be sent in their place?

**Resolved:**

- 1. That the Committee note the update on Project Vigilant attached as Appendix 1.**
- 2. That an update be requested to include what initiatives there were for vulnerable males.**

**Appendix 1 to the Minutes - Project Vigilant Update**

**9 Update from the Passenger Transport Team**

Jason Salter (Head of Service – Passenger Transport) was unable to attend the meeting but had prepared an update to be share at the meeting and this is detailed below:

The number of pupils who are not receiving home to school transport who are entitled is now zero, in the context of supply. This doesn't however mean that the supply issue has been resolved, as taxis from out of county are being used more prevalently, or we are using parents in an increased capacity. The number of licensed taxi drivers remains at a constant, which is nowhere near where it needs to be to manage the growth in this area.

Due to the taxi market not growing in sufficient capacity, the decision has been made by the Passenger Transport Unit to lease vehicles and employ drivers directly in order to meet the growth. As at 6 March 2023, there are currently nine vehicles deployed on home to school transport either owned or leased by Wiltshire Council. Eight of those have been previously deployed through Larkrise school for many years, with one additional vehicle now being used into Silverwood, Rowde. By the end of March 2023, it is expected that a further eight vehicles could be deployed, dependent upon the speed of which drivers receive suitable clearances. Further work in the form of a business case will be completed to determine how many more vehicles and drivers will be required to be supplied by Wiltshire Council to meet the appropriate demand. The market will continue to be tested in this area, through regular procurement, as it is not the desire for Wiltshire Council to provide its own services in this area, it is doing so because the market is unable to support the growth in demand.

Tom Ince (Principal Compliance Officer) confirmed that driver numbers are growing and that Officers were currently contacting other Local Authorities to investigate the possibility of a new "schools only licence" and would report the findings back to the Committee in due course.

A Committee Member asked about the Council owned vehicles and their possible use outside of the morning and afternoon school runs, wondering if there was a wider community use that could be considered? A Committee Member was aware of a responsive transport experience in Pewsey which could possibly be linked into?

A Committee Member was pleased to note that the immediate short term problem of transporting our SEND children to their education settings was solved and agreed that how the Council's vehicle provision could be expanded to be more useful to the community could be explored and that it would be useful to understand what the long term plans are.

The Committee asked for an update to be provided to them following the meeting on the planned use of Council owned vehicles outside of the "school run" provision and on the anticipated shortfall for new pupils transport requirements from September 2023.

A Committee Member wished to pass on thanks to the Taxi Licensing and Passenger Transport Teams for turning the situation around and increasing the driver numbers.

**Resolved:**

- 1. That the Committee note the update on behalf of the Passenger Transport Team.**
- 2. That the Committee receive an update following the meeting on the following:**
  - i) The planned use of Council vehicles outside of the "school run" provision**
  - ii) The anticipated shortfall for new pupils transport requirements from September 2023.**

**10 Update from the Licensing Team**

Linda Holland (Licensing Manager) referred to the Licensing Team update circulated with the Agenda and highlighted the following:

- Recently the Ask Angela campaign had proved particularly successful when a male said the phrase to bar staff in a Trowbridge licensed premises. The staff understood what was required of them and kept the male safe until Police arrived to deal with the situation;
- The "Safety at Night" Charter was a cross county initiative which was launched in Swindon and Wiltshire in November 2022 and seeks to proactively tackle the issue of safety within the night-time economy. Currently 55 venues had signed up to the Charter and Officers were working hard to get more to sign up;
- Following intelligence relating to potential illegal workers at licensed premises in Wiltshire, the Immigration Service had recently conducted a number of visits with several illegal workers being detained for not having the right to work in the UK. The onus was not on the Licensing Team to ensure that staff have the right to work, but on the employer.

- There had been an increase in the number of licensing applications in 2022 which was anticipated after Covid. However, a number of licensed premises had closed and it was likely due to a number of factors including staffing pressures and the current economic climate. 2023 so far had seen a slight growth in applications with a few new wine bars and online sales of alcohol.
- There had not been a huge number of enquiries to Licensing for premises wishing to celebrate the Kings Coronation. There had been some TEN applications but not as many as for the Queen's Platinum Jubilee celebrations. The Government had announced that licensing hours for pubs, clubs and bars across the Kings Coronation weekend would be extended by two hours. The extension from 11pm to 1am would cover the Friday 5 to Sunday 7 May 2023;
- The Government has announced that a new Protect duty (Martyn's Law) will place a requirement on those responsible for certain publicly accessible locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures. The legislation will ensure parties are prepared, ready to respond and know what to do in the event of an attack. Better protection will be delivered through enhanced security systems, staff training, and clearer processes. This was still in the draft phase and more information would be shared with the Committee and Councillors when it was available.
- The new rules introduced by the Gambling Commission which came into effect on 12 September 2022 seek to ensure that online gambling businesses do more to identify and take action to protect consumers at risk of harm;
- Changes to the Film Classification process were agreed by the Committee in December 2022 and as requested an appeal against a classification process had been set up, the proposed changes to the Council's Scheme of Delegation would be considered at the next Constitution Focus Group and then on to the Standards Committee. The introduction of fees and charges for film classifications from 1 April 2023 was agreed by Full Council in February;
- 2022 saw an increase in the number of complaints received regarding animal welfare and possible unlicensed activities and the team were currently investigating/dealing with several complex cases. The Council offers a voluntary dog walker scheme administered by the Dog Warden team – there was no legal requirement to be part of any scheme; and
- The Licensing Team continued to be busy and with the introduction of new computer software resources were having to be diverted to help with that which was more work than was anticipated. Jemma Price had left the team in December and was replaced by Andy Noble who had previously been working in the team under a temporary contract.

The Chairman wished to pass on this thanks to all of the Licensing team for their work and support to Members and asked if the extended hours for the Kings Coronation would be shared to ensure that Members and the public were aware of this. Linda Holland confirmed that this would be communicated as appropriate.

The Chairman asked that Kevin Oliver (Events Authorising Officer) be asked to provide an update on the current position of applications for the Kings Coronation and that this be shared with the Committee and to all Members.

Following a question from a Committee Member, Linda Holland clarified that the Council's Dog Wardens administer the list of voluntary dog walkers and offer advice about their responsibilities for walking a number of dogs together, but do not find the volunteers to be added to the said list.

The Committee had a number of queries regarding the new Martyn's Law and what the impact might be for premises in their areas and the expectations of those who let out public buildings for events etc. Linda Holland confirmed that the detail of the new law had yet to be determined and that further details would be shared via a Briefing note with all Members as soon as these were available.

A Committee Member reported that he had recently took his cat to a local cattery which he had used many times before. This time a lot more information had been requested from him in relation to the cat's history and vaccinations etc and he wondered if any recent changes in legislation had triggered this? Linda Holland reported that the legislation had not changed, but there was a drive to have all appropriate information about pets to ensure that they could be appropriately cared for and for establishments to do well in their inspections and achieve a high star rating.

**Resolved:**

- 1. That the Committee note the update on behalf of the Licensing Team.**
- 2. That Kevin Oliver be asked to provide an update on applications for the Kings Coronation and that any relevant guidance for Councillors/the public be shared as soon as possible.**

11 **Update from the Taxi Licensing Team**

Tom Ince (Principal Compliance Officer) referred to the Taxi Licensing update for January 2023 circulated with the Agenda and highlighted the following:

- Driver and vehicle numbers had stabilised over 2022/23 following both showing month on month declines between 2020 and 2021. Drivers were reporting higher levels of business now the economy was beginning to recover. The recent driver recruitment campaign had been successful and there was now a significant number of new driver applications (42 as at February 2023);

- There were currently over 800 vehicles with a licence for the first time in two years which was an additional 55 licenced vehicles from July 2022. However as heard earlier from the update on behalf of the Passenger Transport team the number of drivers was not rising quickly enough to keep up with the demand from Passenger Transport. The Taxi Licensing Team had had some staffing issues so they were currently under pressure to process the new applications and there had been some issues with the quality of applications received with some not sending the required documentation etc;
- The team were continuing to work on the introduction of a single licensing zone for hackney carriages in Wiltshire. In order to do this the Council has to adopt Paragraph 25 – Schedule 14 of the Local Government Act 1972, and a report was being prepared for Full Council for this; and
- There was generally a more positive outlook with the Taxi Licensing Team believing that the numbers were stabilising and had been improved following the work with the Passenger Transport Team on initiatives to encourage recruitment of new drivers in Wiltshire. The vacancy within the team had been recruited to and it was hoped that they would soon be back up to full strength to be able to process all applications in a timely manner.

The Chairman asked if there was any update on the vehicle inspection provision. Tom Ince reported that they could currently offer inspections in Devizes and Salisbury and that the move to centralised inspections twice a year to be in Devizes (with Salisbury as a possible back up) would form part of the resolution to move to the single licensing zone for Wiltshire.

A Committee Member asked about the presence of Uber in Wiltshire. Tom Ince confirmed that Uber were not licensed in Wiltshire, however with pre bookings being taken they could obviously travel into Wiltshire to transport passengers.

**Resolved:**

**That the Committee note the update on behalf of the Taxi Licensing Team.**

## 12 **Briefing Note on the Dangerous Wild Animals Act 1976**

Linda Holland (Licensing Manager) referred to the briefing note circulated with the Agenda which sought to inform the Committee of the current procedure with regard to issuing licences under the Dangerous Wild Animals Act 1976 and to advise of the revision of conditions attached to licences from 1 September 2022 to give more specific controls and highlighted the following:

- There were currently 5 premises in Wiltshire who held a licence under the Dangerous Wild Animals Act 1976. Dangerous wild animals are identified in a schedule and anyone wishing to keep one of these animals requires a Licence issued by the Local Authority. If the premises is open to the public over 7 days in a year, then it would be classed as a zoo and a different licence would be required;

- Before granting a licence, an inspection is undertaken by the Licensing Officer and an appropriate competent veterinary surgeon or veterinary practitioner to ensure compliance with the legislation as the animals covered by the Act require extremely specialised care and accommodation. The licensing process ensures that both the animal's welfare and the safety of the keeper and the wider public will be protected; and
- The revised conditions (as shown in Appendix 2 to the report) replaced the existing conditions on any licence granted or renewed from 1 September 2022 which gave more specific control in respect of DWA licensing and standardised the requirements for all licence holders and applicants. Further conditions could be added at the request of the veterinary inspector specific to the premises and species kept.

A Committee Member asked if there was a register of the premises with a DWA licence? Linda Holland confirmed that there was a register but this was obviously not a public register to ensure the safety of those animals.

**Resolved:**

**That the Committee note the update on the Dangerous Wild Animals Act and the updated conditions on licences.**

13 **Refresher of Expectations and Roles/Responsibilities at Licensing Sub Committee hearings**

Officers had been asked to run through the expectations, roles and responsibilities at Licensing Sub Committee hearings as a refresher for Members and Officers.

Officers highlighted the following:

*Prior to the hearing*

- Legal Officer to review the Licensing Officer's report and the agenda documentation prior to despatch for accuracy and appropriate redaction
- Committee Clerk to ensure that all parties to the hearing receive a copy of the Agenda and are aware of the meeting date, time and location

*At the briefing*

- Licensing Officer to highlight the background to the application and the relevant matters to be considered
- Legal Officer to also highlight possible relevant areas to explore at hearing and confirm what is/is not relevant to the application. If required, give guidance on the acceptance or otherwise on late submissions of paperwork/evidence to the Sub Committee

*At the hearing*



- Legal Officer to give any relevant guidance to the Sub Committee and clarify any issues. Ensure that the hearing proceeds in line with the hearing procedure and that matters outside of the licensing remit are not discussed/considered. Ensure that the due process is followed (with Committee Clerk) and that each party has been given a fair opportunity to share their views at the hearing
- Licensing Officer to answer any technical questions

*Making the determination*

- Legal Officer to guide the Sub Committee through the decision process, considering the evidence, giving any relevant legal advice and ensuring that any conditions are proportionate, reasonable and enforceable
- Legal Officer to assist Committee Clerk with drafting of basic decision notice to be read out at the conclusion of the hearing (*and if possible shared with parties to the hearing if required*)

*Following the hearing*

- Legal Officer to review the draft full decision notice prepared by the Committee Clerk and provide the reasoning for the decision
- Committee Clerk to publish the Decision Notice within 5 working days
- Committee Clerk to draft the minutes and send to Legal Officer to approve so that they can be published within 10 working days

Asifa Ashraf (Senior Solicitor) reported that she would be leaving the Council at the end of this week and that it was anticipated that Mike Edgar (Senior Solicitor) would be responsible for Licensing Committee and any Licensing Sub Committees.

14 **Dates of Future Committee Meetings**

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

19 June 2023  
 11 September 2023  
 4 December 2023  
 4 March 2024.

15 **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,  
direct line 01225 713015, e-mail [lisa.pullin@wiltshire.gov.uk](mailto:lisa.pullin@wiltshire.gov.uk)

Press enquiries to Communications, direct line 01225 713114 or email  
[communications@wiltshire.gov.uk](mailto:communications@wiltshire.gov.uk)



## **PARTNER BRIEFING: PROJECT VIGILANT**

### **PROJECT VIGILANT HISTORY**

**Appendix 1**

Project Vigilant is an operation developed by Thames Valley Police that deployed plain clothes police officers into the **night-time economy (NTE)** in Oxford. It is a perpetrator focused operation seeking to deploy several disruption tactics to prevent offences taking place.

Project Vigilant was found to be an effective tool to combat sexual offending in the Oxford NTE. As a result of Vigilant deployments, there was a 50% reduction in NTE-related rapes and a 30% reduction in NTE-related sexual assault.

### **VIGILANT WILTSHIRE**

In 2021, Project Vigilant was rolled out in Wiltshire NTE locations. This operation was deemed successful, with important disruption achieved and intelligence obtained surrounding vulnerability and predatory behaviour.

Further NTE deployments are planned for Swindon in 2023 as a result of successful Safer Streets funding bids by the local multi-agency groups. A more fluid approach is forecast for the rest of Wiltshire - whilst not having any one concentration of NTE the size of Swindon's, the county's NTE hotspots are spread over a large geographical area. The plan is to deploy a smaller, more mobile Vigilant team into areas where risk is higher according to where there may be special events and in liaison with CCTV operators, local Policing units, etc.

Vigilant is designed to work with venues and door-staff to raise awareness of the risk of predatory sexual offending in an attempt to increase public safety and increase reporting any sexual offences and drive up intelligence submissions on suspects and risk locations through normal police channels or other agencies such as Crimestoppers.

### **VIGILANT DAY**

An early strategy for the Wiltshire VAWG (Violence Against Women And Girls) team was to refresh and re-focus Project Vigilant so that it not only tackled the NTE, but daytime public spaces like shopping centres and recreational parks where predators can loiter in plain sight and minor criminality and anti-social behaviour can make areas feel unsafe and intimidating.

Units target males who may seek to exploit, assault, harass or intimidate female members of the public who frequent the deployment areas. The method of policing is deliberately intrusive and robust without being aggressive or oppressive.

### **INTENTION**

- Safeguard the vulnerable from sexual violence through proactive disruptive patrols and providing an enhanced response to serious sexual offences
- Identify predatory behaviour by potential perpetrators and prevent further offences through overt intervention
- Gather intelligence around potential perpetrators for future disruption and to assist future investigations

- Deter violence, intimidation and street harassment against women and girls and offer reassurance through a visible uniformed presence
- Provide a robust 'broken windows' policing approach to deter and manage individuals engaged in disorder, anti-social behaviour and petty offences that affect the quality of life of those using the same public space (e.g. aggressive begging, public drunkenness)
- Identify vulnerable persons and safeguard them through engagement and advice – this includes women and girls who may benefit from signposting to support agencies such as SARC (Sexual Assault Referral Centre), drug & alcohol services, mental health services, domestic violence support and local authority housing/homelessness