

AGENDA

Meeting: Licensing Committee

Place: Council Chamber - County Hall, Bythesea Road, Trowbridge, BA14 8JN

Date: Monday 6 March 2023

Time: 10.30 am

Please direct any enquiries on this Agenda to Lisa Pullin of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713015 or email lisa.pullin@wiltshire.gov.uk

Press enquiries to Communications on direct lines 01225 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Peter Hutton (Chairman)	Cllr Andrew Davis
Cllr Allison Bucknell (Vice-Chairman)	Cllr Ruth Hopkinson
Cllr Steve Bucknell	Cllr George Jeans
Cllr Trevor Carbin	Cllr Pip Ridout
Cllr Daniel Cave	Cllr Tim Trimble
Cllr Kevin Daley	Cllr Robert Yuill

Substitutes:

Cllr David Bowler	Cllr Dr Brian Mathew
Cllr Ernie Clark	Cllr Charles McGrath
Cllr Jon Hubbard	Cllr Dr Nick Murry
Cllr Bob Jones MBE	Cllr Stewart Palmen
Cllr Jerry Kunkler	Cllr Nic Puntis

Recording and Broadcasting Information

Wiltshire Council may record this meeting for live and/or subsequent broadcast. At the start of the meeting, the Chairman will confirm if all or part of the meeting is being recorded. The images and sound recordings may also be used for training purposes within the Council.

By submitting a statement or question for a meeting you are consenting that you may be recorded presenting this and that in any case your name will be made available on the public record. The meeting may also be recorded by the press or members of the public.

Any person or organisation choosing to film, record or broadcast any meeting of the Council, its Cabinet or committees is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

Details of the Council's Guidance on the Recording and Webcasting of Meetings is available on request.

Parking

To find car parks by area follow [this link](#). The three Wiltshire Council Hubs where most meetings will be held are as follows:

County Hall, Trowbridge
Bourne Hill, Salisbury
Monkton Park, Chippenham

County Hall and Monkton Park have some limited visitor parking. Please note for meetings at County Hall you will need to log your car's registration details upon your arrival in reception using the tablet provided. If you may be attending a meeting for more than 2 hours, please provide your registration details to the Democratic Services Officer, who will arrange for your stay to be extended.

Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

Our privacy policy is found [here](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

1 **Apologies and Substitutions**

To receive any apologies and details of any substitutions.

2 **Minutes** (*Pages 7 - 18*)

To confirm and sign the minutes of the meeting held on 5 December 2022 (copy attached).

3 **Chairman's Announcements**

To receive any announcements from the Chairman.

4 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **(Monday 27 February 2023)** in order to be guaranteed of a written response. In order to receive a verbal response, questions must be submitted no later than 5pm on **(Wednesday 1 March 2023)**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Licensing Appeals Update**

To receive an update on any appeals lodged against Licensing Sub Committee decisions.

7 **Minutes of the Licensing Sub Committees**

There have been no Licensing Sub Committee meetings since the last meeting on 5 December 2023.

8 **Update on Project Vigilant**

DI Troy Smith from Wiltshire Police will attend the meeting to update the committee on Project Vigilant.

9 **Update from the Passenger Transport Team**

Jason Salter (Head of Service – Passenger Transport) will give an update on behalf of the Passenger Transport Team at the meeting.

10 **Update from the Licensing Team** (*Pages 19 - 24*)

Linda Holland (Licensing Manager) will give an update/overview on behalf of the Licensing Team to the Committee, the update is attached.

11 **Update from the Taxi Licensing Team** (*Pages 25 - 32*)

Tom Ince (Principal Compliance Officer) has prepared the attached Taxi Licensing update as at January 2023 and will give an overview to the Committee.

12 **Briefing Note on the Dangerous Wild Animals Act 1976** (*Pages 33 - 42*)

The purpose of the briefing note which has been prepared by Linda Holland (Licensing Manager) is to inform the Licensing Committee of the current procedure with regard to issuing licences under the Dangerous Wild Animals Act 1976 (DWA) and to advise the Committee of the revision of the conditions attached to licences from 1 September 2022 to give more specific controls.

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

The Chairman wishes to run through the expectations and roles/responsibilities at Licensing Sub Committee hearings as a refresher for Members and Officers.

This will cover:

- Prior to the hearing
- At the briefing
- At the hearing
- Making the determination
- Following the hearing.

14 **Dates of Future Committee Meetings**

Members are asked to note the future meetings of the Licensing Committee, all to commence at 10.30am:

19 June 2023

11 September 2023

4 December 2023.

15 **Urgent Items**

Any other items of business, which in the opinion of the Chairman, should be taken as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

This page is intentionally left blank

Licensing Committee

MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 5 DECEMBER 2022 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Peter Hutton (Chairman), Cllr Allison Bucknell (Vice-Chairman), Cllr Steve Bucknell, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Kevin Daley, Cllr Andrew Davis, Cllr Tim Trimble and Cllr Robert Yuill

Also Present:

Asifa Ashraf (Senior Solicitor), Linda Holland (Licensing Manager) Tom Ince (Principal Compliance Officer) Sarah Marshall – (Principal Solicitor), Lisa Pullin – (Democratic Services Officer), Jason Salter – (Head of Service – Passenger Transport), Sarah Valdus – (Assistant Director – Environment)

67 **Apologies and Substitutions**

Apologies have been received from Cllrs Ruth Hopkinson and Pip Ridout and from Mike Edgar (Senior Solicitor), Kevin Oliver (Authorising Officer), Adrian Hampton (Head of Highway Operations), and Adrian Weissenbruch (SEND and Passenger Assistant Transport Manager).

There were no substitutions.

68 **Minutes**

The minutes of the meeting held on 17 October 2022 were presented to the Committee.

Resolved:

That the minutes of the meeting held on 17 October 2022 be approved and signed as a correct record.

69 **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:

Welcome

Welcome to Sarah Valdus who is the new Assistant Director – Environment.

Update on Project Vigilant

The Committee will recall that DS Louise Morley attended the Licensing Committee in March 2022 to give an overview of Project Vigilant, the aim of which is preventing sexual violence. Louise Morley has now moved roles and DI Troy Smith is now responsible for rolling this project out in Wiltshire. DI Smith was unable to attend the meeting today but had reported that they have deployed in Swindon during the day time (Operation Vigilant DAY) and had a DAY deployment in Trowbridge on 3rd December 2022, assisted by the local Neighbourhood Team headed by Inspector Andy Lemon. Night time economy (NTE) deployments are planned, however these are likely to be in Swindon only for now as a result of the local group's recent success in securing Safer Streets funding. A partner briefing is attached to the Agenda at page 21. DI Smith has been invited to attend the next Licensing Committee meeting on 6 March 2023 to provide an update.

Safer Streets Initiative

A number of Safer Streets initiatives would be coming forward over the next few months and the Committee would receive updates as these become available.

Farewell and Thanks

To Sarah Marshall (Principal Solicitor) who will be leaving Wiltshire Council on 6 January 2023 – Sarah was thanked for her support to the Licensing Committee and Licensing Sub Committee hearings and was presented with a card and chocolates on behalf of the Committee.

Sarah gave her thanks for the chocolates and her time advising the Committee and reported that Asifa Ashraf and Mike Edgar would be supporting Licensing moving forwards.

70 **Declarations of Interest**

There were no declarations of interest.

71 **Public Participation**

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

72 **Licensing Appeals Update**

There were no known appeals pending. *However – an appeal was understood to have been filed with the Magistrates Court in October 2021 but nothing further has been received from the Court.*

73 **Minutes of the Licensing Sub Committees**

The following minutes of the Licensing Sub Committees were presented to the Licensing Committee:

Southern Area Licensing Sub Committee

07.11.22 Application for a Review of a Premise Licence – The Cuckoo Inn, Hamptworth, Salisbury

It was highlighted that there was a typographical error on page 38 of the Agenda pack in the table. The hours the premises open to the public stated that the Saturday closing was at 23:00 when it should read 23:30. The typo would be amended and decision notice reissued.

Western Area Licensing Sub Committee

16.11.22 Application for a Variation of a Premises Licence – The Bath Arms, Crockerton, Warminster

Resolved:

That the above Licensing Sub Committee minutes be approved and signed as a correct record subject to the minor alteration in the minutes of the Southern Area Licensing Sub Committee of 7 November 2022.

74 **Briefing Note - The King's Coronation - Community Celebrations**

Kevin Oliver (Events Authorising Officer) had prepared a briefing note to ensure that there was a robust and straightforward system in place so that communities wishing to celebrate the Kings Coronation in June 2023 are signposted to the appropriate places. Agreement was sought to publish the briefing note on the Council's website and to share with all Town and Parish Councils.

A Committee member asked that the guidance and details of costs be circulated to all Town and Parish Councils as soon as possible as there may be budget setting implications for them. It was also suggested that the information is also shared via the Area Boards and that the timescales for applications are clearly set out with a final date included after which no applications would be considered.

Resolved:

That the briefing note be published on the Council's website and that it be shared with all Town and Parish Councils and Area Boards as soon as possible, (including details of associated costs and timescales.)

75 Update from the Taxi Licensing Team

Tom Ince (Principal Compliance Officer) referred to the taxi licencing report for November 2022 that was circulated with the Agenda and highlighted the following:

- Driver numbers had stabilised over 2022. The Taxi Licensing and Passenger Transport team had launched a driver recruitment campaign and this was bearing fruit with 44 new licence applications being processed during October 2022. However there were a number of older drivers leaving the industry but it was positive that the numbers were flat and not continuing to fall;
- Drivers were reporting higher levels of business now the economy is beginning to recover; however the Council had received a number of complaints over the last two months from individuals struggling to book a taxi, especially at school run times. A large proportion of taxis are utilised by Passenger Transport Unit contracts and Officers were looking at the possibility of there being a school transport only licence and make this cheaper for drivers to apply for, although all of the relevant checks in place would have to remain the same but they could reduce the knowledge test and fee with a restricted licence;
- The Taxi Licensing team had been heavily hit by staff sickness and whilst they had been able to secure approval for a temporary position from the temporary work bank there had been no interest to fill the role and they were now working with HR to try and push for this as the team needed to ensure that they could deliver their priorities and their focus to recruit new drivers and to keep the trade moving. The staff shortages had also impacted on the level of active enforcement the team were able to carry out;
- The number of licenced vehicles went up 9 in October 2022 and were now at 791 as at 22 November 2022. There had been a move away from Hackney Carriage licences to private hire licences and that trend was expected to continue due to the change in the industry;
- The increase of 10% to tariff 1 (as agreed by the Licensing Committee in October) was implemented on 1 December 2022 and there would be an annual review of this due to be completed in the first quarter of 2023 and whilst they did not anticipate any changes this would be led by data from benchmarking from other Local Authorities and any proposed changes would be reported back to the Committee; and
- The feedback from the trade was that the rates for larger vehicles should be increased, however Wiltshire are currently one of the most expensive Local Authorities in the area for large vehicles and there was a balance of the needs of the businesses and taxis being cost effective/affordable for the public too.

A Committee member referred to the graph showing the total driver numbers per area on page 61 of the Agenda and commented that the total number of drivers seemed to have dipped in October 2022 from the previous month, and particularly in the North of the County and felt that the recovery didn't look like it had tipped up yet and how this could be turned around? Tom Ince reported that it was nothing specific in the north of the county that he was aware of but was aware of some drivers retiring and that those in the north and west also carried out work in Bath too, the level of work in Bath has dropped affecting drivers in these areas. He confirmed they do ask drivers why they are leaving and some say that they don't wish to continue to work the unsocial hours and some will say that they are not making any money and can earn similar money with delivery work etc.

The Committee member asked if it was easier for drivers in the north of the county to find work in Swindon as there was probably more work available and what could be done about that? Tom Ince reported that there was not too much they could do about that as the industry is based on supply and demand and they are able to work outside of their area to carry out pre-booked work as the law allows them to.

Tom Ince reported that they had thought they would see an increase in drivers/vehicles but this had not come through as rapidly as they thought as yet. He did not think that they would get back to the levels pre-pandemic as they are aware that the footfall in town centres is down and drivers are choosing to take on contract work rather than sat waiting on a rank. The industry was evolving and the team would look at ways to make it easier for drivers to become licenced.

A Committee member commented that perhaps there should be no hackney carriages and was aware that in her area everyone uses V Cabs which was a Swindon operator for day to day use and only local taxis for longer airport runs. She suggested asking customers if they feel there is a lack of provision because it could be that we are looking to solve a problem that isn't there. The Chairman commented that the night time economy is a lot different and there had been a drop in the requirement of taxis in the evenings and that Salisbury had decided not to reapply for the Purple Flag status as the whole economy was different now post pandemic.

The Chairman highlighted the importance of taxi trade representative meeting and asked the team were still seeking nominations from the trade to move these meetings forward? Tom Ince reported that they would be looking to reintroduce the trade rep meetings next year but had found in the past that the reps come with their own agenda and that they were not necessarily representing their area's views. They would work to encourage more participation from the trade and ask them to work together to come up with solutions to problems.

The Chairman asked that as we are getting close to Christmas if there were any social media promotions running to keep safe and about Ask Angela etc?

Linda Holland (Licensing Manager) reported that there was currently quite a lot of promotion regarding the safety charter, sensible drinking, no drink driving etc and this was also linked in with the Police.

A Committee member asked if there was a risk that the current licensed drivers wishing to “drop down” to a school contract only licence could lead to a loss of ever more drivers available for the general public? Tom Ince reported that yes this was a significant risk, particularly if the majority of their income was already from that work. It could mean that the drivers do the school runs and then do delivery work in between.

Jason Salter (Head of Service – Passenger Transport) reported that this could have an impact on other side for businesses and that he was canvassing other local authorities to see about that effect. It was anticipated that 65-70% of operators were working on the Wiltshire contracts with their £14million spend on passenger transport. Wiltshire were also having to use Swindon and Bath operator. Jason Salter reported that he had prepared a questionnaire for drivers to ask for their views on about Wiltshire and about the other work that they are doing which he felt would be a valuable exercise.

A Committee member felt that some taxi drivers did not do themselves any favours as he was aware that some drivers insist on cash only payments.

The Chairman reported that any gathered intelligence/complaints needed to be reported to the taxi licensing team to enable them to carry out any necessary enforcement.

Resolved:

That the Committee notes the update on behalf of the Taxi Licensing Team.

76 **Update on Fulfilment of Passenger Transport Contracts**

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

- That there were currently 5-6 students without transport to education settings due to a lack of drivers/licenced vehicles. There were also as number of parents receiving a rate of pay to transport their own children to school that are entitled to free transport;
- Between now and June 2022 it was anticipated that there would be a further 80 new requests for transport which would obviously be a further struggle to be able to deliver the transport provision for this. Some quotes received for this work come in at £300/£400 per day. The demand obviously places a big strain on staff who are having to deal with parents/carers who are wishing to receive their provision and currently the local authority were having to spend more than they have ever done to be able to fulfil their statutory duty;

The Chairman reported that he was aware that 200 more transport requests would be required from September 2022 and asked if there was something that could be done in house with Wiltshire Council drivers carrying out our contract work? Jason Salter reported that they were looking at a blend of different things to help with that including buying larger vehicles that could carry 8 passengers as that would release the capacity from smaller taxis. There were a large number of taxis that were currently only transporting only one person and they would look into this further to see if there was an opportunity to offer parents to transport their child which would release those taxis back into the market.

The Chairman asked if it was made clear to the parents/carers with guidance on what they would receive if they were to transport their children themselves. Jason Salter reported that they were clear on what they will pay in those situations and that hopefully it would not be forever and offered to share the guidance so that this could be passed on to the Committee members.

A Committee member expressed concern that if parents are able to transport their child to school that they should do so. Jason Salter reminded of the Council's statutory duty to provide transport to school in certain circumstances.

The Chairman agreed that more work was to be done to get more drivers into the taxi trade and asked that the Passenger Transport team continue to work with the Taxi Licensing team to look at ways to make it easier for drivers to get started and look into the possibility of the school only licence. A Committee member suggested that this only be available to new drivers/licences so that this would not pull existing drivers over to convert to this type of licence.

The Chairman noted that these were challenging times for the two services and thanked Officers for the updates.

Resolved:

That the Committee note the update on the fulfilment of passenger transport contracts and the measures taken to make improvements in relation to this.

77 **Film Classification: Amendment to Procedure and New Fees and Charges**

The report attached to the Agenda sought approval from the Committee to consider a charging regime in relation to the classification of films by Wiltshire Council and to review the procedure and implement a fee structure. Linda Holland (Licensing Manager) highlighted the following:

- Following a review of the process it would appear more effective to bring film classification in line with other licensing processes. The changes proposed were felt to be more practical with two Licensing Officers watching and then classifying films to reduce the burden in arranging a Licensing Sub Committee which would currently require attendance from

three Councillors, Legal, Licensing and Democratic Services representatives;

- There is currently no legal right of appeal for film classification decision and a challenge to a film classification can only be made by an application to judicially review the decision; and
- Officers had carried out benchmarking of fees from other local authorities and had set out what they considered to be reasonably proportionate fees to watch and carry out the associated admin work of processing the applications to classify films.

The Chairman commented that the proposed fees were close to that of Mendip but there was quite a variation in relation to what Oxford were charging. Linda Holland reported that she had looked how the fee structures are calculated for our other services and had come up with a cost that equated to the Officer's time.

Sarah Marshall (Principal Solicitor) advised the Committee that some film classifications may require a hearing by a Licensing Sub Committee in exceptional circumstances if needed.

A Committee member noted that the BBFC offered a 50% reduction for any charities that apply to have a film classified and asked about the appeals process and we could state if applications were not received within the specified timescales that they would not be considered. Linda Holland reported that there was no right of appeal in law but that any decision could be the subject of a judicial review. They could consider setting up an appeals process if this was wished for by the Committee.

It was then proposed and seconded that an appeals process be set up so that anyone wishing to appeal the Officer's decision would go before a meeting of the Licensing Sub Committee before this went to a judicial review. This motion was carried and would be added to the main proposals later in the meeting.

Linda Holland reported that in relation to a possible cost reduction for charities this was considered but not taken forward as that would not cover the costs of dealing with the application.

It was proposed that there be a 50% reduction in fees to registered charities but this motion was not seconded so fell away.

Resolved:

That the Licensing Committee

- 1. Agree and adopt the amendments to the film classification procedure, including the setting up of an appeals process through the Licensing Sub Committee.**

2. **Approve the delegation to the Licensing Manager and/or Licensing Officers for the classification or reclassification of films.**
3. **That Part 3, Section D of the Scheme of Delegation specific to the Licensing Act 2003 in terms of reference of the Licensing function, be amended as follows: To determine film classification restrictions where there has been no classification by the British Board of Film Classification, be delegated to Officers, but that any appeals against the Officers decisions be dealt with by the Licensing Sub Committee.**
4. **Agree the fees as set out below in respect of film classifications carried out by Wiltshire Council.**
 - i) **Cost of viewing a film be charged at £100 for the first hour plus £20 for each additional 15 minutes or part thereof**
 - ii) **The administrative fee per single film be charged at £25**
 - iii) **For film festivals of between 1 and 25 films this be charged at £110 for the first hour plus £20 for each additional 15 minutes or part thereof plus a one off admin charge of £35 to watch all films**
 - iv) **For film festivals of between 26 and 50 films this be charged at £130 for the first hour plus £20 for each additional 15 minutes or part thereof plus a one off admin charge of £35 to watch all films**
5. **Recommend to Council that the fees detailed above in 4. be approved as the charges for film classifications.**

78 **Dates of Future Committee Meetings**

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

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

79 **Urgent Items**

The Chairman asked Officers present to give an update from their teams that they felt were relevant to the Committee:

Linda Holland (Licensing Manager) reported that they had recently recruited to two posts within their team – a Technical Support Officer and a Licensing Officer. Moving forward there were software changes due next year that would involve working on and that would further reduce their capacity.

There had been no significant issues with the current football world cup games being shown at premises and she was aware that some of the hospitality

sectors were under strain with the lower levels of customer numbers that had not really picked up since the pandemic. They were working with Police colleagues to promote positivity and to support the premises and their customers to operate safely so as to avoid any issues particularly with anti-social behaviour.

The levels of temporary events notice applications was at 185 for December which was the same as pre Covid levels although she noted that there were changes in the way that patrons were frequenting premises and that there were pressures for all relating to the cost of living and for premises having issues with their own increased costs and staffing difficulties. It was felt that this was an ongoing challenge for the industry and that they would do what they could to support them going forward.

A Committee member asked if Officers had received as many applications as they had expected for the Queen's jubilee celebrations in June? Linda Holland reported that they had not.

Tom Ince (Principal Compliance Officer) reported that he would share information to the Clerk around guidance of street cash collections so that all Councillors were aware of the requirements should they receive any concern about this from their constituents. They had anticipated a rise in applications for permits for street collection permits in 2022 but this had not materialised. They had an issue with a Santa Train/Float collection in the north of the County who had not been granted a street collection permit. Street collection and House to House Collection permits are free, anyone asking for donations either from house to house or on the streets would require a permit and this would ensure there was transparency of where the collection money going to ensure that the nominated charity was benefitting.

Changes had been implemented to the charges for street trading consents and although this was up 30% up from last year positive, 10% traders had ceased in the last few months with some reporting that even with a busy town centre location they could not make it pay because of the lower footfall. Markets were also struggling to retain their traders and they anticipated that there would be further difficulties going in to the next quarter as things had changed and how people shop had changed post pandemic.

The numbers of incidences of fly tipping had fallen and two new Officers would be starting in the new year and their focus would be on education around fly tipping.

The Chairman thanked all teams for their updates.

Resolved:

That the Licensing Committee note the team's updates.

(Duration of meeting: 10.30 - 11.40 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

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

This page is intentionally left blank

Update on the Licensing Service: March 2023

To update the Committee on the work of the Licensing Team in 2022/early 2023.

2022 proved to be a busy year for the Licensing Team.

Festivals and large scale events

Wiltshire is a popular venue for festivals and other large scale events. Prevention of harm is a key element when planning an event; Licensing Officers engage 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. By early intervention and positive engagement, we seek to guide and educate organisers around managing alcohol consumption levels, drug prevention, antisocial behaviour, and the wellbeing of all at events.

Some events are supported through the Event Safety Advisory Group (ESAG). We have started holding these meetings for events planned during this year. This is a forum where the organisers of events meet with the responsible authorities including the emergency services to discuss details of the event and any potential issues and are offered multi-agency advice. The aim of these meetings is to promote well-run, safe events in Wiltshire.

A number of high profile events have indicated they will be returning again this year, alongside a number of new or expanded events, Wiltshire offers a diverse range of events for our communities and visitors.

Partnership Working



Wiltshire Council Licensing, Swindon Licensing and Wiltshire Police licensing have been working together to promote the “Safety at Night ” Charter. This is a cross county initiative which was launched in Wiltshire and Swindon by the OPCC in November 2022.

The aim is to encourage any type of business or organisation that operates in the evenings to get involved.

The teams wish to proactively work alongside businesses to provide the training, tools, and ongoing support they need to help improve the standard of night-time safety across the county. People in Wiltshire should be able to feel reassured when out and about at night, and able to safely enjoy the many great amenities our county has to offer.

By signing the charter, businesses are agreeing to proactively tackle the issue of safety within the night-time economy by taking on the following pledges.

- Responsibility
- Champion
- Report and Respond
- Support
- Environment

The public awareness element of the campaign will be launched imminently.



Recently this campaign has 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.

Any premises that displays these posters (more commonly in the toilets) will have signed up to the campaign and have staff that are aware of it. Further information on the campaign is available on our website by visiting <https://www.wiltshire.gov.uk/article/1113/Ask-for-Angela>

Immigration Service

Following intelligence relating to potential illegal workers at licensed premises in Wiltshire, the Immigration Service has recently conducted a number of visits with several illegal workers being detained for not having the right to work in the UK.

Referral notices have been served. (This is a civil penalty notice for employing illegal workers and entails a potential £20,000 fine per illegal worker).

Further joint working will be carried out in the future.

Licensing Applications

To give the Committee an update on the work of the Licensing Team, the table below details the licensing applications in the 2021 and 2022 calendar years but excludes the animal activities regulations work.

Licence Applications: 2021/ 2022

Year comparison	2021	2022	
Temporary Events Notices	889	1393	
Late Temporary Events Notices	245	407	
Licensing Applications (New /variation/minor variation/Variation of DPS)	564	624	
Personal Licences	256	265	
Lotteries	423	450	
Licensing Complaints / Enquiries	344	413	
Gambling Permits (Gaming Machines)	104	97	
Number of licensing transaction in the year	5171	5374	

Hearings

Last year we have held 13 licensing hearings compared to 11 in 2021. To date in 2023 no hearings have been held.

Office for National Statistics Publish Night-time Economy Statistics

The Office for National Statistics [has published night-time economy statistics](#) for the UK in 2022 with a focus on understanding the people who work during the evening and night across the UK.

The ONS data's main points include:

- The total number of night-time workers fell from 9.5 million in 2016 to 8.7 million in 2022.
- In 2022, 15% of night-time workers worked from home compared with 25.1% of purely daytime workers.
- In 2022, 15.1% of employees in night-time industries were in low-paid roles, compared with 10.5% of employees as a whole; in the night-time cultural and leisure activities grouping, which includes restaurants, pubs and entertainment activities, this figure increases to 38.5%.
- The night-time cultural and leisure activities grouping has a relatively high number of workers aged 16 to 19 years (18.6%, compared with 3.0% of the workforce as a whole) and a significant number of people in elementary occupations (45.0%), including bar and restaurant staff and security guards.
- The night-time economy relies heavily on people born outside of the UK: between 2012 and 2022, the number of night-time workers born outside of the UK rose by 32.6% to 2.0 million; in the 24-hour health and personal services grouping of industries, this number rose by 69.1% to 0.5 million.
- While there are more night-time workers in urban areas than rural areas, both in absolute terms and as a proportion of an area's population, rural areas typically have a higher proportion of night-time workers in their workforce.

Section 182 guidance

The Government has [updated the Section 182 guidance](#), (December 2022) which accompanies the Licensing Act 2003. The substantive update to the guidance is to the right to work section, however the guidance now includes wording on the Agent of Change principle. (***This places the responsibility for mitigating impacts from existing noise-generating activities or uses on the proposed new noise-sensitive development***). *In other words, the person or business responsible for the change must also be responsible for managing the impact of the change*

King's Coronation Celebration

This year we see the Coronation of His Majesty the King. This will have an impact on some of our licensed premises with the relaxation of licensing hours.

Wiltshire Council have provided information and guidance for communities wishing to hold events during this celebration.

[Coronation of King Charles III - information and guidance for communities - Wiltshire Council](#)

Martyn's Law (New Protect duty)

The Government has announced that a new duty will come into law later this year. No date has been set for this yet.

The new duty is also known as Martyn's Law in tribute of Martyn Hett, who was killed alongside 21 others in the Manchester Arena terrorist attack in 2017.

What will the new duty do?

It will place a requirement on those responsible for certain locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures.

Where will it apply?

This will include locations for purposes such as

- entertainment and leisure,

- retail, food, and drink,
- museums and galleries,
- sports grounds,
- public areas of local and central Government buildings (e.g., town halls),
- visitor attractions,
- temporary events,
- Places of Worship,
- health and education.

Premises will be drawn into the scope of the Duty if they meet the following three tests:

- That the premises is an eligible one – i.e., building or event with a defined boundary.
- That a qualifying activity takes place at the location; and
- That the maximum occupancy of the premises meets a specified threshold – either 100+ or 800+

Martyn's Law will follow a tiered model linked to activity that takes place at a location and its capacity aimed to prevent undue burden on businesses.

- *A standard tier* will apply to locations with a maximum capacity of over 100 which can undertake low-cost, simple yet effective activities to improve preparedness.
- *An enhanced tier* will focus on high-capacity locations in recognition of the potential consequences of a successful attack. Locations with a capacity of over 800 people at any time, will additionally be required to undertake a risk assessment to inform the development and implementation of a thorough security plan.

Enforcement

The Government has said it will establish an inspection and enforcement regime, promoting compliance and positive cultural change and issuing credible and fair sanctions for serious breaches.

At present it is not clear if this will be Local Authority responsibility, but we are awaiting further details.

[Martyn's Law Factsheet - Home Office in the media \(blog.gov.uk\)](#)

Gambling Act 2005

Whilst the Licensing Authority does not deal with online gambling providers as these fall under the Gambling Commission authority, I thought members might find the following changes to the rules for at risk customers informative.

The new rules introduced by the Gambling Commission which came into effect on 12 September 2022 seek to ensure online gambling businesses do more to identify and take action to protect consumers at risk of harm have been

The new rules are stronger and more prescriptive, requiring operators to:

- monitor a specific range of indicators, as a minimum, to identify gambling harm
- flag indicators of harm and act in a timely manner
- implement automated processes for strong indicators of harm
- prevent marketing and the take-up of new bonuses for at risk customers

- evaluate their interactions and ensure they interact with consumers at least at the level of problem gambling for the relevant activity
- evidence their customer interaction evaluation to the Gambling Commission during routine casework
- comply with these requirements at all times, this includes ensuring the compliance of third-party providers.

New guidance, which operators are required to take account of, were issued in June 2022 to help them understand and comply with the requirements.

Gambling Commission Chief Executive, Andrew Rhodes, said: “Time and time again our enforcement cases show that some operators are still not doing enough to prevent gambling harm. These new rules, developed following an extensive consultation, make our expectations even more explicit.

“We expect operators to identify and tackle gambling harms with fast, proportionate and effective action and we will not hesitate to take tough action on operators who fail to do so.”

The strengthened requirements followed a consultation which was launched to address failings the Commission continued to see among online gambling operators. Although capable of identifying customers who may be harmed by gambling, operators were not always doing so or acting quickly enough. The Commission received approximately 13,000 responses to the consultation and call for evidence. All responses to the proposals were carefully considered to ensure proportionate, robust changes were made.

In the next phase of the programme of work to make online gambling fairer and safer, the Commission will consult further on identifying customers who are financially vulnerable and tackling significant unaffordable gambling.

Film Classification Update

Further to the Licensing Committee meeting on the 5 December 2022, I can advise members that:

- An appeals procedure has been set up.
- The scheme of delegation Part 3D4 amended as directed will be considered at the next standards Committee meeting.
- The fees approved by Licensing Committee formed part of the councils budget considerations of fees and charges on 21 February and will be implemented from 1 April 2023.

Animal Licensing

2022 saw an increase in the number of complaints received regarding animal welfare and possible unlicensed activities. Licensing is currently investigating / dealing with several complex cases.

A small number of premises inspected under the unannounced inspection requirements of the animal activities regulations have had their star rating reduced following concerns found at time of inspection. The majority were found to be providing a good or excellent standard environment for animals under their care.

Licensing have sought to remind owners going on holiday to use licensed home boarders, day carers, kennels, and catteries, via a poster campaign and social media posts.

Following on from the recent tragic incident that has garnered national attention, both the Dog warden and Licensing teams have been reminding the public and licence holders about their responsibilities when walking a number of dogs together.

The Council offers a voluntary dog walker scheme administered by the Dog Warden team. There is no legal requirement to be part of any scheme.

[Dog walker scheme - Wiltshire Council](#)

Latest Team News

Andy Noble, who is currently on a temporary contract with us, has been appointed to a permanent post replacing Jemma Price who left at Christmas, and Claire Baker joined the team as a Technical Support Officer in January.

Emma Hyde is currently on maternity leave.

Licensing Officers

Carla Adkins	01249 706438	carla.adkins@wiltshire.gov.uk
Roy Bahadoor	01249 706439	roy.bahadoor@wiltshire.gov.uk
Emma Hyde (on maternity leave)	01249 706414	emmaA.batchelor@wiltshire.gov.uk
Teresa Isaacson	01249 706413	teresa.isaacson@wiltshire.gov.uk
Katherine Edge	01225 713559	katherine.edge@wiltshire.gov.uk
Lisa Grant	01380 826332	lisa.grant@wiltshire.gov.uk
Andy Noble	01249 706402	andy.noble@wiltshire.gov.uk

Technical Support Officers

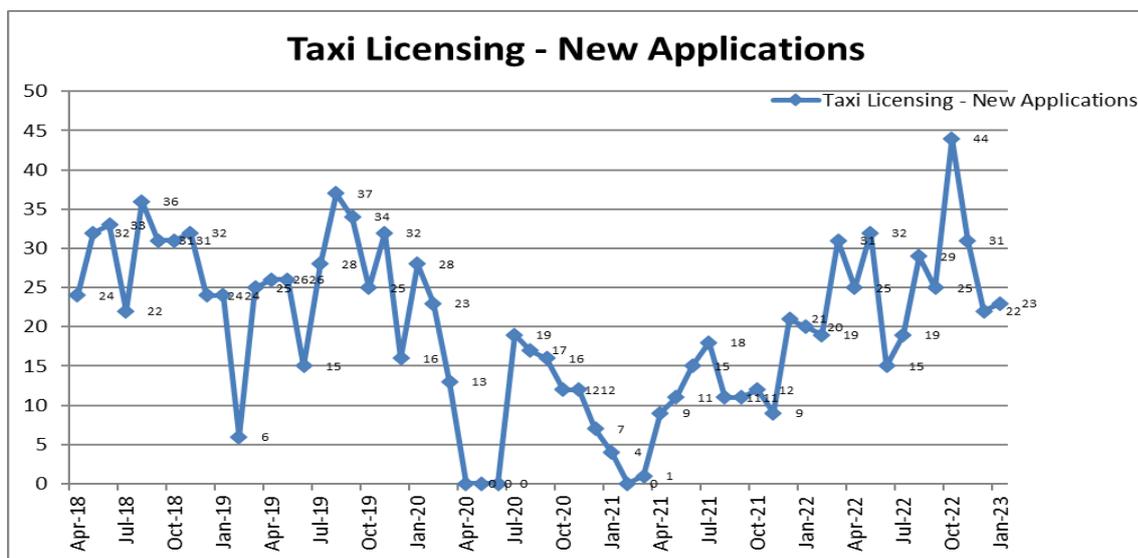
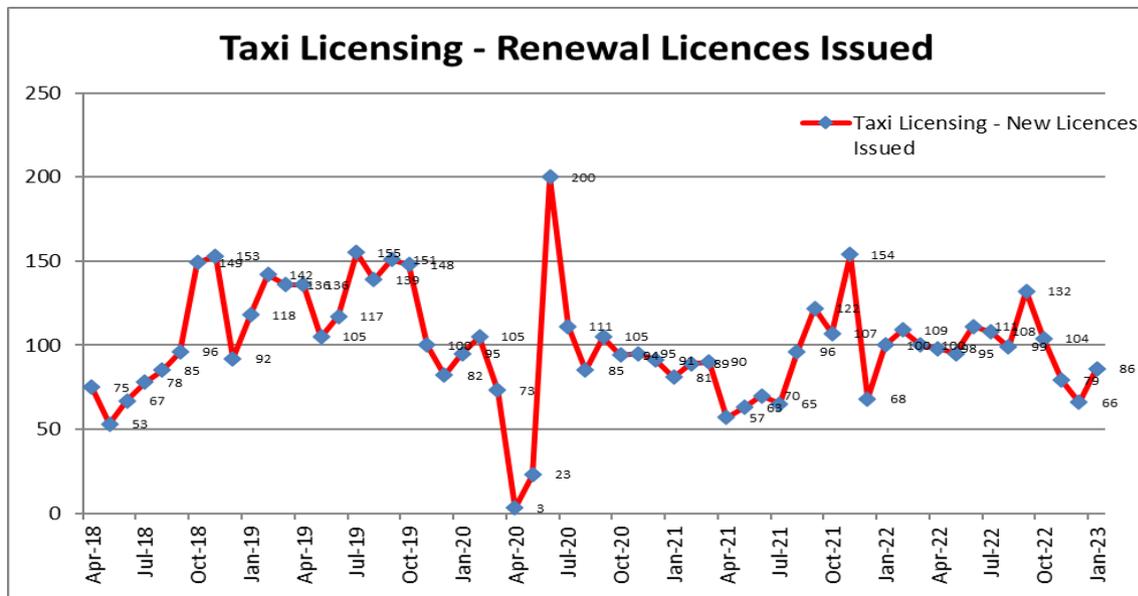
Lesley Elven	01249 706435	publicprotectionnorth@wiltshire.gov.uk
Julie Macey	01225 716681	publicprotectionwest@wiltshire.gov.uk
Lauren Cuggy	01249 706555	publicprotectionnorth@wiltshire.gov.uk
Claire Baker	01225 716655	publicprotectionwest@wiltshire.gov.uk

Taxi Licensing Update for Licensing Committee – January 2023

1.0 Licensed Drivers

Driver and vehicle numbers have stabilised over 2022/23 following both showing month on month declines between 2020 and 2021. Drivers are reporting higher levels of business now the economy is beginning to recover. The fall in drivers and vehicles has been seen at a national level as drivers moved into the more stable delivery industry and other jobs where they can earn a similar wage without working unsociable hours. The Taxi Licensing Team, in conjunction with Passenger Transport Unit commenced a driver recruitment campaign in the second half of 2022 and this is now paying dividends with significant numbers of new driver applications. The team have approximately 30 applications in progress.

New driver and vehicle applications had fallen since the start of the pandemic however the team are starting to see a recovery in numbers of new applicants and levels are back to those seen pre pandemic. The team processed 23 new licence applications and 86 renewals during January 2023. The team have experienced a significant period of staff sickness along with an officer leaving the team, this has resulted in some delays in processing new applications.



The chart below shows the total number of licences produced each month. Driver licences are issued for one or three years, most drivers opt for a three year licence. 2019 saw a large number of drivers renew and is behind the increased numbers for 2019. The number of new applications has risen over the last year to a level seen prior to the pandemic, it is hoped new applications will continue to increase as business picks up and the economy recovers. Whilst new applications are up overall driver levels remain flat as older drivers leave the industry. Driver numbers fell below 1000 in August 2020 and are a long way from reaching this level again. Demand will dictate if driver numbers return to pre pandemic levels

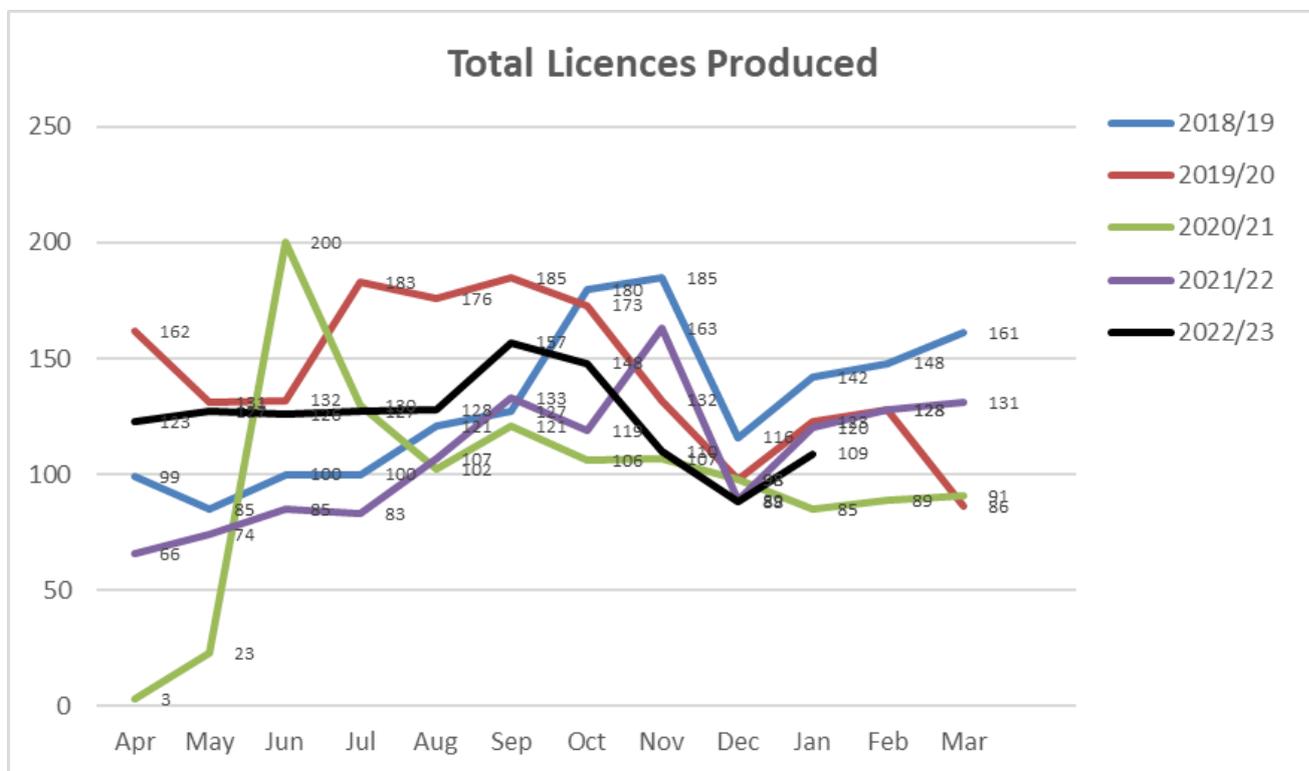


Figure 2 below shows the total number of licensed hackney carriage drivers in Wiltshire and their location.

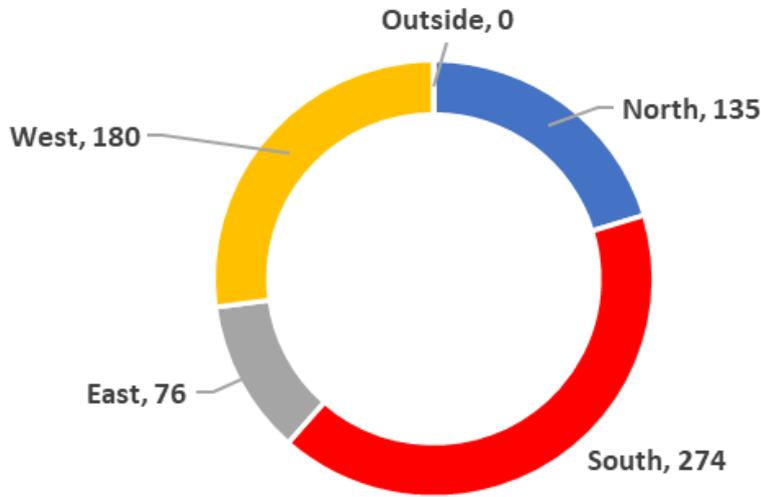
The total number of licensed hackney carriage drivers at the end of January was 665, up 3 on the previous month, prior to the pandemic we licensed 860 hackney carriage drivers

As of the end of January 2023, 135 were licensed in the North area, 76 in the East, 274 in the South and 180 in the West. The reduction in hackney carriage drivers over an annual period is shown below:

- April 2019 to April 2020 - decrease of 44
- April 2020 to April 2021 - decrease of 89
- April 2021 to April 2022 - decrease of 79
- April 2022 to date - decrease of 21

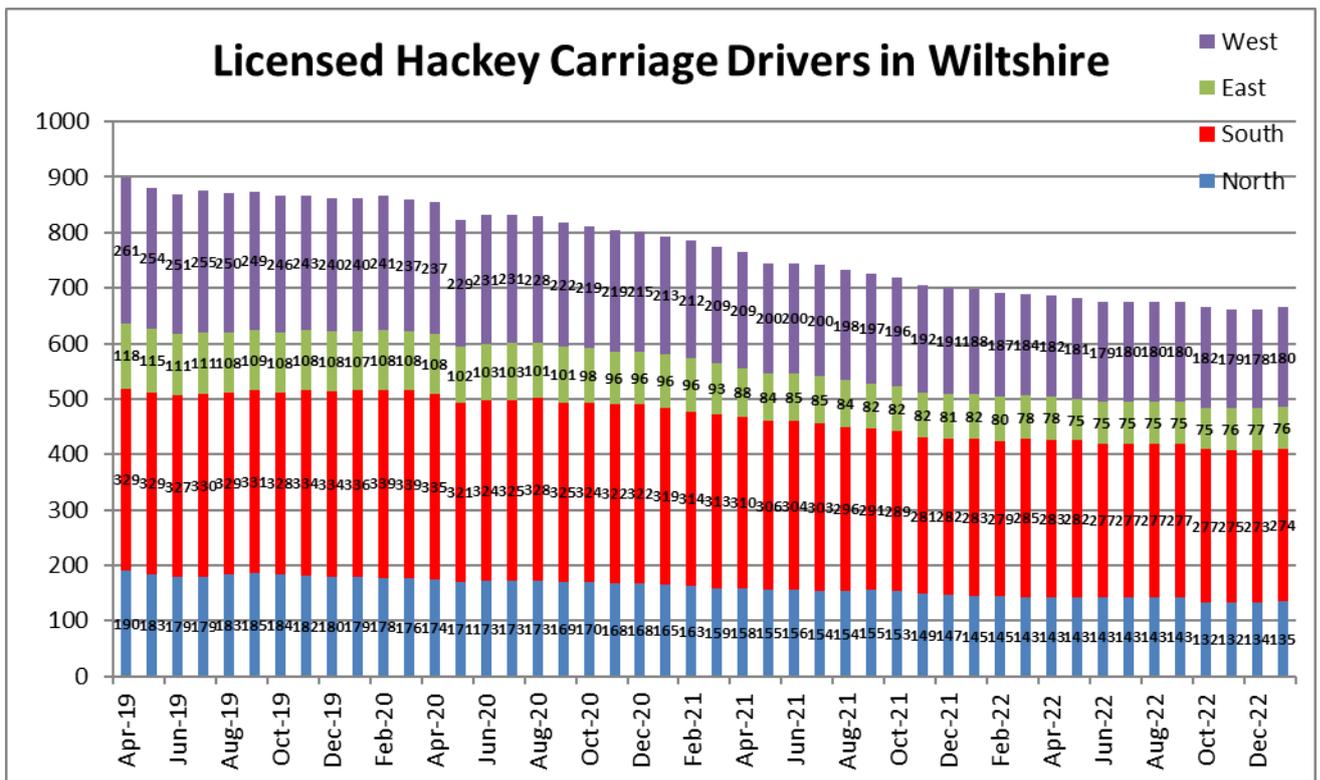
The numbers demonstrate the effect of the pandemic but also highlight numbers had been falling before Covid hit. The numbers also show that the decrease in the last year has been the smallest for 4 years, it is hoped this is a beginning of a recovery for the industry. Coronavirus and lockdown restrictions have seen a reduction in hackney carriage drivers of 197 over the period March 2020 to January 2023, representing a fall of 21%, this appears to be in line with the national average. Driver numbers have stabilised over the last 3 months.

Hackney Carriage Drivers by Location 31 January 2023



The graph below shows the monthly variation in hackney carriage driver numbers during 2019/20, 2021/22 and 2022/23. During January 2023 numbers rose 3, numbers in the North rose by 1, the South rose by 1, the West rose by 2 whilst the East fell by 1 when compared to the previous month.

Since April 2019 Hackney Carriage driver numbers have fallen in all areas, down 81 in the West, 55 in the North, 42 in the East and 55 in the South. The West is clearly the worst affected area.

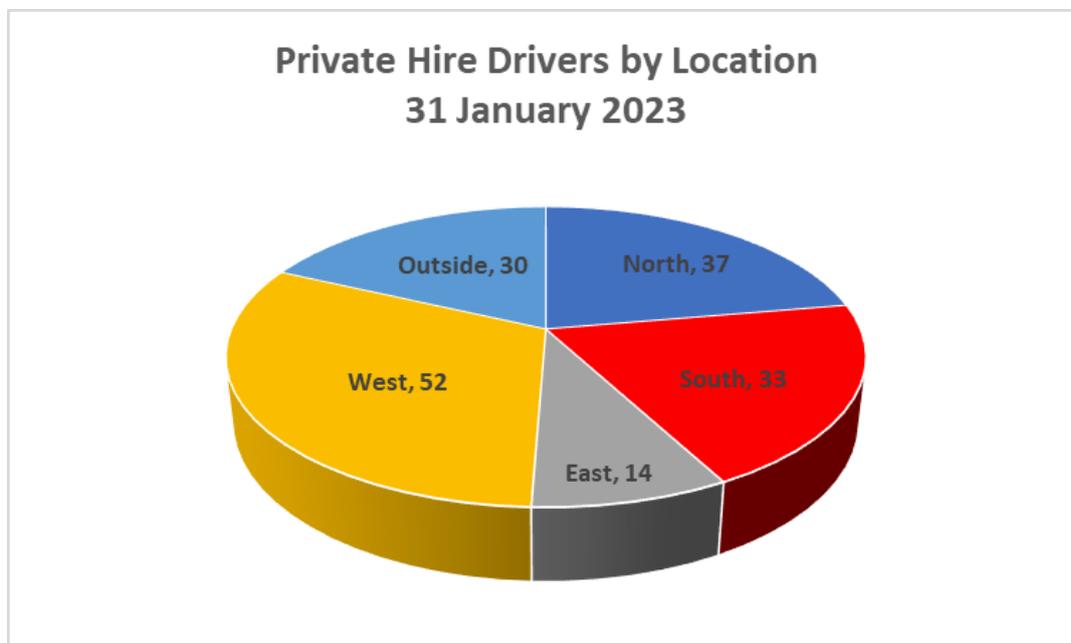


The team also license private hire only drivers, these totalled 166 as at the end of January 2023, a decrease of 1 over the month, bringing the total number of drivers licensed to 831, an increase of 2 on the previous month. It is clear there is a trend of drivers switching from hackney carriage to private hire, this reflects the lower footfall in our town centres and the reducing amount of business available from the town centre ranks.

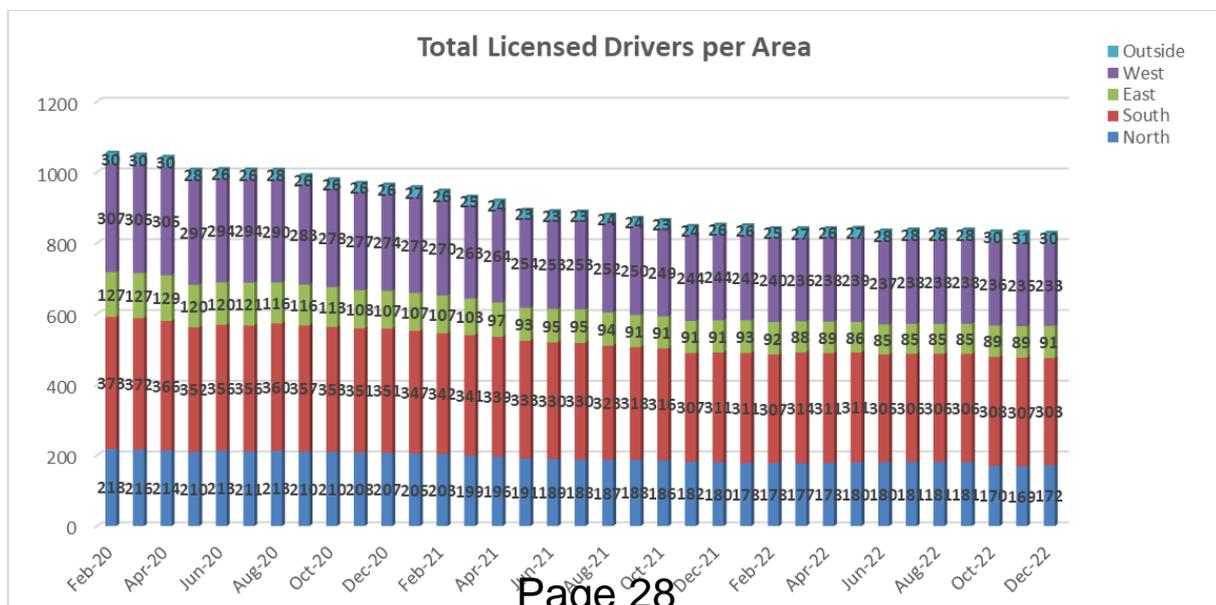
The yearly movement in private hire driver numbers is as follows:

- April 2019 to April 2020 - increase of 12
- April 2020 to April 2021 - decrease of 35
- April 2021 to April 2022 - increase of 1
- April 2022 to date - increase of 10

Private Hire drivers are not restricted by zone and can take bookings for anywhere in the Country. It is interesting to note that we have more private hire drivers living outside of the county than in the east of the county. For information the area in which the private hire drivers are registered is as follows;



The graph below shows total driver numbers since February 2020, the month prior to the pandemic.

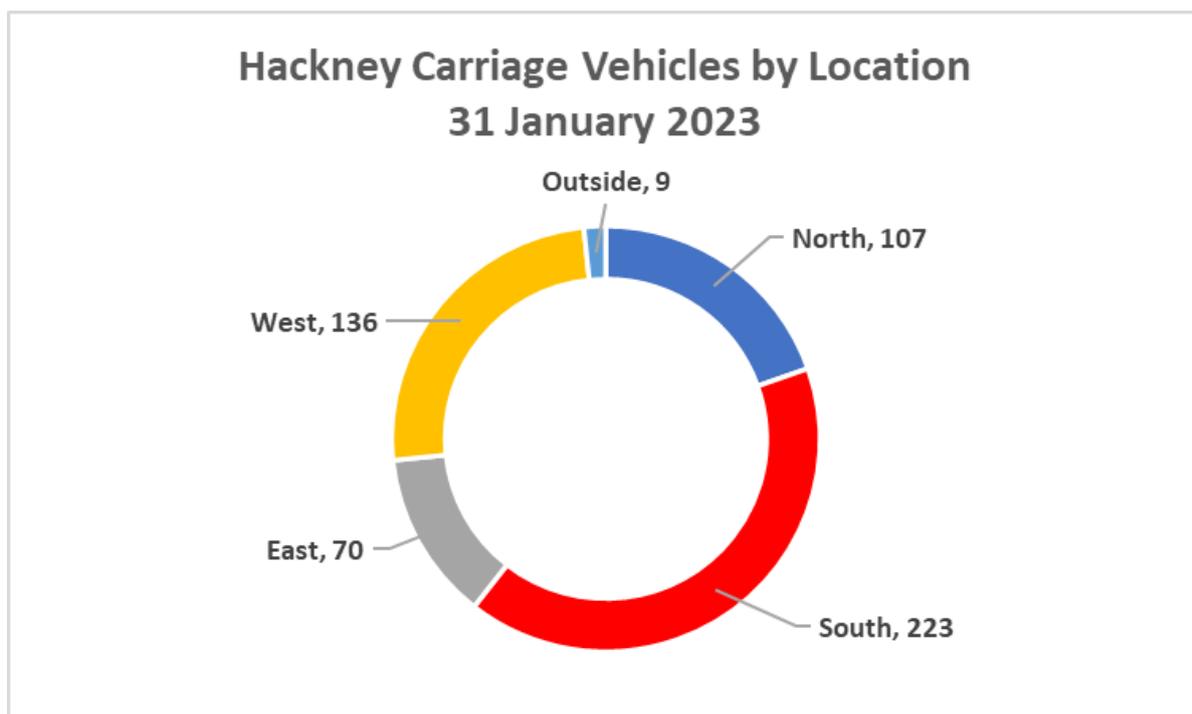


Since April 2019 the number of hackney carriage drivers has fallen by 233 and the number of private hire drivers has fallen by 12, an overall fall of 245 drivers or 21%. However 219, a large percentage of the reduction of 245 drivers has occurred since the first national lockdown in March 2020 as a result of Covid-19.

2.0 Licensed Vehicles

At the end of January 2023 the taxi licensing team licensed a total of 793 vehicles, the same as the previous month. The impact of lockdown and the Covid restrictions had taken effect and vehicle numbers had dropped for 8 consecutive months prior to May 2021, it was hoped numbers would stabilise after restrictions were lifted but this is taking longer than expected although the team feel numbers have stabilised over the last three months and are beginning to rise, however we are still well down on the 1050 vehicles licenced at the time of the first lockdown. The vehicle split is as follows, 545 hackney carriage vehicles and 248 private hire vehicles, hackney carriage numbers fell by 2 and private hire vehicle numbers rose by 2 over the month when compared to the previous month. Of the 793 vehicles licensed 13.2% or 105 vehicles are wheelchair accessible. It should be noted that 31% of licensed private hire vehicles are wheelchair accessible compared to 5% of hackney carriage vehicles, this reflects the type of work each type of vehicle undertakes.

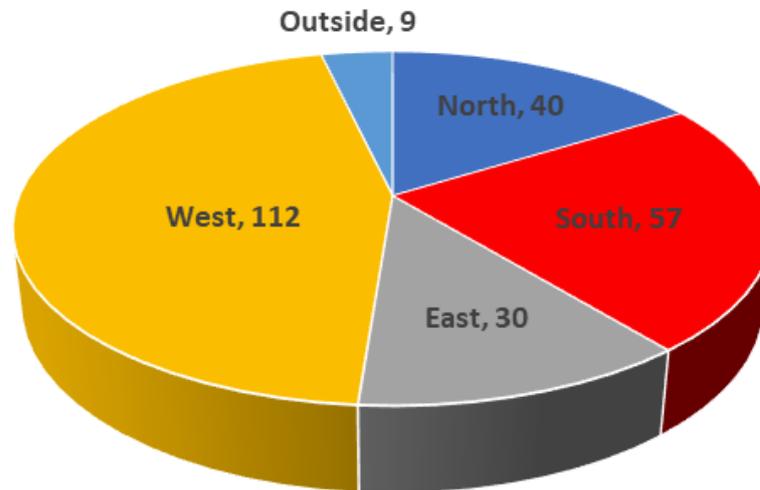
The chart below shows the location split of all hackney carriage vehicles.



The team also license private hire only vehicles, as advised above these totalled 248 as at the end of January 2023.

Private Hire drivers are not restricted by zone and can take bookings for anywhere in the Country if they wish. For information the area in which the private hire vehicles are registered is as follows;

Private Hire Vehicles by Location 31 January 2023



Between April 2019 and January 2023 the number of licensed vehicles, hackney carriages and private hire vehicles decreased by 143, the number has reduced by 142 or 17% since the first Coronavirus lockdown was announced in March 2020, this is in line with national trends.

3.0 Enforcement actions

The team continue to proactively enforce the Council's policies in relation to taxi licensing, ensuring we have a visible presence on the rank, however staff sickness during the period March to December 2022 has seen the level of enforcement reduce over the last 6 months. The team issued penalty points to on 24 occasions during March 2021, the highest monthly total ever recorded. The enforcement officers also undertook drive by inspections and rank visits within our towns to identify potential issues.

Penalty points were issued to 2 drivers during January 2023, one for abusive behaviour towards another taxi driver and one for failing to notify the Council of a change of address. The numbers have fallen recently as one team member is off on long term sick and enforcement officers have had to step in to cover admin tasks and licence production, reducing the level of enforcement.

The Council operates an internal penalty points scheme under which a driver will be suspended if they reach 12 points in a rolling 12 month period.

The Team did not revoke any drivers in January 2023 but suspended four drivers during the month.

The team also completed 15 DBS checks during January 2023.

The team continue to work on updated driver and vehicle guidelines in line with government advice which will further enhance standards within Wiltshire for the benefit of service users and the industry in general. The team are considering the impact of the 2020 Environment bill which placed requirements on Local Authorities to manage air quality. This may impact taxis and our guidelines around vehicle age and emissions.

The team continue the work on introducing a single licensing zone for hackney carriages in Wiltshire. To move to a single licensing zone the Council has to adopt Paragraph 25 – Schedule 14 of the Local Government Act 1972, a report is being written for full Council to facilitate this.

The team are also investigating the possibility of a school only taxi licence, we are currently communicating with other local authorities that have trialled the idea and will discuss with Passenger Transport Unit if the idea is feasible in due course.

The Coronavirus pandemic hit the taxi industry very hard and all local authorities have seen reducing driver numbers. The team believe numbers are stabilising and are working with our colleagues in Passenger Transport Unit on initiatives to encourage recruitment of new drivers in Wiltshire.

Tom Ince
Principal Compliance Officer
15 February 2023

This page is intentionally left blank

- a zoo
- a circus
- a pet shop
- a place which is a designated establishment within the meaning of Animals (Scientific Procedures) Act 1986

3.3 A licence holder has to contact the licensing authority for approval if animals are to be moved to another destination.

Procedure

4.1 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.

4.2 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.

4.3 The inspection considers whether the premises are suitable for the keeping of the species, the condition and suitability of the accommodation, and whether the applicant has the specialist knowledge, skills, and equipment to ensure they can appropriately care for the animals.

4.4 Licences shall only be granted when the Local Authority is satisfied that:

a) it would not be contrary to public interest, on the grounds of public safety or nuisance or otherwise (each ground will be considered separately), and is equally important.

b) the animal's accommodation is adequate and secure.

c) the individual is suitably qualified and/or experienced to keep the species subject of the application.

d) the individual will not place themselves at risk particularly if working alone with the dangerous wild animal(s).

e) a qualified vet has been instructed, an inspection has been carried out and a report made available for the consideration of the Local Authority.

In granting the licence Wiltshire Council may attach a number of conditions, in respect of care and security of the animal(s). These can be tailored depending on the species and recommendations of the veterinary inspector.

4.5 Should the licence holder wish to take an animal kept under a licence to premises in another area for more than 72 hours (for example, to exhibit the animal at a specialist event, or to participate in a breeding programme), they will need our permission for this.

- 4.6 A written request with full details should be sent to Licensing. We will consult the local council for the area you wish to take the animal to, and if agreed, we will vary the licence to allow the transport of the animal.
- 4.7 Licences are granted for two years per The Legislative Reform (Dangerous Wild Animals) (Licensing) Order 2010. A further inspection of the premises and veterinary report is undertaken on each renewal.
- 4.8 If an application is refused, the applicant may appeal against the decision. Licence-holders may also appeal against a decision to attach a particular condition to their licence. In all cases, appeals must be lodged in a magistrates' court

Amended conditions

- 5.1 Wiltshire Council's standard / existing conditions relating to Dangerous Wild Animals establishments are attached at Appendix 1.
- 5.2 The revised conditions are attached at Appendix 2. These have replaced existing conditions on any licence granted, or renewed from 1 September 2022, giving more specific control in respect of Dangerous Wild Animal licensing, with no detriment to existing controls. The revised conditions will standardise the requirements for all licence holders and applicants. Further conditions can be added at the request of the veterinary inspector specific to the premises and species kept.

Summary

- 6.1 Members are requested to acknowledge the revised conditions:-

Updated conditions relating to Dangerous Wild Animals Licences as attached at Appendix 2.

Linda Holland
Licensing Manager
Public Protection
13 February 2023

Documents reviewed:

Dangerous Wild Animals Act 1976
Dangerous Wild Animals Act 1976 (Modification) (No 2) Order 2007
The Legislative Reform (Dangerous Wild Animals) (Licensing) Order 2010

Appendices

Appendix 1 Existing Conditions
Appendix 2 Revised conditions

This page is intentionally left blank

Name:

Appendix 1

Address:

Inspection date:

DANGEROUS WILD ANIMALS ACT 1976 LICENCE CONDITIONS

1. While any animal is being kept under the authority of the licence:
 - a. the animal shall be kept by no person other than the person specified above
 - b. the animals shall normally be held at such premises as are specified:
 - **TBC**
 - **TBC**
 - c. the animal(s) shall not be moved from those premises except in the following circumstances, namely, where the movement is subject to a specific variation of this licence granted by the Council.
 - d. the person to whom the licence is granted shall hold a current insurance policy which insures him and any other person entitled to keep the animal under the authority of the licence against liability for any damage which may be caused by the animal(s).
2. The species and number of animals of each species which may be kept under the authority of the licence shall be restricted to those specified in the schedule above.
3. The person to whom the Licence is granted shall at all reasonable times make available a copy of the licence to any person entitled to keep any animal under the authority of the licence, to any person authorised by the council to inspect the animal/premises, the police or any other authorised person.
4. Any variation of the licence for movement of animals from the premises must be sought by notifying the licensing department of the local authority as soon as possible and at least 24 hours before the movement is to take place. The application for variation needs to be in writing, which can include electronic media and must contain the following information:
 - a. The destination
 - b. The local authority in whose area the animals will be staying
 - c. The duration of the stay
 - d. The species and number of animals concerned
 - e. A copy of the receiving collection's DWAA licence where applicable
5. Any movement of animals from the premises for emergency veterinary treatment, or in the case of any reasonable emergency, must comply with condition 4 and this emergency movement must be communicated to the local authority within 24 hours of the event having occurred. Any sick or injured animal must receive appropriate care and treatment without delay.
6. Any changes in the number of animals listed on this licence, through births or deaths, must be communicated to the local authority within 48 hours, in writing or via email
7. The person to whom the licence is granted shall ensure that all reasonable precautions are taken:-
 - a. To protect the safety of the public
 - b. To ensure that no nuisance is caused to the public

8. Any animal which is being kept under the authority of the licence shall be:-
 - a. held in accommodation which ensures that the animal will not escape, which is suitable as regards to construction, size, temperature, lighting, ventilation, drainage and cleanliness and which is suitable for the number of animals proposed to be held in the accommodation; and
 - b. supplied with adequate and suitable food, drink and bedding material and be visited at suitable intervals by a competent person.
9. While at the premises where the animals will normally be held, the accommodation shall be such that they can take adequate exercise.
10. Appropriate precautions will be implemented in case of fire, escape or other emergency. Any escapes out of the confines of the animal's enclosure must be reported, in writing, within 24 hours to the local authority.
11. Transport arrangements used where animals are removed from their enclosure must be adequately secure, so as to prevent escape of the animal(s). Vehicles and cages must be suitable for the number and species of animals carried and all reasonable steps taken to avoid unnecessary suffering whilst in transit. The vehicle must be lockable.
12. Whilst in transit and other times when necessary, the animal(s) shall be in the charge of a suitable, experienced "competent" person. This can be the licensee, or a "competent" person authorised by the licensee. This authorised person shall be over 18 and shall not be disqualified under the DWAA (1976 with amendments).
13. The Licensee shall take all reasonable precautions at all times to prevent and control the spread of infectious disease and shall act on any specific instructions that may be given by the Council.**
14. The licensee shall not permit any other dangerous wild animals, including those held by any other person (whether that person holds a Dangerous Wild Animals Act Licence or not), onto the premises without the prior, written approval of the Council.

****FOR HIGHER RISK PREMISES ADD TO 13. A risk assessment, in conjunction with a veterinary surgeon, of zoonotic and other potential infectious agents must be undertaken as part of the biosecurity for the animals contained within this licence. DELETE IF NOT REQUIRED**

ADDITIONAL CONDITIONS

None

Name:

Address:

Inspection date:

DANGEROUS WILD ANIMALS ACT 1976 LICENCE GENERAL CONDITIONS

1. While any animal is being kept under the authority of the licence,-
 - a. the animal shall be kept by no person other than the person specified above
 - b. the animals shall normally be held at such premises as are specified:
 - TBC
 - TBC
 - c. the animal(s) shall not be moved from those premises or shall only be moved from them in such circumstances as are specified by this licence.
 - d. the person to whom the licence is granted shall hold a current insurance policy which insures them, and any other person entitled to keep the animal under the authority of the licence against liability for any damage which may be caused by the animal(s). The terms of any such policy shall be satisfactory in the opinion of the authority.
2. The species and number of animals of each species which may be kept under the authority of the licence shall be restricted to those specified in the schedule above.
3. The person to whom the Licence is granted shall at all reasonable times make available a copy of the licence to any person entitled to keep any animal under the authority of the licence, to any person authorised by the council to inspect the animal/premises, the police, or any other authorised person.
4. Any changes in the number of animals listed on this licence, through births or deaths, must be communicated to the local authority within 48 hours, in writing or via email.
5. The licensee shall not permit any other dangerous wild animals, including those held by any other person (whether that person holds a Dangerous Wild Animals Act Licence or not), onto the premises without the prior, written approval of the Council. Any increase in numbers or addition of further species may be subject to a formal variation and additional inspection.
6. The person to whom the licence is granted shall ensure that all reasonable precautions are taken:-
 - a. To protect the safety of the public
 - b. To ensure that no nuisance is caused to the public
7. Any animal which is being kept under the authority of the licence shall be:-
 - a. held in accommodation which ensures that the animal will not escape, which is suitable as regards to construction, size, temperature, lighting, ventilation, drainage, and cleanliness and which is suitable for the number of animals proposed to be held in the accommodation; and
 - b. supplied with adequate and suitable food, drink and bedding material and be visited at suitable intervals by a competent person.

8. Appropriate precautions will be implemented in case of fire, escape or other emergency. Any escapes out of the confines of the animal's enclosure must be reported, in writing, within 24 hours to the local authority and police.
9. The Licensee shall take all reasonable precautions at all such times to prevent and control the spread of infectious diseases and shall act on any specific instructions that may be given by the Council.
10. While at the premises where the animals will normally be held, the accommodation shall be such that they can take adequate exercise.
11. Any change in contact details for the licence holder must be notified to the local authority in writing (including email) within 7 days of the change occurring. This includes updating any contact details on any emergency protocols pertaining to the licence.

ADDITIONAL CONDITIONS

DELETE IF NOT APPLICABLE FOR PREMISES

Movement of Animals:

12. Any temporary removal from the premises or disposal must be notified to the licensing department of the local authority as soon as possible and at least 7 days before the movement is to take place. The notification needs to be in writing, which can include electronic media and must contain the following information:
 - a. The destination
 - b. The local authority in whose area the animals will be staying (if applicable)
 - c. The duration of the stay
 - d. The details of the animals concerned
 - e. A copy of the receiving collection's DWAA licence (where applicable)
 - f. Means of transportation
 - g. Journey details including duration
 - h. Systems of care provided (food, drink, rest etc)
 - i. Risk assessment specific to the temporary location

The insurance conditions relating to the licence must cover the transportation of the animal(s) as proposed.
13. If the animals will be kept, for a continuous period exceeding 72 hours, at a premises outside the area of Wiltshire Council, the licence holder must inform the licensing authority in good time to allow opportunity to consult with the authority in whose area those premises are situated.
14. Where an animal is transported outside of Wiltshire Council's area, the licence holder shall comply with any reasonable instructions in respect of the animal, given by an authorised officer of the council or the council in whose area the animal is to be held for, and shall provide a copy of this licence for the information of the said council.
15. Any movement of animals from the premises for emergency veterinary treatment, or in the case of any reasonable emergency, must be notified to the local authority within 24 hours of the event having occurred. Any sick or injured animal must receive appropriate care and treatment without delay. The following information is required as part of the notification:
 - a. The details of the animals concerned
 - b. The destination
 - c. The duration of the stay
 - d. The local authority in whose area the animals will be staying (if applicable)
 - e. Means of transportation
 - f. Journey details including duration
 - g. Systems of care provided (food, drink, rest etc)

16. Transport arrangements used where animals are removed from their enclosure must be adequately secure, so as to prevent escape of the animal(s). Vehicles and cages must be suitable for the number and species of animals carried and all reasonable steps taken to avoid unnecessary suffering whilst in transit. The vehicle must be lockable.
17. Whilst in transit and other times, when necessary, the animal(s) shall be in the charge of a suitable, experienced “competent” person. This can be the licensee, or a “competent” person authorised by the licensee. This authorised person shall be over 18 and shall not be disqualified under the DWAA (1976 with amendments).

Conditions specified by veterinary inspector:

This page is intentionally left blank