

## LICENSING COMMITTEE

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### DRAFT MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 4 JUNE 2018 AT THE WEST WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Peter Evans (Substitute - Part II), Cllr Sue Evans, Cllr Jose Green (Vice-Chairman), Cllr Peter Hutton (Chairman), Cllr George Jeans, Cllr Ian Thorn and Cllr John Smale

#### Also Present:

Julie Anderson-Hill (Head of Waster & Environment Culture & Operational Change), Asifa Ashraf (Solicitor), Cassandra Barrow (Student EHO), Emma Batchelor (Public Protection Officer – Licensing), Danial Farr (Compliance Officer), Linda Holland (Licensing Manager), Sarah Marshall (Senior Solicitor), Jemma Price (Public Protection Officer – Licensing), and Lisa Pullin (Democratic Services Officer)

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#### 1 Apologies/Substitutions/Membership Changes

Apologies were received from Councillors Hewitt, Lynch and Ridout and from Tracy Daszkiewicz (Director of Public Health and Protection) and Andrew Saxton (Fleet Services Manager).

Councillor Peter Evans was substituting for Cllr Mike Hewitt.

The Chairman, Councillor Peter Hutton welcomed Cllr John Smale to the Committee who had replaced Cllr Yuill. All those present were asked to introduce themselves.

#### 2 Minutes

The Minutes of the meeting held on 11 December 2017 were presented to the Committee:

#### **Resolved:**

**That the minutes of the meeting held on 11 December 2017 be approved and signed as a correct record.**

*Note – The Minutes referred to a request from Members for an updated list of Licensing Officers and it was agreed that this would be circulated to all Members via email following the meeting.*

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

The Chairman, Councillor Peter Hutton made the following announcement:

#### **Executive request for Overview and Scrutiny review - Hackney Carriage Late Night Tariffs**

We wanted to inform the Licensing Committee of a report going to the O&S Management Committee on 5<sup>th</sup> June (tomorrow) – The Cabinet Member for Adult Social Care, Public Health and Public Protection has requested a scrutiny review of the current schedule of late night tariffs for Hackney Carriages as adopted by the Licensing Committee in 2014 and will propose that the Environment Select Committee establish a task group to undertake the review.

The current countywide tariff schedule was approved by the Licensing Committee in 2014 having considered the findings of a consultation on the introduction of a single charging zone for Wiltshire Council and one table of fares to apply throughout.

The Cabinet Member has advised that:

- A number of complaints have been received regarding the charging of high late-night fares (tariffs 4 and 5) in the Salisbury area and the alleged detrimental effect this may be having on Salisbury's night time economy (NTE).
- Anecdotally, these incidences often relate to military personnel returning from Salisbury to their bases.
- Concerns have also been raised regarding whether Wiltshire's late night tariffs are competitive with those in nearby night-time centres such as Andover, Swindon, Southampton and Bournemouth.
- In the context of the ongoing recovery effort in Salisbury following the events of 4 March 2018, it is appropriate to undertake a review of this issue at this time.

If this proposal is agreed at the meeting tomorrow any recommendations would be referred to the relevant cabinet member, though any revision of the policy would ultimately be determined by the Licensing Committee.

I, as Chairman will keep the Licensing Committee updated on this proposal and will provide an update at the next meeting on 3 September 2018.

### 4 **Declarations of Interest**

There were no declarations of interest.

5 **Public Participation**

No questions had been submitted to the Committee from the public prior to the meeting and there were no members of the public present at the meeting.

6 **Minutes of the Licensing Sub Committees**

**Southern Area**

- 17/01/17 Application for a Personal Licence
- 26/04/17 Application for a Premises Licence – Chalke Valley History Festival, Broad Chalke, Salisbury
- 05/10/17 Review of a Premises Licence – Queens Arms, Street, Salisbury
- 24/01/18 Variation of a Sex Establishment Licence
- 21/02/18 Application for a Premises Licence – 18 The Street, Amesbury

**Western Area**

- 12/12/17 Application for a Variation of a Premises Licence – Grange Farm, Bratton Road, West Ashton, Trowbridge
- 16/01/18 Application for a Premises Licence – Fairwood Lakes Holiday Park, Dilton Marsh
- 16/04/18 Application for a Variation of a Premises Licence – Waterhouse Hotel, 5 Waterhouse Hotel, Monkton Combe, Bath
- 01/05/18 Application for a Personal Licence

**Resolved:**

**That the Minutes of the meetings detailed above be approved and signed as correct records by the Chairman.**

The Chairman wished to thank all Officers for the support received for Licensing Sub Committee hearings and for the Councillors that had sat on the hearings. The provision for a fourth (reserve) member attending for each hearing was very useful as there had been occasions when one member had not attended and one where a possible conflict of interest had been highlighted at the last minute. Being a reserve was also a useful learning tool for newer members who get to experience the briefing, the hearing and the decision making afterwards. Arrangements would be made for training for Cllr Smale and any other Councillors who were interested in a refresher.

It had also been agreed that notices would be displayed outside of rooms when a hearing in progress and a further notice would be displayed when that meeting was in closed session. There had been a recent incidence when a few Members had walked into a hearing that was in closed session in error as they had not checked the location details of the meeting they were due to attend.

## 7 **Briefing Note - Event Safety Advisory Group**

The Committee were referred to the Briefing Note which outlined the role of Wiltshire's Event Safety Advisory Group (ESAG) which had been prepared by Linda Holland (Licensing Manager). Linda highlighted the following:

- ESAG's were recommended following the Hillsborough Stadium disaster and are a way to positively engage event managers with the planning and management of their events to ensure public safety. They are usually co-ordinated by the Local Authority and made up of representatives from the LA, emergency services, other relevant bodies and the event organiser;
- Meetings are usually chaired by Linda (as Licensing Manger for Wiltshire Council) and last around 2-3 hours. As Wiltshire is a military county and due to the heightened security risk following a number of national and international events, advice around counter terrorism is included where relevant;
- Generally high profile/high risk events are invited to an ESAG meeting and sometimes a trigger matrix is used to identify other events that may benefit from an ESAG;
- Eight ESAG's have been held so far this year with two more scheduled for next week

The Chairman raised the importance of public health being involved with the ESAG's and events and Linda reported that the Wiltshire Substance Misuse Team sits within Public Protection and the drugs and alcohol advisory service go out to some of the bigger events to raise the profile of the service.

With the World Cup coming up Linda provided the Committee with a brief overview of Temporary Events Notices that could be applied for by premises to enable them to stay open later/serve alcohol at events – guidance was available on the Wiltshire Council website.

Councillors asked the following:

Q Are de-briefing meetings held following events?

A Yes, we may hold de-briefing meetings if they were deemed necessary.

Q Would there be an ESAG for a carnival?

A If there were concerns about the event, then yes.

Q Local Members are not always aware of events – how do we connect Members into the process?

A We can make plans to inform the local Member when an event is considered necessary to have an ESAG meeting (so that they are aware of the event details, but they would not have an involvement at the ESAG meeting)

Linda Holland agreed to bring to the next meeting a list of the bigger events in Wiltshire so that the Committee can get a flavour of how many events are held.

Q Do you charge for Officer time to attend ESAG meetings?

A No we don't as this would be difficult to administer with other Officers attending from other organisations. We see the benefit to holding them is that there are safer events held in Wiltshire.

**Resolved:**

- 1. That the Licensing Committee note the update on Event Safety Advisory Groups.**
- 2. That Linda Holland provide details of Wiltshire's major events for the next meeting to be held on 3 September 2018.**

## **8 Review of Statement of Gambling Principles**

Linda Holland (Licensing Manager) referred to the report circulated with the Agenda which provided the Committee with information on the new proposed Statement of Gambling Principles. Linda highlighted the following:

- The Council's Statement of Gambling Principles is to be reviewed every three years and be the subject of a consultation process. The Statement (attached as Appendix 1 to the report) has been overhauled and re-written to make it more user friendly;
- Once the draft Statement is approved by the Committee this document is then subject to an eight-week consultation process with the Police, persons representing gambling businesses and persons representing the interests of people likely to be affected by gambling;
- There are currently 40 gambling premises in Wiltshire, which were mostly betting shops;
- We are aware of concerns raised about the growing of gambling on line, but the Council have no power to address this, although we have also expressed concern to the local officer for the Gambling Commission. We feel that this has a public health impact and that our revisions to the Statement address that;

- Gambling premises are required to carry out a local area Risk Assessment to consider what other establishments or buildings e.g.: schools, churches, hospitals, social housing other gambling premises are in the area and identify any likely risk and how it will be mitigated.
- When Council Officers recently attending training arranged by the Gambling Commission they were surprised to hear that 118 authorities do not yet have a Gambling Policy in place;
- The profile of gambling locally is very positive – gambling premises have been visited and reminded of their responsibilities and how they need to protect the most vulnerable;
- There were two changes to the table of delegations (pages 148 and 149) – it was proposed that Officers can now give consideration for calling a review of a licence and for actions to be taken against illegal gambling.

Members asked the following questions:

Q Are members of the public able to respond to the consultation?

A They are not currently included in the list of statutory consultees, although there would be nothing to stop them from making comments, although the weight given to their views would be low. They could make a representation as an interested party and they the views could be taken into account.

Q Do you actively consult gambling support groups?

A Details of the consultation process are published on our website and we can put a link on the website to useful contacts.

Q Could you make plans to inform the gambling support groups that you are aware of the consultation?

A Yes, we can agree to do this.

Members agreed that the revised Statement of Principles was well written and congratulated Officers on the amount of work carried out to prepare it.

**Resolved:**

- 1. That the Licensing Committee agree the proposed Statement of Principles 2019-2021 and authorise Officers to carry out the 8-week consultation process.**
- 2. That Officers notify persons representing the interests of people likely to be affected by gambling of the consultation process.**

9 **Dates of Future Committee Meetings**

Members noted the date of future meetings of the Licensing Committee as detailed below, all to start at 10.30am

3 September 2018  
3 December 2018.

10 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 - 11.15 am)

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