

## LICENSING COMMITTEE

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### **DRAFT MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 21 SEPTEMBER 2015 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Pip Ridout (Chairman), Cllr Desna Allen (Vice Chairman), Cllr Allison Bucknell, Cllr Dennis Drewett, Cllr Sue Evans, Cllr Jose Green and Cllr Peter Evans (Substitute)

#### **Also Present:**

Linda Holland (Public Protection Team Leader – Licensing), Jemma Price (Public Protection Officer), Lisa Pullin (Democratic Services Officer), Gemma Sadd (Fleet Compliance Team Leader), Andrew Saxton (Fleet Services Manager), Paul Taylor, (Senior Solicitor), and Ceri Williams (Head of Prevention of Harm)

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#### **11 Apologies and Substitutions**

Apologies were received from Councillors Blakemore, Davis, Hewitt, Jacobs, Jeans and Randall. Councillor Peter Evans was substitute for Councillor Hewitt.

#### **12 Minutes**

The minutes of the meeting held on 27 April 2015 were presented to the Committee.

#### **Resolved:**

**That the minutes of the meeting held on 27 April 2015 be approved and signed as a correct record.**

#### **13 Chairman's Announcements**

There were no Chairman's announcements.

#### **14 Declarations of Interest**

There were no declarations of interest.

15 **Public Participation**

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

16 **Minutes of the Licensing Sub Committees**

The draft minutes of the following Sub Committees were presented for consideration:

**Southern Area**

11/03/15 Application by Trading Standards for a Review of a Premises Licence – The Polish Shop, 62 Winchester Street, Salisbury

**Western Area**

09/04/15 Application for a Premises Licence in respect of Thoulstone Park, Thoulstone, Chapmanslade, BA13 4AQ.

17/06/15 Application for a Premises License made by Mr Pawel Pastusiak in respect of Naan Kebab, 11 The Halve, Trowbridge.

17/06/15 Application for a Premises Licence in respect of Field Trip Festival, Grange Farm, Bratton Road, West Ashton, Trowbridge.

06/08/15 Application by Punch Taverns PLC for a Variation of a Premises Licence at The Pear Tree, Top Lane, Whitley, Melksham.

**Resolved:**

**That the minutes of the meetings detailed above be approved and signed as correct records.**

17 **Statement of Gambling Principles**

Linda Holland (Public Protection Team Leader) presented a report which asked the Committee to note the consultation undertaken and subsequent proposed amendments made to the Council's draft Statement of Gambling Principles.

She highlighted the following:

- Three responses were received from the public consultation; one from a Responsible Authority (Children's Services, Wiltshire Council); one from a consultee (Coral Racing) and one from Power Leisure Bookmakers Limited;

- There has been very little increase in the number of gambling permits or licences issued by Wiltshire Council in the last three years. They are currently 421 gambling premises in Wiltshire, 36 of which are betting shops, 2 are bingo halls and 271 are pubs with gaming machines;
- To date Wiltshire Council has not been required to hold a hearing to consider a gambling premises application and there had only been one complaint in relation to a gambling premise in the last 5 years, and
- Proposals to amend the wording of the Statement in light of the comments were detailed in a table (attached as Appendix 4) for the Committee to consider; and
- Following the responses it was confirmed that each application would be considered on a case by case basis, and local risk assessments for premises are due to come into effect from April 2016. The Council would seek to add an appendix to its new Statement once the finalised guidelines are published but believe the Statement addresses most of the requirements within the new statement of Gambling Principles.

Councillor Peter Hutton, Portfolio Holder wished to express his thanks to the Officers for their work in preparing the statement and carrying out the consultation.

**Resolved:**

**That the Licensing Committee notes the amendments made to the Statement of Gambling Principles (as shown in red on the Statement attached as Appendix 5) and commends the final draft to Council for approval and adoption at its meeting on 29 September 2015.**

18 **De-regulation Act 2015 and Changes to Licensing Fees for Hackney Carriage/Private Hire Driver and Operator Licences**

Gemma Sadd (Fleet Compliance Team Leader) presented a report which sought to update the Committee on the changes to fees as a result of the De-Regulation Act 2015 and agree new fees to apply and to come into effect from 1 October 2015.

She highlighted the following:

- In line with the De-Regulation Act 2015 it would now be a requirement that driver renewals fees are set for 3 years and operator licences for 5 years instead of the annual renewals as at present. Less officer time would be spent on renewal appointments in future and this would allow them to undertake a more planned approach to enforcement;

- Since the agenda papers were published, the Fleet Compliance Team had had further discussions with the Finance Team who were recommending an increase be added to the fees for inflation from 1 April 2016;
- This would mean that the fees between 1 October 2015 and 31 March 2016 would be as follows:
  - £213 - Driver renewal (three year licence)
  - £233 – Driver initial licence
  - £430 - Operator renewal (five year licence)
  - £430 – Operator initial licence
- The fees from 1 April 2016 (with increase for inflation would be)
  - £220 - Driver renewal (three year licence)
  - £241 – Driver initial licence
  - £445 - Operator renewal (five year licence)
  - £445 – Operator initial licence.
- The proposed changes would be subject to a consultation period by public notice for 28 days and then consideration to any objections would be given;
- Approval was also being sought to introduce a cancellation and missed appointment charge to drivers who fail to attend a variety of pre-booked appointments such as vehicle inspections, renewals of licences and knowledge checks. This would hopefully discourage missed appointments which is a waste of Officer time.
- The proposed changes had been circulated to the drivers/operators through the trade meetings and in their newsletters.

Councillor Peter Hutton, Portfolio Holder reported that they had started work to improve the connections with the trade last year to enhance the lines of communications and would continue to make any improvements necessary.

**Resolved:**

1. **That the Licensing Committee agree the revision of renewal fees for hackney carriage and private hire driver and operator licences changes from as follows:**

**From 1 October 2015 to 31 March 2016:**

**£213 - Driver renewal (three year licence)**  
**£233 – Driver initial licence**  
**£430 - Operator renewal (five year licence)**  
**£430 – Operator initial licence**

**From 1 April 2016**

**£220 - Driver renewal (three year licence)**

**£241 – Driver initial licence**

**£445 - Operator renewal (five year licence)**

**£445 – Operator initial licence.**

- 2. Officers be authorised to carry out the necessary public consultation in relation to the fee changes and to implement the new fees in the event that no significant comments arise from that consultation.**
- 3. That a cancellation charge be introduced for missed and cancelled appointments with less than 24 hours notice to be set at £25.**

**19 Update on Wiltshire Alcohol Strategy 2014 - 2018 and Licensing Response**

Ceri Williams introduced himself as the new Head of Prevention of Harm in which he had commenced in the role on 21 September 2015. His job would be to pull together an Action Plan from the objectives and priorities set out in the Wiltshire Alcohol Strategy 2014-18 which had been approved by Cabinet in April 2015.

He confirmed that he would provide an update on the progress to the Licensing Committee at their meeting on 14 March 2016.

Linda Holland (Public Protection Team Leader) presented the Licensing Service response to the Alcohol Strategy and confirmed that Licensing would be:

- Carrying out visits to licensed premises to ensure age verification checks were being carried out;
- Participating and assisting with three community engagement events linked to “The big Drink Debate model. (One of the events would be held in the north of the County in Spring 2016 and Officers would be able to give an update to the Committee at their meeting in March 2016);
- Holding a forum with multiagency participation, to engage with a variety of operators from the licensed industry on a number of relevant topics;
- Improving intelligence pathways to aid information transference and collection to assist with safety guarding of vulnerable individuals/groups.

Linda reported that the biggest growing trend in alcohol consumption was in the over 55's.

Councillor Peter Hutton, Portfolio Holder welcomed Ceri to his new role and reported that he would look forward to the teams working together and sharing information.

It was queried whether the “Sparksite” website mentioned with the support organisations at the back of the Strategy was still live. Ceri would provide an update on this when he reports back in March 2016.

**Resolved:**

**That the update be noted.**

20 **Update on Premises Licence Annual Fees/Licensing Act 2003/The Police Reform and Social Responsibilities Act 2011**

Linda Holland (Public Protection Team Leader) wished the Committee to note the progress regarding annual fees relating to licensed premises and the implementation of a new process which enabled the Licensing Team to suspend licences for non payment where necessary due to the information being more readily accessible.

Every Licensed Premise within Wiltshire is required to pay an annual fee and these are due on the anniversary of the licence. Historically the licensing department has requested an invoice for each fee to be sent out by the finance department. If the annual fee remained unpaid 28 days of the date of the invoice (irrespective of the date of the licence) it became the responsibility of the finance department to chase the debt. The licensing department had no authority to suspend licences for non-payment of fees. As a result, many invoices remained unpaid and the licensing department accrued a debt of £80k.

After liaising with the Finance Team they had moved away from SAP to use the in house M3 Software system which has proven to make the process leaner with better outcomes and ensuring that the team are more customer focused.

The debt had now considerably reduced (with some 5 year old debt being written off) and now that the threat of suspension can be highlighted to licence holders, they are paying much more promptly.

Licensing would offer this approach to other teams who have a fee collection system as a better way of running the service.

Councillor Desna Allen wished for it to be noted that she congratulated the team and commends them for taking this role back in house which had saved money for the Council.

**Resolved:**

**That the Committee note the update.**

21 **Dates of Future Committee Meetings**

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

7 December 2015  
14 March 2016  
13 June 2016  
19 September 2016  
5 December 2016  
13 March 2017.

22 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 – 11.25)

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