

Update on the Licensing Service: December 2021

To update the Committee on the work of the Licensing Team

Partnership Working

The encouraging outcome from the last 18 months of Covid response has been the strengthening of partnership working with agencies and colleagues supporting each other and a heightened awareness of the abilities and boundaries we individually operate within. This means we are working with a common goal to ensure the safety of our communities and to engage and encourage our business to operate in a positive and safe way for their customers.

Licensing Applications (Licensing Act 2003)

New premises applications:	closed/surrendered licences
2021: 77 (to date)	30 (to date)
2020: 67	20
2019: 53	7

A large proportion of the closed and surrendered licences have come to light following officers chasing for outstanding annual licence fees.

Annual fees

Due to the pandemic where premises were forced to close, we found ourselves having a substantial backlog of annual fees due for payment. The decision was taken to allow the premises time to get back on their feet before chasing the fees. At the beginning of October 2021 there were close to 850 premises which were either overdue annual fee payment or the payment was due within the next month. Having a dedicated officer tasked to chase these overdue payments has meant that we currently have 299 premises which are overdue their annual fees with 30 due to be paid in December.

Operational update

Licensing officers are still predominantly working from home with the very occasional visit into the offices. Inspections, enforcement, and advice visits are taking place face to face where possible after the necessary risk assessment has been carried out.

The web pages of the licensing service are constantly being updated to reflect the current requirements under the relevant regulations and take note of national and local guidance.

Enforcement

Wiltshire Council's Licensing Team and Wiltshire Police and have been operating the 4 E's – Engage, Explain, Encourage and Enforce. Licensing officers have been carrying out visits to licenced premises across the licencing portfolio and taking the necessary action based on

findings at the time of the visit / inspection or on accumulation of evidence gathered in relation to any concerns.

Currently an area of significant concern for both the police, licensing and environmental control and protection colleagues is the night-time economy of Amesbury. The town has seen a notable increase and continuation of public disorder and noise from both people and music that is impacting on the local community and resilience of Wiltshire Police. A number of factors are contributing to the current situation, which is not solely linked to one licenced premises. Agencies are working together to find suitable resolutions and more formal action is under consideration. Engagement has taken place has taken place/ is taking place with the premises In Amesbury via personal engagement and through the pub watch to highlight the issues and seek their positive assistance in reducing the impact on the local community.

Christmas Events

A number of events are taking place across the county in November and December with Christmas light switch on's, Christmas fayres and markets, concerts, shows, parties, theatre performances and New Year's events all marking the festive period in towns and villages across Wiltshire.

In December a number of larger scale events are occurring, festival of lights at Longleat, light trail at Stourhead, Countryfile at Charlton Park.

Temporary Events Notices

2021 (Date tens received not date of event)

Month	Tens	Late tens		Total
Jan	2	1		3
Feb	8	2		10
March	20	0		20
April	43	7		50
May	64	13		77
June	110	16		126
July	115	42		156
August	112	44		156
September	95	41		136
October	125	19		144
November (as of 22 nd)	143	34		177

Of the TEN's events currently applied the following are for the events planned over the Christmas period as of 22 November 2021

Period from and to	Number of TENs
4 th – 10 th December 2021	33
11 th – 17 th December 2021	29
18 th – 24 th December 2021	17
25 th – 31 st December 2021	6
1 st – 7 th January 2022	1

Changes to Temporary Events Notices for 2022 & 2023

The Alcohol Licensing (Coronavirus) (Regulatory Easements) (Amendment) Regulations 2021.

For the duration of 2022 and 2023, the number of Temporary Event Notices that a premises user can give will increase from 15 to 20 per calendar year and the maximum number of days a temporary event may be held at a premise will increase from 21 to 26 days per calendar year.

A single premise can have up to 20 TENs applied for in one year, as long as the total length of the events is not more than 26 days, for events taking place in 2022 and 2023 only.

No other processing changes have been made and the cost is still £21 per notice (set by legislation).

Hearings

Area/Date	Application	Outcome	Appeal
Southern – 11.10.21	Variation of Premises Licence – Tinga, Salisbury	Granted	No
Western – 13.10.21	Application for a Sex Establishment – Venom Nightclub, Westbury	Granted	No
Western – 20.10.21	Variation of Premises Licence – Aldi, Westbury	Granted	Yes
Northern – 30.11.21	Variation of Premises Licence – The Pear Tree, Purton	TBC	
Southern – 15.12.21	Variation of Premises Licence – The New Inn, Amesbury	TBC	
Northern - TBC	Variation of Premises Licence – Broad Town Brewery Broad Town	TBC	

Personal Licences

In 2017 changes to the Licensing Act 2003 gave a discretionary power to Licensing Authorities to revoke or suspend a Personal Licence. Prior to April 2017, only the magistrates' court had the power to revoke or suspend a personal licence where the licence holder had been convicted of a relevant offence.

Licensing Officers are consulting on a new process to consider our policy for dealing with personal licence holders who may be convicted of offences, foreign offences, or civil

penalties for immigration matters. A summary of a proposed procedure with relevant supporting legislation will be presented to the committee in March 2022 for consideration. It is proposed to, as far as possible, to follow existing committee precedent to ensure a straightforward procedure that follows the principles of natural justice.

Spiking concerns

Members are no doubt aware of public concerns regarding possible spiking. *Spiking is where alcohol or drugs are added to someone's drink without them knowing, or as seen in the current trend 'spiked' by needles/syringes potentially containing drugs.*

Nationally premises are being encouraged to take preventative measures e.g.: by way of signage reminding customers not to leave their drinks unattended. Ensure staff have the appropriate training or awareness to identify and respond to vulnerable people and if relevant to possible review search policies.

Licensing have engaged with individual premises through pub watches to highlight public perception in relation to the issue and offer advice where possible. There have been some possible spiking incidents reported in Wiltshire but to date none are confirmed cases.

Project Vigilant

Wiltshire Police launched Project Vigilant in October 2021 this is a new project to combat predatory behaviour in the county. This proactive operation sees extra patrols of both uniformed and plain-clothes officers to proactively prevent sexual assaults. The schemes aim is to provide a visible deterrent and additional public reassurance.



The re-launch of Ask Angela has been delayed giving priority to Project Vigilant the proposed new date is early December 2021.

Licensing has continued to engage with pub watches and licensed premises to gather further support for this important safety net, and communications colleagues are assisting with the wider promotion to the public, it will also be promoted through Area Boards and other available avenues such as social media and residents' newsletters.

Animal Licensing

In the past couple of months there have been a number of new animal premises applying to Wiltshire Council to be licenced.

Licensing officers are continuing to carry out renewal and unannounced inspections as required by the legislation, a few premises have improvements to make to continue with their star rating or to be renewed. Officers will take the appropriate action to ensure animal welfare and the required standards are maintained and that no animal is likely to be at risk by being housed or boarded at one of Wiltshire's licenced establishments.

One licenced home border recently failed the renewal inspection on a number of significant points and the licence has not been renewed and no appeal has been lodged against the decision.

Latest Team News

Sue Lewis, Technical Support Officer, is retiring at the end of the year. Sue is a valued member of our team and will be missed as both a friend and colleague. Interviews have taken place to recruit to this role.

Licensing Officers

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Linda Holland – Licensing Manager Public Protection
23rd November 2021