

# Notice of Meeting

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## Licensing Committee

**Wednesday, 20 June, 2012 at 6.30pm**  
in Council Chamber Council Offices  
Market Street Newbury

Date of despatch of Agenda: Tuesday, 12 June 2012

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Jenny Legge / Jason Teal on (01635) 503043 / 519102

e-mail: [jlegge@westberks.gov.uk](mailto:jlegge@westberks.gov.uk) / [jteal@westberks.gov.uk](mailto:jteal@westberks.gov.uk)

Further information and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)



To: Councillors Peter Argyle, Jeff Beck (Chairman), Paul Bryant, Billy Drummond, Adrian Edwards, Manohar Gopal, David Holtby, Tony Linden, Mollie Lock (Vice-Chairman), Geoff Mayes, Andrew Rowles, Ieuan Tuck, Quentin Webb and Laszlo Zverko

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# Agenda

## Part I

Page No.

1. **Apologies**  
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 1 - 10  
To approve as a correct record the Minutes of the meetings of this Committee held on 20 March 2012 and 10 May 2012.
3. **Declarations of Interest**  
To receive any Declarations of Interest from Members.
4. **Hackney Carriage Conditions** 11 - 16  
*Purpose:* To inform Members of a request from the Taxi/Private Hire Associations to introduce a condition which requires private hire vehicles to have a mechanical inspection, in line with taxis.
5. **Taxi Tariff** 17 - 22  
*Purpose:* To request Members to address a trade error in the submission for a tariff rate increase for 2012.
6. **Gambling Act 2005** 23 - 40  
*Purpose:* To consider the Council's review of its Gambling Policy Statement.

Andy Day  
Head of Strategic Support

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If you require this information in a different format, such as audio tape, or in another language, please ask an English speaker to contact Moira Fraser on telephone (01635) 519045, who will be able to help.



Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## LICENSING COMMITTEE

### MINUTES OF THE MEETING HELD ON TUESDAY, 20 MARCH 2012

**Councillors Present:** Peter Argyle, Jeff Beck (Chairman), Adrian Edwards, Manohar Gopal, David Holtby, Tony Linden, Mollie Lock (Vice-Chairman), Geoff Mayes, Andrew Rowles, Quentin Webb and Laszlo Zverko

**Also Present:** Paul Anstey (Environmental Health & Licensing Manager), Sarah Clarke (Team Leader - Solicitor), Jason Teal (Performance, Research & Consultation Manager) and Amanda Ward (Licensing Officer),

**Apologies for inability to attend the meeting:** Councillor Paul Bryant, Brian Leahy and Councillor Ieuan Tuck

#### PART I

##### 11. Minutes

The Minutes of the meeting held on 13 December were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

**Item 10, page 2, penultimate paragraph** – it was noted that the tenses had been mixed up.

Councillor David Holtby commended the quality of the minutes produced by the officer involved.

The Committee noted that there was an outstanding action from the previous meeting for officers to prepare a brief report to agree the procedure for submitting a response to the Government's consultation on taxi legislation. The Chairman updated the Committee that information had not as yet been released by the Home Office, and as such, officers were still awaiting further guidance. A further update would be provided at the next Committee meeting.

##### 12. Declarations of Interest

There were no declarations of interest received.

##### 13. Taxi Tariff 2012/13

The Committee considered a report (Agenda Item 4) informing members of a request from the taxi trade for an increase in the taxi tariff (fare) for 2012/13, introduced by Paul Anstey.

Paul Anstey drew the Committee's attention to the tables on pages 10 and 11, outlining how West Berkshire's fares currently related to neighbouring and nearby districts. The actual request submitted – both the reasoning and the modelling of fares at different tariffs - were provided in appendix B and C of the paper

He then directed the Committee to section 4 of the report highlighting the percentage increase in each tariff favoured by the trade submission, of between 12.00% and 3.32% (tariff 1), between 8.57% and 4.61% (tariff 2) and between 6.67% and 2.68% (tariff 3), compared to the CPI / RPI.

## LICENSING COMMITTEE - 20 MARCH 2012 - MINUTES

He noted that it was a reasonable request for the trade to ask for a change, and it was for Members to consider whether the proposal itself was reasonable, or what other steps the Committee might wish to take.

Councillor Jeff Beck noted there were representations from the trade: one sector asking for an increase; the other asking for fares to remain unchanged.

*(In accordance with paragraph 7.12.14 of the Council's Constitution, the Chairman proposed suspension of standing orders to allow members of the trade to participate in the discussion and respond to questions committee members might have. This was seconded by Councillor David Holtby and the Committee voted in favour of this proposal).*

Three trade representatives wished to speak and a five minute time limit per speaker was set.

Mr Andrew Lutter (Chair of the West Berkshire Hackney and Private Hire Association), representing approximately a third of members and plate holders to whom licences were issued, addressed the Committee.

Mr Lutter began by noting that these were difficult times for everyone – not least the taxi trade. In particular he noted that:

- Last year's increase in fares had not covered inflation.
- There were more taxis operating in the area than he would like to see and the lack of a cap on the number of licenses did not help the profitability of the trade.
- Insurance premiums had gone up significantly over the past year with 2% of a vehicle's turnover now being subsumed by the increased insurance premiums.
- The price of fuel was continuing to rise with the Savacentre petrol station in Calcot now charging £1.52 for a litre of diesel. He noted that further spikes in fuel prices were expected and that the price of fuel was not expected to fall in the future.
- Over the last two years, the local authority's operator licence renewal for nine licenses had gone up by 740%. Equally, other costs had risen, such as the cost of a Criminal Records Bureau check had risen by 15%.
- The general index of inflation was currently running at over 4% and that the proposed fare increase would enable drivers to make a living and ensure their ability to maintain vehicles in a safe condition.

Mr Lutter noted that the trade was generally receptive to different vulnerable groups – for example, it was not uncommon for fares to be rounded off for older people. He continued that the groups who would largely notice the fare increases would be full expense business customers and those out socialising of an evening.

Councillor Tony Linden commented that he had heard what Mr Lutter had to say and understood the need to cover inflationary increases, but noted that a number of the trade indicated that they did not want any increase in the tariff.

Mr Lutter responded he was pleased people felt empowered in coming forward and that they felt their views would be listened to. He acknowledged there was debate within the Association and the trade more widely.

He noted the petition presented against any increases (appendix E), included 16 people who did not own a car. In this case, they would not be picking up the full operating cost, which was borne by the car owner.

## LICENSING COMMITTEE - 20 MARCH 2012 - MINUTES

He acknowledged the concern amongst some that fare increases would result in fewer customers; however, his preference was for small increases year on year. He noted that drivers did not have to charge the increase.

Councillor Adrian Edwards queried Mr Lutter's position on fare increases, should the price of fuel decrease. Mr Lutter responded that if there was a decrease in fuel price, this should be reflected in the next annual tariff review.

Councillor David Holtby further explored the issue of how much of a restriction the tariff placed on drivers and asked for Mr Lutter's view on whether the increase had to be charged, or whether discounts could be applied.

*(Councillor Andrew Rowles arrived at 6:50pm).*

Mr Lutter responded that any driver could offer a discount. Regular runs tended to be fixed price, so would not be affected by any changes in tariff.

Councillor Holtby reconfirmed his view that if the trade found the new tariffs were considered too much, then drivers were at liberty to offer discounts and the increase was not a restriction for the trade.

Councillor Quentin Webb highlighted the cost of diesel, which had risen by 7% over the last year. He sought assurance from Mr Lutter that the costs per mile were between 21p and 33p. Mr Lutter said the trade worked on an average cost of 25p a mile, because most trips tended to be urban.

Councillor Webb queried the use of four decimal places to work out the distance travelled (yardage) in the 'accepted' proposal and not in the alternative 'rejected' proposals'.

Mr Richard Brown (Vice-Chair of the West Berkshire Hackney and Private Hire Association) responded that the figures were devised by Brian Rowlands (Chair of the National Taxi Association). The point was to revise the meter rise so that the increments were consistent, rather than on two levels as was currently done. The proposal therefore showed an initial flag at £2.80 which then increased at a consistent rate.

The Chairman thanked Mr Lutter and Mr Brown for their contributions and invited Mr Dave Kimber (who had presented the petition against any fare increase) to speak to the Committee.

Mr Kimber introduced himself as a one-man company. He said that the signatures had been gathered as a result of speaking with drivers at a single rank over a period of time. He felt there was a concern amongst some drivers that an increase would be detrimental to the trade itself.

He noted the flag was the first thing customers saw and there was concern that customers would simply get out at seeing this initial price. He stated he had seen a decline in the number of fares from the train station over the past year, with previous customers simply walking as they felt the fares were too high. He felt the trade needed to hold fares in order to persuade people back into taxi cabs.

He acknowledged Mr Lutter's point about increases in various costs associated with owning and driving a car, but that these were not necessarily as substantial as previously cited.

In response to a comment from Councillor Webb, Mr Kimber noted the price per litre of fuel fluctuated but had only gone up by 2p over the course of the year.

Councillor Holtby asked what the impact would be on Mr Kimber if the increase were approved. Mr Kimber responded that he would attempt to charge the pre-rise rate and offer a discount.

## LICENSING COMMITTEE - 20 MARCH 2012 - MINUTES

Councillor Edwards asked how Mr Kimber would feel about the flag staying as it was, but the increment rising more substantially. Mr Kimber responded that he was more in favour of an increase in the tariff than the flag as this was the first thing a customer saw, and noted.

Councillor Laszlo Zverko asked Mr Kimber to comment more on the numbers of regular customers he had lost. Mr Kimber noted that 12 months ago he had been taking around £1,000 a week in telephone bookings, but that he was currently struggling to get £700 a week. He felt that last year's tariff increase had pushed a lot of people away from taxis.

Councillor Quentin Webb asked Mr Kimber to comment on the cost of insurance. Had he seen the same increases in cost described by Mr Lutter previously? Mr Kimber said he was now paying a smaller premium than previously. He said his premium this year was around £1,400, whereas previously it was over £2,000 for a single car. He added the only difference was that this current year he was insuring a single car, whereas previously he had insured a number of vehicles. He concluded it was simply a case of shopping around.

The Chairman thanked Mr Kimber for his contribution and invited Mr David Oram who represented Cabco to speak to the Committee.

Mr Oram noted that since December, the price of diesel had increased by 6p per litre; his insurance premium had increased by £500 (with 15 years no claims); the cost of servicing vehicles had also increased.

He commented that the fare structure was fair; the increase in fares paid would be minimal within the town, it was the longer journeys which would work out as more expensive. However the increase being proposed was minimal.

Councillor Edwards enquired about the cost of insurance. Mr Oram responded that he shopped around for the best quote, but the cost had increased by £500. He noted that public liability insurance was also added onto his premium, against which coverage for £10m was needed to tender to for school contracts.

Mr Lutter noted that part of the reason for the increase in insurance premiums was a result of fraud within the industry.

Mr Paul Anstey asked the Committee to note that the reference to the need to maintain cars and public safety previously made, needed to be taken with a caveat. Health and safety was part of the license review and the Council therefore had a benchmark to ensure public safety.

*(The Chairman reinstated standing orders. Seconded by Councillor Linden)*

Councillor Webb stated he had worked on the figures to establish the cost for the taxi trade and when additionally comparing the fares in West Berkshire with other areas, was happy to propose to accept the increase in tariffs put forward by the trade. Councillor Peter Argyle seconded this proposal on the basis that it was irrespective what the tariff was set at, as this was a maximum and individual drivers were able to offer discounts to passengers as they saw fit.

Councillor Edwards agreed that on the basis of what they had heard, there was some justification in accepting an increase in the maximum tariff, but expressed some concern about the proposed rise in the initial flag as noted by Mr Kimber. He noted it was only 30p, but felt that the initial price upon entering a taxi was also a consideration and that it would give the public some reassurance if the flag were to stay as it was at £2.50. Councillor Edwards proposed an amendment to the proposal to leave the maximum flag at £2.50.

## LICENSING COMMITTEE - 20 MARCH 2012 - MINUTES

Paul Anstey noted that an amendment of this nature would have implications on how the remaining tariffs would be drawn out. This was not something that could be worked out over the course of this meeting and so would have to come back to a future meeting, having looked at the implications on the respective increases should the flag remain.

Councillor Mollie Lock expressed sympathy with the flag issue as the initial amount did strike the passenger when entering a taxi.

Councillor Webb noted that Councillor Edwards' suggestion to leave the flag at £2.50 and amend just the incremental increases would not be as complex as initially described. The algorithm used to calculate the increments remained the same; it would simply be a case of adding 30p to each of the increments. Representatives from the trade agreed this would be the case.

Councillor Holtby remarked that the representatives from the trade had each respectively made a good case. He noted concern about losing custom, but concluded that the ability to offer discounts, should drivers wish, remained. He expressed reservations about the option of leaving the flag unchanged and only increasing the increments, as he felt this could be interpreted as disingenuous by customers.

Councillor Zverko seconded Councillor Edwards' amendment.

The Committee voted on Councillor Webb's proposal to accept the proposed increase in tariff as put forward by the trade. Four members voted for the proposal, four members against (including Councillors Edwards and Zverko). One member (Councillor Rowles) abstained from the vote as he had not been present for the whole discussion. The Chairman voted in favour of the proposal.

**RESOLVED** that the motion for the increase in the taxi tariff for 2012/13 be carried.

### 14. **Police Reform and Social Responsibility Act 2011**

The Committee considered a report (Agenda Item 5) updating Members on the Police Reform and Social Responsibility Act 2011 and the national consultation on the Late Night Levy and Early Morning Restriction Order provisions contained in the Act, introduced by Paul Anstey.

Paul Anstey stated officers were compiling a West Berkshire Council response to the consultation. Some elements of the proposals fell within the licensing arena. This paper, therefore, distilled those areas of direct relevance for the members' attention.

He noted that in essence, the consultation concentrated on the way in which the licensing authority and the Police could seek to control potential problems associated with licensed premises. The proposed changes were largely in relation to:

- The Licensing Authority would become a Responsible Authority in relation to premises and club premises applications. This would enable the authority to make representations regarding applications and to apply for a review of a Premises Licence or Club Certificate, should it become necessary.
- The impact on health (i.e. around alcohol) could be taken into consideration when reviewing / considering a licence.
- Both the Police and Environmental Health Officers were able to object to a Temporary Event Notice if they considered the activities notified were likely to undermine a licensing objective.
- The proposed introduction of a Late Night Levy would allow authorities to charge Late Night Licences to pay for the cost of extra policing during those hours. Paul Anstey

## LICENSING COMMITTEE - 20 MARCH 2012 - MINUTES

noted that he did not get the sense that there was potentially a lot of money that could come from this, but some funding may be generated to help alleviate some of the problems associated with some licensed premises.

Paul Anstey said his intention was to circulate the consultation document to members and ask for their responses. Officers would collate all responses to compile and submit a West Berkshire Council response.

Councillor Edwards enquired whether the public had the opportunity to respond. Paul Anstey noted that all consultations are published online and are open to anyone to respond.

Councillor Beck noted that the Council had asked Thames Valley Police for their view on the proposals, but had as yet not received a response. Paul Anstey confirmed they had had no official Thames Valley Police view delivered to as yet.

Councillor Beck noted the Police would be able to claim 70% of the levy, whilst the authority could claim the balance. He noted this may generate a reasonable amount of money to fund, for example, early morning street cleaning.

Paul Anstey noted there were likely to be limitations as to how any funds could be used. Also, there were not a large number of premises in West Berkshire against which a levy could be applied, so he was keen to taper expectations about what could be achieved with a relatively small pot of money.

Amanda Ward said there were currently 75 licensed premises in West Berkshire which traded between midnight and 6.00am. However, the consultation asked what types of premises could be excluded from the levy (such as rural pubs and hotels) and in identifying likely exemptions, would bring the number of premises to which this could be applied to around 30.

**RESOLVED that** Paul Anstey would circulate the consultation document electronically to committee members asking for responses by 5 April. Paul Anstey would then compile a response on behalf of the Council as a whole and submit to the Home Office.

### 15. Live Music Bill

The Committee considered a report (Agenda Item 6), bringing to the attention of committee members the provisions of the Live Music Bill, introduced by Paul Anstey.

In essence, the Bill was about the deregulation of live music – reducing the circumstances for which a live music licence application was required. The Bill provided different levels of regulation depending upon whether the music was amplified, or the hours within which it was being played.

Paul Anstey highlighted the implication that the Bill transfers the onus of responsibility from the licensing to environmental health. In doing so, this moved the authority from being able to proactively manage activity, to reactively managing problems as / when they occur. He noted that his view was that the changes made a lot of common sense, but that members should note this change in emphasis.

Councillor Mollie Lock asked when this would likely come into force. Amanda Ward replied that although it had received Royal Assent, no specific date for implementation had been set by the Home Office.

The report was duly noted by the Committee.

*(The meeting commenced at 6.30pm and closed at 7.50pm)*



**LICENSING COMMITTEE - 20 MARCH 2012 - MINUTES**

**CHAIRMAN** .....

**Date of Signature** .....

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**LICENSING COMMITTEE**

**MINUTES OF THE MEETING HELD ON  
THURSDAY, 10 MAY 2012**

**Councillors Present:** Peter Argyle, Jeff Beck, Paul Bryant, Adrian Edwards, Manohar Gopal, Tony Linden, Mollie Lock, Geoff Mayes, Andrew Rowles, Ieuan Tuck, Quentin Webb and Laszlo Zverko

**Apologies for inability to attend the meeting:** Councillor Billy Drummond and Councillor David Holtby

**PART I**

**1. Election of Chairman**

**RESOLVED that** Councillor Jeff Beck be elected Chairman of the Licensing Committee for the 2012/13 Municipal Year.

**2. Appointment of Vice-Chairman**

**RESOLVED that** Councillor Mollie Lock be appointed Vice-Chairman of the Licensing Committee for the 2012/13 Municipal Year.

*(The meeting commenced at 8.22 pm and closed at 8.23 pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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# Agenda Item 4.

<b>Title of Report:</b>	<b>Hackney Carriage Conditions</b>
<b>Report to be considered by:</b>	Licensing Committee
<b>Date of Meeting:</b>	20th June 2012
<b>Forward Plan Ref:</b>	n/a

**Purpose of Report:** To inform Members of a request from the Taxi/Private Hire Associations to introduce a condition which requires private hire vehicles to have a mechanical inspection, in line with taxis.

**Recommended Action:** To consider the report

**Reason for decision to be taken:** Formal request from the trade

**Other options considered:** None

**Key background documentation:** None

The proposals contained in this report will help to achieve the following Council Strategy priority(ies):

- CSP1 – Caring for and protecting the vulnerable**
- CSP2 – Promoting a vibrant district**
- CSP3 – Improving education**
- CSP4 – Protecting the environment**

The proposals will also help achieve the following Council Strategy principle(s):

- CSP5 - Putting people first**
- CSP6 - Living within our means**
- CSP7 - Empowering people and communities**
- CSP8 - Transforming our services to remain affordable and effective**
- CSP9 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by:

<b>Portfolio Member Details</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Hilary Cole - Tel (01635) 248542
<b>E-mail Address:</b>	hcole@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	8 June 2012
<b>Contact Officer Details</b>	
<b>Name:</b>	Brian Leahy
<b>Job Title:</b>	Senior Licensing Officer

<b>Tel. No.:</b>	01635 519184
<b>E-mail Address:</b>	bleahy@westberks.gov.uk

## **Implications**

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<b>Policy:</b>	The Council has a policy of applying conditions to taxis and private hire vehicle licences.
<b>Financial:</b>	None
<b>Personnel:</b>	None
<b>Legal/Procurement:</b>	None
<b>Property:</b>	None
<b>Risk Management:</b>	None
<b>Equalities Impact Assessment:</b>	None
<b>Corporate Board's Recommendation:</b>	None Required

## **Executive Summary**

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### **1. Introduction**

- 1.1 Hackney Carriage and Private Hire vehicles are required, by condition, to be mechanically examined as per the Council's Standard Conditions.
- 1.2 A request has been received for the inspection of private hire vehicles to be brought into line with that of hackney carriages.

### **2. Proposals**

- 2.1 If Members agree to add this condition it is proposed that the condition will take effect from 1<sup>st</sup> July 2012.

### **3. Conclusion**

- 3.1 The revised mechanical inspection criterion will have the effect of ensuring that older vehicles presented for licensing have had a recent MOT and thus, the Council can be reasonably assured that the vehicle's mechanical safety meets both the Council's and the public's expectations. (taking into consideration that the MOT confirms only the roadworthiness of the vehicle at the time of the inspection.)

# Executive Report

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## 1. Introduction

- 1.1 Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 gives a provision to the local Authority to attach such conditions, as the Council may believe are necessary, to the grant of a hackney carriage vehicle licence, issued under the Town Police Clauses Act 1847.
- 1.2 Under the present hackney carriage conditions, a vehicle is required to comply with the following condition in respect of vehicle inspections;
  - 1.2.1 Each hackney carriage vehicle presented for licensing must have a valid VOSA MOT if over 1 year from first registration.
  - 1.2.2 A valid MOT must be presented for each renewal of the vehicle licence.
  - 1.2.3 Where a vehicle is up to 6 years old, the VOSA MOT and the Council Test is required for each renewal.
  - 1.2.4 Vehicles from 6 to 8 years old will require an interim VOSA MOT test certificate at the 6 month stage and those over 8 years will require a VOSA MOT test 3 times per year.
  - 1.2.5 A test certificate will be required to be produced from the garage carrying out the test.
- 1.3 Section 48 of the same Act provides for the Council to attach to the grant of a Private Hire vehicle licence such conditions as it believes are necessary.
- 1.4 Under the current private hire conditions, a vehicle is required to be inspected as for hackney carriages, with the exception that the initial VOSA MOT is only required when the vehicle is 3 years old.
- 1.5 A request was made in February 2012 to bring the MOT inspection for private hire in line with the condition for hackney carriages.
- 1.6 This proposal suggests that an MOT inspection be carried out within 4 weeks prior to initial licensing for a used vehicle and for a brand new vehicle, 1 year after first registration of the vehicle. It also suggests that any advisory items shown on the test certificate be dealt with within 7 days or the licence would be suspended until such time as the defects have been repaired/replaced etc.
- 1.7 The suggested benefits of this proposal are that the administrative process would be made simpler by the MOT and renewal of the licence being together, and would also improve safety by making the vehicle better fit for purpose. i.e. inspected from year 1 as opposed to year 3.

## 2. Consultation

- 2.1 The proposal was put out to consultation with the trade in the February 2012 newsletter. The consultation period ran until the 1<sup>st</sup> June 2012, by which time only

one comment had been received, despite over 450 newsletters being sent out to the trade. This one comment was in favour of the proposal.

2.2 The matter was discussed at the taxi and private hire liaison meeting held on the 18<sup>th</sup> May 2012, where it was agreed that the request could be put to Members, without opposition from either the liaison group or those members of each trade who had been consulted.

2.3 A further consideration to this proposal is that the MOT inspection for a used vehicle presented for hackney carriage licensing, should also meet the same standards. i.e. MOT no later than four weeks prior to being licensed.

## Appendices

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Appendix A – Equalities Impact Assessment

Appendix B – Letter from Theale Meter Services

## Consultees

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**Local Stakeholders:** Taxi and private hire licence holders

**Officers Consulted:** Paul Anstey

**Trade Union:** None

## Appendix A

### Equality Impact Assessment – Stage One

<b>Name of item being assessed:</b>	Hackney Carriage Conditions
<b>Version and release date of item (if applicable):</b>	V.1
<b>Owner of item being assessed:</b>	Steve Broughton
<b>Name of assessor:</b>	Brian Leahy
<b>Date of assessment:</b>	11 June 2012

<b>1. What are the main aims of the item?</b>
Taxi condition variation

<b>2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this.</b> (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)		
<b>Group</b>	<b>What might be the effect?</b>	<b>Information to support this.</b>



<b>Affected</b>		
N/A		
<b>Further comments relating to the item:</b>		

<b>3. Result</b> (please tick by clicking on relevant box)	
<input type="checkbox"/>	<b>High Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>Medium Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>Low Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/>	<b>No Relevance</b> - This <b>does not</b> need to undergo a Stage 2 Equality Impact Assessment

**For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.**

<b>4. Identify next steps as appropriate:</b>	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	X

**Name:** Brian Leahy

**Date:** 11 June 2012

## Appendix B

*Taxi Meter Services Est.: 1990*  
Sales & Service to the Taxi & Private Hire Industry  
17 High Street  
Theale  
Reading  
RG7 5AH  
01189302345 / 07795840115  
R J Brown

*Mr. Brian Leahy (Senior Licensing Officer)*  
West Berkshire Council  
Market Street  
Newbury  
Berkshire

12-01-2012

### **RE: Hackney Carriage and Private Hire Vehicle Testing**

Dear Brian,  
Hackney Carriage vehicles have their first MOT (VOSA) 1 Year after first registration of the vehicle.

Private Hire Vehicles have their first MOT (VOSA) 3 Years after first registration of the vehicle.

I believe Private Hire Vehicles should be tested in line with Hackney Carriage Policy, 1 Year after first registration of the vehicle.

To ensure Private Hire Vehicles Licensed by West Berkshire Council (WBC) are fit for purpose. I propose that a condition of licensing would mean that an MOT inspection is carried out within four weeks prior to Initial Licensing for a used vehicle, and a brand new vehicle 1 Year after first registration of the vehicle.

This would mean issuing a VT20/TRE pass document at this time. This would ensure that the MOT would run in tandem with the issue of Vehicle License, This will save officers and admin staff time and money.

If Advisory Items were noted on the VT20/TRE pass document, that a condition of licensing would be that the items should be rectified within SEVEN working days, and the Licensed Proprietor to furnish proof of repairs. This will ensure a vehicle fit for purpose.

Yours sincerely  
Richard Brown  
07795840115 24/7  
E-mail richardjohnbrown@btopenworld.com

# Agenda Item 5.

<b>Title of Report:</b>	<b>Taxi Tariff</b>
<b>Report to be considered by:</b>	Licensing Committee
<b>Date of Meeting:</b>	20 June 2012
<b>Forward Plan Ref:</b>	n/a

**Purpose of Report:** To request Members to address a trade error in the submission for a tariff rate increase for 2012.

**Recommended Action:** To consider the request

**Reason for decision to be taken:** Request from the taxi trade

**Other options considered:** None

**Key background documentation:** None

The proposals contained in this report will help to achieve the following Council Strategy priority(ies):

- CSP1 – Caring for and protecting the vulnerable**
- CSP2 – Promoting a vibrant district**
- CSP3 – Improving education**
- CSP4 – Protecting the environment**

The proposals will also help achieve the following Council Strategy principle(s):

- CSP5 - Putting people first**
- CSP6 - Living within our means**
- CSP7 - Empowering people and communities**
- CSP8 - Transforming our services to remain affordable and effective**
- CSP9 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by:

Portfolio Member Details	
<b>Name &amp; Telephone No.:</b>	Councillor Hilary Cole - Tel (01635) 248542
<b>E-mail Address:</b>	hcole@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	

Contact Officer Details	
<b>Name:</b>	Brian Leahy
<b>Job Title:</b>	Senior Licensing Officer
<b>Tel. No.:</b>	01635 519184
<b>E-mail Address:</b>	bleahy@westberks.gov.uk

## **Implications**

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<b>Policy:</b>	The Council has a policy for considering each request for a tariff variation
<b>Financial:</b>	There are small financial implications for the cost of a newspaper advertisement and a further small charge for re-printing tariff cards if the request is approved. These costs are within existing budget.
<b>Personnel:</b>	None
<b>Legal/Procurement:</b>	None
<b>Property:</b>	None
<b>Risk Management:</b>	None
<b>Equalities Impact Assessment:</b>	Completed
<b>Corporate Board's Recommendation:</b>	None required.

# Executive Summary

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## **1. Introduction**

- 1.1 At the Licensing Committee Meeting held on 30<sup>th</sup> March 2012, Members agreed to an increase in the maximum rate of tariff to be charged by taxis
- 1.2 The trade have realised that their submission contained an error in the rate of tariff able to be charged for waiting time.

## **2. Proposals**

- 2.1 Members are asked to reconsider the rate charged for waiting time and adjust the rate to that outlined in 1.3 of the Executive Report.

## **3. Equalities Impact Assessment Outcomes**

- 3.1 The EIA is completed but does not discriminate against any specific group of people.

## **4. Conclusion**

- 4.1 The current rate for waiting time, as agreed by Members on the 30<sup>th</sup> June 2012, is £5.00 per hour lower at tariff 1 and £10.00 per hour less at tariffs 2 and 3, than the rate applied during 2011/12.

# Executive Report

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## 1. Introduction

- 1.1 The taxi trade have realised that their submission for a tariff variation in waiting time from April/ May 2012, is set at a rate which is less than that which applied for 2011/12.
- 1.2 The trade are now requesting Members to change the rate for waiting time back to that which applied previously.
- 1.3 This would mean that although Members approved a rate increase for time and distance at each level of tariff, which would not change, the rate for “waiting time” would change from 36 seconds, back to 18 seconds.

## 2. Recommendation

- 2.1 Officers accept that this was a genuine error made by the trade and had it been correct at the meeting on the 30<sup>th</sup> March 2012 would have been consistent with the general increases approved by Members.

## Appendices

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Appendix A – Equality Impact Assessment – Stage 1

## Consultees

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**Local Stakeholders:** Taxi operators

**Officers Consulted:** Paul Anstey

**Trade Union:** None

## Equality Impact Assessment – Stage One

<b>Name of item being assessed:</b>	Taxi Tariff
<b>Version and release date of item (if applicable):</b>	V.1
<b>Owner of item being assessed:</b>	Steve Broughton
<b>Name of assessor:</b>	Brian Leahy
<b>Date of assessment:</b>	11 June 2012

<b>1. What are the main aims of the item?</b>
Taxi tariff variation

<b>2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this.</b> (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this.</b>
N/A		
<b>Further comments relating to the item:</b>		

<b>3. Result</b> (please tick by clicking on relevant box)	
<input type="checkbox"/>	<b>High Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>Medium Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>Low Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/>	<b>No Relevance</b> - This <b>does not</b> need to undergo a Stage 2 Equality Impact Assessment

**For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.**

<b>4. Identify next steps as appropriate:</b>	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	X

**Name:** Brian Leahy

**Date:** 11 June 2012



# Agenda Item 6.

<b>Title of Report:</b>	<b>Gambling Act 2005</b>
<b>Report to be considered by:</b>	Licensing Committee
<b>Date of Meeting:</b>	20 June 2012
<b>Forward Plan Ref:</b>	n/a

**Purpose of Report:** To consider the Council's review of its Gambling Policy Statement

**Recommended Action:** To approve the Reviewed Statement

**Reason for decision to be taken:** Statutory Requirement

**Other options considered:** None

**Key background documentation:** Gambling Act 2005 and associated Regulations

The proposals will help achieve the following Council Plan Themes:

- CPT7 - Safer and Stronger Communities**
- CPT11 - Protecting Vulnerable People**
- CPT16 - Excellent Performance Management**

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:

Protecting children and other vulnerable persons from being harmed or exploited by gambling. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. Ensuring that gambling is conducted in a fair and open way.

Portfolio Member Details	
<b>Name &amp; Telephone No.:</b>	Councillor Hilary Cole - Tel (01635) 248542
<b>E-mail Address:</b>	hcole@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	8 June 2012

Contact Officer Details	
<b>Name:</b>	Brian Leahy
<b>Job Title:</b>	Senior Licensing Officer
<b>Tel. No.:</b>	01635 519184
<b>E-mail Address:</b>	bleahy@westberks.gov.uk

## Implications

**Policy:** Existing policy must be reviewed every three years or sooner if felt appropriate

**Financial:** None  
**Personnel:** None  
**Legal/Procurement:** Statutory requirement  
**Property:** None  
**Risk Management:** None  
**Equalities Impact Assessment:** None

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input checked="" type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input checked="" type="checkbox"/>

# Executive Summary

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## **1. Introduction**

- 1.1 The Gambling Act 2005 received Royal Assent on 7 April 2005 and became active on 31<sup>st</sup> January 2007.
- 1.2 It is a requirement of the Act that the Council form and publish a Licensing Authority Statement of Policy which will have effect for three years with a revision every three years after first publication. The second three year revision is now due.

## **2. Proposals**

- 2.1 Council agree the adoption of the reviewed policy.

## **3. Conclusion**

- 3.1 It is a mandatory requirement that the revised policy is adopted and brought into effect by the 31<sup>st</sup> January 2013.
- 3.2 There is no intention to change the policy statement other than to carry out an update of the relevant statutory authorities.

# Executive Report

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## 1. Introduction

- 1.1 The existing policy statement was consulted upon widely throughout the District prior to adoption, with all licensed gambling operators with premises in West Berkshire, religious groups and Parish/Town Councils being involved as well as the statutory bodies. The draft policy and consultation information was also published on the Council's website.
- 1.2 Following the conclusion of the consultation period the policy statement was presented to the Licensing Committee for approval and from there to Council. The policy was formally adopted on 14<sup>th</sup> December 2006 by Council.
- 1.3 Although the Licensing Authority could, if it felt it necessary, alter, by review, the policy during the initial or any subsequent three year period it has not been necessary to do so since adoption and publication.
- 1.4 A revision and adoption of the policy is now due by the 31<sup>st</sup> January 2013. Although the document must be published by the 31<sup>st</sup> January 2010 a notice of the Council's intention to publish must be advertised no later than 4 weeks before the policy takes effect.

## Appendices

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Appendix A – West Berkshire Council's Licensing Policy on Gambling (not yet updated)

## Consultees

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**Local Stakeholders:** Consultees and Gambling Operators

**Officers Consulted:** None

**Trade Union:** None



## **Licensing Policy on Gambling**

published

**11<sup>th</sup> December 2009**

Effective from 31<sup>st</sup> January 2010

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## West Berkshire Licensing Policy on Gambling

### Section 1 - Definitions

The **Council** means West Berkshire District Council;

The **Licensing Authority** means the Council acting as defined by Section 2 of the Gambling Act 2005. For all official correspondence, the address of the Licensing Authority is The Senior Licensing Officer, Environmental Health & Licensing, Countryside & Environment, Council Offices, Faraday Road, Newbury, Berkshire, RG14 2AF. All correspondence to be marked for the attention of the Senior Licensing Officer.

The **Act** means the Gambling Act 2005.

The **Licensing Committee** means the full committee or a Sub-Committee of not less than three members.

The term **etc.** is used to denote the whole range of consents relating to the Act, including premises licences, authorisations for the temporary use of premises, occasional use notices and five different sorts of permits for unlicensed family entertainment centres, prize gaming, gaming machines on alcohol-licensed premises and club gaming and club gaming machines, variations, transfers, and renewals.

**GC** means the Gambling Commission.

**Child** means an individual who is less than 16 years old. A **young person** means an individual who is not a child but who is less than 18 years old.

**GC guidance** means the guidance issued under Section 25 of the Gambling Act 2005 by the Gambling Commission as revised in May 2009.

## Section 2 - Introduction

- 1 This Licensing Policy Statement addresses the requirements of section 1 of the Act. It sets out the Council's Licensing Policy and takes account of the GC guidance. This Licensing Policy Statement will apply to the area of West Berkshire District Council.
- 2 West Berkshire District Council is a Unitary Authority and is predominantly rural with the Council area making up over half of the geographical County of Berkshire, covering an area of 272 square miles. The population is relatively young when compared across the UK, although this is made up of a significant proportion of people aged between 30 – 50 rather than significant numbers of people in their 20's. The District is perceived to be in an area of some affluence having 5 main areas of conurbation spread evenly across the Council's area of jurisdiction. Newbury Racecourse is situated in the centre of the largest town in the District and the rural areas are world renowned for their involvement in the training and stabling of race horses.
- 3 The Policy relates to all those licensing activities identified as falling within the provisions of the Act, namely:-
  - a) bingo premises;
  - b) betting premises, including tracks;
  - c) adult gaming centres;
  - d) family entertainment centres;
  - e) authorisations for the temporary use of premises;
  - f) occasional use premises;
  - g) prize gaming;
  - h) gaming machines on alcohol-licensed premises;
  - i) club gaming;
  - j) club gaming machines.
  - k) Casinos
- 4 The scope of the Policy covers new premises licences and other forms of permits.
- 5 The Licensing Authority recognises that in determining individual cases, decisions must be consistent with both the provisions of the Act, the Section 25 Guidance and this Policy. In particular, this Policy does not override the right of any interested party to make representations on an application where that provision has been made in the



Act. In determining a licence application, the overriding principle adopted by the Council will be that each application will be determined on its merits.

- 6 The Licensing Authority recognises the obligations placed upon it by the Human Rights Act 1998 and in considering applications under the Gambling Act will have regard to:
- a) Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest;
  - b) Article 6 – right to a fair hearing;
  - c) Article 8 – respect for private and family life. In particular removal of restriction of a licence may affect a person's private life; and
  - d) Article 10 – right to freedom of expression.

### **Section 3 - Licensing Objectives**

- 7 The Licensing Authority recognises that its duty under the Act is to carry out its functions with a view to promoting the three Licensing Objectives, and all decisions will be made solely based on these. They are :-
- a) ***preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;***
  - b) ***ensuring that gambling is conducted in a fair and open way; and***
  - c) ***protecting children and other vulnerable persons from being harmed or exploited by gambling.***
- 8 The Licensing Authority recognises that in exercising its function under part 8 of the Act (Premises Licensing and Provisional Statements) it will aim to permit the use of premises for gambling in so far as it thinks it is:
- a) *in accordance with any relevant code of practice under section 24;*
  - b) *in accordance with any relevant guidance issued by the GC under section 25;*
  - c) *reasonably consistent with the licensing objectives set out above; and*
  - d) *in accordance with this licensing policy statement.*

### **Section 4 – Demand for gaming premises**

- 9 The Licensing Authority recognises that in deciding whether or not to grant a licence etc, unmet demand is not a criterion in considering an application for a premises

licence under the Act. Each application will be considered upon its merits without regard to demand.

- 10 The Licensing Authority will consider applications for premises licences for casinos.

### **Section 5 - Consultation and review**

- 11 Before publishing this Policy Statement, or any subsequent revision, the Licensing Authority will consult with the following:-

- a) the Chief Officer of Police responsible for the West Berkshire area;
- b) one or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area; and
- c) one or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under this Act.

- 12 The Council will review, and after consultation, re-publish its Licensing Policy at least once every three years. Whilst acknowledging this responsibility, the Council reserves the right to revise the Policy at more frequent intervals, should this be deemed appropriate or necessary.

### **Section 6 - The Licensing Process**

- 13 The Council recognises its licensing responsibilities under the Gambling Act 2005 and in particular will provide:

- a) appropriate levels of resources including personnel, systems (including computer systems), and support;
- b) appropriate training for Elected Members, appropriate facilities at licensing hearings for applicants, the public and witnesses;
- c) hearings at times convenient to applicants and witnesses, as far as reasonably practicable;
- d) general guidance and assistance to licence applicants as far as reasonably practicable, however for specific advice the applicant may need to seek independent legal advice;
- e) an appropriate system to receive related complaints and service requests;
- f) Elected Members and Officers who have regard to appropriate Codes of Conduct and Declaration of Interests in dealing with licensing applications.

- 14 The powers of the Licensing Authority under the Act will be carried out via the Council's Licensing Committee, by a Sub-Committee or by one or more Officers acting under delegated authority. In the interests of speed, efficiency and cost-effectiveness for all parties involved in the licensing process, the Council has adopted the scheme of delegation shown at Annex A to process applications received under the Act. This form of delegation is without prejudice to referring an application to a Sub-Committee or the Licensing Committee if it is considered appropriate in particular cases.
- 15 The Licensing Authority will expect applicants to address, in their applications, the measures they propose to take to meet the Licensing Objectives and to submit any information with their application that may be prescribed by the Secretary of State and/or the Licensing Authority.
- 16 When making licensing decisions and imposing licensing conditions, the Licensing Authority will concentrate on matters within the control of the licence holder. Generally the Licensing Authority will be concerned only with the premises in question and its vicinity. The Licensing Authority will focus on the direct impact which the licensed premises, and its licensed activities, could have on persons living sufficiently close to the premises to be likely to be affected by the authorised activities and on persons having business interests that might be affected by the authorised activities.
- 17 In determining applications for licences, permits, etc the Licensing Authority will:
- a) consider only pertinent factors as set out in law and in approved guidance;
  - b) act without favour when considering matters linked directly or indirectly to the Council, for instance when dealing with an application for one of its own properties;
  - c) act in accordance with the principles of natural justice;
  - d) impose conditions on a licence as prescribed in the Act by means of Regulations as either, Mandatory Conditions or Default Conditions, to be made by the Secretary of State or as may be appropriate in the particular circumstances of an individual premises. Conditions will not duplicate other statutory requirements.

## **Section 7 - The protection of children and other vulnerable persons from being harmed or exploited by gambling**

- 18 Responsible Authorities are set out in Annexe B. These authorities are required to be notified by applicants of their intention to apply for a licence etc, and are able to make representations against applications. Specifically in relation to protecting children and other vulnerable persons from harm, the Licensing Authority has discretion to determine the most appropriate body competent to advise the Authority about protection from harm.
- 19 The Licensing Authority considers the Local Safeguarding Children Board to be the competent body to advise the Authority on matters relating to the above sub section.
- 20 The Local Safeguarding Children Board is the statutory mechanism for agreeing how the relevant organisations in each local area will co-operate to safeguard and promote the welfare of young or vulnerable people.
- 21 It is therefore highly appropriate that any activities taking place in the locality that have the potential to impact upon the well being of young or vulnerable people are brought to the Board's attention so that any necessary response or action can be considered.
- 22 This is a wide remit but it is extremely helpful for the organisations represented on the Board which includes all the statutory agencies working with children and families to be aware at the earliest opportunity of applications for gambling licences/permits etc, as the location and hours open can have implications for young persons in that area.

## **Section 8 - Interested parties**

- 23 Section 158 of the Act defines interested parties as persons who:
- a) live sufficiently close to the premises to be likely to be affected by the authorised activities;
  - b) have business interests that might be affected by the authorised activities; or
  - c) represent persons who satisfy paragraph a) or b).
- 24 In determining whether an interested party "lives sufficiently close to the premises" the Licensing Authority will consider factors such as:
- a) the size of the premises;
  - b) the nature of the premises;

- c) the distance of the premises from the location of the person making the representation;
  - d) the potential impact of the premises, such as number of customers, routes likely to be taken by those visiting the establishment; and
  - e) the nature of the complainant; that is whether the interests of the complainant may be relevant to the distance from the premises, for example, a private resident, a residential school for children with truanting problems or a hostel for vulnerable adults.
- 25 In determining whether “business interests might be affected” the Licensing Authority will consider factors such as:
- f) the size of the premises;
  - g) the ‘catchment’ area of the premises;
  - h) whether the person making the representation has business interests in the catchment area that might be affected.
- 26 In determining who may “represent persons” who live in the area or have business interests the Licensing Authority will consider the following categories:
- i) trade associations;
  - j) trade unions;
  - k) resident’s and tenant’s associations;
  - l) MP’s, Ward Councillors, Town or Parish Councils and Town and Parish Councillors’.
  - m) Any other person, on a case by case basis, who, in the opinion of the Licensing Authority satisfies the Authority, in writing, that they truly represent interested parties.

### **Section 9 - Licence Conditions**

- 27 The Licensing Authority will impose conditions that are either mandatory or default as prescribed in the Act or in Regulations prescribed by the Secretary of State, and may impose conditions which the Committee regard as necessary to meet the Licensing Objectives or are specific to the premises being considered.
- 28 Any conditions attached to any particular licence will:
- a) always be tailored to the style and characteristics of the premises in question;
  - b) only be applied when needed for the prevailing circumstances and;
  - c) will only be applied when necessary to help achieve the Licensing Objectives.

- 29 Licence conditions will not be imposed where other regulatory regimes provide sufficient protection to the public, for example, Health and Safety at Work and Fire Safety Legislation.
- 30 Whenever reasonably practicable, the Licensing Authority will ensure that other legislation, most notably Fire Safety Legislation, does not omit controls on the understanding they will be addressed by licensing conditions.

### **Section 10 - Enforcement**

- 31 Where enforcement action is necessary, the Council will act in accordance with its published Enforcement Policy, which in turn is based on the principles of the Regulatory Compliance Code.
- 32 The Licensing Authority will enforce, alone or in partnership, all breaches of the licence conditions under the Act where appropriate.
- 33 The Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact who should be a senior individual and whom the Authority may contact first should any compliance queries or issues arise. Notwithstanding this the Authority reserve the right to act directly against individuals where the extend of the problem or offence is deemed appropriate.

### **Section 11 - Information Exchange**

- 34 The Licensing Authority will have regard to the requirements of the Freedom of Information Act concerning information it holds upon applicants, licences and permits etc. This information will be freely available as it will be a requirement for the Licensing Authority to maintain a public register of the premises licences it has issued. Such information will include details of applicants, licence holders, and licence conditions.
- 35 Copies of applications and supporting documentation will be made available to Responsible Authorities under the Act
- 36 In the case of representations made against an application for a licence or permit these will be made available to the applicant so that they can address any issues raised in a hearing held to determine their application. The name and address of the person making the representation will normally be made available to the applicant but

will be withheld upon request. In such cases, an objector must appreciate that the representation may receive lesser consideration.

## ANNEX A: Delegation of Licensing Functions

Matter to be dealt with	Full Council	Sub Committee of Licensing Committee	Delegated to Officers
Three year licensing policy	Cannot be delegated further		
Policy not to permit casinos	Cannot be delegated further		
Fee setting	Generally prescribed by Secretary of State but may be devolved to Licensing Authorities in certain cases		
Application for Premises Licence		If a representation is made and not withdrawn	If no representation is made or one has been withdrawn
Application to vary Premises Licence		If a representation is made and not withdrawn	If no representation is made or one has been withdrawn
Application to transfer Premises Licence		If a representation is made and not withdrawn	If no representation is made or one has been withdrawn
Application for a provisional statement		If a representation is made and not withdrawn	If no representation is made or one has been withdrawn
Review of a premises licence		By Licensing Committee only	
Application for club gaming / club machine permits		If a representation is made and not withdrawn	If no representation is made or one has been withdrawn
Cancellation of club gaming / club machine permits			All cases
Applications for other permits			All cases
Cancellation of licensed premises gaming machine permits			All cases
Consideration of temporary use notice			All cases
Decision to give a counter notice to a temporary use notice		All cases	



## Annex B

Responsible Authority	Point of Contact
The Licensing Authority	Senior Licensing Officer, West Berkshire Council, Culture & Environmental Protection, Council Offices, Market Street, Newbury, Berkshire, RG14 5LD
The Gambling Commission	Victoria Square House, Victoria Square, Birmingham B2 4BP
The Chief Officer of Police	Licensing Officer, Thames Valley Police, Headquarters (South) Kidlington, Oxfordshire OX5 2NX
The Fire Authority	The Fire Safety Officer, Royal Berkshire Fire & Rescue Service, Hawthorn Road, Newbury, Berkshire, RG14 1LD
The Local Planning Authority Town and Country Planning Act 1990 (c.8)	Development Control Manager, West Berkshire District Council, Council Offices, Market Street, Newbury, Berkshire. RG14 5LD
The Enforcing Authority for Pollution	Principal Public Protection Officer for Pollution West Berkshire District Council, Council Offices, Market Street, Newbury, Berkshire. RG14 5LD
The Enforcing Authority for Health & Safety at Work Act 1974	Principal Public Protection Officer (Health & Safety Enforcement)  West Berkshire District Council, Council Offices, Market Street, Newbury, Berkshire, RG14 5LD  For all Council owned or operated premises and those others where the Health & Safety Executive is the Enforcing Authority  Principal Inspector, Health & Safety Executive, Priestly House, Priestly Road, Basingstoke, Hampshire RG24 9NW
Local Safeguarding Children Board	Robert Bradshaw West Berkshire District Council, West Street House, Newbury Berkshire. RG14 1BD
HM Revenue and Customs	Miss Maria Ottway, Her Majesties Revenue & Customs, Risk Section, Sapphire Plaza, Watlington Street, Reading, Berkshire RG1 4TA
In relation to a Vessel - A Navigation Authority  British Waterways Board or  The Secretary of State	Mr Colin Blundel, Planning Officer, British Waterways Board, Harbour House, West Quay, The Dock, Gloucester.GL1 2LG.  Tourism Division, 3 <sup>rd</sup> Floor, 2-4 Cockspur Street, London. SW1Y 5DH

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