

Notice of Meeting



Licensing Committee

Thursday, 14 September 2006 at 6.00pm

**in the Council Chamber, Council Offices,
Market Street, Newbury**

Date of despatch of Agenda: 6 September 2006

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact David Baker, Policy Manager on (01635) 519083
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Further information and Minutes are also available on the Council's website at www.westberks.gov.uk

Agenda – Licensing Committee to be held on 14 September 2006 *(continued)*

To: Councillors Andrew Rowles (*Chairman*), Peter Argyle, Paul Bryant, Billy Drummond, John Farrin (*Vice-Chairman*), Geoff Findlay, Manohar Gopal, Sally Hannon, Roger Hunneman, Owen Jeffery, Tony Linden, Irene Neill, Alexander Payton, Quentin Webb

Agenda

Part I

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|--|-----------------|
| 1. Apologies
To receive apologies for inability to attend the meeting (if any). | |
| 2. Minutes
To approve as a correct record the Minutes of the meetings of the Licensing Committee held on 25th July 2006. | 1 - 4 |
| 3. Declarations of Interest
To receive any Declarations of Interest from Members. | |
| 4. Gambling Act 2005
<i>Purpose: To Consider the West Berkshire Council Draft Gambling Policy</i> | 5 - 18 |

Note The Committee meeting would be followed by a Member development session in Committee Room 1 to provide training on licensing considerations relating to outdoor events and noise control.

David Baker
Policy Manager

Note: Minutes indicated as **DRAFT** will remain so until approved at the next meeting of the Committee

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 25 July 2006

Councillors: Andrew Rowles (*Chairman*) (P), Peter Argyle (AP), Billy Drummond (P), John Farrin (*Vice-Chairman*) (P), Geoff Findlay (P), Manohar Gopal (AP), Sally Hannon (AP), Roger Hunneman (P), Owen Jeffery (P), Tony Linden (AP), Mrs Irene Neill (P), Alexander Payton (AP), Quentin Webb (P)

PART I

24. APOLOGIES.

Apologies for the inability to attend the meeting were received on behalf of Councillors Peter Argyle, Manohar Gopal, Sally Hannon and Tony Linden.

25. MINUTES.

The Minutes of the meetings held on 31 January 2006 was approved as true and correct records and signed by the Chairman. (It was noted that there was a correction to be made for spelling mistake at the bottom of page 1 of the minutes).

26. DECLARATIONS OF INTEREST.

None.

27. LICENSING ACT 2003.

Brian Leahy presented performance details on the progress achieved by the Council in implementing the Licensing Act 2003. Despite most applications being submitted in the final weeks of the grandfather period, all outstanding licences had been issued and all current variations and amendments were being dealt with in the prescribed period. See Table1 for details.

Table 1

7th February 2005 to date

visits to premises	416
premises licences issued	509
variations to premises licences	26
personal licences issued	652
TEN's approved	406
TEN's voided	19

Brian Leahy also provided an estimate of workloads expected during 2006/07. See Table 2 for details.

Table 2

Projections for 2006/7

Visits to premises	1000
Premises licence applications	25
Variations	30
Personal licence applications	50
TEN's	1500

Although it was still early in the current cycle it was thought that there were sufficient resources available to meet the projected workload. However, it may well be necessary to adjust the resources to meet the administrative workload associated with processing a large number TEN's.

Following a short discussion by Members on the report, Councillor Geoff Findlay provided details of a DCMS study that had just been reported covering 10 large licensing authorities. All authorities had experienced the same heavy backloading of applications close to the final 6 August 2005 deadline. However, the Act was thought to have engendered:

- Better engagement of residents in the licensing process
- Good use of mediation to avoid hearings where possible
- Helped to turn round premises with a history of disorder
- Improve partnership working between licensing authorities, responsible authorities, local trade and residents.

On July 5 the Minister announced that the Government would seek to remove the requirement for village halls and other community venues to have a designated premises supervisor. A clarification that a Personal Licence holder does not have to supervise directly each sale of alcohol.

There would be a Consultative Document issued in the autumn that was considering the review of Guidance and options. Changes to the Act itself were not expected.

Members agreed there was no immediate need to review the Council's Licensing Policy.

28. DISABLED AWARENESS TRAINING FOR HACKNEY CARRIAGE DRIVERS.

At the Licensing Committee meeting on 31st January 2006, Members considered a report on disability awareness training and asked officers to further research such training.

Brian Leahy reported that officers had approached the Newbury Day Centre and discussed training with the Operational Manager. Training was available in the form of "Equality and Diversity Training" which contained not only disability awareness but expanded upon those issues and had in fact replaced disability awareness training within social care services. The course was of one-day duration and cost £60 per delegate.

An approach had also been made to an independent trainer. This person offered two types of training:

- The first was disability awareness training that dealt purely with education and etiquette where disabled persons were being transported. The training was generic but offered no advice on the physical aspects of loading or assisting disabled persons. This course costs approximately £20 per person and lasts for a half day.
- The second training option offered practical and etiquette training and was carried out in partnership with Pre Med Health Care. This training costs in the region of £30 per person per full days training, with a maximum attendance of 20 persons.

Members entered into a lively debate and raised a number discussion points summarised as follows:

- There was full support for introducing disabled awareness training for all taxi drivers

- It was agreed a phased implementation was appropriate and the scheme should start with new drivers
- The scheme would need to be self financing with training costs being met by drivers
- A training attendance certificate should be issued on completion of training and that an attendance certificate would become eventually (date to be agreed) a condition of issuing a taxi driver's licence.

29 GAMBLING ACT 2005

The Gambling Act 2005 repeals the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976 and creates a new system of licensing and regulation for commercial gambling in this country. Amongst other changes, it gives to local authorities new and extended responsibilities for licensing premises for gambling. In some cases such as gambling arcades, these build on existing responsibilities. but in other major areas, including betting, casino gaming and bingo, they transfer to local authorities responsibilities which previously lay with licensing justices.

The new Act comes fully into force in September 2007. In preparation, each licensing authority is required to develop, consult on and publish a statement of its licensing policy.

Like the Licensing Act 2003, the Gambling act has licensing objectives that are:

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

West Berkshire's policy development timetable was as follows:

- Working Group to produce full draft policy for the Licensing Committee at the meeting on 14 September 2006 to discuss and approve
- To be followed by 11-12 week consultation period with stakeholders and interest groups
- Working Group to produce the final policy document based on consultation feedback for early December 2006
- Final policy document to be approved by the Licensing Committee and full Council by 14 December 2006 and the publishing of the policy statement by 3rd January 2007.

The act will become operational as follows:

- 31st January 07 – start of transitional period: advance applications for premise licences and permits.
- 28th April 07 – Last date for applications under former legislation.
- 28th April 07 – Deadline for continuation rights – advance applications for premise licences and permits to be submitted by this date.
- 31st August 07 – Deadline for grandfather rights – advance applications for premise licences and permits to be submitted by this date.
- 1st September 07 – Act goes live, old licences fall away, continuation rights activated, provided 28th April application deadline met.

It was expected that Members would be required to give a view on contentious applications but the volume of such applications was expected to be low.

Next meeting of the Licensing Committee was set for Thursday 14 September in the Council Chamber with an earlier start time of 6.00 p.m. The Committee meeting would be followed by a Member development session in Committee Room 1 to provide training on licensing considerations relating to outdoor events and noise control.

(The meeting commenced at 6.30 p.m. and closed at 7.55 p.m.)

CHAIRMAN

Date of Signature:

Title of Report: West Berkshire District Council's Licensing Policy on Gambling

Item 4

Report to be considered by: Licensing Committee

Purpose of Report:

To Consider the West Berkshire Council Draft Gambling Policy

Recommended Action:

Approve the Draft and its distribution to all statutory and interested parties for consultation.

List of other options considered:

None

Key background documentation:
(bulleted list format)

- West Berkshire Council Draft Licensing Policy on Gambling Draft Version 2 August 2006
- The Gambling Act 2005
- Gambling Commission, Guidance to Licensing Authorities April 2006

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Supporting Information

1. Background

- 1.1 Members were presented with a report for information at the Licensing Committee Meeting on the 25th July 2006. This report laid out the statutory timescales for compliance with the Gambling Act 2005, in particular the need to produce a Gambling Policy.
- 1.2 The Draft Policy is produced as an appendix to this report.

Appendices *(in list format)*

West Berkshire Licensing Policy on Gambling, Draft version 2, August 2006

Implications

Policy:	The Policy document will be one of the mechanisms by which members of the Licensing Sub Committee will make decisions on applications for Premises Licences under the Act.
Financial:	Some implications for Member training. A budget is already in existence for this purpose.
Personnel:	Some, but no additional personnel required.
Legal:	The Council have a legal duty to provide a policy and to adhere to its content when considering applications.
Environmental:	None directly, however the policy will impact through determining applications, upon the public in the vicinity of licensed premises, young persons and vulnerable adults and other businesses or organisations.
Equalities:	None
Property:	None
Risk Management:	Some, in that the Policy must be formulated and formalised in accordance with the requirements of the Act, in order to prevent challenges either now or in the future.
Community Safety:	Possible implications for public safety and crime prevention through the policy statement, in observing the crime and disorder objective.

Consultation Responses

Local Stakeholders:	Thames Valley Police. Persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area, and 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 the Act.
Officers Consulted:	John Priest, Bob Thiele
Trade Union:	None



Licensing Policy on Gambling

Draft version 2

August 2006

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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 Head of Public Protection, 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 in April 2006.

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. The District also houses Newbury Racecourse and is renowned for its race horse training centres.
- 3 *In producing the final licensing policy statement the authority will have regard to the licensing objectives of the Act, the guidance issued by the Gambling Commission and any responses from those consulted on the draft policy statement.*
- 4 The Policy relates to all those licensing activities identified as falling within the provisions of the Act, namely:-
 - a) casino premises;
 - b) bingo premises;
 - c) betting premises, including tracks;
 - d) adult gaming centres;
 - e) family entertainment centres;
 - f) authorisations for the temporary use of premises;
 - g) occasional use premises;
 - h) prize gaming;
 - i) gaming machines on alcohol-licensed premises;
 - j) club gaming;
 - k) club gaming machines.
- 5 The scope of the Policy covers new premises licences and other forms of permits.
- 6 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.

- 7 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

- 8 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.***
- 9 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

- 10 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.

- 11 Notwithstanding this general requirement the Licensing Authority may resolve not to issue Casino Premises Licences within its area. Any resolution not to issue Casino Licences will be published in the final licensing policy statement together with the Authority's reasons.

Section 5 - Consultation and review

- 12 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.
- 13 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.

Section 6 - The Licensing Process

- 14 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) guidance and assistance to licence applicants as far as reasonably practicable;
 - 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.

- 15 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.
- 16 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.
- 17 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.
- 18 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 from harm

- 19 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 from harm the Licensing Authority has discretion to determine the most appropriate body competent to advise the Authority about protection from harm.

- 20 The Licensing Authority considers the Local Safeguarding Children Board to be the competent body to advise the Authority about the protection of children from harm.
- 21 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 people.
- 22 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 people are brought to the Board's attention so that any necessary response or action can be considered.
- 23 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

- 24 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).
- 25 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.

- 26 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.
- 27 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, Town or Parish Councillors.

Section 9 - Licence Conditions

- 28 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.
- 29 The Licensing Authority will publish, periodically review and update, a pool of appropriate licence conditions. **(To be determined)** The conditions will not be exclusive; specific conditions will be imposed as deemed necessary depending upon circumstances.
- 30 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.
- 31 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.
- 32 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

- 33 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.
- 34 The Licensing Authority will actively enforce, alone or in partnership, all breaches of the licence conditions under the Act.

Section 11 - Information Exchange

- 35 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.
- 36 Copies of applications and supporting documentation will be made available to Responsible Authorities under the Act
- 37 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, Public Protection Department, Council Offices, Faraday Road, Newbury, Berkshire, RG14 2AF
The Gambling Commission	Victoria Square House, Victoria Square, Birmingham B2 4BP
The Chief Officer of Police	Licensing Officer, Thames Valley Police, Police Station, Castle Street, Reading Berkshire. RG1 7TH
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, Faraday Road, Newbury, Berkshire. RG14 2AF
The Enforcing Authority for Health & Safety at Work Act 1974	Principal Public Protection Officer (Health & Safety Enforcement) West Berkshire District Council, Council Offices, Faraday Road, Newbury, Berkshire, RG14 2AF For all Council owned or operated premises and those others where the Health & Safety Executive is the Enforcing Authority Principal Inspector Mr Bob Meldrum, Health & Safety Executive, Priestly House, Priestly Road, Basingstoke, Hampshire RG24 9NW
Local Safeguarding Children Board	(To be notified) West Berkshire District Council, Avonbank House, Newbury Berkshire. RG14 1BZ
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 rd Floor, 2-4 Cockspur Street, London. SW1Y 5DH