

Notice of Meeting



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Licensing Committee

Monday 28 July 2025 at 4.30 pm

**In The Council Chamber, Council Offices,
Market Street, Newbury**

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Date of despatch of Agenda: Friday 18 July 2025

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Ben Ryan (Democratic Services Officer) on (01635) 503929

e-mail: Benjamin.Ryan1@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



WestBerkshire
C O U N C I L

To: Councillors Jeremy Cottam (Chairman), Paul Dick (Vice-Chairman), Phil Barnett, Billy Drummond, Nigel Foot, Paul Kander, Jane Langford, Tom McCann, David Marsh, Stephanie Steevenson, Clive Taylor and Martha Vickers

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 5 - 12
To approve as a correct record the Minutes of the meeting of this Committee held on 20 January, 17 March and 15 May 2025.
3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **West Berkshire Council Licensing Annual Report 2024/25** 13 - 42
Purpose:
To set out the work of the Licensing Committee, Licensing Sub-Committee and Licensing Service in 2024/25.

To explain the context of providing Licensing functions through the Public Protection Partnership (PPP).

To provide an update on the electric taxi vehicle remittance scheme.
5. **Film Classification Policy** 43 - 58
Purpose:
To consider the draft policy and agree its adoption.
6. **Forward Plan** 59 - 60

Sarah Clarke.

Sarah Clarke
Executive Director – Resources

Agenda - Licensing Committee to be held on Monday 28 July 2025 *(continued)*

If you require this information in a different format or translation, please contact Ben Ryan (Democratic Services Officer) on telephone (01635) 503973.

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DRAFT

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

**LICENSING COMMITTEE
MINUTES OF THE MEETING HELD ON
MONDAY 20 JANUARY 2025**

Councillors Present: Jeremy Cottam (Chairman), Paul Dick (Vice-Chairman), Phil Barnett, David Marsh, Stephanie Steevenson and Clive Taylor

Also Present: Julia O'Brien (Principal Licensing Officer), Mark Groves (Licensing Officer), Thomas Radbourne (Zoom Host), Ben Ryan (Clerk)

Apologies for inability to attend the meeting: Councillor Nigel Foot, Councillor Justin Pemberton and Councillor Martha Vickers

Councillor(s) Absent: Councillor Billy Drummond, Councillor Paul Kander and Councillor Jane Langford

PART I**14. Minutes**

The Minutes of the meeting held on 4 November 2024 were approved as a true and correct record and signed by the Chairman.

15. Declarations of Interest

There were no declarations of interest received.

16. Variations to Hackney Carriage and Private Hire Vehicles and Private Hire Operator's Fees

The Committee/Commission considered a report (Agenda Item 4(1) concerning Variations to Hackney Carriage and Private Hire Vehicles and Private Hire Operator's Fees. Ms Julia O'Brien introduced the report.

Councillor Clive Taylor enquired to the number of taxi drivers that were consulted and Ms Julia O'Brien stated that 50 operators and 450 drivers had been contacted to take part in the consultation.

Councillor Paul Dick expressed concern over the number of responses. Ms O'Brien explained that the Licensing team had written to all individuals.

Councillors David Marsh and Taylor expressed that silence from the trade meant the Committee had to assume the taxi trade was content.

Councillor Stephanie Steevenson expressed that it would be irresponsible to suggest changes to the fees with the limited number of responses.

Councillor Dick proposed the recommendations within the report and this was seconded by Councillor Steevenson.

The proposal was put to a vote and the Licensing Committee **RESOLVED** that the Committee:

- **CONSIDER** the comments received during the statutory consultation on variations to hackney carriage and private hire vehicle and private hire operator's fees as set

LICENSING COMMITTEE - 20 JANUARY 2025 - MINUTES

out in Appendix A to this report and make no modifications to the proposed fees as a result of the consultation responses.

17. **Draft Hackney Carriage and Private Hire Licensing Policy 2025 - 2030**

This item was withdrawn.

18. **Forward Plan**

The Committee noted the forward plan.

(The meeting commenced at 4.30 pm and closed at 4.45 pm)

CHAIRMAN

Date of Signature

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**LICENSING COMMITTEE
MINUTES OF THE MEETING HELD ON
MONDAY 17 MARCH 2025**

Councillors Present: Paul Dick (Vice-Chairman), Phil Barnett, Billy Drummond, Paul Kander, Jane Langford, David Marsh, Stephanie Steevenson, Clive Taylor and Martha Vickers

Also Present: Vikki Rigden (Lead Applications Officer), Mark Groves (Lead Licensing Officer), Thomas Radbourne (Zoom Host) and Benjamin Ryan (Clerk)

Apologies for inability to attend the meeting: Councillors Jeremy Cottam, Nigel Foot and Justin Pemberton

PART I

19. Declarations of Interest

There were no declarations of interest received.

20. Draft Hackney Carriage and Private Hire Licensing Policy

The Committee/Commission considered a report (Agenda Item 3) concerning Draft Hackney Carriage and Private Hire Licensing Policy. Mr Mark Groves introduced the report.

Councillor Martha Vickers queried whether the Licensing Team should extend the consultation to groups involved with special needs and environmental concerns. Mr Groves confirmed that the consultation could be extended to special needs groups and that West Berkshire Council's (The Council) climate strategy was already considered within the policy.

Councillor Vickers questioned the environmental standards taxi drivers would have to adhere to. Mr Groves explained that all taxis will be expected to conform to euro six standards and that drivers could not be forced to adopt electric vehicles due to their expensive and limited nature.

Councillor Stephanie Steevenson explained that The Learning Disability Partnership Board would be a valuable consultee, however they did not cover physical disabilities.

Councillor Billy Drummond asked whether it could be made mandatory for the taxi trade to ask whether the passenger had any special needs and Mr Groves stated the Licensing Team would add it in.

Councillor Drummond questioned how many taxi drivers failed the knowledge test after six months and Ms Vikki Rigden stated this was a threshold that would be added with the new policy with drivers to be expected to mostly rely on their knowledge of multiple areas.

Councillor Phil Barnett put to officers that it would be beneficial to send reminders to the invested parties about the consultation to encourage greater engagement. Ms Rigden explained that the Licensing Team could send out reminders for the consultation.

Councillor Clive Taylor questioned whether CCTV should be mandatory in taxis. Mr Groves explained that it was not mandatory in West Berkshire, however it was being considered.

LICENSING COMMITTEE - 17 MARCH 2025 - MINUTES

Councillors noted several typographical errors within the appendix.

In accordance with Section 10.7 of Part 10 of the Constitution the Vice-Chairman proposed to suspend standing orders to allow the Taxi Trade to speak, and this was seconded by Councillor Langford.

The proposal was put to vote and passed.

Standing Orders Suspended

The Taxi Trade addressed the Committee. This representation can be viewed on the recording: <https://www.youtube.com/watch?v=ekKDquTQujE&t=340s>

Councillor Drummond proposed to reinstate standing orders which was seconded by Councillor Langford. The proposal was put to a vote and duly passed.

Standing Orders Reinstated

The Vice-Chairman addressed the Committee regarding the decision to approve the draft policy document for consultation noting the grammatical errors within the document.

Mr Groves stated that the document had been reviewed and approved by the legal department of the Council, and he was satisfied that it could proceed to consultation. Mr Groves noted that any identified errors could be rectified before the consultation period began.

Councillor David Marsh expressed that the document should not be delayed further and should go out for consultation, allowing the trade and other stakeholders to voice their concerns and suggestions.

Councillor Taylor agreed, noting that while he had observed typos and some repetition, he found the document understandable and supported its release for consultation.

Councillor Barnett reiterated the importance of moving forward with the consultation process, emphasising the need for early submission of feedback to address any issues promptly.

Councillor Langford expressed a contrasting view, suggesting that the document should be revised to demonstrate high standards, like those expected from the taxi trade.

Councillor Vickers was concerned about the negativity expressed by the trade representatives, questioning whether the document's length and structure might hinder effective consultation.

Councillor Steevenson proposed that the document be approved for consultation, which was seconded by Councillor Drummond

The Vice-Chairman clarified that the approval was contingent upon correcting the specific errors identified during the meeting, including typographical errors and inconsistencies. He confirmed that the consultation would proceed according to the timetable outlined in the document, with the expectation that it would return to the committee for final agreement following the consultation period.

The Licensing Committee **RESOLVED that:**

2.1 AGREED that Officers should consult on the draft Hackney Carriage and Private Hire Licensing Policy set out in Appendix A subject to any changes made at this meeting of the Committee.

2.2 AGREED that the consultation should run from the 18 March 2025 to the 18 May 2025

LICENSING COMMITTEE - 17 MARCH 2025 - MINUTES

and that it will be promoted as set out in paragraph 4.9.

2.3 RECOMMENDED that on conclusion of consultation and consideration of responses, the matter to return for further consideration to a future 2025 Licensing Committee for adoption.

(The meeting commenced at 4.30 pm and closed at 4.50 pm)

CHAIRMAN

Date of Signature

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

LICENSING COMMITTEE

**MINUTES OF THE MEETING HELD ON
THURSDAY 15 MAY 2025**

Councillors Present: Phil Barnett, Jeremy Cottam, Paul Dick, Nigel Foot, Paul Kander, Jane Langford, David Marsh, Tom McCann, Clive Taylor and Martha Vickers

Also Present: Sarah Clarke (Monitoring Officer and Interim Executive Director for Resources), Joseph Holmes (Chief Executive), and Darius Zarazel (Principal Democratic Services Officer)

Apologies for inability to attend the meeting: Councillor Billy Drummond and Councillor Stephanie Steevenson

PART I

1. Election of Chairman

RESOLVED: That Councillor Jeremy Cottam be elected as Chairman of the Licensing Committee for the 2025/26 Municipal Year.

2. Election of Vice-Chairman

RESOLVED: That Councillor Paul Dick be elected as Vice-Chairman of the Licensing Committee for the 2025/26 Municipal Year.

(The meeting commenced at 9.42pm and closed at 9.44pm)

CHAIRMAN

Date of Signature

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West Berkshire Council Licensing Annual Report 2024/25

Committee considering report:	Licensing Committee
Date of Committee:	28 July 2025
Portfolio Member:	Councillor Tom McCann
Report Author:	Moira Fraser
Forward Plan Ref:	LC

1 Purpose of the Report

- 1.1 To set out the work of the Licensing Committee, Licensing Sub-Committee and Licensing Service in 2024/25.
- 1.2 To explain the context of providing Licensing functions through the Public Protection Partnership (PPP).
- 1.3 To provide an update on the electric taxi vehicle remittance scheme.

2 Recommendations

That the Committee

- 2.1 Approves the Annual Report 2024/25 as set out in Appendix A.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>For the financial year 2024/25 the Public Protection Service had an income pressure of £179k. A large proportion of this was licensing income and the pressure has been building over many years. The shortfall was exacerbated by Covid and other factors including the fact that statutory fees have not been uplifted since circa 2011 and since 2005 for the Licensing Act fees.</p> <p>The shortfall was mitigated by vacancies in licensing and other areas of the service combined with reduced spend on agency/casual staff. At year end the PPP as a Service had an underspend of £124.</p> <p>The subsidy for electric and hybrid vehicles will have cost the Service circa £15k since its inception. Given the shortfall in</p>

	income Officers are not recommending an extension to the scheme.			
Human Resource:	There are no staffing implications associated with this report.			
Legal:	These are all statutory functions. Under the Licensing Act 2003 and the Gambling Act 2005 there is a legal obligation for the Council to set key policies. In other areas the Council has a range of powers to set licence conditions and adopt sector specific policy positions.			
Risk Management:	The most significant risk for the Licensing Team is the failure to meet income targets and the loss of key members of staff.			
Property:	None.			
Policy:	The Licensing regime is covered by the policies arising from the Licensing Act 2003 and the Gambling Act 2005. In other areas the Council has a range of powers to set licence conditions and adopt sector specific policy positions.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		✓		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		✓		

Environmental Impact:		✓		
Health Impact:		✓		
ICT Impact:		✓		
Digital Services Impact:		✓		
Council Strategy Priorities:		✓		This report covers the business as usual work of the Licensing Committee, Licensing Sub-Committee and the Licensing functions provided by the PPP.
Core Business:		✓		This report covers the business as usual work of the Licensing Committee and the Licensing functions provided by the PPP.
Data Impact:		✓		All data reported is open data and any addresses detailed are in the public domain following hearings open to the public.
Consultation and Engagement:	It has been requested through previous Committee meetings that an Annual Report is provided to assist Members of the Committee to oversee the activity undertaken in the previous year and to provide direction for future activity. No additional consultation will be undertaken.			

4 Supporting Information

- 4.1 The shared Public Protection Partnership (PPP) delivers a range of regulatory functions on behalf of the partner authorities. The environmental health and licensing functions are a shared service between Bracknell Forest and West Berkshire, whilst the trading standards, investigations, intelligence and case management functions are shared between Bracknell Forest, West Berkshire and Wokingham.
- 4.2 Whilst all decisions and oversight relating to environmental health and trading standards are overseen by the Joint Public Protection Committee (JPPC), each partner authority retains its individual Licensing Committee and sets licensing related policy and monitors performance. This requires careful co-ordination and clear governance arrangements have been put in place to ensure that this happens.
- 4.3 The role of the Committee and the licensing service is a major contributor to key Council and PPP priorities including safer communities, the environment and economic development. These are managed through the application of a significant legislative framework enhanced by locally developed policy that meets the needs of the local

community. In essence the Committee and Council create and have oversight of policy and the service delivers it at an operational level.

- 4.4 The shared Licensing Service considers and issues a range of licences, consents, notices and permits required by businesses in order that they can deliver a range of services and goods to residents and visitors to West Berkshire. Legislation requiring a licence/consent/notice/permit for a business activity is generally enacted in order to protect users of a service or the wider community such as those that might be affected due to their proximity to the licensed premises or their interaction with an individual licence holder. Animal Welfare licensing provisions are there to protect the health and wellbeing of animals in regulated settings such as kennels or performances.
- 4.5 It is a fact the good regulation serves a clear purpose. The proper implementation of legislation combined with well thought out policy also provides a clear framework for the licensed sector whilst protecting the interests and safety of individuals and the community and providing a level playing field for legitimate business.
- 4.6 It is acknowledged by the licensed sector that an effective licensing regime, soundly administered and founded on sensible and effective policies and legislative framework creates consumer confidence which in turn is positive for licence holders. Conversely that lack of consumer confidence can undermine both operators and the sector e.g. taxis and private hire.
- 4.7 The service is acutely aware that the licensing function, whilst offering protection, can also act as a barrier to others who wish to deliver services or supply goods and every effort is made to assist businesses to understand and progress through the licensing process. The service therefore has sight of this through the delivery of its functions and is always willing to provide advice.
- 4.8 As the body tasked through the constitution to set direction and have oversight of the licensing functions the Committee receives an annual report at its July meeting. The full Annual Report 2024/25 is set out at Appendix A to the report. This report covers the following areas including data relating to activity:
 - Governance
 - Resourcing
 - Licensing Act 2003
 - Gambling Act 2005
 - Licensed Drivers, Operators and Vehicles
 - Other Licences
 - Service Requests
 - Communication and Engagement
 - Joint Working
 - Horizon Scanning

5 Update on the Electric Taxi Vehicle Remittance Scheme

- 5.1 It was agreed at the June 2022 Licensing Committee meeting that we would continue to report annually on initiatives adopted to help the taxi trade go greener. At the September 2022 Executive meeting Members agreed to introduce a fee-based incentive scheme to help all forms of vehicles licensed by West Berkshire for public transport to go green.

- 5.2 The Executive agreed to a 100% remittance for electric private hire and hackney carriage vehicle fees and a 50% remittance for hybrid vehicles. It was agreed that the number of vehicles should not be limited but that the scheme should be subject to an annual review and be in place for a maximum of three years commencing 1st April 2023.
- 5.3 This will therefore be the final year of the scheme unless a decision is taken to extend it further.
- 5.4 At the time of writing, since April 2023 when the subsidy came into effect, we have had 6 new fully electric private hire and hackney carriage vehicles and 39 new hybrid private hire and hackney carriage vehicles licensed and 5 electric and 38 hybrid private hire and hackney carriage renewals applied for.
- 5.5 The Licensing Team continues to work closely with colleagues in the Environment Delivery Team to identify any further opportunities to support the trade to reduce their carbon emissions. For example a notification was sent to all members of the West Berkshire Trade about the Berkshire Electric Vehicle Awareness Event which took place on Friday 11 July 2025.
- 5.6 The Council has contracts in place to deliver charge points in 'on street' locations and in other suitable locations such as car parks, community areas, taxi ranks etc. These contracts will enable the delivery of a range of charge points from slow to rapid in appropriate areas across West Berkshire. The trade is encouraged to submit requests for these charging points at locations that will best support them and their endeavours to decarbonise their activities. Feasibility studies, where appropriate, can then be commissioned. The team can be contacted via ev@westberks.gov.uk

6 Other options considered

- 6.1 None – this report has been produced at the request of the Committee. It is also considered to be good practice.

7 Conclusion

- 7.1 Members will see from the Annual Report the range of functions overseen by the Committee along with an indication of the volume of work and resource required to deliver this function.
- 7.2 The Service has struggled for some time with recruitment challenges but as can be seen from the report the outlook is significantly more optimistic.
- 7.3 Licensing is arguable one of the purest forms of public protection. The role of the Committee is pivotal to the delivery of these functions. We commend the annual report to the Committee.

8 Appendices

- 8.1 Appendix A – Annual Report 2024/25
- 8.2 Appendix B – Structure Chart July 2025

Background Papers:

None.

Subject to Call-In:

Yes: ☒ No: ☐

The item is due to be referred to Council for final approval ☐

Delays in implementation could have serious financial implications for the Council ☐

Delays in implementation could compromise the Council's position ☐

Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months ☐

Item is Urgent Key Decision ☐

Report is to note only ☐

Wards affected: All

Officer details:

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Job Title: Policy and Governance Officer
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Licensing Committee Annual Report 2024/2025

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Introduction

The shared Public Protection Partnership (PPP) delivers a range of regulatory functions across Licensing, Trading Standards and Environment Health. Licensing however is distinct in the way that activities are overseen, and policy is set. Whilst all decisions related to the PPP go through the Joint Public Protection Committee (JPPC), each partner authority retains its individual Licensing Committee and sets licensing related policy and monitors performance. This requires careful co-ordination and that clear governance arrangements have been put in place to ensure that this happens.

The Shared Licensing Service considers applications and exercises a range of delegated authorities to issue, suspend, refuse, and revoke licences, consents, notices and permits in the name of the Council.

Many businesses require some form of authority in order that they can deliver a range of services and goods to residents and visitors to West Berkshire. Legislation requiring a licence/consent/notice/permit for a business activity is generally enacted in order to protect users of a service or the wider community such as those that might be affected due to their proximity to the licensed premises or their interaction with an individual licence holder. Animal Welfare licensing provisions are there to protect the health and wellbeing of animals in regulated settings such as kennels or performances. Good regulation properly implemented also provides a level playing field for the licensed sector.

It is acknowledged by the licensed sector that an effective licensing regime, soundly administered and founded on sensible and effective policies creates consumer confidence which in turn is positive for licence holders. The service is aware that the licensing function, whilst offering protection, can also act as a barrier to others who wish to deliver services or supply goods. Every effort is therefore made to assist businesses to understand and progress through the licensing process. The service delivers a number of functions including business advice, processing of applications, monitoring compliance and where necessary taking enforcement action.

The Licensing Service covers a wide range of statutory licensing, registration and enforcement functions. These functions cover premises which sell and supply alcohol or provide regulated entertainment or late-night refreshment under the Licensing Act 2003. The service also issues licences for gambling premises, gaming machines and lotteries under the Gambling Act 2005. In addition, licences, consents and permissions are also issued for a number of other activities including hackney carriage and private hire drivers, vehicle and operator licences, animal breeding, boarding, performance and zoo licences, street trading, charitable collections, dermal licence for cosmetic piercing, ice cream vans and scrap metal dealers.

Governance

Licensing Committee

The [Licensing Committee](#) is responsible for setting the policy direction that forms the basis of licensing activity in the District. Under the Licensing Act 2003 and the Gambling Act 2005 there is a legal obligation for the Council to set key policies. In other areas the Council has a range of powers to set licence conditions and adopt sector specific policy positions. There is also a requirement for the Council to have a Licensing Committee of between 12 and 15 Members.

The Licensing Committee comprises 12 Members and the 2024/25 membership is set out below:

Liberal Democrat Group (7 Members)	Phil Barnett, Jeremy Cottam (Chairman), Billy Drummond, Nigel Foot, Justin Pemberton, Stephanie Steevenson, Martha Vickers
Conservative Group (3 Members)	Paul Dick (Vice Chairman), Paul Kander, Jane Langford
Minority Group (2 Members)	Clive Taylor, David Marsh

Following the annual Council meeting on the 15 May 2025 the 2025/26 membership of the Committee is as follows:

Liberal Democrat Group (7 Members)	Phil Barnett, Jeremy Cottam (Chairman), Billy Drummond, Nigel Foot, Tom McCann, Stephanie Steevenson, Martha Vickers
Conservative Group (3 Members)	Paul Dick (Vice Chairman), Paul Kander, Jane Langford
Minority Group (2 Members)	Clive Taylor, David Marsh

Over the 2024/25 period the Licensing Committee met on the:

- 09 May 2024 (Annual Meeting),
- 08 July 2024,
- 04 November 2024,
- 20 January 2025,
- 17 March 2025 (special).

The Committee considered several matters including:

- the annual consultation and review of fees and charges,
- a consultation and review of the Statement of Gambling Principles,
- first phase of reviewing the Draft Hackney Carriage and Private Hire Licensing Policy.

In terms of forward planning, in addition to the annual fees and charges and tariffs cycle, a number of policies and decisions including the following are scheduled for consideration during the 2025/26 cycle:

- Consideration and adoption of the Hackney Carriage and Private Hire Licensing Policy
- Adoption of the Film Classification Policy

The Forward Plan for the Licensing Committee will be discussed with the Chairman and Vice Chairman throughout the year and a copy can be found here: [Governance and accountability - Public Protection Partnership](#). A copy of the Forward Plan is also included on each agenda.

Licensing Sub-Committee

While the Licensing Committee carries out functions relating to policy formulation the Licensing Sub Committee determines certain licensing applications in line with the Scheme of Delegation agreed under the Licensing Act 2003 and the Gambling Act 2005.

For the purpose of determining applications under the Licensing Act 2003 and Gambling Act 2005 the legislation requires the membership of each Licensing Sub-Committee to be three Members of the Licensing Committee.

Regardless of the regime, all licences are processed in a similar manner. The application is received, checked and where required a consultation held. As a rule, any new application that attracts relevant adverse representation during the consultation period will be heard before a Licensing Sub-Committee. Applications made under the Licensing and Gambling Acts must be granted in the absence of representations.

Applications for taxi licences are currently determined by officers and any appeals have to be taken to the Magistrates' Court. The Hackney Carriage and Private Hire Licensing Policy, once adopted, will revise the way appeals are dealt with.

The Licensing Act 2003 and Gambling Act 2005 prescribe responsible authorities that must be consulted and who may submit representations against a licence application. Responsible authorities include the police, fire service, trading standards, environmental health, planning, public health, safeguarding board relating to the protection of children from harm and the licensing authority itself. There is a requirement for applicants to place notices on site and advertise the application in a

local newspaper.

During the 2024/25 financial year the Licensing Sub Committee met on one occasion.

Type of Application	Premise	Outcome
Premises Licence	Hungerford Park Estate, Hungerford Park, Hungerford, West Berkshire, RG17 0UU	Granted with conditions

By way of comparison in 2023/24 the Sub-Committee met on seven occasions, in 2022/23 the Sub-Committee was not required to meet, in 2021/22 six meetings were held, in 2020/21 the LSC met on two occasions, in 2019/20 six applications were heard, three hearings were held in 2018/19 and three in 2017/18.

Parties to the hearings have a right of appeal to the magistrates' court. There were no appeals against decisions made under the Licensing Act submitted in 2024/25.

Taxi and Private Hire Liaison Group Meetings

The Group was set up to provide a forum to meet with and consider comments from representatives of the taxi trade and seek advice from Licensing Officers on a range of issues that affect existing and proposed licences, policies, tariffs, fees and other matters of common interest. The Group is also tasked with reporting back to the Licensing Committee with any recommendations for alterations to the existing or proposed licences, policies, tariffs and fees.

The Group comprises the Chairman and Vice Chairman of the Licensing Committee, Members of the Licensing Committee, the Licensing Manager, Licensing Officers and representatives from the Hackney Carriage and Private Hire Trade. The number of attendees from the Trade has remained steady over the last few years and Officers continue to encourage trade representatives to attend the meetings and the notes are circulated to the trade and Licensing Committee to keep them abreast of discussions that have taken place.

This year an additional series of meetings have been held for officers to specifically work through the Draft Hackney Carriage and Private Hire Licensing Policy with the trade with meetings take place on the 07 April, 28 April and 12 May 2025.

During the 2024/25 financial year the Group held ordinary meetings on the 21 October 2024 and the 06 January 2025. A range of issues were discussed although the main discussion item during these sessions was the Draft Hackney Carriage and Private Hire Licensing Policy. Ongoing cyclical discussions on fees and tariffs also take place at these meetings.

Training

Member training for Licensing Committee Members took place on the 17 May 2024. All Members that were unable to attend the training are afforded the opportunity to review the training video and ask any questions of officers arising from it.

In accordance with the Constitution all Members must attend the annual training before sitting on a Licensing Sub-Committee.

Training for the 2025/206 year took place on the 09 June and 11 June 2025.

Resourcing

The Licensing Service comprises both the Applications and Enforcement functions. The Team establishment comprises around 10 FTE (11 posts). We have had a vacancy in the Enforcement Team since December. This vacancy has now been recruited to.

The Applications Team was fully staffed during 2024/25 albeit that there were sickness absences that needed to be covered. We now have a vacancy in this Team which is being recruited to.

There is also around 0.25FTE in terms of policy and governance work to support the Committee and assist with policy development. The current staffing structure is attached at Appendix B to this report.

For the financial year 2024/25 the Public Protection Service had an income pressure of £179k. A large proportion of this was licensing income and the pressure had been building over many years, exacerbated by Covid and other factors. This was managed in year by holding posts vacant across the Service. Going forward the income forecasts have been reprofiled and the loss managed by the permanent removal of several posts.

One of the other most significant contributory factors to income shortfall is that the majority of statutory licensing fees have not been uplifted since circa 2011 and since 2005 for the Licensing Act fees. The Chairman of the Committee has written to the Secretary of State to urge her to revisit these statutory fees.

Discretionary Fees are set on the basis of the time taken to process an application multiplied by the hourly rate which is currently £69p/h. Officers are currently reviewing the time taken to process applications and these will be reflected in the 2026/27 fees which will come to Committee in November for discussion.

Licensing Act 2003

This Act governs licensable activities which include the sale or supply of alcohol, regulated entertainment, and late-night refreshment provision in premises and at outdoor events including public houses, registered members clubs, late night bars, and night clubs, off licences, late night takeaways and restaurants.

The Act also governs licensable activities that take place in village halls, community centres, school halls and outdoor events where licensable activities are held.

Late night refreshment provision is the supply of hot food or hot drink to the public, for consumption on or off the premises, between 11pm and 5am.

The provision of regulated entertainment can include activities such as the performance of a play, an exhibition of a film, an indoor sporting event, boxing or wrestling entertainment, performance of live music, any playing of recorded music, a performance of dance, performance of live music and any playing of recorded music.

The Licensing Act 2003 is governed by four licensing objectives:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public Safety
- Protection of children from harm

Temporary Event Notices (TENs) are a facility under the Licensing Act 2003 where people can serve a notice on the council that states that they will be serving alcohol and/or providing regulated entertainment and/or late-night refreshment at a specified time.

As it is not an application or permit, no permission is sought. It is merely a notice served upon the licensing authority, the police and environmental health.

However, [there are strict limits to the number of temporary event notices](#) someone can serve, for how long the event can run and the number of people that can attend. These include the fact that the maximum number of attendees (including staff) cannot exceed 500 people, and the event cannot last for more than 168 hours (7 days). A single premises can have up to 15 TENs applied for in one year, if the total length of the events is not more than 21 days. You can get up to 5 TENs a year and a maximum of 2 late TENS. If you already have a personal licence to sell alcohol, you can be given up to 50 TENs a year and a maximum of 10 late TENS per year.

There is the ability for either the Police or Environmental Health to serve an objection notice which would then lead to a hearing to determine if licensable activities at the event can take place.

The notice period required under the law is ten working days, not including the day the notice is received or the day of the event, and the objection window for the police and environmental health is just three working days. It therefore follows that these hearings would need to be set up and take place in a very short space of time.

There is the ability to serve a limited number of late temporary event notices. If these are objected to a counter notice is automatically served without recourse to the licensing sub-committee.

No hearings in respect of TENS took place during 2024/25.

The Licensing Act 2003 provides for an application to review a licence which can be brought by a responsible authority or any other person where a premises is undermining one or more of the licensing objectives.

The Licensing Team did not receive any requests to review a licence in 2024/25.

The number of licensed premises under the Act are in the table below with a comparison to previous years.

Type	At 31/03/2020	At 31/03/2021	At 31/03/2022	At 31/03/2023	At 31/03/2023	At 31/03/2024	At 31/03/2025
Personal Licence	2157	2207	2269	2336	2336	2424	2495
Premises Licence	458	465	509	N/a	N/a	520	535
TENS (total issued)*	610	71	379	352	352	421	632
Club Premises Certificate	40	40	38	41	41	40	41

Note: for TENS the figure given is the total number of notices / applications received within the calendar year

The Act places a responsibility on licensing authorities to adopt a [Statement of Licensing Policy](#) which sets out how the authority intends to promote the licensing objectives. The Statement of Licensing Policy (SoLP) must be reviewed at least every five years. The current iteration of the policy was published in December 2023 and came into effect on the 01 December 2023. At the time of adoption, it was noted that the Act provides that during each five year period a licensing authority must keep its policy under review and make such revisions to it, at such times, as it considers appropriate. Revised S182 Guidance was issued on the 18 December 2023 and following the January 2024 Licensing Committee meeting a few further minor amendments were made to the SoLP.

There were 39 reports relating to premises license locations in West Berkshire in 2024/25, 20 were complaints and the other 19 related to requests for information or advice.

Gambling Act 2005

Gambling facilities include bookmakers, bingo halls, amusement arcades, casinos and permits and permissions such as lotteries. There are three types of licences issued under this legislation premises licences, operators' licences and personal licences.

There are three licensing objectives that underpin this Act:

- 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, and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

Applications under this legislation continue to be few and far between although Officers continue to work closely with the Gambling Commission to ensure compliance with licence conditions. No hearings were conducted under this legislation in 2024/25.

Current permissions in force under this Act are:

Type	At 31/03/2020	At 31/03/2021	At 31/03/2022	At 31/03/2023	At 31/03/2024	At 31/03/2025
Small Society Lottery	108	108	116	129	97	99
Licensed Premises Gaming Machine Permit	10	9	8	8	8	8
Licensed Premises Gaming Machine Notice	84	83	83	83	81	89
Club Machine Permits	8	6	7	7	6	9
Club Gaming Permits	0	0	0	0	0	0
Gambling Premises	14	12	13	12	11	15

The Act places a responsibility on licensing authorities to adopt a [Statement of Gambling Principles](#) which sets out how the council will carry out its duties under the Gambling Act 2005. The Statement of Gambling Principles must be reviewed and published every three years. The current iteration of the policy was published in January 2025 after it was reviewed and consulted on during the 2024/25 financial year. The policy will need to be reviewed, consulted on and updated by January 2028.

In 2024/25, the PPP received no new licensing applications relating to gambling and betting for premises in West Berkshire.

In 2024/25 the PPP received 51 new licensing applications relating to small society

lotteries in West Berkshire.

All recipients of permissions are required to complete a return to the authority. A significant number of small society lotteries relate to schools / Parent Teacher Friends Associations (PTFAs).

Licensed Drivers, Operators and Vehicles

Legislation places a duty on the council for the licensing of Hackney Carriages ('taxis') and private hire vehicles, drivers of those vehicles and operators of those vehicles. The council understands the importance and responsibility it has, to ensure that licensed vehicles in the district are safe, comfortable, properly insured, and available where and when required, and that those involved in the trade are "fit and proper" to undertake the role.

In November 2023, The Department for Transport issued "Taxi and Private Hire vehicle licensing best practice for licensing authority in England". In accordance with these recommendations Officers have redrafted and consulted on a Draft Hackney Carriage and Private Hire Licensing Policy. This is a new policy for the Council. The Policy is currently being amended post consultation and will be brought to a Special Meeting in September 2025.

In 2024/25 the PPP received 109 applications that related to the licensing of taxi / private hire drivers, vehicles and operators for West Berkshire. 41 of these reports related to complaints and 3 related to safeguarding concerns. The other 65 sought advice or information.

Officers and Members continue to work with the private hire and hackney trade to ensure effective communication and consultation takes place via the Taxi Trade Meetings.

Current data about number of licences issued is set out below:

Type	At 31/03/2020	At 31/03/2021	At 31/03/2022	At 31/03/2023	At 31/03/2024	At 31/03/2025
Private Hire Operator	61	56	51	62	59	66
Private Hire Vehicle Licence	163	127	138	154	181	175
Hackney Carriage Vehicle	153	133	123	118	181	149
Private Hire Driver	130	106	100	107	155	181
Dual (HC & PH) Driver	247	193	184	178	177	170

Helping that Taxi Trade ‘Go Greener’

It was agreed at the June 2022 Licensing Committee meeting that we would continue to report annually on initiatives adopted to help the taxi trade go greener. At the September 2022 Executive meeting Members agreed to introduce a fee-based incentive scheme to help all forms of vehicles licensed by West Berkshire for public transport to go green.

The Executive agreed to a 100% remittance for electric private hire and hackney carriage vehicle fees and a 50% remittance for hybrid vehicles. It was agreed that the number of vehicles should not be limited but that the scheme should be subject to an annual review and be in place for a maximum of three years commencing 1st April 2023.

This will therefore be the final year of the scheme unless a decision is taken to extend it further.

At the time of writing, since April 2023 when the subsidy came into effect, we have had 6 new fully electric private hire and hackney carriage vehicles and 39 new hybrid private hire and hackney carriage vehicles licensed and 5 electric and 38 hybrid private hire and hackney carriage renewals applied for.

The Licensing Team continues to work closely with colleagues in the Environment Delivery Team to identify any further opportunities to support the trade to reduce their carbon emissions. For example, a notification was sent to all members of the West Berkshire Trade about the Berkshire Electric Vehicle Awareness Event which took place on Friday 11 July 2025.

The Council has contracts in place to deliver charge points in ‘on street’ locations and in other suitable locations such as car parks, community areas, taxi ranks etc. These contracts will enable the delivery of a range of charge points from slow to rapid in appropriate areas across West Berkshire. The trade is encouraged to submit requests for these charging points at locations that will best support them and their endeavours to decarbonise their activities. Feasibility studies, where appropriate, can then be commissioned. The team can be contacted via ev@westberks.gov.uk

Other Licences

As well as the main functions outlined above the Licensing Team also administers and enforces a wide range of other licences, registrations and permits current numbers of which are outlined below:

Type	At 31/03/2020	At 31/03/2021	At 31/03/2022	At 31/03/2023	At 31/03/2024	At 31/03/2025
Animal Boarding Establishment and Dog Breeding	20	11	20	16	12	14
Home Boarding of Dogs Licence	31	26	33	34	39	45

Riding Establishment Licence	6	5	6	7	7	8
Pet Shop Licence	3	4	3	4	2	2
Keep or Train Animals for Exhibition	N/a	N/a	N/a	N/a	4	6
Dangerous Animals	-	-	1	4	2	2
Zoo Licence	-	-	1	2	2	2
Scrap Metal Dealer Site	5	5	5	3	3	5
Scrap Metal Dealer - Mobile	4	5	3	3	1	1
Dermal Personal and Premises Registration	242	334	357	371	397	423
Hairdresser Registration	-	-	36	38	42	52
Street Trading Consent	24	20	25	26	17	32
Street Collections*	82	10	29	N/a	36	19
House to House Collections*	39	17	21	N/a	25	25
Caravan Licence	-	-	31	37	33	32
Licensable HMO	-	-	30	39	38	41

Note: for street collections and house to house collections, the figure given is the total number of notices / applications received within the calendar year.

Street Collections

Street collections only cover the collections of cash. The regulation of other forms of collection such as direct debits is a matter for the Fundraising Regulator. All those that are issued permits to collect are required to file a return to the Council.

There were 19 applications received regarding street collections in 2024/25 in West Berkshire. All were granted.

Animal Breeding and Boarding

There are a range of controls falling to the PPP around licensable activities involving the sale and keeping of animals. These include pet shops (sales normally conducted from home), regulated pet breeding, boarding and home boarding, kennels and catteries, riding establishments, zoos and animals involved in performance and display.

In 2024/25 there were 27 licensing applications in relation to animal boarding and day care facilities for West Berkshire.

There was 2 licensing applications in relation selling animals as pets, for West Berkshire. There were also 2 licensing applications in relation to hiring and training animals for exhibitions in West Berkshire.

There were 8 reports relating to animal breeding in 2024/25 across West Berkshire, 7 were complaints and 1 was in relation to information or advice.

Scrap Metal Dealers

There were 2 new applications for scrap metal sites and 3 new applications for collectors in 2024/25. There were 4 reports relating to scrap metal dealers in 2024/25 in West Berkshire, 2 complaints and 2 requests for information.

This is a priority area for enforcement and joint visits take place with Thames Valley Police (TVP) to ensure the provisions of the legislation and licence conditions are being complied with, with particular focus on traceability, identification checks and cash payments. There has been a great deal of activity by licensing officers to locate and then engage with people who are engaging in scrap metal activities resulting in a few more applications being received and processed in 2025.

House to House Collections

The majority of House-to-House collections relate to charity bags. There have been issues identified previously around unauthorised collections. The larger charities have national exemptions from the need for local permissions.

In 2024/25 the PPP received 25 licensing applications relating to House-to-House collections in West Berkshire.

Street Trading

Street trading consents are largely in place to ensure that the location is suitable and that controls are in place to manage a range of potential nuisance issues. In 2024/25 the PPP received 32 street trading consent applications.

There were 29 reports in relation to street trading in 2024/25. 7 of the reports were complaints, the other 22 related to requests for information or advice

Licensing Officers have been focussing on unlicensed ice cream vans since early 2025 and have now licensed 8 new vans so far.

Dermal Personal and Premises Registration

Under the Local Government (Miscellaneous Provisions) Act 1982 all premises or individuals that wish to practice the following must register with the local authority unless the treatments are done by or under the supervision of a medical practitioner, in which case there is no need to acquire a premise licence:

- acupuncture
- electrolysis
- ear piercing
- tattooing

Dermal registrations are issued on application only. In 2024/2025 there were 36 personal registrations issued and 10 premises.

Film Classification

We had 1 request for a film classification for 2024/25. The licensing Authority may be asked to classify a non-classified film or reclassify a British Board of film classification (BBFC).

A new Film Classification Policy is included as an item on this agenda, which will see applications for authorisation of films to be considered by a Licensing Officer on behalf of the Licensing Authority, as set out in The Council's Scheme of Delegation. Any requests to classify films may be referred by the Licensing Manager, at their discretion, or to the Licensing Sub-Committee for determination.

Service Requests

PPP Licensing data shows that it dealt with 535 Service Requests of those 175 were for Bracknell Forest and 360 in West Berkshire in 2024/25.

There were 394 in 2023/24, 312 service requests in 2022/23, 260 in 2021/22, 272 in 2020/21, 168 in 2019/20, 199 in 2018/19 and 210 in 2017/18. These are primarily requests for advice etc. This figure does not include licensing applications.

Licensing Challenges for 2025/26 and Horizon Scanning

There continue to be regular changes to legislation and guidance affecting the licensing arena.

Martyn's Law

Martyn's Law, formally the Terrorism (Protection of Premises) Act 2025, primarily focuses on improving public safety by requiring venues and events to take proactive steps to reduce the risk of harm from terrorist attacks. While it will impact a wide range of venues, including many licensed under the Licensing Act 2003, the law's primary focus is on ensuring public spaces are prepared for and can respond to terrorist attacks, rather than directly amending the Licensing Act. This legislation will change the requirements in relation to plans of premises and information required to be held on public registers in premises over a certain size following the outcome of the Manchester Arena investigation outcome findings. A future date for implementation will be advised in due course.

Primate Licensing

The Animal Welfare (Primate Licences) 2024 draft legislation:

Part 1 provides that a person who keeps or is proposing to keep a primate in England on or after 6th April 2026 may only do so if the person has a primate licence under these Regulations or an exception applies. Regulation 4 specifies two exceptions for these purposes, namely where the primate is kept in a zoo under the authority of a licence granted under the Zoo Licensing Act [1981 \(c. 37\)](#) or where the primate is kept in a place specified in a licence under section 2C of the Animals (Scientific Procedures)

Act [1986 \(c. 14\)](#). A primate licence must be obtained from the local authority in whose area the premises at which the primates are kept or to be kept are situated. A person who keeps a primate in England without a primate licence (where required) will be committing an offence under section 13(6) of the Animal Welfare Act [2006 \(c. 45\)](#) (“the 2006 Act”) and will be liable on summary conviction to imprisonment for a term of up to six months, a fine or both.

Part 2 sets out how an application for a primate licence is to be made, how local authorities are to determine whether to grant an application for a primate licence and how primate licences are to be renewed, varied or surrendered. Local authorities must attach the licence conditions set out in Schedule 1 to each primate licence and may charge fees in respect of applications relating to primate licences and inspections arranged under this Part.

The new legislation once enacted will fall within the remit of the Licensing Authority. It is not yet known what the impact on the Team’s workload will be.

Tobacco and Vapes Bill

A Bill to make provision about the supply of tobacco, vapes and other products, including provision prohibiting the sale of tobacco to people born on or after 1 January 2009 and provision about the licensing of retail sales and the registration of retailers; to enable product and information requirements to be imposed in connection with tobacco, vapes and other products; to control the advertising and promotion of tobacco, vapes and other products; and to make provision about smoke-free places, vape-free places and heated tobacco-free places.

New Standards of Modern Zoo Practice 2027

The new standards will come into effect from 24 May 2027 and will cover Great Britain (England, Wales and Scotland). The regulations will prohibit the long-term tethering of birds of prey, a practice criticised by animal welfare advocates. The common practice of allowing visitors to touch fish and cephalopods, such as rays and octopuses, will also be discontinued.

Larger enclosures will be needed for some animals. The changes also require improved conservation standards and safety measures when keeping dangerous animals including better training for staff when handling exotic animals, and improved public safety measures. Modifications will require better record-keeping and more focus on breeding programmes for endangered animals, research into behaviour and public education about conservation.

There are also new safety standard requirements including changes to the rules on double-gated entry systems, protections for staff working alone and the availability of firearms if needed. Zoos and aquariums will also be obliged to draw up continuity plans for what would happen to their animals if the institution faced financial hardship.

Some of the new standards will however include longer transition times including:

- new requirements for tethering birds of prey - these will come into effect on 1 January 2030
- the use of the free contact management, the ankus and electric goads for elephants must be phased out by 1 January 2030
- new requirements for enclosure sizes for elephants will come into effect on 1 January 2040

The Data (Use and Access) Act

The Data (Use and Access) Bill has received Royal Assent, making it law in the UK as of the 27 June 2025.

The Data (Use and Access) Act 2025 enables the use of digital ID in the United Kingdom and will apply to alcohol sales in, for example, shops, pubs, clubs, bars and restaurants, and other licensed venues requiring age verification in their premises.

A framework and supplementary code of practice will set out the rules and standards which outline what 'good' digital ID looks like. Digital verification service providers must become independently certified against the framework and once certified, will receive a 'trust mark' to verify their status. Once certified, users and businesses will be able to trust that the provider is reliable.

Multi-agency Liaison and Joint Operations

Safety Advisory Group (SAG)

Licensing Officers are attendees at SAG meetings. The SAG comprises of representatives from West Berkshire Council, emergency services and other relevant bodies. The SAG meets at regular intervals, or when necessary to review event applications and advise on public safety. The role of the SAG is to provide advice to individuals and organisations planning a public event.

In 2024/25 the West Berkshire SAG considered documentation for 318 events.

Reducing Violence Against Women and Girls

The PPP Licensing Service is part of a wider Thames Valley Police (TVP) initiative looking at reducing incidence of harm affecting women and girls. The Team's specific area of input is with licensed premises and the management of risk within those premises. Licensing Officers attend enforcement visits with TVP and other agencies as part of this ongoing work. Officers will also be attending a series of Keeping Town Centres Safe events in the town centre over the summer alongside colleagues from TVP and the Building Communities Together Team.

Pubwatch

Officers from the PPP regularly attend Pubwatch meetings alongside colleagues from Thames Valley Police and local businesses. The objectives of the group are to tackle and prevent anti-social behaviour and criminal activity, promote safe drinking environments for customers and secure working environments for staff and improve communication and sharing information between licensee.

Institute of Licensing (IoL)

The IoL is the professional body for licensing matters and is instrumental in providing access to case law and legislation updates, training, and information sharing. Licensing Officers regularly attend the quarterly regional meetings.

Under Age Sales

The PPP appointed a specialist Under Age Sales (UAS) Officer in December 2024 funded through grant funding. A pool of 18 UAS volunteers aged between 14yrs and 17yrs have been recruited and there are ten PPP officers available on a rota basis to be the second officer on the UAS test purchase operations with other members of the team on 'back-up' if required.

Between January and March 2025, the following UAS Operations have taken place in West Berkshire. There were nine successful purchases out of 45 operations. While the failure rate of 20% is concerning we are continuing to raise awareness and promote the operations. In Q1 of 2025/26 the failure rate had reduced to 11%.

	Vapes	Alcohol	Tobacco	Lottery	Total
	Fail/visits	Fail/visits	Fail/visits	Fail/visits	Fail/visits
WBC	4/29	3/10	1/1	1/5	9/45

Joint Operations

Joint operations with colleagues from Thames Valley Police and neighbouring authorities are regularly undertaken. We are currently in the process of arranging more dates for these activities to take place.

Community Alcohol Partnership

The West Berkshire Community Alcohol Partnership (CAP) brings together organisations including West Berkshire Council, Thames Valley Police, schools, alcohol services and local retailers to reduce the alcohol related crime, anti-social behaviour and harm caused by young people under the age of 25, with a particular emphasis on preventing underage drinking. During 2024, the CAP worked closely with Newbury College to develop and deliver the following:

- 16+ programme A new programme was created in collaboration with Newbury

College to engage students about risky behaviours in respect of alcohol and associated behaviours including smoking, vaping and substance use.

- Resource distribution: CAP resources, including posters and online materials, were made available across the college intranet, providing students with easy access to local support services.
- Young Health Champions Programme: The young health champions programme teaches young people between 14-24 about managing their health and wellbeing and how to promote health messages to their peers. The CAP supported 23 learners in completing their Level 2 qualification.
- Inaugural Freshers' Fair: The fair took place at the beginning of this academic year and attracted over 300 new students, providing them with access to information on volunteering, career opportunities, cybercrime, alcohol, mental health, and gender-based violence.

This programme of work was nominated for and subsequently won the 2024 CAP Spotlight Award.

Communication, Engagement and Information Management

The Service provides a range of advice and information sheets via the website. A new website was launched on the 31st March 2025. The West Berkshire Council website has appropriate links to relevant pages on the PPP website. The PPP has also expanded its social media presence with active Facebook pages.

Facebook: [@PublicProtectionPartnershipUK](https://www.facebook.com/PublicProtectionPartnershipUK)

Protecting the public is at the heart of all work completed by the Licensing Team. The Team focuses on the four E's when working with licence holders:

- Engage,
- Educate,
- Encourage and
- if this fails, we will then Enforce.

Additionally, Officers regularly meet with applicants or licence holders to ensure licence compliance and educate and encourage licence holders if they are found to be non-compliant. For example, completing annual private hire operator inspections at their offices and taxi drivers at the ranks.

During the 2024/25 Municipal Year the following consultations were undertaken:

- Consultation on the fees and charges
- Consultation on the Statement of Gambling Principles
- Consultation on the Hackney Carriage and Private Hire Policy

In addition, officers attended several events to promote the service and engage with our residents including:

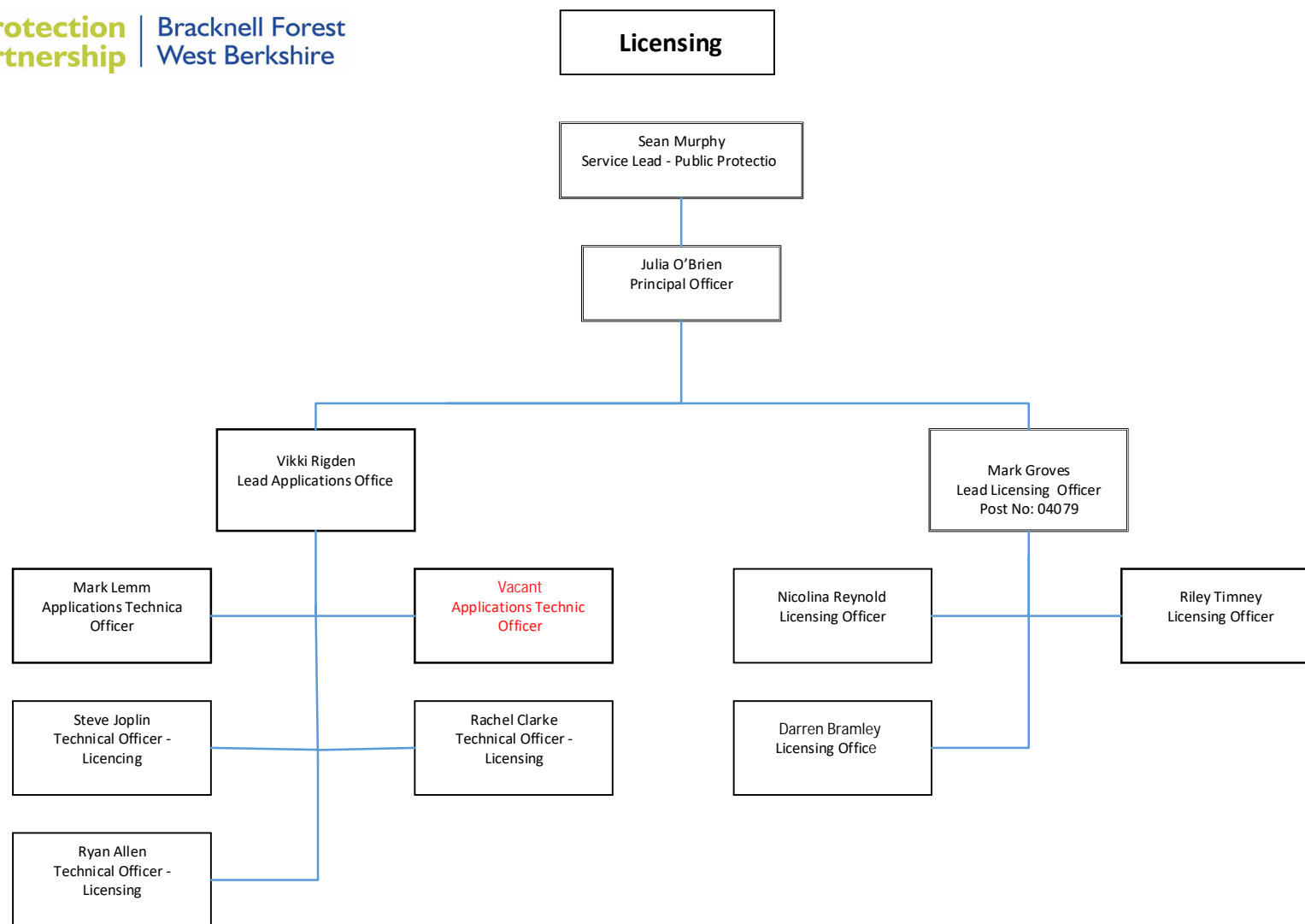
- Victoria Park Fun Day (19 May 2024)
- Pangbourne Fete (08 June 2024)
- Thatcham Family Fun Day (30 June 2024)
- Thames Valley Policy Open Day (07 September 2024)

During the 2024/25 year 4 complaints against the service were received. Of these complaints three were upheld and one was upheld in part. The number of complaints equates to 1.1% of the total number of service requests the team dealt with.

Conclusion

It is good practice to provide an overview of information to Committee Members, which enables them to be informed about licence applications, decisions made by the Licensing Committee and the Licensing Sub-Committee, automatic grants, enforcement action and future work planned by the licensing area. This information enables Members to be informed and to aid decision making in the future. This information can be located on the PPP website where we also provide information to the trade and public and are also introducing a series of public registers so premises or persons holding a licence can be identified by all.

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Film Classification Policy

Committee considering report:	Licensing Committee
Date of Committee:	28 July 2025
Portfolio Member:	Councillor Tom McCann
Report Author:	Moira Fraser
Forward Plan Ref:	LC

1 Purpose of the Report

- 1.1 To consider the draft policy and agree its adoption.

2 Recommendation

The Licensing Committee to:

- 2.1 **CONSIDER** the policy and recommend that it is adopted subject to any modifications agreed by the Committee.
- 2.2 **RECOMMEND** to Full Council that the Section 1.4 of the Council's Scheme of Delegation (Part 11 of the Constitution) be amended to delegate the classification of films under Section 20 of the Licensing Act 2003 to Officers.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	There are no financial implications associated with the adoption of this policy. There is an associated fee for undertaking this work set out in the fees and charges schedule.
Human Resource:	There are no human resources implications associated with the adoption or administration of this policy as it forms part of the ongoing work of the officers and requests to classify films are not frequent.
Legal:	Section 20 of the Licensing Act 2003 provides that where a Premises Licence or Club Premises Certificate authorises the exhibition of a film(s), the licence must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by the British

Implication	Commentary			
	Board of Film Classification (the BBFC) or by the Licensing Authority itself. Legal Services have considered and signed off the draft policy.			
Risk Management:	The adoption of an up-to-date policy will minimise the risk of challenge to the Council.			
Property:	None			
Policy:	There is no policy implications associated with this report.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		✓		No impact
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		✓		No impact
Environmental Impact:		✓		No impact
Health Impact:		✓		No impact
ICT Impact:		✓		No impact

Implication	Commentary			
Digital Services Impact:		✓		This policy will be included on the Public Protection Partnership Website using existing resources.
Council Strategy Priorities:	✓			This work is business as usual within the service.
Core Business:		✓		This work is business as usual within the service.
Data Impact:		✓		No impact
Consultation and Engagement:	There is no requirement to consult on this policy.			

4 Executive Summary

- 4.1 West Berkshire Council, as the Licensing Authority, is responsible for authorising the public exhibition of films. Section 20 of the Licensing Act 2003 provides that where a Premises Licence or Club Premises Certificate authorises the exhibition of a film(s), the licence must include a condition requiring the admission of children to the films to be restricted in accordance with recommendations given either by the British Board of Film Classification (the BBFC) or by the Licensing Authority itself.
- 4.2 The Licensing Authority may be asked to authorise a film that has already been classified by the British Board of Film Classification (BBFC) in two different circumstances:
- (a) A distributor of a film wishes to appeal against the decision of the BBFC and request that the Licensing Authority re-classifies/authorises the film for local screening (with recommendations on age restrictions); and
 - (b) An independent party may request that the Licensing Authority reclassifies/authorises the film for local screening (with recommendations on age restrictions)
- 4.3 In addition, the Licensing Authority may be requested to authorise the showing of an
- (a) unclassified film(s) within West Berkshire Council's Borough. Usually this will be for:
 - i. A film festival covering a specific period.
 - ii. A one-off screening of a film.

iii. A trailer for a film.

- 4.4 In accordance with the National Guidance, the Licensing Authority shall concern itself primarily with the protection of children from harm. It will not use its powers to censor films save where there is clear cause to believe that this is necessary to promote the licensing objectives.
- 4.5 Any authorisations for the exhibition of film issued by the Licensing Authority shall only apply when the film is exhibited within West Berkshire and does not affect the authorisation or recommendations in any other Local Authority.
- 4.6 Once authorised by the Licensing Authority a film will be authorised for a particular showing or festival only, subject to the recommendations imposed by the Licensing Authority (unless further application for re-classification is made). Details of the authorisation including any recommendations shall be available from the Council's Licensing Service.
- 4.7 The Licensing Authority shall also not be liable for any material that is created through the commission of a criminal offence. It is the responsibility of the applicant to ensure that no film or trailer contravenes the law.
- 4.8 The Committee is asked to consider the draft policy and agree its adoption.

5 Other options Considered

- 5.1 Not to adopt the policy

6 Appendices

- 6.1 Appendix A – Draft Film Classification Policy

Background Papers:

None

Subject to Call-In:

Yes: ☒ No: ☐

The item is due to be referred to Council for final approval. ☐

Delays in implementation could have serious financial implications for the Council. ☐

Delays in implementation could compromise the Council's position. ☐

Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months. ☐

Item is Urgent Key Decision ☐

Report is to note only ☐

Wards affected: All

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Policy for Determining Film Classifications 2025 - 2028

Document Control

Document Ref:	Film Classification Policy	Date Created:	July 2025
Version:	V1	Date Modified:	
Revision due			
Author:	Riley Timney	Sign & Date:	08 July 2025
Owning Service	Public Protection Partnership		

Change History

Version	Date	Description	Change ID
1			
2			
3			

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1. Purpose

- 1.1 The purpose of this Policy is to set out the formal procedure for the Licensing Authority to determine the classification of previously unclassified films, appeals by distributors against the British Board of Film Classification's decisions or requests to reclassify films.

2. Background and Legislative Framework

- 2.1 This new policy has been drafted in accordance with the provisions of the [Licensing Act 2003](#) (the Act).

- 2.2 The Act requires that the licensing authority carry out its various licensing functions to promote the following four licensing objectives:

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance; and
- The protection of children from harm.

- 2.3 The Film Classification Policy is concerned primarily with the following two licensing objectives the former being the most relevant:

- The protection of children from harm.
- The prevention of crime and disorder

- 2.4 The Licensing Authority when authorising film(s) shall always consider the guidance issued under Section 182 of the Licensing Act 2003 (the National Guidance).

- 2.5 The British Board of Film Classification (BBFC) included two over-riding principles which this policy supports:

- To protect children and vulnerable adults from potentially harmful or otherwise unsuitable content.
- To help children and families choose what's right for them and avoid what's not.

- 2.6 Section 26 of the [Counter Terrorism and Security Act 2015](#) places a duty on West Berkshire Council to have 'due regard to the need to prevent people from being drawn into terrorism'.

3. Introduction

- 3.1 West Berkshire Council (The Council), as the Licensing Authority, is responsible for authorising the [public exhibition of films](#). Section 20 of the Licensing Act 2003 (the Act) provides that where a Premises Licence or Club Premises Certificate authorises the exhibition of a film(s), the licence must include a condition requiring the admission of [children](#) to films to be restricted in accordance with recommendations given either by the British Board of Film Classification (the BBFC) or by the Licensing Authority itself.

- 3.2 Where a premise seeks or intends to exhibit film(s), that venue must be covered by a Premises Licence, Club Premises Certificate or Temporary Event Notice under the Act. In the case of a Temporary Event Notice, the Act's mandatory condition relating to films does not apply, but applicants may still request the assistance of the Council in determining the classification of a film(s).

4. **When Might a Licensing Authority Classify a Film?**

- 4.1 The Licensing Authority may be requested to authorise a film that has:
- 4.1.1 already been classified by the British Board of Film Classification (BBFC) or when
 - 4.1.2 a distributor of a film wishes to appeal against the decision of the BBFC and request that the Licensing Authority re-classifies/authorises the film for local screening (with recommendations on age restrictions).
 - 4.1.3 An independent party may request that the Licensing Authority reclassifies/ authorises the film for local screening (with recommendations on age restrictions)
- 4.2 In addition, the Licensing Authority may be requested to authorise the showing of an unclassified film(s) within West Berkshire Council's District. Usually this will be for:
- A film festival covering a specific period.
 - A one-off screening of a film.
 - A trailer for a film.

5. **Process for Submitting an Application**

- 5.1 Applications should be submitted to the Licensing Authority a minimum of **28 days** before the proposed screening.
- 5.2 An application for authorisation should include the following information:
- i. the name of the film maker.
 - ii. A brief synopsis of the film.
 - iii. Any recommendation as may have been made by the film maker upon age limit for the intended audience for exhibition of the film.
 - iv. Any existing classification issued by an existing classification body, whether within or outside the UK.
 - v. Information identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film.
 - vi. The language spoken in the film and whether there are subtitles in English.
 - vii. Details of how any age restrictions will be enforced.
- 5.3 In accordance with National Guidance, all requests shall be accompanied by the film(s) where possible in DVD format to avoid delays, the cost to be borne by the applicant. If DVD format is not possible then arrangements will be made for a suitable venue to view the film. The Council accept that the film(s) may need to be submitted by means other than DVD. In this instance, applicants are requested to

contact the Licensing Authority to discuss other ways of the film being reviewed for classification. All requests must be accompanied by detailed reasons for the request.

- 5.4 If the film contains dialogue in a language other than English an interpreter will be required for the classification. West Berkshire Council will arrange for a suitable interpreter and the applicant will be responsible for the cost of this.
- 5.5 In line with the National Guidance, where a film is recommended by the Licensing Authority as falling into an age restrictive category, no person under the age specified shall be admitted.
- 5.6 The Licensing Authority recognises the principle that adults should be free to choose their own entertainment and will not normally override this principle – as such requests shall not normally be refused. However, in all cases the Licensing Authority will expect the applicant to follow the [BBFC's Guidelines](#) for 18 and R18 restricted films.

6. Process for Classifying Films

- 6.1 Applications for authorisation of films will be considered by a Licensing Officer on behalf of the Licensing Authority, as set out in The Council's Scheme of Delegation. Any requests to classify films may be referred by the Licensing Manager for determination.
- 6.2 Requests will be dealt with as expeditiously as possible as it is appreciated that films are generally only shown in cinemas for a relatively short period.
- 6.3 A Licensing Officer will view the entire film and assess it against the BBFC guidelines and National Guidance and shall issue a Notice of Determination of the authorisation within 5 working days from the date of viewing.
- 6.4 The Licensing Authority will formally advise the applicant and the licence holder of any recommendation(s) restricting the admission of children to the film(s).
- 6.5 Where the Licensing Authority has determined to refuse authorisation of a film clear and concise reasons shall be given.
- 6.6 Any person aggrieved by the decision of the Local Authority can appeal to the Licensing Sub-Committee. An appeal must be made in writing within 10 working days from the date of the decision letter and must give in detail the reasons why the classification is being appealed and which part of the BBFC guidance is thought to apply.
- 6.7 The Licensing Sub-committee will convene to view the film(s) in line with the BBFC guidance and National Guidance, and the original decision and appeal letter will be reviewed. The Sub-committee will issue a decision notice within 5 working days of viewing the film. The notice will give:
- the decision of the sub-committee (has the film been reclassified or has the original classification remained).
 - the reasons for the decision which must be in line with National Guidance,
- 6.8 A [fee](#) will be payable on application.

6.9 All Applications should be sent for the attention of:

Licensing Authority
Public Protection Partnership
Theale Gateway
Theale Library
Church Street
Theale
Berkshire
RG7 5BZ

Tel: 01635 519184

E-mail: Licensing@westberks.gov.uk

7. **Classification**

7.1 The BBFC classifies films in accordance with published Guidelines, which are based on extensive research into public opinion and professional advice.

7.2 The National Guidance under Section 182 of the Act recommends that:

7.2.1 “Licensing Authorities should not duplicate the BBFC’s work by choosing to classify films themselves. The classifications recommended by the BBFC should be those normally applied unless there are very good local reasons for a Licensing Authority to adopt this role. Licensing Authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film.”

7.3 The Licensing Authority considers the classification system used by the BBFC to be nationally understood and accepted. It will therefore use this system and any amendments thereto, as a reference point for determining its recommendation(s) on the restriction of access of children to the film(s). It should be noted however that the Licensing Authority is not obliged to follow these guidelines.

7.4 Where a licensed premise seeks to exhibit a film that has not been classified by the BBFC then it will be the responsibility of the Licensing Authority to authorise that film.

7.5 The Licensing Authority recognises the principle within the [Human Rights Act 1998](#) that adults should be free to choose their own entertainment. However material should not be in breach of the criminal law, including material judged to be obscene under the current interpretation of the [Obscene Publications Act 1959](#) or has been created through the commission of a criminal offence.

7.6 In accordance with the National Guidance, the Licensing Authority shall concern itself primarily with the protection of children from harm. It will not use its powers to censor films save where there is clear cause to believe that this is required to promote the licensing objectives.

8. **Protection of Children from Harm**

- 8.1 In accordance with the Section 182 National Guidance, the Licensing Authority shall concern itself primarily with the protection of children from harm. The protection of children from harm includes the protection of children from moral, psychological and physical harm and this would include the protection of children from exposure to strong language and sexual expletives, for example in the context of film exhibitions or where adult entertainment is provided.
- 8.2 Where a film(s) is recommended by the Licensing Authority as falling into a category requiring any persons under a specified age to be accompanied by an adult, no person under the age specified shall be admitted unless accompanied by an adult.
- 8.3 In these circumstances, the licence holder will be required to display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. With regard to the wording of such Notices, the Licensing Authority shall have regard to National Guidance, for example:
- *Persons Under the Age Of [insert appropriate age] Cannot Be Admitted to Any Part of The Programme*
 - *Persons Under the Age Of [insert appropriate age] Can Only Be Admitted to the Programme If Accompanied by An Adult.*
- 8.4 To ensure the promotion of the Protection of Children from Harm and Prevention of Crime and Disorder licensing objectives, the Licensing Authority will formally advise the licence holder and holder of any recommendation(s) on the restriction of the age of access for children to the film(s). This may include any relevant notices required to be displayed by the licence holder inside and outside the premises. The licensed premises hosting the exhibition of film will be expected to comply with these recommendations.

9. **Authorisations**

- 9.1 Any authorisations for the exhibition of film issued by the Licensing Authority shall only apply when the film is exhibited within West Berkshire Council and does not affect the authorisation or recommendations in any other Local Authority.
- 9.2 Once authorised by the Licensing Authority a film will be authorised for a particular showing or festival only, subject to the recommendations imposed by the Licensing Authority (unless further application for re-classification is made).
- 9.3 Details of the authorisation including any recommendations shall be available from the Council's Licensing Services.
- 9.4 The issue of any authorisation by West Berkshire Council is strictly limited to the authorisation within the Authority and it is assumed that all relevant third-party consents and licences in respect of any and all copyright, confidential information and all other intellectual property rights have been obtained.
- 9.5 Where the Licensing Authority authorises unclassified material to be shown the Licensing Authority will require an undertaking from the applicant that they have satisfied themselves after proper enquiry that no material to be exhibited

contravenes the current interpretation of the Obscene Publications Act 1959, the [Copyright Design and Patents Act 1988](#) or any other relevant legislation and has not been created through the commission of a criminal offence.

9.6 The Licensing Authority shall also not be liable for any material that has been created through the commission of a criminal offence. It is the responsibility of the applicant to ensure that no film or trailer contravenes the law

9.7 Each application will be considered on its individual merit. There is no right to appeal the classification imposed by the Licensing Authority, save by the way of Judicial Review of the decision.

9.8 All authorisations under a Premises Licence or Club Premises Certificate will be subject to the mandatory conditions contained in the Act relating to the exhibition of film.

10. **Exemptions**

10.1 The provision of the exhibition of a film is exempt from regulation by the Licensing Act 2003 (LA03) if either:

10.2 It consists of or forms part of an exhibit put on show for any purposes of a museum or art gallery, or its sole or main purpose is to:

- i. demonstrate any product,
- ii. advertise any goods or services, or
- iii. provide information, education or instruction
- iv. the film is shown on a 'not-for-profit' basis in a community premises between the hours of 08.00 and 23.00 provided that the audience does not exceed 500.

11. **Review**

11.1 This policy will be reviewed to respond to any changes and at least every three years.

11.2 The Licensing Team within the Public Protection Partnership is responsible for reviewing and maintaining this Policy.

12. Glossary/ Definitions

Children	any person under the age of 18 years
Exhibition of a film	Under the Licensing Act 2003, the definition of the exhibition of a film is the exhibition of moving pictures.
The Act	The Licensing Act 2003
The Licensing Authority	West Berkshire Council

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WBC LC Forward Plan September 2025 to November 2026

No.	Ref No	Item	Purpose	Lead Officer	Comments
Speci LC September 2025					
1.	C4273	Hackney Carriage and Private Hire Licensing Policy	To consider the comments received during the consultation, consider any proposed modifications to the policy and adopt it.	Julia O' Brien	
LC 03 November 2025					
2.		Fees and Charges 2026/27	To set out the Fees and Charges which have been proposed by the Joint Public Protection Committee at the October 2025 meeting and agree the methodology for consultation for the fees the council has a statutory duty to consult on.	Moirra Fraser	
3.		Hackney Carriage Tariffs - 2026	To consider proposals for adjustments to the tariffs and the proposed consultation process.	Moirra Fraser	If a business case is submitted
LC 19 January 2026					
4.		Fees for Taxi and Private Hire Vehicles, Drivers and Operators	To consider any issues arising from the consultation and their impact on the proposed fees which will be recommended to full Council for approval.	Moirra Fraser	
LC July 2026 (TBC)					
5.		Hackney Carriage Tariffs - 2026	To provide feedback on the 2026 process and any decisions made by the Executive.	Moirra Fraser	
6.	LC4389	Annual Report 2025/26	To set out the work of the Licensing Committee in 2024/25 as well as the work of the Licensing Service as delivered through the Public Protection Partnership.	Moirra Fraser	
LC November 2026 (Date TBC)					
7.		Fees and Charges 2027/28	To set out the Fees and Charges which have been	Moirra Fraser	

No.	Ref No	Item	Purpose	Lead Officer	Comments
			proposed by the Joint Public Protection Committee at the October 2026 meeting and agree the methodology for consultation for the fees the council has a statutory duty to consult on.		
8.		Hackney Carriage Tariffs - 2027	To consider proposals for adjustments to the tariffs and the proposed consultation process.	Moir Fraser	