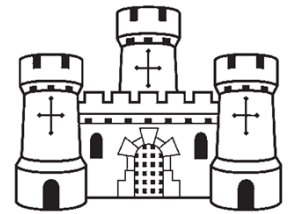


Public Document Pack

Date of meeting	Tuesday, 13th January, 2026
Time	7.00 pm
Venue	Astley Room - Castle
Contact	Geoff Durham 742222



NEWCASTLE UNDER LYME

BOROUGH COUNCIL

**Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL**

Licensing & Public Protection Committee

AGENDA

OPEN AGENDA

LICENSING COMMITTEE

- 1 **APOLOGIES**
2 **DECLARATIONS OF INTEREST IN RELATION TO LICENSING**
 MATTERS

To receive declarations of interest from Members on items contained within the agenda

- | | | |
|---|--|----------------|
| 3 | MINUTES OF A PREVIOUS MEETING | (Pages 5 - 8) |
| 4 | RELAXATION OF LICENSING HOURS FOR THE 2026 MEN'S
FIFA WORLD CUP | (Pages 9 - 12) |

PUBLIC PROTECTION COMMITTEE

- ## 5 DECLARATIONS OF INTEREST IN RELATION TO PUBLIC PROTECTION MATTERS

To receive declarations of interest from Members on items contained within the agenda

- | | | |
|---|--|-----------------|
| 6 | ANIMAL WELFARE (PRIMATE LICENCES) REGULATIONS 2024 | (Pages 13 - 18) |
| 7 | GOVERNMENT CONSULTATIONS RESPONDED TO IN CONSULTATION WITH CHAIR OF THE COMMITTEE AND PORTFOLIO HOLDER | (Pages 19 - 74) |
| 8 | PRIVATE HIRE & HACKNEY CARRIAGE FEES & CHARGES 2026/2027 | (Pages 75 - 80) |

9 MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS

(Pages 81 - 84)

To consider the minutes of the Public Protection Sub-Committees which have met since the previous Licensing and Public Protection Committee.

PART 2 - CLOSED AGENDA

10 DISCLOSURE OF EXEMPT INFORMATION

To resolve that the public be excluded from the meeting during consideration of the attached report, because it is likely that there will be disclosure of exempt information as defined in paragraphs 1, 2 and 7 in Part 1 of Schedule 12A of the Local Government Act 1972.

11 URGENT BUSINESS

To consider any business which is urgent within the meaning of Section 100B (4) of the Local Government Act 1972

Members: Councillors Whieldon (Chair), Johnson (Vice-Chair), Whitmore, Barker MBE, Heesom, Sweeney, Wilkes, Skelding, Adcock, Dymond, Wright, Allport, J Williams, G Williams and Edgington-Plunkett

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums: Where the total membership of a committee is 12 Members or less, the quorum will be 3 members.... Where the total membership is more than 12 Members, the quorum will be one quarter of the total membership.

SUBSTITUTE MEMBER SCHEME (Section B5 – Rule 2 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:

Substitute Members:	Hutchison	Lewis
	Turnock	Fox-Hewitt
	Parker	D Jones
	J Tagg	Richards
	J Waring	Stubbs
	Burnett-Faulkner	Beeston

If you are unable to attend this meeting and wish to appoint a Substitute to attend on your place you need to identify a Substitute member from the list above who is able to attend on your behalf

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

NOTE: IF THE FIRE ALARM SOUNDS, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

ON EXITING THE BUILDING, PLEASE ASSEMBLE AT THE FRONT OF THE BUILDING BY THE STATUE OF QUEEN VICTORIA. DO NOT RE-ENTER THE BUILDING UNTIL ADVISED TO DO SO.

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Agenda Item 3

Licensing & Public Protection Committee - 08/10/25

LICENSING & PUBLIC PROTECTION COMMITTEE

Wednesday, 8th October, 2025
Time of Commencement: 7.00 pm

Present: Deputy Mayor. Councillor Joan Whieldon (Chair)

Councillors:	Johnson	Sweeney	J Williams
	Whitmore	Adcock	G Williams
	Barker MBE	Wright	Edgington-Plunkett
	Heesom	Allport	

Apologies: Councillor(s) Wilkes, Skelding and Dymond

Substitutes: Councillor David Hutchison

Officers:	Geoff Durham	Civic & Member Support Officer
	Nesta Barker	Service Director - Regulatory Services
	Gareth Harvey	Environmental Health Manager
	Michelle Hopper	Mobile Multi-Functional Manager
	Jason Griffiths	Mobile Multi-Functional Team Leader

1. **DECLARATIONS OF INTEREST IN RELATION TO LICENSING MATTERS**

There were no declarations of interest stated.

2. **MINUTES OF A PREVIOUS MEETING**

Resolved: That the Minutes of the meeting held on 19 August, 2025 be agreed as a correct record.

3. **STATEMENT OF LICENSING POLICY 2025-30**

Consideration was given to a report advising upon the outcome of the draft Statement of Licensing Policy and sought approval for the Policy to be submitted to Council.

Members were advised that one response had been received during consultation – from the Council's Environmental Health Department.

Proposed amendments to the Policy were outlined at paragraph 2.3 of the report.

Councillor John Williams stated that it was disappointing that nobody from the licensing trade or members of the public had commented on the consultation.

Licensing & Public Protection Committee - 08/10/25

The Service Director for Regulatory Services stated that The consultation had been open to everyone and it could only be assumed that nobody wished to comment on the document.

- Resolved:**
- (i) That the outcome of the public consultation be received.
 - (ii) That the Statement of Licensing Policy be submitted to Council on 19th November 2025 for adoption.

4. FEES TO BE CHARGED FOR THE LICENSING OF SCRAP METAL DEALERS, GAMBLING & SEXUAL ENTERTAINMENT VENUES 2026-27

Consideration was given to a report asking Members to consider the fees to be charged in relation to Scrap Metal Dealers, Gambling and Sexual Entertainment venues.

The current and proposed fees were set out at paragraph 3.1 of the report.

Members were content to receive the report.

- Resolved:** That the fees to be charged for the licensing of Scrap Metal Dealers, Gambling and Sexual Entertainment Venues for 2026-27, be agreed.

5. MINUTES OF LICENSING SUB COMMITTEE MEETINGS

- Resolved:** That the Minutes of the meetings held on 11 August, 2025 be received.

6. DECLARATIONS OF INTEREST IN RELATION TO PUBLIC PROTECTION MATTERS

There were no declarations of interest stated.

7. NEWCASTLE TOWN CENTRE PUBLIC SPACE PROTECTION ORDER RENEWAL

Consideration was given to a report seeking approval for a twelve week consultation to be carried out for a new Public Space Protection Order (PSPO) for Newcastle Town Centre.

The main issues encountered within the town centre were outlined at paragraph 1.4 with e-scooters and e-bikes being a more recent issue.

Councillor Heesom stated that it was good to see the PSPO expanding in the town centre to include e-scooters and e-bikes.

Councillor Gill Williams asked if the PSPO would include e-scooters and e-bikes that were used for collecting food deliveries from the town centre. This was confirmed to be the case.

Councillor John Williams was concerned that such PSPO's pushed crimes to the outskirts of the town centre. He asked if signs would be placed around the town centre stopping all bikes or just e-bikes. In addition, would it stop religious groups from handing out leaflets.

Members were advised that the PSPO was specifically in relation to e-scooters and e-bikes and not pedal bikes. Regarding the leaflets, if groups/persons had received permission from the Council to hand them out, they would not be prohibited.

Councillor Sweeney asked if the 'area' of the PSPO had changed. It was confirmed that there had been a slight change – with Station Walks now being included.

Resolved: That a 12 week public consultation for a renewed PSPO for Newcastle town centre and surrounding areas, be agreed.

8. PRIVATE HIRE & HACKNEY CARRIAGE FEES & CHARGES 2026/2027

Consideration was given to a report outlining the proposed fees and charges for private hire and taxis prior to them being sent out for consultation.

The current and proposed fees were set out at paragraph 3 of the report and showed some fee increases and some decreases.

The Chair stated that it was a good idea too include the fee changes in monetary terms as well as percentage wise as percentages could sometimes be misleading.

Councillor Whitmore enquired why the fee for failing to attend a knowledge test had reduced rather than increased. Members were advised that this was due to a reduction in the actual knowledge test and therefore the figures were consistent.

Resolved: (i) That the proposed fees be sent out for consultation.
(ii) That following consultation a further report be brought to Committee.

9. UPDATE ON RESULTS OF TAXI LICENSING APPEALS

Consideration was given to a report advising upon the results of all taxi licensing appeals that had been considered since last being reported to this committee.

There had been seven Magistrate's Court appeals and one Crown Court appeal. Five of the Magistrate's Court and the Crown Court appeals had been withdrawn in advance of the Court dates. Of the two remaining appeals one was upheld and the other was dismissed.

Resolved: That the contents of the report be noted.

10. ENVIRONMENT ACT 1995 - PART IV LOCAL AIR QUALITY MANAGEMENT - ANNUAL STATUS REPORT 2025

Consideration was given to a report advising on air quality in Newcastle.

Members' attention was drawn to paragraph 2.10 which showed a graph of the trends in relation to air quality and only one location was shown to be in exceedance.

Resolved: That the Annual Status Report 2025 be received.

11. MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS

Licensing & Public Protection Committee - 08/10/25

Resolved: That the Minutes of the meetings held on 13 August and 17 September, 2025 be received.

12. DISCLOSURE OF EXEMPT INFORMATION

There were no confidential items.

13. URGENT BUSINESS

The Chair reminded Members of the training being held on Monday 20 October by James Button and urged all members and substitutes to attend if they could.

**Councillor Joan Whieldon
Chair**

Meeting concluded at 7.40 pm

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S REPORT TO LICENSING & PUBLIC PROTECTION COMMITTEE

13 January 2026

Report Title: Relaxation of licensing hours for the 2026 Men's FIFA World Cup

Submitted by: Service Director - Regulatory Services & Licensing Lead Officer

Portfolios: Finance, Town Centres & Growth

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
To inform the Committee of a Home Office consultation to allow certain licensed premises to open later than their normal hours. It is in relation to the semi-final and final matches of the 2026 Men's football world cup, should a 'Home Nations' team progress to that stage.			
<u>Recommendation</u> That Committee: 1. Note the contents of the report 2. Agree that the proposed response be submitted prior to the consultation closing.			
<u>Reasons</u> The Home Office are holding a consultation on whether to allow a relaxation of licensing hours during the semi-final and final stages of the 2026 Men's football world cup, should a 'Home Nations' team progress to that stage.			

1. **Background**

- 1.1 Section 172 of the Licensing Act 2003 allows the Secretary of State for the Home Department to make a Licensing Hours Order ('Order') relaxing opening hours for licensed premises (any premises with a premises licence or a club premises certificate) in England and Wales to mark an occasion of 'exceptional international, national or local significance'.
- 1.2 Past national occasions where the government has extended licensing hours have included the late Queen's platinum jubilee in 2022, and the Kings Coronation in 2023. The power was also used during the Men's World Cup in 2014, the 2025 Women's football European Championships.

2. **Issues**

- 2.1 The Home Office opened a consultation on 4th December 2025. They are consulting on whether it is appropriate to make an Order to extend the times

for licensed premises to be open during the semi-final and final stages of the Men's FIFA football world cup, should a 'Home Nations' team progress to that stage. The consultation is open for a period of 6 weeks ending on 15th January 2026.

- 2.2 If granted, as proposed the Order would authorise all licensed premises that are already permitted to sell/supply alcohol for consumption on the premises until 11pm to operate until 1am the day after. It should be noted that this Order will only have effect should either England or Scotland (already qualified) or Wales or Northern Ireland (currently in the play-offs) or any mixture of teams progress to the semi-final and/or final stages and will only take effect on the date that they are playing. The semi-final matches are scheduled for 14th and 15th July 2026, and the final is scheduled for 19th July 2026. For example, if one of the teams played in the semi-final on 15th July, it would only be 15th July that would benefit from the relaxation. The licensable hours for 14th July would be the normal hours.
- 2.3 The proposed relaxation does not apply to the sale of alcohol for consumption off the premises, regulated entertainment, late night refreshment premises or unlicensed premises.
- 2.4 The alternative would be to reply upon the existing system to requiring Temporary Event Notices to extend licensable hours.
- 2.5 The consultation is made up of the below four questions. Officers' view is that Orders of this nature have been successful in the past, have not created additional problems for regulatory bodies, and as such are supportive of the proposals. Officers' answered in are bold text:

Q1: Do you support the proposal for extending licensing hours in England and Wales in the event that any of the home nations reach the semi-finals of the Men's Football World Cup 2026 - 14 and/or 15 July 2026 - until 1:00am the following morning, providing the match kicks-off at 9:00pm or earlier?
[Yes/No]

Q2: Do you support the proposal for extending licensing hours in England and Wales in the event that any of the home nations reach the final of the Men's Football World Cup 2026 - 19 July 2026 - until 1:00am the following morning, providing the match kicks-off at 9:00pm or earlier?
[Yes/No]

Q3: Do you agree that the contingent order should only apply to the sale of alcohol for consumption on the premises (i.e. it should not apply to the sale of alcohol for consumption off the premises)?
[Yes/No]

Q4: If you disagree with this proposal, or think we should go further (for example, by also extending licensing hours if any of the home nations teams reach the quarter finals), please explain your reasoning below.
Not applicable.

3. **Recommendation**

3.1 **That Committee:**

1. Note the contents of the report
2. Agree that the proposed response be submitted prior to the consultation closing.

4. **Reasons**

- 4.1 To inform Members of amendments to the Licensing Act 2003 and matters of local and national significance.

5. **Options Considered**

- 5.1 The Council could choose not to respond to this consultation.

6. **Legal and Statutory Implications**

- 6.1 Not applicable.

7. **Equality Impact Assessment**

- 7.1 Not applicable.

8. **Financial and Resource Implications**

- 8.1 It is unlikely to cause any resource implications however if there was to be complaints and incidents as a result of the extended hours then it would require investigation by the appropriate officers. It is not anticipated to be the case, but the resource would be covered by existing staff members.

9. **Major Risks & Mitigation**

- 9.1 Not applicable.

10. **UN Sustainable Development Goals (UNSDG)**



11. **One Council**

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☒

One Digital Council ☒

One Green Council ☒

It is not thought that the nature of the proposals impacts on any of the One Council streams.

12. Key Decision Information

12.1 Not applicable.

13. Earlier Cabinet/Committee Resolutions

13.1 Not applicable.

14. List of Appendices

14.1 Not applicable.

15. Background Papers

15.1 [Consultation document published on 4th December 2025](#)

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

REPORT TO LICENSING AND PUBLIC PROTECTION COMMITTEE

13 JANUARY 2026

Report Title: **Animal Welfare (Primate Licences) Regulations 2024**

Submitted by: **Service Director – Neighbourhood Delivery**

Portfolios: **ALL**

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To inform the Committee of forthcoming changes in legislation specifically in relation to new primate licensing requirements.	
<u>Recommendation</u>	
That the Licensing and Public Protection Committee receive and note the content of the report.	
<u>Reasons</u>	
To ensure members are aware of the changes in legislation with regard to primate licensing requirements.	

1. Background

1.1 The Animal Welfare (Primate Licences) Regulations 2024 introduced a licensing regime to protect the welfare of primates kept in England. The regulations apply to the keeping of any non-human primate in England on or after the 6th April 2026 unless the primate is kept under a Zoo Licensing Act 1981 licence or an Animals (Scientific Procedures) Act 1986 licence.

1.2 The regulations require a person who keeps any such primate to hold a primate licence. Existing and prospective keepers of primates will be required to be licensed by the local authority for the area in which the primate is or is proposed to be kept. Only a person (not an organisation) can keep a primate under this primate licence.

2. Newcastle-under-Lyme Borough Council– Licensing Authority

2.1 Local authorities are responsible for administering and enforcing this licensing regime. Local authorities must make sure that:

- Individuals who apply for a licence are likely to meet the licence conditions
- Licences are not granted to individuals that are disqualified from keeping primates
- They take appropriate enforcement action against those individuals who do not have licence when they should
- They monitor compliance with the licence conditions themselves

Local authorities must have regard to this government guidance when exercising functions under the regulations.

The licence conditions set out a range of requirements on the care and management of primates to protect their welfare. Any person who is responsible for a primate also has a legal duty of care under Section 9 of the Animal Welfare Act 2006 to provide for the needs of an animal for which they care for. These include the need:

- For a suitable environment
- For a suitable diet
- To be able to exhibit normal behaviour patterns
- To be housed with, or apart from, other animals
- To be protected from pain, suffering, injury and disease.

2.2 Existing and prospective primate keepers must ensure that they comply with the law including their primate licence conditions. A person who keeps a primate in England on or after the 6th April 2026 and does not have a primate licence or other suitable licence as referenced above will be committing a criminal offence. Licences will need to be applied for and obtained before the 6th April deadline.

2.3 Local authorities are responsible under the Regulations for granting primate licences. It is recommended that licensing inspections are carried out by a Tier-one Inspector (zoo keeper, specialist primate keepers, or a veterinarian) or an inspector who works within the local authority that carries out inspections for the Dangerous Wild Animals Act 1976 or Zoo inspections. For Newcastle, these inspections will be undertaken by the Senior MMF Officers within the Neighbourhood Delivery Team. Additional training has recently been completed by these officers.

2.4 The process to apply for or renew a primate licence is as follows:

- Local authority provides an application form to applicants.
- The applicant submits an application to the relevant local authority, along with the local authority fee. (These are included as part of the proposed Scale of Fees and Charges for 2026-2027)

- An inspection date will be confirmed to inspect the premises where the primates are kept or are to be kept.
- The appointed inspector will visit the premise and produce a report, the decision is then made to grant or refuse the licence application unless additional information or further steps are required.
- The applicant will be notified of the outcome of the application and will be advised of any additional information or steps required.
- The applicant has the right to make representations to the local authority if the licence is refused.

2.5 Under Regulation 12, the local authority will arrange for a further inspection of the premise during the licence period to determine whether the licence holder is meeting the licence conditions. There must be at least one inspection during the licence period if the licence is granted for one year or longer.

2.6 The local authority must investigate non-compliance and take relevant action when non-compliance is suspected or identified. Officers must consider the primate welfare when applying enforcement actions and should seek to initially address non-compliance through rectification conditions where possible. More serious breaches or concerns would need to be dealt with accordingly.

2.7 Under Regulation 18, breach of a licence condition is treated as a relevant offence with regards to the powers of entry under Section 23 of the Animal Welfare Act 2006. This includes entry and search under warrant in connection with the offence.

3. Recommendation

3.1 **That the Committee receive and note the content of the report.**

4. Reasons

4.1 To ensure that members are aware of the changes in legislation with regard to primate licensing requirements.

5. Options Considered

5.1 Do nothing – this not applicable as this is a statutory legislative change which falls on the local authority as the licencing authority.

6. Legal and Statutory Implications

6.1 Under Regulation 21, all local authorities must report the following information to the Secretary of State by 1 April each year:

- The number of primate licences in force in its area on the 1st April of that year

- The number of primates by species in the authorities area kept under primate licences.
- The level of fees and charges for licences it has granted or renewed in each reporting period.

7. **Equality Impact Assessment**

7.1 An Equality Impact Assessment has been updated in relation to enforcement activities undertaken by the Council.

8. **Financial and Resource Implications**

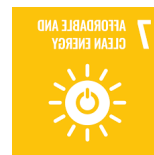
8.1 It is not currently possible to determine the impact that this may have in relation to resources as the number of primates that are currently being kept within Newcastle-under-Lyme is unknown. Whilst demand is anticipated to be low for this licencing activity, the situation will monitored and kept under review.

9. **Major Risks & Mitigation**

9.1 There are no current known major risks in relation to this report.

10. **UN Sustainable Development Goals (UNSDG)**

10.1 The proposal contributes towards the following UNSDGs:



11. **One Council**

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☐

One Digital Council ☐

One Green Council ☐

Consideration has been given to all of three elements of One Council – however this matter does not directly link with any of these programmes.

12. Key Decision Information

12.1 Not applicable.

13. Earlier Cabinet/Committee Resolutions

13.1 Not applicable.

14. List of Appendices

14.1 None

15. Background Papers

15.1 Animal Welfare (Primate Licence) Regulations 2024

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S REPORT TO LICENSING & PUBLIC PROTECTION COMMITTEE

13th January 2026

Report Title: Government Consultations responded to in consultation with Chair of the Committee and Portfolio Holder

Submitted by: Licensing Lead Officer & Service Director – Regulatory Services

Portfolios: Finance, Town Centres & Growth

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
To update Members of four recent Government Consultations that relate to current and proposed licensing regimes, that have been responded to.			
<u>Recommendation</u> That Committee: 1. Note the contents of the report.			
<u>Reasons</u> The Government have recently held four open consultations. Two in relation to taxi licensing, one in relation to the Licensing Act 2003 framework and one in respect of a proposed licensing scheme for Tobacco & Vapes. All four consultations were responded to by Council officers with approval being provided by the Chair of the Committee and Portfolio Holder.			

1. Background

- 1.1** On 16th July 2025 the Government's Transport Committee published an 8-week call for evidence into the adequacy of the current taxi licensing regime.
- 1.2** On 21st July 2025 the Department for Transport published a 10-week consultation which sought views on proposals relating to 'automated passenger services' and supporting the deployment of commercial self-driving pilots.
- 1.3** On 25th September 2025 the Department for Business and Trade launched a 6-week consultation that sought views on proposals from recommendations made by the industry led taskforce in relation to the Licensing Act 2003 framework and 'Reforming the Licensing System'.

- 1.4 On 8th October 2025 the Department for Health & Social Care published an 8 week consultation for evidence to support the Tobacco and Vapes Bill that was passing through Parliament.

2. Issues

- 2.1 At the Licensing & Public Protection Committee meeting on 19th August 2025 Members approved a recommendation that would allow Officers to draft responses to the two taxi related consultations and then have them reviewed by the Chair of the Committee and Portfolio Holder prior to submission. This was due to the discrepancies between the end date of the consultations and the Council's Committee calendar.
- 2.2 A copy of the Council response to the Transport Committee's call for evidence is attached as **Appendix A**.
- 2.3 A copy of the Council response to the Department for Transport's consultation is attached as **Appendix B**.
- 2.4 The Department for Business and Trade consultation was released 2 weeks prior to the last Licensing & Public Protection Committee meeting however it had not been reviewed and considered by officers until mid-October, and due to the short consultation period Officers' were not able to bring the matter before the full Committee. Officers did draft a response and sought approval from the Chair of the Committee and Portfolio Holder before submitting. A copy of the Council response is attached as **Appendix C**. The Government are moving at pace with proposed changes and published the 'National Licensing Policy Framework' on 26th November 2025 which will be subject of a future report to Committee.
- 2.5 The Department for Health & Social Care consultation for the Tobacco and Vapes Bill was released on the date of the last Licensing & Public Protection Committee meeting and as such opened and closed without Officers' being able to present a report to Members prior to submission. However, Officers did draft a response and sought approval from the Chair of the Committee and Portfolio Holder before submitting. A copy of the Council response is attached as **Appendix D**. Whilst the consultation was wide-ranging and covered the whole of the Bill, the Officers' response focused solely on the proposal to implement a licensing scheme for Tobacco and Vapes products. The Bill does not explicitly state which layer of local government will be the 'licensing authority' however it is considered likely that it will be the Borough/District and Unitary tier.

3. Recommendation

- 3.1 That Committee note the contents of the report.

4. Reasons

- 4.1 Officers' view is that it is important that the Council continue to respond to Government Consultations to help influence and shape future policy, guidance and legislation in protecting the public and promoting economic growth.

5. Options Considered

5.1 Not applicable.

6. Legal and Statutory Implications

6.1 There are no legal or statutory implications directly from responding to Government consultations, however the resulting changes to licensing policy, guidance and legislation may have a profound impact upon the service.

7. Equality Impact Assessment

7.1 Not considered as the Government have conducted their own assessments as part of the individual consultations.

8. Financial and Resource Implications

8.1 There are no finance and resource implications directly from responding to Government consultations, however the resulting changes to licensing policy, guidance and legislation may have a profound impact upon the service.

8.2 Changes to the licensing framework for taxis may result in extra training requirements for officers, members and the trade. It may also require procurement for goods and services, and a Council consultation on taxi licensing policy.

8.3 Changes to the licensing framework under the Licensing Act 2003 may result in extra training requirements for officers and members, and more applications being made to the Council which would require resource to administrator.

8.4 The introduction of a licensing framework for the sale of Tobacco & Vapes products may require substantial resource on training for all parties, administering any transitional arrangements for existing premises and administering the regime moving forward.

9. Major Risks & Mitigation

9.1 Not applicable.

10. UN Sustainable Development Goals (UNSDG)

10.1



11. One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☒

We will make investment to diversify our income and think entrepreneurially.

One Digital Council ☒

We will develop and implement a digital approach which makes it easy for all residents and businesses to engage with the Council, with our customers at the heart of every interaction.

One Sustainable Council ☒

We will deliver on our commitments to a net zero future and make all decisions with sustainability as a driving principle

12. Key Decision Information

12.1 Not applicable.

13. Earlier Cabinet/Committee Resolutions

13.1 [Licensing & Public Protection Committee 19th August 2025](#)

14. List of Appendices

- 14.1 Appendix A – Response to Transport Committee consultation
 Appendix B – Response to Department for Transport consultation
 Appendix C – Response to Department for Business and Trade consultation
 Appendix D – Response to Department for health & Social Care consultation

15. Background Papers

- 15.1 [Licensing of taxis and private hire vehicles - Committees - UK Parliament](#)
 15.2 [Automated passenger services: permitting scheme - GOV.UK](#)
 15.3 [Reforming the licensing system - GOV.UK](#)
 15.4 [Tobacco and vapes: evidence to support legislation - GOV.UK](#)

Call for Evidence

This response has been submitted on behalf of Newcastle-under-Lyme Borough Council in its capacity as a licensing authority administering the taxi licensing regime. Licensing authorities are a primary stakeholder and as such any reform will impact hugely on how the service is administered, resourced and provided.

a. Do current licensing arrangements and tools enable local authorities to effectively regulate and oversee the taxi and private hire vehicle (PHV) sector across England, in terms of safety, accessibility and quality of service? If not, what improvements could be made?

No, they don't. The Town and Police Clauses Act 1847 (1847 Act) for Hackney Carriages and the Local Government (Miscellaneous Provisions) Act 1976 (1976 Act) for the Hackney Carriage and Private Hire sector are woefully outdated. Whilst there has been legislation brought in more recently that has assisted in safeguarding the public, Statutory Standards and updated Best Practice Guidance, they are piecemeal and do not address the sectors as a whole leaving licensing authorities to implement as they see fit. There is then a plethora of case law supplementing the legislation and guidance which adds to the complexity of administering the regime in a consistent and robust way.

As of April 2024, there were circa 260-270 different licensing authorities (LAs) in England dealing with the regime. Each LA must have a comprehensive and cohesive taxi licensing policy (as per Statutory Standards). Whilst there is scope for LAs to work collaboratively and agree policies across neighbouring/geographical areas it is not common, there is no requirement to do so and as such means that there are many different policies in place due to varying interpretations of the Acts, guidance and case law.

The 1847 and 1976 Acts are outdated and do not take account of mobile telephones, internet and email bookings, app-based providers or any other technological advances in the last 50 years.

The Deregulation Act 2015 provided that private hire operators (PHOs) could sub-contract bookings to PHOs who were licensed in any other LA area. This has led to PHOs applying for and being granted PHO licences across multiple LA areas and then operate vehicles and drivers licensed by any of those LAs as part of one large business operation. This was a benefit to larger PHOs and is a contributory factor in the proliferation of 'licence shopping' in the private hire sector.

Quite simply, there needs to be a national consistency that all drivers, vehicle and PHOs must meet before a licence will be issued. The Council's position is that for worthwhile reform to take place there must be new primary legislation introduced accompanied by national standards (not minimum standards). This should include but not be limited to ensuring provision of wheelchair accessible vehicles, that all licensed vehicles should require a higher-level mechanical safety test than an MOT (or at least more frequent tests), suitability standards for drivers, vehicle proprietors and PHOs, and driver 'fit and proper' criteria.

The Government should revisit the draft bill and recommendations made by the Law Commission in 2014, and the Task and Finish Group report recommendations from 2018, as many of the concerns that are being raised now have already been considered and addressed previously. A significant period has passed and only a minority of the recommendations have been acted on. They should also keep in view the progress being made by Wales in creating new legislation and standards under their devolved powers.

b. What is the impact on the travelling public and drivers of variation between licensing authorities? Is reform needed to bring greater standardisation?

The travelling public for the most part do not understand the difference between Hackney Carriages and Private Hire. It is impossible that the requirement for private hire vehicles (PHVs) to not resemble Hackney Carriage Vehicles (HCVs) to be met when vehicle criteria differs so vastly so there is no wonder that this is the case.

Many LAs have a colour scheme for their HCVs to make them stand out. In Newcastle-under-Lyme our HCVs must be black, and have a white stripe affixed. A neighbouring authority has a criterion where all HCVs are black. We then have policies that preclude PHVs from being black. However, other LAs, including City of Wolverhampton and Ashfield District Councils (who are two of the largest LAs in terms of licensing PHVs and their drivers working in the Newcastle-under-Lyme and Stoke-on-Trent geographical area) allow black PHVs. It is well documented about how many private hire drivers (PHDs) and PHVs Wolverhampton licence that do not live or work in that area, although they are not the only LA doing this.

Drivers can be refused a licence, or have one suspended or revoked, by one LA for reasons that almost always relate to public safety and/or safeguarding but then apply to another LA, sometimes tens or hundreds of miles away from where they live and work and be granted a licence due to lower standards. They then work in the area they have had action taken against them. This is a huge public safety risk and reduces public confidence in the whole system, and if 'cross-bordering' is to be retained then the criteria for driver suitability must be consistent across the whole of England. It may be considered beneficial for cross-bordering to be addressed and limit where a driver licensed by an LA can work, by geo-fencing, the so-called A-B-B-A method (the driver and vehicle must be licensed in either the LA in which the journey begins or ends) or similar.

c. What would be the practical implications for licensing authorities and operators of more stringent or standardised licensing conditions in respect of safety, accessibility, vehicles and driver conduct?

It would depend on the level of the 'more stringent or standardised conditions' as to what the impact may be. Making standards very high would have the positive effect of ensuring that only the highest calibre driver, HCV, PHV and PHOs gets licensed and promote public confidence is using the taxi trade. It would also mean that there would be less reason for applicants to licence shop if all LAs were working to the same standard. There is a caveat that the current disparity on licence fees would need to be addressed, and LAs would need sufficient resources to administer all applications in a timely fashion.

It would have the negative effect that there will be a proportion of the trade who may not meet the highest standard and a reduction of licences would lead to a shortfall of accessible transport for vulnerable persons, those in areas with no/limited public transport etc.

Driver conduct would likely only improve if LAs have the power to bring about swifter action and have the resources to manage this. Anecdotally the Council are aware that some LAs are not able to act on all issues raised to them, due to time and resource constraints which fosters complacency by licence holders. It should be noted that the majority of the trade are hardworking and decent people, who are professional and compliant, and it is those who are not that are the most resource intensive.

d. What steps should the Government take to address the challenges posed by cross-border licensing in the taxi and PHV sector?

Cross-bordering is not the biggest challenge, it is the circumstances that have led to its proliferation that is the problem. Specifically, it is the ability for applicants to choose where to get licensed on the basis of lower standards and then work in a completely different area, and LAs choosing to licence PHOs who do not have a physical presence in their area, do not operate in the area and operate entirely from the base in their 'home' LA.

If all LAs were consistent in the use of their decision-making powers, and all applicants met the same standards irrespective of where they are licensed, then subject to resourcing and parity of fees, and the ability of LA officers to enforce against licensees from other LAs it should not matter which LA they are licensed with. That said, if the Government are committed to stopping or limiting cross-bordering then it could regulated using a method described previously.

e. What would effective reform look like in terms of enforcement, passenger safety and safeguarding, and regulatory consistency? Is there a role for regional transport authorities?

LA officers need to be able to impose sanctions on licence holders from different authorities. It would be beneficial if sanctions included Fixed Penalty Notices (FPNs) for licensing offences such as failing to wear the driver badge, and/or the facility for LA officers to issue FPNs for prescribed motoring offences that are identified on inspection e.g. bald tyres, lights not working, seatbelts not functioning. More generally there could be stronger penalties introduced for motoring offences for professional drivers such as HCV and PHV drivers.

Reform needs to future proof the legislation and standards required of applicants and licence holders, as far as practicable. It must be able to address technological advances as they happen, not only in terms of business model but also vehicle technologies.

There is often focus on passenger safety, and not on the safety of the drivers. It is imperative that Government regulate to protect drivers from assaults, aggressive customers and allegations of wrongdoing. A potential method of doing so would be to legislate that all HCVs and PHVs must have approved CCTV fitted which would provide confidence to all parties that any issues will be evidenced in a way to support reporting the matters to the LAs or Police. The Government would need to provide financial assistance to LAs or drivers directly to enable approved CCTV systems to be fitted.

For safeguarding there should be mandatory training carried out by approved providers for all drivers and PHOs that covers relevant subjects such as Child Sexual Exploitation, Modern Day Slavery, County Lines, identifying persons in vulnerable positions and what to do. It should also specifically include applicant/licence holders responsibilities under the Equality Act 2010. This training should be carried out regularly (i.e. prior to every new grant or renewal application) and updated to keep pace with emerging issues relevant to the role of drivers and PHOs in safeguarding themselves and the public.

If the licensing regime were to be administered by regional transport authorities, this would improve consistency of standards and decision making as it would consolidate differences across large areas. However, if the recommendation to implement new legislation and national standards was taken forward then this consistency would already be addressed.

<p>f. How are digital ride-hailing platforms impacting standards in the sector, and is further regulation in this area required?</p>
<p>The Council have not seen any impacts on standards within the sector due to digital ride-hailing platforms. Most PHOs licensed by the Council allow bookings through multiple methods, we only have Uber who solely use a digital platform.</p>
<p>g. How effective, accessible, and trusted are complaints and incident reporting systems in the taxi and private hire vehicle (PHV) sector, for both passengers and drivers?</p>
<p>Every LA will have a method of receiving, recording and actioning complaints and incidents and there will be disparity across England. It is important that these processes remain robust and are resourced effectively to investigate and action as required otherwise they may contribute to complacency in driver conduct as previously mentioned. The Government should regulate and provide a consistent approach to requirements for how LAs and the sector deal with complaints.</p> <p>Each LA may, via policy requirements, regulate how the trade record and action complaints and incidents received directly. There will likely be inconsistencies on how each PHO deals with complaints and how the LA monitor and review these.</p> <p>There have been improvements in terms of accessibility via digital methods from both LAs and the trade, but it needs to remain that customers without digital means can continue to make complaints and be kept up to date with the outcome.</p> <p>As previously mentioned, more needs to be done to support and protect the drivers against allegations, abuse and violence. There needs to be a mechanism accessible to drivers, be it to LAs or the Police, for them to report incidents that are then dealt with robustly.</p> <p>It should be noted that with the inconsistencies of licensing policies LAs do receive complaints about vehicles and drivers that are working in their areas but licensed elsewhere. This causes a strain on resources and LAs have limited power to take meaningful action.</p>
<p>h. How effective is the National Register for Revocations, Refusals and Suspensions (NR3S). in supporting consistent licensing decisions across local authorities? What barriers, if any, are limiting its use or impact?</p>
<p>The NR3S is an excellent and invaluable tool for obtaining information on applicants and licence holders, which may otherwise not be presented to the LA. Decision making will only be consistent however if every single LA is working to the same suitability guidance and importantly the officers/members/legal advisers must have consistency in their training and understanding on what is relevant for consideration.</p> <p>Whilst most LAs are using the NR3S there is still a requirement for each LA to pay for membership to National Anti-Fraud Network (NAFN) even if they do not use any of the other NAFN services. LAs have to pay the annual fee when there is a statutory obligation to use the register. It would be beneficial if the Government were to pay the access fee to the NR3S.</p>

i. What are the implications for taxi and PHV licensing of the future rollout of autonomous vehicles?

It is hard to say as it is still at the early stages. It is anticipated that this would affect large urban areas first for short duration journeys across towns and cities before being rolled out more widely.

If, as currently proposed in the Department for Transport (DfT) consultation, that the regulation of the vehicles is not dealt with by LAs then there are questions about who and how they will be regulated. Who will passengers complain to if they experience an issue or the vehicle breaks down? What happens to the passenger if the vehicle breaks down or is involved in an accident? If a passenger requires mobility assistance or has luggage how will that be addressed?

If rolled out widely, and there is no regulation by LAs, then there will be a loss of income and workload to the LAs which may result in job changes or ultimately losses. If drivers are no longer needed, then many people will lose their livelihoods or be forced to move to areas that still require physically driven HCVs and PHVs.

It is unclear whether autonomous vehicles would require pre-booking. Would they be able or be used as an HCV for hailing on the street or at ranks. It is also unclear how they would interact with traditional HCV/PHVs within a town scape. The Council will be considering and responding to the DfT consultation in due course.

Additional comments

LAs that have higher standards have been negatively and unfairly impacted upon by the disparate licensing landscape that is currently in place. Applicants gravitate to the LAs that have lower standards, require less training and/or are cheaper. Many applicants believe that they will be able to obtain a licence more quickly at these LAs when in fact they are being inundated by applications with delays that are weeks and months long to obtain a licence whereas if they were prepared to apply to an LA with higher standards then they may in fact get a licence more quickly.

Improvement is required on information sharing between the Police and the LAs. Any reform needs to consider how this can be addressed and specifically identify, advise and guide the Police on what information can be shared and how. The Common Law Police Disclosure (CLPD) process only works when the Disclosure is actually made to the LA. Cases do need to be looked at on their individual circumstances however the threshold for a CLPD is incredibly high and applied inconsistently across the country. It is the Council's view that the Police are often over-cautious and may lack understanding of the need for LAs to protect the public and what can be considered when making licensing decisions. This hinders LAs from making appropriate and balanced decisions to protect the public.

The DfT statutory standards state that a lack of language proficiency (written and oral) could impact upon a driver's ability to protect children and vulnerable adults from harm and exploitation or identify that exploitation may be taking place. Many drivers now use satellite navigation on journeys although some do not. Sat-Navs occasionally have issues where they have not been updated with new housing estates, roads etc and the driver requires verbal directions. In addition, drivers will often witness incidents, be involved in accidents or be carrying passengers that have an emergency whilst they are in the vehicle (e.g. they feel sick or are experiencing a medical episode). In these examples it is critical that the driver is suitably proficient in written and spoken English to ensure the safety of passengers, other road users and themselves. This is an area that requires careful

consideration as to how this can be achieved in a suitable and consistent way without disadvantaging or creating an inequality with the trade.

Any reform needs to be mindful of the variety of LA areas. What may be suitable for large cities might not be for rural authorities or those that have a mix of urban and rural localities. The balance of national and local requirements will require careful consideration.

The Council fully support this call for evidence and the recommendations of Baroness Casey of Blackstock DBE CB included within the recent National Audit and implore the Government to review and reform taxi licensing to bring about a system that is fit for purpose, can endure technological advancements and protects all of those working in, and those who use, the taxi and private hire sector.

5th September 2025

APS permitting scheme consultation – Newcastle-under-Lyme BC

This response has been submitted on behalf of Newcastle-under-Lyme Borough Council in its capacity as a licensing authority administering the taxi licensing regime. Licensing authorities are a primary stakeholder and as such any reform will impact on how the service is administered, resourced and provided.

Question 1: what guidance, if any, do you think government should provide to enable preliminary discussions between those wishing to apply for an APS permit and authorities?

Government should set out the regulatory framework for the type of business model being considered. It should include a minimum level of information/documentary evidence that applicants will be statutorily obliged to provide to consenting authorities (CAs) to enable them to make informed decisions. It should also include guidance on what CAs must consider when consulted upon any applications for APS permits. The Council agree that initial discussions between the CAs and applicants prior to the formal submission of an application would be beneficial for both parties and ensure a streamlined process.

Question 2: in your view, should we support any coordination, information sharing and best practice sharing between authorities?

Yes. There should be guidance on how CAs should share information with one another. This will be necessary to provide a consistent approach regionally/nationally. It would be of benefit to issue guidance on how neighbouring CAs should share information with one another and make determinations given the potential for journeys to cross geographical borders.

Question 3: in your view, what would you expect to see included to make the proposed guidance as useful as possible for your authority?

It must include the remit of the CA in relation to the application, including what powers are open to them and what information must be supplied/considered. It would be beneficial to explain/expand upon the implications when a CA does not consent to the granting of a permit. What recourse is open to the CA to make that decision, what information needs to be provided within the reasoning, if the CA does not provide consent, then is there a method of appeal, resubmission of the application or does the Secretary of State for Transport have the power to grant anyway.

Question 4: in your view, what information are taxi and private hire licensing authorities likely to view as useful in deciding whether to grant or refuse consent?

- *Details of the applicant;*
- *Confirmation that they have met the relevant suitability criteria;*
- *Details of the vehicles proposed to be operated (what are they, how many of them, how many passengers they will hold, how applicants will ensure customers with disabilities or additional needs can access the service and how they raise concerns if needed etc);*
- *Details of how the vehicles will be monitored and maintained, the frequency of safety checks;*
- *Is the business model similar to a Hackney Carriage or Private Hire service*
- *Are there any proposed limitations on the geographical area that the vehicles will operate within;*
- *How fares will be set and charged;*
- *What hours/days the operation is proposed to take place;*

<ul style="list-style-type: none"> - <i>What will the vehicle do/where will they go between jobs;</i> - <i>What provisions will be in place if the vehicle breaks down, is involved in a RTA etc;</i> - <i>How customers will be notified of the details of their vehicle having arrived;</i> - <i>How will service users know how to make bookings or complaints.</i>
Question 5: in your view, what information are bus franchising bodies likely to view as useful in deciding whether to grant or refuse consent?
<i>As a lower tier authority, the Council are not a bus franchising body however we expect that they will require very similar information to that of CAs.</i>
Question 6: what information would you expect to see published by permit holders on the safeguarding of passengers?
<ul style="list-style-type: none"> - <i>A named person responsible for safeguarding within the organisation that holds the permit, and their contact details (available to DVSA and CAs);</i> - <i>Details of all persons within the organisation that have undergone relevant safeguarding training;</i> - <i>The Safeguarding policy;</i> - <i>How complaints can be made, how they will be recorded and dealt with and what information sharing protocols will be in place to assist regulatory bodies with investigations.</i>
Question 7: what information would you expect to see published by permit holders on how the service was meeting the needs of older and disabled people?
<ul style="list-style-type: none"> - <i>A statement/policy on how the permit holders will meet it's duties under the Equality Act 2010 to ensure that vulnerable persons, disabled persons and/or those with protected characteristics and not disadvantaged;</i> - <i>A list of vehicles that can carry passengers in wheelchairs, or that can accommodate those with mobility aids.</i>
Question 8: what information do you think should be requested in the APS permit application process?
<ul style="list-style-type: none"> - <i>Area where a service will be provided;</i> - <i>The number and description of vehicles intended to be deployed;</i> - <i>The times of operation;</i> - <i>Details of the relevant policies e.g. safeguarding;</i> - <i>Documentary evidence (or the ability to check) appropriate insurances, vehicle data, applicant's right to work in the UK, tax status (similar to current taxi/PHV scheme)</i> - <i>The information contained in the Council's response to Question 4.</i>
Question 9: what information do you think should be requested in the APS permit renewal process?
<i>The same information as provided in the initial application with express details of any proposed changes.</i>
Question 10: what information do you think would be useful to include in any guidance to support discussions between APS permit applicants and emergency services and traffic authorities?

<i>This question would be best addressed by the relevant stakeholders.</i>
Question 11: do you agree or disagree that safety drivers or passenger assistants should be subject to the same criminal record checks and medical standards as taxis and PHV drivers and why?
<i>The Council agrees with this proposal. Public safety is of the upmost importance and criminal record checks and medical standards for any individual involved in the carrying of passengers are the minimum requirements that should be in place.</i>
Question 12: do you agree or disagree that regulations should set the maximum permit validity period at 5 years?
<i>The Council agrees with this proposal. Providing that there is a robust method for varying, suspending or withdrawing (where appropriate) the permit, a 5-year period provides the permit holder with confidence and certainty that they can continue their operation for a significant time period without the burden of additional regulation.</i>
Question 13: do you agree or disagree with our proposed approach to initially grant APS permits for a shorter validity period?
<i>The Council agrees with this proposal. An initial period of 12-18 months for pilot APS permits will allow for any issues to be identified and remedied in advance of a full permit being applied for.</i>
Question 14: do you agree or disagree with the length of the proposed APS permit renewal window?
<i>The Council agrees with this proposal. The window provides a confidence and certainty to permit holders that they will not need to cease operations due to a delay in the application process that is not within their control. In addition it will ensure that operators make applications in good time which will in itself assist speed up the administrative process.</i>
Question 15: do you agree or disagree with our proposal for an existing permit to remain valid, subject to the maximum 5-year period, where the renewal process is delayed?
<i>The Council agrees with this proposal. If the delay is not of the permit holder's doing, then this provision safeguards their position and places the emphasis on the regulators to deal with applications expeditiously.</i>
Question 16: do you agree or disagree with the proposal to not immediately charge an APS application fee?
<i>The Council disagree with this proposal although it is a matter for the stakeholder. By not charging any fee at all the Government will be subsidising these processes entirely. Whilst it is appreciated it is currently unknown as to the time and resource implications that will be required, and therefore needed recovering, the Government may wish to charge a nominal fee that at least covers some of the initial costs.</i>
Question 17: do you agree or disagree with the proposal to introduce an APS application fee in the future, following the implementation of the full act?
<i>The Council agrees with this proposal. All regulatory functions should be fully cost recovered against the relevant stakeholders.</i>
Question 18: do you agree or disagree with our proposed approach to vary, suspended or withdraw an APS permit?

<i>The Council agrees with this proposal. We are satisfied that permits could not be varied without the CAs approval.</i>
Question 19: do you agree or disagree that in ordinary cases, the Secretary of State for Transport should give the APS permit holder and consenting authority notice of an intention to vary a permit and invite representations?
<i>The Council agrees with this proposal.</i>
Question 20: do you agree or disagree that in urgent cases, the Secretary of State for Transport may suspend or make a temporary variation to an APS permit first, and then invite representations?
<i>The Council agrees with this proposal providing sufficient reasoning is given for the differentiation between an ordinary and urgent decision.</i>
Question 21: do you agree or disagree with our proposed approach to reviews of decisions made by DVSA?
<i>The Council agrees with this proposal although it would be beneficial to provide a timeframe for the DVSA to conduct the internal review after having acknowledge the request for review. There does not appear to be a timeframe contained within the draft regulations or consultation document.</i>
Question 22: do you agree or disagree with our proposed approach to information sharing?
<i>The Council agrees with this proposal</i>

‘Reforming the Licensing System’

Call For Evidence

1. Call for Evidence: Reforming the Licensing Framework

Purpose

The Government invites views and evidence to inform the development of a modern, proportionate and enabling licensing system. This call for evidence builds on the Licensing Taskforce recommendations and the Government’s response[1] and supports the Government’s commitment to reduce regulatory burdens by 25% by the end of this Parliament[2]. This Call for Evidence focuses on the ‘on trade’ in relation to alcohol sales, for example pubs, restaurants and nightclubs, and on all entertainment licensed under the Licensing Act 2003.

Who Should Respond

- Licensed businesses and trade bodies
- Local authorities and licensing officers
- Police and other enforcement agencies
- Cultural and community organisations
- Residents’ advocacy groups
- Legal, planning and regulatory professionals
- Public health organisations
- Local news publishers
- Members of the public

Introduction

The Government’s licensing reforms aim to create a modern, proportionate, and enabling system that supports economic growth, revitalizes high streets and fosters vibrant communities.

Central to this vision is reducing administrative burdens on businesses by 25% while maintaining strong safeguards for public safety, crime prevention and public health.

The current licensing system, under the Licensing Act 2003 and supported by statutory guidance, regulates activities such as the sale of alcohol, provision of entertainment and late-night refreshment. Local authorities issue licences and enforce conditions based on four licensing objectives: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm. Applications for, and variations to, licences are

assessed against these objectives. The aim of the licensing system is to support vibrant local economies while ensuring communities are safe and protected, with businesses benefiting from a fair and proportionate regulatory framework. However, as the Taskforce has said, over the years the balance of the system has shifted, with greater weight being given to public safety and crime prevention, under the statutory licensing objectives, and less of a focus on business resilience and growth.

Reform of the regime seeks to streamline outdated processes, improve consistency across local authorities and better integrate licensing with related regimes such as planning, community cohesion, tourism and cultural policy. It should promote fairness, transparency and responsiveness to local needs, while encouraging innovation and investment in hospitality, leisure, culture and night-time economies. Through mechanisms like a National Licensing Policy Framework, a licensing condition amnesty and continuing the transition towards online systems, the Government aims to make systems more effective and efficient, empowering local authorities and businesses alike. Reform will be shaped through broad stakeholder engagement, including this call for evidence.

Strategic initiatives such as zoning, promotion of tourism and growth and enhanced training for licensing officers will help ensure effective delivery.

As part of our commitment to rebalance the licensing system, as reforms are implemented we will monitor their impact on the existing licensing objectives, on local authority and police resources, on public health, and on business resilience and growth.

This call for evidence focuses on those proposals where the Taskforce indicated there is potential for the greatest benefit. Other proposals, including some Taskforce recommendations, will be considered further in due course and consulted on as appropriate.

[1] [Licensing taskforce report and government response - GOV.UK](#)

[2] [New approach to ensure regulators and regulation support growth \(HTML\) - GOV.UK](#)

5. Do you or the organisation/ business that you work for, hold an alcohol licence issued for a premises located in either England or Wales under the Licensing Act 2003? *

- Yes – the Council's Town Centres and Community (Markets) team
- No
- Don't know
- Prefer not to say

6. Have you engaged with the alcohol licensing process previously?

- Yes, as an applicant
- Yes, as a consultee/objector
- Yes, as a responsible authority

- No
- Don't know
- Prefer not to say

5. National Licensing Policy Framework

Our aim is to create a balanced licensing system that supports wider national and regional policies.

The Licensing Taskforce recommended that government "establish a National Licensing Policy Framework to harmonise licensing practices across authorities while preserving local discretion. It would align licensing with broader government goals — economic growth, cultural development and public safety — without requiring primary legislation. Delivered via licensing circulars, it would reduce regulatory burdens, improve consistency, and support fairer decision-making."

What is a National Licensing Policy Framework

The Licensing Act 2003 establishes the legal framework for alcohol, entertainment and late-night refreshment licensing in England and Wales. The statutory guidance offers detailed advice to licensing authorities on interpreting and applying the Act.

The proposed National Licensing Policy Framework (NLPF) would help deliver a balanced licensing system that reflects the original intent of the licensing framework, for example:

- giving business greater freedom and flexibility to meet customers' expectations
- greater choice for customers, including tourists, about where, when and how they spend their leisure time
encouraging more family-friendly premises where younger children can go with their families
- further development within communities of our rich culture of live music, dancing and theatre
- the regeneration of areas that need the increased investment and employment opportunities that a thriving and safe night-time economy can bring
- the necessary protection of local residents, whose lives can be blighted by disturbance and anti-social behaviour associated with some people visiting licensed premises

In addition, the NLPF will help to harmonise licensing practices across local authorities while preserving local discretion. It would sit alongside the Licensing Act 2003 and the statutory guidance, providing national direction to support consistency, transparency and alignment with broader government goals such as economic growth, enhancing cultural representation, high street resilience and improving public health and wellbeing.

The Government envisages that the overarching objective of any NLPF would be to establish a consistent, transparent, and strategically aligned licensing system that empowers local

authorities while supporting national goals for economic growth, cultural development, public safety, and community health and wellbeing.

7. Do you agree or disagree with the overarching objective of a consistent, transparent licensing system which empowers local authorities while promoting economic growth, cultural development, public safety and community wellbeing? *

- Agree
- Disagree
- Don't know
- Prefer not to say

Please explain your answer: The Licensing Objectives do not currently focus on the promotion of economic growth or the benefits of licensed premises to the business or the wider community. Given that economic growth was one of the original principles behind the implementation of the Licensing Act 2003 it would be beneficial for its consideration to be given a statutory footing.

8. Do you agree or disagree that promoting economic growth should be a statutory licensing objective alongside the existing public safety objectives?

A statutory objective is one that is defined in law and that licensing authorities are required to consider. *

- Agree
- Disagree
- Don't know – It is the Council's view that it would be better placed within the proposed NLPF
- Prefer not to say

9. Do you think that the licensing regime should treat on-trade and off-trade premises differently in any respects in order to allow the differing challenges and opportunities they pose to be addressed? *

- Yes
- No
- Don't know

- Prefer not to say

Please explain your answer: Both on and off trades already must promote responsible consumption of alcohol by way of the mandatory conditions. The main difference is where the purchased alcohol is consumed and there is already a mechanism that exists to treat each premises on it's own merits.

10. What priority themes should be included in a National Licensing Policy Framework? *

- Public safety and Crime Prevention
- Economic Growth and Reducing Business Burdens
- Culture & Community Cohesion
- Community Health and Wellbeing
- Supporting Growth, Highstreets and Night-Time Economies
- Others

List any other themes for inclusion: Public Health

11. How could the government assess whether national guidance is working effectively?

Please suggest ways we could measure if national guidance is making a positive difference.

- Growth in the size of the sector and number of businesses
- Lower rates of crime and ASB
- Lower rates of alcohol-related harm
- Fewer people appeal decisions
- Other (please tell us below)

Comment: Fewer contested applications that end up at Licensing Sub-Committee.

6. Licensing Condition Amnesty

The government's aim is to modernise and streamline licences for on-trade premises.

What is an amnesty on licensing conditions?

Most premises licences are granted indefinitely and include conditions that were considered reasonable and proportionate at the time they were added to the licence. There is an

established process for licence holders to request amendments or removal of these conditions.

Some of these conditions are treated as minor variations, small changes that do not significantly impact licensing objectives, and are typically subject to a light-touch review. However, some are treated as major variations, which are more significant changes, e.g. extending alcohol trading times, that require a more comprehensive review, equivalent to a new licence application. There is potentially some inconsistency across licensing areas as to what constitute major and minor variations and business owners are therefore reluctant to request any changes to their premises licences, including redundant licence conditions, in case it triggers a full licence review.

An amnesty would recognise that many licensing conditions—particularly those inherited from pre-2005 regimes—may no longer be relevant or proportionate and therefore the removal of which should be treated as minor variations. Importantly, an amnesty would operate within existing legislative powers and would not require new laws. The amnesty would not allow for blanket removal of conditions without review. It would focus on-trade premises (e.g. restaurants, bars, nightclubs), rather than off-trade premises (e.g. off-licences).

The government envisages a process whereby licence holders would be encouraged to prepare their proposed changes for discussion with their police licensing officer at the next scheduled premises visit or earlier by agreement. They would be able to take on board police advice on the appropriateness of the proposals and which of them may qualify as minor, before submitting their application to the licensing authority and advertising the proposed changes as required. Decisions must be made within 15 working days and the authority must approve the application unless it believes the changes could negatively impact the promotion of licensing objectives.

What are minor variations?

The Licensing Act 2003 does not define minor variations, however the following changes are not considered minor:

- Extending the duration of the licence
- Substantially altering the premises
- Adding the supply of alcohol
- Permitting alcohol sales between 11pm and 7am
- Increasing the hours during which alcohol may be sold or supplied

12. Do you agree or disagree that there should be an amnesty for licensing conditions as described above? *

- Agree
- Disagree
- Don't know – the minor variation process already exists and is used effectively to update premises licences as and when required.

- Prefer not to say

13. What would you see as the main benefits of an amnesty? [Tick all that apply]

Minor conditions are small changes that do not significantly impact licensing objectives.

- Removing minor conditions dating prior to 2005
- Removing minor conditions since 2005
- Removing non-minor conditions
- Reducing costs to businesses
- Reducing costs to consumers
- Reducing non-compliance with conditions
- Encouraging better relationships between premises and authorities
- Other
- None

If you answered 'Other' please specify: *'Non-minor' conditions are by definition not minor and removal/amendment would likely have a negative effect on the promotion the licensing objectives. Therefore, should be subject to a full variation process to allow for a rigorous consideration of any proposals.*

14. What challenges do you associate with an amnesty? [Tick all that apply]

- Costs to businesses in making applications
- Costs to local government and policing in reviewing and advising on applications
- Increased risks to public safety
- Increased risk of noise or public nuisance
- Increased risk of crime and disorder
- Challenges to protect children from harm
- Other
- None

If you answered 'Other' please specify: *Unless the amnesty focuses on 'minor' conditions, then there is likely to be a negative impact upon the promotion of the licensing objectives. The Council are not sure of the efficacy of an amnesty if the proposal is to deal with the matters as*

minor variations. That process already exists, and businesses can already benefit from this. The fee is £89.00 which is low irrespective of the size of the business.

15. It will be important to understand what counts as a minor variation when deciding what types of licence condition changes an amnesty could address. Can you provide your views? What do you think would be characteristic of a minor variation? You may give examples.

EXAMPLES

1. Minor changes to layout of a premises, including small increases in overall size of licensed area and/or movement of fixed structures etc;
2. Removal of out-of-date conditions;
3. Amendment of conditions to make them fit for purpose following a period of time, or a different business model;
4. To extend opening hours within the 'deregulated period' of 08.00hrs to 23.00hrs. E.g. a pub's premises licence allows it to be open to the public from 11.00hrs but they want to open to serve breakfasts from 08.00hrs.

7. Statutory Notice Requirements

Our aim is to look at ending the requirement for printed statutory notices for alcohol licences.

The Licensing Act requires that new premises licence applications or major changes to existing licences must be announced both in a local newspaper and on the premises. These statutory notices also apply to other local decisions, such as certain planning applications and road closures. The requirement to place statutory notices in printed local newspapers reflects the need to keep local people informed of decisions that may affect them but also provides a source of income for media companies. However, some licence applicants report significant and varying costs for advertising notices. This requirement applies to both on- and off-trade premises (e.g. both restaurants and bars, as well as retailers selling alcohol for consumption off the premises).

Local printed newspaper readership in England has steadily declined, with no daily titles and only five weekly titles circulating over 20,000 copies in 2024. The percentage of people accessing local news through print dropped from 23% to 9% over seven years. Conversely, the websites of these local news publishers reach around 37m people in the UK each month. Alcohol notices are commonly reproduced on these sites as well as in print. The industry has launched a Public Notice Portal, which provides a centralised and interactive resource for all types of statutory notice, with plans underway to incorporate public consultation functionality to help public bodies and commercial entities engage with the public more effectively.

The Government recognises that local journalism is vital in supporting accountability and providing reliable local information. With ongoing devolution efforts and concerns about online disinformation, the Department for Culture, Media and Sport is committed to supporting local journalism through a Local Media Strategy. Among other issues, this Strategy will include a

wider review of all types of statutory notice, which will also take forward final decisions on the future of alcohol licence notices.

16. Do you foresee any risks or benefits from removing the requirement to advertise alcohol licence notices in print local newspapers?

There are no risks. The benefit is that it will significantly reduce application costs to businesses.

17. What evidence do you have on the costs to business of publishing alcohol licence notices in local printed newspapers in your local area?

There is only one local newspaper in the area. As such they have a monopoly on the publication and associated costs of the notices. We are told that businesses regularly pay £400-500 **per notice**, which is the predominant cost associated with nearly every application.

18. Do you consider the costs associated with publishing statutory notices in local media are sufficiently transparent? *

- Yes
- No
- Don't know
- Prefer not to say

19. In place of publication in print local newspapers, what alternative methods of publicising this information do you consider would be most effective in ensuring effective scrutiny, transparency and public awareness of licencing activities?

- Notices displayed in the vicinity of the licensed venue
- Online local news websites and/or the online Public Notice Portal
- Council websites, newsletters or social media channels
- Other

If you answered 'Other' please specify:

8. Outdoor Trading and Pavement Licences

The government's aim is to improve and simplify the current system for outdoor trading and pavement licences, removing barriers to using outdoor space while maintaining safeguards.

The government is seeking views on how the current system for outdoor trading and pavement licences operates, and how it might be improved to better support business growth whilst maintaining public safety. The Taskforce suggested some options, including to: simplify and extend pavement licence durations (e.g. minimum two years as a rule); remove outdated COVID-related conditions; clarify that alcohol in open containers (i.e. a drink poured into a glass) in licensed outdoor areas count as on-sales; promote best practice guidance to maximize outdoor trading; support seasonal flexibility; and encourage local authorities to adopt pragmatic approaches that boost economic activity.

20. Are you answering on behalf of a business who has or has had a pavement licence or traded outdoors? *

- Yes
- No
- Don't know
- Prefer not to say

21. How long do you think pavement licences should be valid for?

Pavement licences let businesses like cafes put tables and chairs on the street. How long should these licences last before needing renewal? *

- 1 year
- 2-3 years
- 5 years
- Permanent (with occasional reviews)
- Other (please tell us below)

Comment: They should be the same as premises licences under the Licensing Act and have the facility to review when there are changes at the premises. If the premises also has a premises licence (under the Licensing Act 2003) then the Pavement Licence should need to be transferred when the licence holder changes. There should be the ability to vary/amend the pavement licence subject to reasonable consideration and a mechanism to review the licence (much like the review application within the Licensing Act 2003). However, if there is no expiry then there should be an annual maintenance fee, similarly to the Licensing Act 2003.

22. How can pavement licensing better support seasonal flexibility and temporary permissions (e.g. for music or sporting events)?

There could be non-standard timings/seasonal variations built into each licence, in a similar way to the Licensing Act 2003 to allow for seasonal flexibility. Temporary Event Notices can already be used to extend timings and/or areas for licensable activities.

23. Should alcohol in open containers (e.g. a drink poured in a glass) in pavement licence areas be treated as on-sales? *

- Yes
- No
- Don't know
- Prefer not to say

24. Is guidance necessary to support best practice in outdoor trading? *

- Yes
- No
- Don't know
- Prefer not to say

Comment: Every local authority appears to deal with pavement licences and outdoor trading differently. There needs to be more consistency to benefit economic growth and provide confidence to the trade and assist local authorities in resourcing the administration of the licensing regime.

10. Temporary Event Notices (TENs)

Our aim is to make it easier for licensed premises to give notification of temporary events.

Temporary event notices (TENs) are a light touch notification process to allow for larger events or extensions to hours at premises which already have a licence. TENs are also for unlicensed premises to host an event that involves a licensable activity, but the Government is not currently consulting on any changes to those regulations.

Licensed premises can currently apply for a maximum of 15 TENs in one year for a total period of 21 days. The limit was increased during Covid, to 20 events over 26 days. This temporary increase in the number of days has since lapsed as the emergency Covid legislation is no longer in force. We are proposing permanently to increase the limit, in order to support venues hosting community events.

25. Do you support increasing the annual maximum number of TENs per licensed premises? *

- Yes
- No
- Don't know
- Prefer not to say

26. Do you agree or disagree with increasing the annual maximum number of TENs to 20 events over 26 days (the same limit that applied during Covid)? *

- Agree
- Disagree
- Don't know
- Prefer not to say

27. What benefits or risks, if any, do you foresee if the maximum number of TENs is increased?

(Please provide examples or evidence where possible.)

The primary benefit will be to businesses/promoters to hold more events throughout the year and ensure they have the ability to be flexible within their business model. The main risk is an increase in workload for licensing authorities (and associated responsible authorities). Without an increase in the TEN fee, it would be even harder to resource within the limit capacity that LAs have.

28. Do you agree or disagree with retaining the 24 hour gap between temporary events at licensed premises? *

- Agree
- Disagree – there is no obvious benefit to retaining the limit.
- Don't know
- Prefer not to say

29. What, if any, additional safeguards or changes would be needed if the TENs entitlement were increased?

TENs would benefit from a requirement for a plan to be submitted to accompany the proposed licensable area, especially if it is not a defined building already. As mentioned above the licensing authorities are currently running at below cost recovery with the low TEN fee.

30. Do you agree or disagree that conditions placed on premises licences should automatically transfer to TENs granted to those premises?

Conditions placed on premises licences currently do not automatically apply to TENs. This question asks whether you think they should in future. *

- Agree
- Disagree
- Don't know – It is difficult to say as conditions are added to premises on a case-by-case basis and tailored to specific licensable activities taking place at specific times. TENs will be used to extend times, activities or locations and the conditions on the existing licence may not be suitable.
- Prefer not to say

11. Blanket Policies and Core Hours

The government's aim is to prevent outdated restrictions remaining on businesses indefinitely.

Blanket policies, for example establishing core opening hours, are not reflected in the Licensing Act 2003. These can be placed on premises licences indefinitely, often based on historic concerns. Under the Licensing Act, licensing authorities are required to consult and publish a Statement of Licensing Policy every five years. The statutory guidance on statements of licensing policy (chapter 14, paragraph 51) also ensures that "licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application".

Through this call for evidence the Government wants to explore the case for introducing requirements to ensure any blanket policies that restrict certain licensed activities within a specific or local authority area, are proportionate. This could include, for example, the need to undertake an assessment to ensure any blanket approach is proportionate, requirements to set timeframes for blanket policies and to monitor impact, or a requirement to review impact before terminating or extending the policy. This may include blanket policies that apply to off-trade premises as well.

31. Do you agree or disagree that blanket policies should be subject to regular review or sunset clauses? *

- Agree
- Disagree
- Don't know – The Council do not operate blanket policies on opening times and have no experience of them.
- Prefer not to say

If there were regular reviews, what timeframe would be appropriate?

Every 5 years to fall in line with the Licensing Act 2003 policy.

32. Are there any existing data or evidence sources you would recommend authorities use to assess the impact of a blanket policy before it is extended or terminated?

Currently - Police data, ASB data, complaint data from responsible authorities. In the future, public health data.

33. Does the local authority area you operate in have any special licensing policies — for example, core hours, late-night levy schemes or other locally applied conditions?

This question asks whether you live or work in an area with special licencing policies. Please tell us if any special policies apply in your local area. *

- Yes – Newcastle-under-Lyme has a Cumulative Impact Assessment (CIA) area.
- No
- Don't know
- Prefer not to say

If you answered 'yes', how has it affected your business or community?

The CIA has placed more onus applicants to ensure that they have considered the licensing objectives prior to submitting the application. It provides a 'slicker' process for ensuring that responsible authorities are engaged earlier in the process.

12. Evidence and Data Protocol

Our aim is to ensure that evidence and data needed for licence reviews and objections are objective and transparent.

We are considering developing a national protocol to standardise evidential requirements, promote mediation and clarify objection procedures. One approach, for example, would be to give licensing officers more influence in the licensing process in a similar way to planning officers. Any changes would be intended to reduce costly disputes, improve transparency and ensure decisions are proportionate and legally sound.

34. The Proximity Test. Paragraph 8.13 of the section 182 guidance states that any individual or business entitled to make representations may do so “regardless of their geographic proximity to the premises”. Should there be a requirement for individuals and businesses who make representations in favour or against a licence application to be in geographic proximity to the premises? *

- Yes
- No
- Don't know – When the Licensing Act 2003 was first implemented there was a ‘vicinity’ test, which was then removed. The Council have not found any discernible difference in the number of representations received since the amendment. As such the Council offer no strong views either way.
- Prefer not to say

35. Objections. Paragraphs 9.4 to 9.10 of the s.182 guidance seek to prevent irrelevant, vexatious or frivolous representations. Does this mechanism successfully eliminate such representations? *

- Yes – for the most part as there is officer discretion to investigate the validity of these already.
- No
- Don't know
- Prefer not to say

If you answered 'no' please comment on what more could be done to minimise such representations?

36. Improve Evidential Standards. Should there be a requirement that representations opposing a licence present the case and evidence for harms to one or more of the licensing objectives? In other words, only representations stating that there is an objection concerning the licensing objectives would count. *

- Yes – for the most part representations do mention the specific licensing objective/s to which the comments relate, and this assists in making clear the reason for the objection. However, it must be stated that the licensing objectives are preventative in nature and brand new applications and business models may not have any evidence to confirm that they will definitely be a problem. It should remain sufficient that a concerned person should be able to object providing they give appropriate reasoning.
- No
- Don't know
- Prefer not to say

37. Necessary and Proportionate Test. Should there be a test applied to examine whether licensing conditions are necessary and proportionate? *

- Yes – Licensing authorities should be applying this test already when imposing conditions via a Sub-Committee decision, or when ensuring volunteered conditions on operating schedules are fit for purpose.
- No
- Don't know
- Prefer not to say

38. Do you agree or disagree that the decisions of a licensing officer should carry greater weight with the licensing committee?

This question asks whether a licensing officer should have the status of an 'independent arbiter' whose decisions carry greater weight than those of other parties. *

- Agree – Licensing Officers are the experts in the area and act on behalf of the local authority. Officers in this authority already offer recommendations in relation to other licensing regimes, and make decisions where duly authorised.
- Disagree

- Don't know
- Prefer not to say

39. How should informal mediation and resolution be encouraged at the start of the process of making representations?

Applicants should be referred to the relevant responsible authorities prior to submitting applications. This resolves the majority of concerns; allows for a simpler consultation period and licences can be issued more quickly.

13. Festivals and Events

The government aims to support investment in festivals and community events, such as outdoor events which may include the sale of alcohol.

Licensing affects the festivals and events sectors and the government is interested to understand where there may be scope to support these sectors through a more effective, and lighter touch approach to licensing.

A key proposal raised by the Licensing Taskforce was whether to enable longer-term or perpetual licences for recurring festivals and events to support investment and planning. This call for evidence is interested in understanding views on how far any changes could foster stability and growth in the festivals and events sectors.

40. Do you support enabling longer-term or perpetual licences for recurring festivals and events? *

- Yes – this already exists. Premises licences are all perpetual unless they have specifically been restricted by the applicant. If events take place under these licences and they cause problems, then the existing review mechanism should be used.
- No
- Don't know
- Prefer not to say

41. Would evidence of a safe and successful event held in previous years be sufficient evidence in most cases for granting licence extensions for repeat events? *

- Yes
- No

- Don't know – As stated above, licences are for the most part perpetual. There should not be a need to re-apply for a new licence on a regular basis.
- Prefer not to say

42. What else could be done to help promote long term investment in, and planning of, events?

Conditions could be added, either mandatory or not, that provide those events of a specific nature (i.e. large-scale music festival with live artists) must provide notification to responsible authorities at an appropriate time in advance of the event and/or state minimum standards that are expected to be implemented into any event management plan that is created. There could also be industry guidance on what nature and size of events require the creation of a Safety Advisory Group (SAG), the timescales for doing so and the responsibilities of the relevant parties.

14. Agent of Change Principle

The Government is considering how the Agent of Change (AoC) principle is currently applied in licensing to better protect existing licensed premises (including theatres, music and sporting venues) and residents.

What is the Agent of Change Principle?

The AoC principle places the responsibility for mitigating impacts from existing noise-generating activities on any new development. For example, if a developer plans to build new homes near an existing music venue, the developer is responsible for mitigating any potential problems, e.g. installing soundproofing.

The principle is already embedded into the planning system. The National Planning Policy Framework is clear that where the operation of an existing business could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

The Licensing Act 2003 is intended to give local licensing authorities the ability to consider a variety of local factors when taking licensing decisions. While the actions of authorities are expected to promote the four statutory licensing objectives, the regime seeks to avoid a one-size-fits-all approach. It recognises that different communities face different challenges. Local licensing authorities are able to incorporate the Agent of Change principle into their statements of licensing policy if they consider it necessary or useful to do so. However we want to understand how this is currently being considered as part of licensing decisions, how effective it is, and whether it would be beneficial to strengthen this approach.

43. Should the licensing regime give greater weight to the Agent of Change principle? *

- Yes

- No
- Don't know – The onus on the Agent of Change principle is that the incoming development is responsible for suitable mitigation. Developments should be stopped in their planning phase if they have not suitably mitigated against risks of nuisance. At the heart of this is the planning framework and the need for suitable pre-assessment of proposed developments. Licensing Officers and Sub-Committees need to be aware of the principle, particularly when dealing with complaints and/or representations in order they can attach suitable weight to the concerns raised.
- Prefer not to say

15. Hospitality, Leisure & Cultural Zones

Designating zones to preserve economic and cultural activity is something that has been used successfully in the UK by local authorities, and also overseas, for example in New South Wales. The Government would like to explore how zoning might be used by local authorities in hospitality, leisure and cultural areas to help develop, preserve and manage vibrant night-time economies, while continuing to protect local communities.

The Government would therefore like to use this Call for Evidence to help inform early policy development in this area.

44. Are there recognized examples of effective practice in the UK that could contribute to the development of policy and guidance for local authorities?

Not that the Council are aware or have experience of.

45. Should there be a requirement for local authorities to consult with local businesses, enforcement agencies and local residents on the creation of zones? *

- Yes – if cultural zones are to be created the relevant stakeholders would require consultation, and their views taken into account, presumably alongside guidance or the proposed NLPF.
- No
- Don't know
- Prefer not to say

46. What existing or new licensing or planning mechanisms could be used by local authorities to develop and manage zones?

There would have to be a new licensing or planning mechanism created and would have to be balanced with Cumulative Impact Assessments (CIAs), Public Space Protection orders (PSPOs) and similar provisions. It would require suitable guidance for all stakeholders.

47. What indicators might be appropriate for local authorities to assess the impact of zones?

Types of business model, how long the premises have been conducting their activities, whether there are CIAs or PSPOs in place, if there are suitable existing transport links in place, how many of the premises fall within the standard or enhanced tiers within the Terrorism (Protection of Premises) Act 2025.

48. Are there documented cases where local authorities have effectively used planning or licensing mechanisms to influence the business mix within specific zones?

Not that the Council are aware or have experience of.

16. Impacts – crime, public health, local authorities, equality

49. Which, if any, of the Licensing Taskforce recommendations do you expect to place the most significant burden on licensing authorities' capacity and ability to fulfil their usual function? *

- National Licensing Policy Framework
- Licensing Condition Amnesty
- Remove Newspaper Advertising Requirement
- Outdoor Trading and Pavement Licences
- Increase TENs Entitlement
- Sunset Clause on Blanket Hours
- Arbitration, Evidence and Data Protocol
- Festivals and Events Licensing
- Agent of Change Principle
- None
- Don't know

- Prefer not to say

What measures would you suggest putting in place to mitigate any impact?

The fees associated with the Licensing Act 2003 **must be reviewed as a matter of urgency**, and in any event, prior to any of the large changes being proposed by the Taskforce. None of the fees have been amended in the last 20 years leaving Council's unable to fully cost recover the resource required to administer the regime. There was a recent 'informal consultation' from the Home Office to discuss fee levels, but this does not appear to have been progressed. Below is a brief list of the most common fees, what they are for, and an approximate equivalent now based on cumulative inflation rises since 2005:

- £21.00 – TENs - £43.47;
- £23.00 – Vary DPS and Transfers - £47.71;
- £37.00 – Personal Licence application - £76.59;
- £100.00 – Band A application fee – £207.00;
- £190.00 – Band B application fee – £393.00;
- £315.00 – Band C application fee – £652.05

50. In your view what impact will the proposals for reform included in this Call for Evidence have on public safety or crime? *

- Very positive
- Positive
- None
- Negative
- Very negative
- Don't know – The contents of the proposed NLPF would be key in determining what effects may result from the changes.
- Prefer not to say

51. Which, if any, of the reforms described in this Call for Evidence, in your view, pose public safety or crime concerns? *

- National Licensing Policy Framework
- Licensing Condition Amnesty
- Remove Newspaper Advertising Requirement
- Outdoor Trading and Pavement Licences
- Increase TENs Entitlement

- Sunset Clause on Blanket Hours
- Arbitration, Evidence and Data Protocol
- Festivals and Events Licensing
- Agent of Change Principle
- None
- Don't know
- Prefer not to say

Why do you think this?

Cultural zones would likely bring in large number of the public. Where there are large groups of people in a relatively confined area there is an increased risk of crime such as thefts and assaults occurring and being a target for terrorist or mass casualty incidents.

52. In your view what impact will the proposals for reform included in this Call for Evidence have on public health? *

- Very Positive
- Positive
- None – unless the proposed NLPF specifically deals with Public Health and it's involvement within the regime.
- Negative
- Very Negative
- Don't Know
- Prefer not to say

53. Which, if any, of the reforms described in this Call for Evidence, in your view, pose public health concerns. *

- National Licensing Policy Framework
- Licensing Condition Amnesty
- Remove Newspaper Advertising Requirement
- Outdoor Trading and Pavement Licenses
- Increase TENs Entitlement
- Sunset Clause on Blanket Hours
- Arbitration, Evidence and Data Protocol

- Festivals and Event Licensing
- Agent of Change Principle
- None
- Don't know - The contents of the proposed NLPF would be key in determining what effects may result from the changes.
- Prefer not to say

Why do you think this?

54. In reforming the licensing system to promote economic benefits, what measures can be taken to promote public health?

Reviews can be undertaken of Minimum Unit Pricing (MUP) introduced in Wales and Scotland to assess the benefits that has had on public health.

55. Does this call for evidence raise any equalities concerns such as disproportionate impacts on particular demographic groups? *

- Yes
- No
- Don't Know
- Prefer not to say

Why do you think this?

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Call for evidence questions

About you

In what capacity are you responding to this survey?

- An individual sharing my personal views and experiences
- An individual sharing my professional views
- On behalf of an organisation

Do you have any direct or indirect links to, or receive funding from, the tobacco industry?

- Yes
- No

What is the main area of focus of your work?

- Academic
- Advocacy
- Distribution
- Education
- Emergency services
- Enforcement agencies
- Healthcare
- Justice system
- Legal
- Local government
- National government
- Production or manufacturing
- Retail
- Social care
- Wholesale

Questions for organisations and those sharing their professional views

Do you work for, or are you providing views on behalf of, any of the following?

Select all that apply.

- Manufacturer or producer of a tobacco product
- Manufacturer or producer of a vape or nicotine product
- Importer of a tobacco product
- Importer of a vape or nicotine product
- Distributor of a tobacco product
- Distributor of a vape or nicotine product
- Retailer of a tobacco product
- Retailer of a vape or nicotine product
- None of the above

Where does your organisation operate or provide services? (Optional)

Select all that apply.

- England
- Wales
- Scotland
- Northern Ireland
- The whole of the UK
- Outside the UK
- Online

What is the size of your organisation? (Optional)

- Small (0 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more employees)

What is the name of your organisation? (Optional)

Newcastle-under-Lyme Borough Council

Vape and nicotine flavours and ingredients

We are seeking evidence on ingredients and substances within vaping and nicotine products. We are particularly interested in evidence on:

- ingredients used to create flavours (and emissions from these ingredients)
- the presence of heavy metals
- nicotine limits

Do you have evidence to provide on flavours, ingredients and substances, nicotine limits or heavy metals within vaping and nicotine products?

- Yes
- No

If you select 'no' you will go straight to the next section of the call for evidence on tobacco flavours and accessories.

Flavours in vapes and nicotine products

~~Please provide evidence on how vape flavours are currently created. For example, the number of different substances typically used to create a flavour or the strength of such substances. (Optional, maximum 500 words)~~

~~Please provide evidence of any flavours, ingredients or substances within vapes or nicotine products that could pose health risks and that we should consider when developing regulations. For example, risks associated with regulators, binders and sweeteners. (Optional, maximum 500 words)~~

~~Please provide evidence on what gives vape liquid a colour, and what risks there might be by restricting vape liquid to a clear colour. (Optional, maximum 500 words)~~

~~Please provide evidence of effective strategies and methods to limit the flavours in vapes and nicotine products. (Optional, maximum 500 words)~~

~~Please provide evidence on the presence of heavy metals in vape liquids and nicotine products and any associated risks. (Optional, maximum 500 words)~~

Nicotine

~~We are seeking to better understand the nicotine content and absorption rates in nicotine products, such as nicotine pouches, including the risks and benefits which may occur at specific strengths.~~

~~Please provide evidence on how nicotine or other substances in nicotine products are absorbed by the user. You may wish to consider the risks and benefits of the amount of nicotine absorbed and the speed at which it is absorbed. (Optional, maximum 500 words)~~

~~Please provide evidence or information on the impacts on businesses from having to adjust manufacturing or operating practices to meet new regulatory changes, such as those set out in this section of the call for evidence document. (Optional, maximum 500 words)~~

~~Please provide evidence on whether the limits on nicotine levels in nicotine vapes should be re-assessed, or if the current maximum limit of 20mg per ml is sufficient. (Optional, maximum 500 words)~~

~~If you have any other evidence on flavours, ingredients or emissions for vaping products and nicotine products, please include it here. For example, you may wish to consider the risks to oral health when using nicotine pouches. (Optional, maximum 500 words)~~

Tobacco flavours and accessories

We are seeking evidence to better understand the impact that flavoured tobacco products and accessories have on tobacco consumption. We are also seeking evidence on whether introducing or amending legislation is necessary.

Do you have evidence to provide on tobacco flavourings or tobacco accessories?

- Yes
- No

If you select 'no' you will go straight to the next section of the call for evidence on vapes.

~~Please provide evidence on the effectiveness of banning characterising flavours for cigarettes and hand-rolled tobacco on reducing tobacco consumption. (Optional, maximum 500 words)~~

~~Please provide evidence on the use of ingredients that give cigarettes or hand-rolled tobacco a particular flavour or sensation. (Optional, maximum 500 words)~~

~~Please provide evidence on how the use of flavours for other tobacco products (such as heated tobacco, shisha or chewing tobacco) impacts tobacco consumption. (Optional, maximum 500 words)~~

~~Please provide evidence on the use of ingredients that give other tobacco products (such as heated tobacco, shisha or chewing tobacco) a particular flavour or sensation. (Optional, maximum 500 words)~~

~~Please provide evidence on how the use of flavoured tobacco accessories (for example crush balls and flavoured filters) impacts tobacco consumption. (Optional, maximum 500 words)~~

~~Please provide evidence or information on the impacts on businesses from having to adjust manufacturing or operating practices to meet new regulatory changes, such~~

~~as those set out in this section of the call for evidence document. (Optional, maximum 500 words)~~

~~If you have any other evidence on tobacco flavours or flavoured accessories, please include it here. (Optional, maximum 500 words)~~

Vapes

We are seeking to limit features of vapes to reduce the appeal to children and young people. In particular, we are interested in:

- the role that a device's size and shape plays in the appeal of vaping to young audiences
- the role that digital screens should have in vapes
- the effectiveness of child resistant measures on vapes

Do you have evidence to provide on vapes?

- Yes
- No

If you select 'no' you will go straight to the next section of the call for evidence on heated tobacco devices.

~~Size and shape~~

~~We are interested in any evidence relating to the size and shape of vapes, including:~~

- ~~• how different vape sizes and/or shapes appeal to young people~~
- ~~• the potential benefits of introducing maximum or minimum size limits~~
- ~~• the potential benefits of standardising size and/or shapes~~

~~If you have any evidence relating to the size and shape of vapes, please include it here. (Optional, maximum 500 words)~~

~~Tank sizes~~

~~We are interested in evidence relating to vape tank sizes, including:~~

- ~~• the effectiveness of current limits (2ml for a device tank and 10ml for a refill tank)~~
- ~~• the optimal capacity for a vape tank~~
- ~~• the benefits and risks of connecting vape refill tanks to the device~~
- ~~• how many refill tanks should be connected to a device at one time~~

~~If you have any evidence on vape tank sizes, please include it here. (Optional, maximum 500 words)~~

Digital screens

~~Please provide evidence on the role of digital screens on vapes. For example, whether there may be benefits or harms, and whether there is a need to place limits on the use of digital screens. (Optional, maximum 500 words)~~

~~Requirement to be child resistant~~

~~Please provide evidence on the effectiveness of child resistant measures on vapes. (Optional, maximum 500 words)~~

~~Any other evidence~~

~~Please provide evidence on other elements of a vape that the government should consider regulating and why. (Optional, maximum 500 words)~~

Heated tobacco devices

We are interested in evidence relating to heated tobacco devices. In particular, we are interested in:

- evidence relating to the size and shape of heated tobacco devices
- the role that digital screens should have in heated tobacco devices
- the effectiveness of child resistant measures on heated tobacco devices

Do you have evidence to provide on heated tobacco devices?

- Yes
- No

If you select 'no' you will go straight to the next section of the call for evidence on licensing.

~~Size and shape~~

~~We are interested in any evidence relating to the size and shape of heated tobacco devices, including:~~

- ~~• how different heated tobacco device sizes and/or shapes appeal to people~~
- ~~• the potential benefits of introducing maximum or minimum size limits~~
- ~~• the potential benefits of standardising size and/or shapes~~

~~If you have any evidence relating to the size and shape of heated tobacco devices, please include it here. (Optional, maximum 500 words)~~

~~Digital screens~~

~~Please provide evidence on the role of digital screens on heated tobacco devices. For example, whether there may be benefits or harms, and whether there is a need to place limits on the use of digital screens. (Optional, maximum 500 words)~~

~~Requirement to be child resistant~~

~~Please provide evidence on child resistant measures on heated tobacco devices and whether there would be a benefit to mandating specific child resistant measures. (Optional, maximum 500 words)~~

~~Any other evidence~~

~~Please provide evidence on other elements of a heated tobacco device that the government should consider regulating and why. (Optional, maximum 500 words)~~

~~If you have any other evidence on heated tobacco devices, please provide it here. (Optional, maximum 500 words)~~

Licensing

We are seeking evidence on the implementation of a licensing scheme. The feedback provided in this call for evidence will inform a subsequent consultation on the proposed design of the licensing scheme.

Do you have evidence or views to provide on retail licensing?

- Yes
- No

If you select 'no' you will go straight to the section on product registration.

Licensing scheme objectives

We want to ensure that only responsible retailers who do not pose any undue public health or crime risk will be able to have a tobacco and vape licence and sell products to the public. So, we propose that the overarching objectives for the licensing scheme are to:

- protect public health - to ensure that retailers and their practices are not posing any undue or excessive risk to the health of the public
- prevent crime - to ensure that retailers do not pose any undue crime risk and that only law-abiding retailers can sell these products to the public

Do you agree or disagree with the proposed licensing scheme objectives?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. (Optional, maximum 500 words)

Smoking costs the NHS £2.4 billion every year (Khan report, 2022) and is the leading cause of health inequalities between the most and least affluent communities (DHSC, 2025). In the UK in 2019 there were an estimated 74,600 deaths attributable to smoking. The Government must do more to protect public health.

Illegal Tobacco and Vapes, whether they be non-duty paid or illicit goods form a large part of organised crime gangs who seek to profit from illegal and dangerous goods entering the market, with no thought as to the implications on people's livelihoods or their health.

Decision making

What factors should be taken into consideration when making decisions on the granting of a premises licence? In your answer you may want to consider factors such as the location and density of retailers and whether businesses are fixed or mobile, as well as any other factors you consider relevant. (Optional, maximum 500 words)

- The location of the premises (i.e. is it close to a school, smoking cessation centre or other premises where smoking and vaping may not be compatible with the purpose of that organisation);
- The density of premises. Town centres are currently being flooded with vape shops, many are in low socio-economic areas of deprivation who are the hardest hit in terms of health inequalities;
- Fixed or mobile premises. There would need to be suitable mandatory conditions in place to address age verification, limits to goods being purchased by consumers, limits to where products can be purchased from wholesale etc;
- The applications should be advertised at the premises and online for a set period to allow for representations to be made;
- There should be responsible authorities, in the same way as there are in Licensing Act 2003 (LA03). As a minimum these should include the relevant Police Force, Trading Standards Department, local Public Health Department and the Home Office (in respect of right to work).

What factors should be taken into consideration when making decisions on the granting of a personal licence? (Optional, maximum 500 words)

- The individual's right to work in the UK (same as LA03 or taxi drivers);
- The individual's tax status (same as taxi drivers);
- Relevant Conviction history (same as LA03 or taxi drivers). There should be a schedule of relevant convictions, such as Schedule 4 LA03;
- Whether they have ever had a licence (premises or personal) revoked or suspended previously;
- Their age (18 or over);
- Their knowledge/experience (i.e. have they passed a relevant qualification and/or been involved in the trade for a set time)
- As far as possible the licensing regime for personal licences should mirror and build on the scheme under the LA03.

Should factors affecting decisions on the granting of licences be shaped by local priorities or nationally set criteria, or both? In your answer, please provide examples of criteria that you believe should be set at a national level and any criteria which should be left to local decision making. (Optional, maximum 500 words)

Both local priorities and national criteria. Density of premises could be set at a local level, as could conditions consistent with an operating schedule. Nationally set criteria could include mandatory conditions for all premises, and detailed statutory guidance for all parties to understand their roles and responsibilities within the regime.

How should licensing authorities reach decisions about whether to grant a licence? In your answer you may want to consider what structures (such as committees) are needed to make decisions, as well as the extent to which interested parties should be engaged in the process. Please explain your answer with reference to the operation of existing licensing schemes. (Optional, maximum 500 words)

As stated previously there should be responsible authorities in the same vein as the LA03. Interested parties/other persons should also be able to make representations on the effect of the application on the licensing objectives. The Sub-Committee system under the LA03 works very well for coming to proportionate and reasoned decisions. This could simply be mirrored for Tobacco and Vapes. There also needs to be a mechanism to review/suspend/revoke personal and premises licences should there be evidence to do so.

The validity of representations made to minor variation applications under LA03 are delegated to officers and this works very well. In taxi licensing all LAs deal with decision making and delegations slightly differently. It may be that where a specific criterion is met (e.g. a premises had sold illegal/illicit tobacco or vapes twice in 6 months) those decisions could be delegated to officers.

If there are any other factors that should be considered in the administration of the licensing scheme, please outline them here. In your answer, you may want to consider transparency of decision-making, requirements to publish information and the process for appealing decisions. (Optional, maximum 500 words)

- Applications should be published online to be viewed;
- There should be clear timescales for application to be determined and set of criteria that is required for an application to be complete.
- Decisions taken should be published or publicly accessible;
- If there is the requirement for LAs to publish a policy then there should be a statutory framework that supports the method, consultees and what is to be included;
- It should be clear how appeals can be made and the result of any decision pending appeal;
- There should be clear statutory guidance for all parties (like the s182 LA03 guidance);
- There needs to be the ability to transfer and vary premises;
- There should be a publicly accessible register containing all personal and premises licence in the country.

Licensing conditions

Please outline any examples of licensing conditions which you believe could be imposed on a premises licence to support the objectives of the scheme. (Optional, maximum 500 words)

- The relevant person (e.g. personal licence holder, or DPS equivalent) must maintain written records for 12 months that evidence where and when the relevant goods (those being captured under the statutory definitions) were purchased and the price paid. These records must be kept on the premises at all times and provided immediately upon request to authorised officers.
- The relevant person must train staff, either personally or through an accredited provider, in respect of their duties to verify the age of customers attempting to purchase age-restricted relevant goods. They must maintain written records for 12 months of this training and its contents, sign and date to confirm the training was administered and these records must be kept on the premises at all times and provided immediately upon request to authorised officers;
- The staff training must be completed every 6 months;
- There must be signage displayed prominently within the premises at all times, that details the minimum age of an individual before they can purchase a relevant product;
- There must be signage displayed prominently within the premises at all times, that details the health risks associated with the relevant products;
- There must be at the premises at all times information available to customers that signpost to the benefits of smoking cessation and where support can be found.

Please outline any examples of licensing conditions which you believe could be imposed on a personal licence to support the objectives of the scheme. (Optional, maximum 500 words)

- The holder of this licence must notify their Licensing Authority in writing within 72 hours if they have received a relevant conviction (as detailed in a schedule of relevant offences);
- The holder of this licence must notify their Licensing Authority in writing within 72 hours if they have changed their residential address and return the licence to the licensing authority to allow it to be updated.

Please provide your views on which licensing conditions could be determined by local councils, and which conditions should be mandatory for all licence holders. (Optional, maximum 500 words)

- Local – the requirement for CCTV and anything physical that relates specifically to that premises;
- Mandatory – training requirements, signage requirements, notification periods, age verification requirements, no irresponsible promotions.

Licensing fees

What is an appropriate fee structure for premises licences and why is this the case? In your answer, you may want to consider fees paid in existing schemes, and/or whether fees should vary depending on the type of retailer or other characteristics, such as the size of the business and the products they sell.
(Optional, maximum 500 words)

The fee structure should be simple to follow but adequately recover the costs to the Licensing Authority for administering the regime. The banding system with the LA03 fee structure is simple, if multipliers are removed. The LA03 fees are based on the size, type and structure of the premises which seems a proportionate and fair approach. Many of the premises that sell tobaccos and vapes already sell alcohol so keeping a similar framework would be beneficial. However, any fees set **MUST** keep pace with inflation, or at the very least be reviewed annually/regularly to ensure they are no longer cover authority costs which is the case within the LA03 fees.

What is an appropriate fee structure for personal licences and why is this the case? In your answer, you may want to consider fees paid in existing schemes.
(Optional, maximum 500 words)

The LA03 fee structure works well with fixed fees for new applications and any amendments. However, any fees set **MUST** keep pace with inflation, or at the very least be reviewed annually/regularly to ensure they are no longer cover authority costs which is the case within the LA03 fees.

Please provide your views on whether fees should be set at a national or local level. In your answer, you may want to refer to the operation of existing schemes.
(Optional, maximum 500 words)

There are benefits to both national and locally set fees. Nationally set fees promote consistency for trade organisation and applicants, however it then requires regular review from Central Government to amend fees. Locally set fees allow LAs to ensure they recover their costs adequately for administering the licensing regime, however this may lead to 'licence shopping' which is prevalent in taxi licensing and mean that some retailers may look elsewhere for their business and remove the opportunity for economic growth in an area or conversely lead to areas being saturated with the same type of premises. On the balance, if the fees were to be reviewed regularly or increased in line with inflation, then nationally set fees would be the preferred method.

Duration and renewal of licences

How long should a licence be granted for? In your answer, please consider both personal and premises licences. (Optional, maximum 500 words)

Both premises and personal licences should be perpetual, subject to being suspended/revoked/withdrawn or lapsing due to an individual's right to work status.

How should the renewal of licences be managed? Please consider the renewal of both personal and premises licences. You may also want to refer to the operation of existing schemes. (Optional, maximum 500 words)

They should not be renewed, but there should be schemes to transfer and vary premises licences and requirements to notify relevant bodies of changes to right to work status, conviction history, address etc.

Online sales licensing

How should a retail licensing scheme be administered for online retailers and compliance monitored? In your answer, you may want to consider whether the approach taken should differ from the approach for physical premises, and/or refer to the operation of existing schemes. (Optional, maximum 500 words)

Online retailing is wide ranging. With respect to alcohol there are companies set up expressly to offer an online retail service. These are dealt with under LA03 in a very similar way to physical premises and that works. Problems tend to occur when the age-restricted products (alcohol, knives, tobacco etc) form part of a greater network chain, or are only a small part of the retail offering, and they have different methods of storing, dispatching and delivering those products. These should be clearly legislated for and guidance produced, and this should cover where should be licensed, at what stage does the 'sale by retail' take place, whose responsibility is it that age-verification takes place upon sale and upon delivery/collection. The licensing scheme should be the same, but the regulations and guidance need to ensure they cover all current business models and future proof against new methodologies and technologies that may enter the market.

Exemptions from licensing

Please provide evidence of any exemptions which you believe are necessary as part of the retail licensing scheme. (Optional, maximum 500 words)

Whilst not aware of anything of this nature, if there were a medicinal product, only available via prescription then this may be exempt from licensing requirements as it would have already been regulated under other regulatory regimes.

Implementing a licensing scheme

How can the licensing scheme be implemented effectively? In your answer, you may want to consider the application process for existing retailers during the implementation of the scheme and whether it should differ from applications after the scheme has been implemented. (Optional, maximum 500 words)

It depends on the framework. There could be transitional periods for existing premises.

Where a premises currently holds a premises licence under LA03 and already sells Tobacco and/or Vape (T&V) products then it may be possible to either incorporate that as a licensable activity with the LA03 and add it to the licence. Or if there is to be a standalone licence for T&V products then if there is an existing LA03 premises licence then that could perhaps be used to fast track the T&V premises licence

application. These would benefit from relevant mandatory conditions and be able to continue trading T&V products throughout.

Where there is an existing T&V retailer, but they do not hold a LA03 premises licence then this would require a new application with full criteria to be met prior to consideration, however they should be able to continue trading T&V products throughout until determination.

After the scheme goes live then all new T&V retailers should have to go through the whole process and not be able to sell T&V products until a licence is granted. These applications would be subject to conditions on an operating schedule set on a case-by-case basis.

How long is required to implement the licensing scheme? In your answer, please consider the time required, following the introduction of regulations, to set up the scheme as well as the time required for applications to be processed. (Optional, maximum 500 words)

This will require a considerable amount of time and resource on the part of the licensing authority. It will require officer and Member training, back office system creation and amendments, checking the validity and documents of all applications, checking of public notices, assessing any representations, holding sub-committees, arranging legal officers. It is reported that there are circa 60,000 premises in England that will require a licence, not to mention the many thousands of personal licences that will need to be applied for, reviewed and granted. As a minimum it is suggested that there should be an initial 12 month period, however this is dependent on clear Regulations and Statutory guidance being available **suitably in advance** of and scheme coming into force.

If there is anything else that should be considered in the implementation of the scheme, please outline it here. In your answer, you may want to consider any support retailers and local councils will require to effectively implement the scheme. (Optional, maximum 500 words)

The regulations and guidance need to be published as early as possible. They need to be clear in the timeframes and expectations of licensing authorities. There needs to be considerable thought given to enforcement powers, who will be authorised to undertake them, and whether the associated costs can be recovered through fees.

Impact of a licensing scheme

Please provide evidence of the impacts on retailers or any other businesses of implementing a licensing scheme. In your answer, you may want to consider any relevant evidence from the implementation of existing licensing schemes for other products and relevant international examples. (Optional, maximum 500 words)

There will be financial impacts from licensing fees, legal or expert assistance/representation, costs associated to meeting local/national conditions and requirements. Where premises hold licences that generally becomes public information which may concern some retailers or individuals. Depending on the

content of the framework it may be possible that some existing retailers do not meet the local/national requirements and have to cease the T&V element of their business.

Please provide evidence of potential public health benefits as a result of implementing a licensing scheme. In your answer, you may want to consider any relevant evidence from the implementation of existing licensing schemes for other products and relevant international examples. (Optional, maximum 500 words)

The introduction of a scheme may reduce the number of retail premises that sell T&V products. This may mean that individuals may find it more difficult to obtain T&V products and as a result remove the negative health impacts associated with smoking. It may also mean that T&V products may increase in price making it less affordable to purchase the products.

Please provide any additional evidence or views on the development of a retail licensing scheme, providing a clear rationale for any views that you offer. (Optional, maximum 500 words)

Licensing authorities already successfully administer a licensing regime for alcohol, regulated entertainment and late-night refreshment under the LA03. There is a wealth of experience within licensing authorities in this respect. To simplify and reduce the burden on the trade and licensing authorities it would be beneficial to mirror the LA03, or even integrate T&V into the LA03, so that it is encompassed within a similar or 'single' regime'.

Product registration

We are clear that we need a different process to ensure that products are safe and comply with our regulations. This call for evidence seeks further detail on the existing notification schemes and where registration will go further than current notification requirements. We welcome views from interested parties on implementing such a scheme.

This will inform the development of policy proposals, which we will consult on in due course.

Please note that this section is not seeking evidence on the retail registers in Scotland and Northern Ireland.

Do you have evidence or views to provide on product registration?

- Yes
- No

If you select 'no' you will go straight to the end of the survey.

~~Please provide evidence on the effectiveness or ineffectiveness of the current notification system for tobacco and herbal smoking products. (Optional, maximum 500 words)~~

~~Please provide evidence on the effectiveness or ineffectiveness of the current notification system for nicotine vaping products. (Optional, maximum 500 words)~~

~~Please provide evidence of any product registration schemes and their advantages and disadvantages. These could be international or other UK government schemes. (Optional, maximum 500 words)~~

Products in scope

~~We are interested in evidence on the UK market for the following products, and any impacts of requiring registration of these products:~~

- ~~• nicotine products (including nicotine pouches, nicotine gum, nicotine strips and nicotine pearls)~~
- ~~• non-nicotine vaping products~~
- ~~• cigarette papers~~
- ~~• tobacco-related devices (such as heated tobacco devices)~~

~~Evidence may include size of the market, pricing structures and information on consumer or market trends.~~

~~If you have any evidence on the market for the products in scope, please provide it here, specifying which product or products you are referring to. (Optional, maximum 500 words)~~

~~Please provide evidence of the supply chain for the products in scope. This includes how they are imported to the UK, who imports them and how they are distributed. (Optional, maximum 500 words)~~

Information requirements

~~The bill specifies that the regulations may require the following information as part of a product's registration:~~

- ~~• the reasons for an ingredient's inclusion in the product~~
- ~~• images (for example, an image of the product or its label or packaging)~~
- ~~• information relevant to any risks or suspected risks to human health or safety posed by the product~~
- ~~• information about substances released into the body of a person using the product or about the emissions released by the product~~
- ~~• information about the producer's operations~~
- ~~• information about any individual nominated by the producer in accordance with regulations under clause 97 (responsible person)~~

If there is any other information not listed above that should be required before a product can be registered, please outline it here and explain why this is the case. (Optional, maximum 500 words)

Product standards and testing requirements

Please provide evidence on existing testing regimes and their effectiveness and any testing standards which are used in relation to the products in scope. (Optional, maximum 500 words)

Please provide evidence on the most effective point in a product's route to market for testing to be conducted. For example, before registration. (Optional, maximum 500 words)

Please provide evidence on the business impacts of enhanced testing requirements for these products. (Optional, maximum 500 words)

Responsible person

Please provide evidence of existing schemes where a 'responsible person' can be nominated to submit information on behalf of an organisation, and their effectiveness. Please also provide any information relating to rules around who is allowed to submit information. (Optional, maximum 500 words)

Notification scheme fees

Under the existing notification schemes, producers or manufacturers must pay a fee or fees as part of the notification process. For tobacco products, these fees vary depending on the product. The fees for a cigarette are:

- £200 for a new notification
- £200 for a substantial modification of an existing product
- an annual reporting fee of £100

Cigarettes are also subject to a testing fee of £1,000, or £167 multiplied by the number of samples required in the period if there were 5 or fewer.

The Medicines and Healthcare products Regulatory Agency charges £150 for notification of a nicotine vape.

What fees should be charged for registration and testing of a product? You may refer to the fee regimes for the existing notification systems as a basis. Please provide rationale and any supporting evidence. (Optional, maximum 500 words)

Please provide evidence on the potential business impacts of requiring fees for registration of nicotine products and non-nicotine vaping products. (Optional, maximum 500 words)

Impact on businesses

Please provide evidence of the impacts on business (such as producers and importers) from adapting to new registration and reporting requirements as established through the Tobacco and Vapes Bill. (Optional, maximum 500 words)

Enforcement

How effective or ineffective is the current enforcement regime for ensuring that only notified products are sold in Great Britain and Northern Ireland? (Optional)

- ☐ Very effective
- ☐ Somewhat effective
- ☐ Somewhat ineffective
- ☐ Very ineffective
- ☐ Don't know

Please provide any evidence to support your view and any recommendations on how enforcement could be improved in the future. For example, on things like sale of unregistered products. (Optional, maximum 500 words)

Please provide evidence or views on eligibility criteria for registration, including criteria for cancellation or suspension of a registration. (Optional, maximum 500 words)

Please provide any additional evidence or views on future registration powers, providing a clear rationale for any views that you offer. (Optional, maximum 500 words)

File upload

In this section, you'll be able to provide any additional evidence or submit any files. A maximum of 10 pages in a Word document or PDF will be considered. (Optional)

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S REPORT TO LICENSING AND PUBLIC PROTECTION COMMITTEE

13 January 2026

Report Title: Private Hire & Hackney Carriage Fees & Charges 2026/2027

Submitted by: Service Director - Regulatory Services & Licensing Lead Officer

Portfolios: Finance, Town Centre & Growth

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
To request that Public Protection Committee considers the proposed taxi and private hire fees, following consultation, as referred to in the report.			
<u>Recommendation</u> That Public Protection Committee approves the proposed taxi and private hire fees for 2026/27.			
<u>Reasons</u> Decisions relating to the setting of non-statutory fees and charges for taxi licensing have been delegated from Council to the Public Protection Committee.			

1. **Background**

- 1.1 The approval of certain fees and charges relating to the licensing of private hire and hackney carriage licensing regimes are council functions.
- 1.2 Council at their meeting on 22nd February 2017 delegated this function to Public Protection Committee.

2. **Issues**

- 2.1 A report was presented to Public Protection Committee on 8th October 2025 in respect of the proposed fees and charges for Private Hire and Hackney carriage driver, vehicle and operator fees and charges for 2026/27. The committee discussed the proposed fees and charges and recommended that they should be advertised, and a period of consultation undertaken in accordance with the requirements of the Local Government (Miscellaneous Provisions) Act 1976 before being determined.
- 2.2 The advertisement was placed in the Sentinel newspaper on 16th October 2025 and a copy placed at Castle House. The consultation period ran from 16th October 2025 to 12th November 2025. A copy of the consultation paperwork was emailed to all licence holders and trade representatives on 17th October 2025 including private hire operators, vehicle hire companies, and the hackney carriage trade association.
- 2.3 There were no responses received from any party during the consultation period.
- 2.4 The rows in the table below that are in bold font are externally set; the Council has no authority in relation to the setting of them.

- 2.5** With the majority of fees there is a proposal for a slight increase in real terms that reflects a small monetary increase on a low fee (e.g. replacement of an internal plate increasing from £8.00 to £9.00, a 12.50% increase). It should be noted that the Council are proposing to reduce the private hire operator application fee and retain the current driver application fee. This is down to a balance of the increase in Council costs and efficiencies realised as part of the One Council project.
- 2.6** There is a proposal to decrease the taxi knowledge test fee. This is due to the previous fees having included the costs of the testing and security software. The test has now been moved to an internal programme and as such the Council are now longer paying for external software.
- 2.7** The proposed fees and charges for 2026-27 are:

a	b	c	d	e
Private Hire/Hackney Carriage (subject to consultation)	Fee/Charge 2025-26 (£)	Proposed Fee/Charge 2026-27 (£)	Actual change (£)	% Change
<u>OPERATORS</u>				
PHO Application fee	£330.00	£319.00	£11.00	-3.33%
Add/Remove Director	£46.00	£49.00	£3.00	6.52%
Copy/Replacement Licence	£8.00	£9.00	£1.00	12.50%
Basic DBS	£18.00	£21.50	£3.50	19.44%
Director/Licence holder - Change of home address	£18.00	£19.00	£1.00	5.56%
Exemption Request	£51.00	£54.00	£3.00	5.88%
<u>DRIVERS</u>				
Dual Driver Badge - 3 years	£261.00	£261.00	£0.00	0.00%
Change of address	£18.00	£19.00	£1.00	5.56%
Replacement badge (vehicle or driver copy)	£16.00	£17.00	£1.00	6.25%
Reissue/replacement badge (with amended details)	£33.00	£34.00	£1.00	3.03%
DBS (CRB check)	£38.00	£49.50	£11.50	30.26%
DBS (CRB check) online	£64.34	£75.84	£11.50	17.87%
Exemption certificates	£16.00	£17.00	£1.00	6.25%
Knowledge test	£13.00	£11.00	£2.00	-15.38%
Fail to attend Knowledge Test	£13.00	£11.00	£2.00	-15.38%
Change of Name	£22.00	£23.00	£1.00	4.55%
DE Training replacement cert	£0.00	£0.00	£0.00	0.00%
Copy of Paper Licence	£8.00	£9.00	£1.00	12.50%
Disability & Safeguarding Training	£40+VAT	£48.00	£0.00	0.00%
Exemption Request	£51.00	£54.00	£3.00	5.88%
Application Support appointment	£18.00	£19.00	£1.00	5.56%
<u>VEHICLES</u>				
HCV application fee	£193.00	£202.00	£9.00	4.66%
PHV application fee	£182.00	£188.00	£6.00	3.30%
Transfer of vehicle	£46.00	£49.00	£3.00	6.52%

Change of vehicle registration	£54.00	£56.00	£2.00	3.70%
Failure to attend for vehicle test	£76.00	£84.00	£8.00	10.53%
Retest	£32.00	£35.00	£3.00	9.38%
Replacement plate carrier – front	£11.00	£12.00	£1.00	9.09%
Replacement plate carrier – rear	£14.00	£14.00	£0.00	0.00%
Replacement vehicle plate - front	£9.00	£10.00	£1.00	11.11%
Replacement vehicle plate - rear	£13.00	£13.00	£0.00	0.00%
Replacement vehicle sticker signage	£6.00	£7.00	£1.00	16.67%
Copy of paper part of licence	£8.00	£9.00	£1.00	12.50%
Change of Vehicle Colour	£54.00	£56.00	£2.00	3.70%
HCV/PHV safety test	£82.00	£85.00	£3.00	3.66%
Basic DBS	£18.00	£21.50	£3.50	19.44%
Change of Name/Address	£46.00	£49.00	£3.00	6.52%
Spot check	£23.00	£24.00	£1.00	4.35%
Replacement Internal Plate	£8.00	£9.00	£1.00	12.50%
Exemption Request	£51.00	£54.00	£3.00	5.88%
PHV change of base	£18.00	£19.00	£1.00	5.56%
Copy of HCV Tariff sheet	£3.00	£3.00	£0.00	0.00%

- 2.8** The Disclosure and Barring Service fee for Enhanced levels checks are set independently of the Council and apply nationally. These fees did not form part of the consultation. The Council use an external body for conducting Enhanced DBS checks who charge an administrative fee for their service. The current breakdown is included in the table below:

Enhanced DBS	£49.50
Admin fee plus vat	£24.00
Ebulk fee plus vat	£2.34
Total	£75.84

3. Recommendation

- 3.1** That Public Protection Committee approves the proposed taxi and private hire fees for 2026/27.

4. Reasons

- 4.1** The Council is required to set fees for private hire and hackney carriage licenses for 2026/27.

5. Options Considered

- 5.1** The Council is required to set fees for private hire and hackney carriage licenses for 2026/27. The fees proposed are based on cost recovery.
- 5.2** To retain the current fees. This would lead to Council functions not being fully cost recovered.

6. Legal and Statutory Implications

- 6.1 The Local Government (Miscellaneous Provisions) Act 1976 (sec. 70) provides provision for the setting of fees and charges in relation to Operator and Vehicle licence fees. The fees are to be reasonable costs for carrying out the granting and renewal of licenses, costs for providing Hackney Carriage stands and costs relating to control and supervision of such vehicles.
- 6.2 The Act also specifies a maximum amount for the activities of £25 and should the costs exceed this then the Act defines a process of advertising and dealing with any objections made in relation to proposed fees.
- 6.3 The Local Government (Miscellaneous Provisions) Act 1976 (sec. 53(2)) states that in relation to driver licence fees, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, a fee as they consider reasonable. With a view to recovering the costs of issue and administration.
- 6.4 The Deregulation Act 2015 amended the Local Government (Miscellaneous Provisions) Act 1976 in relation to the duration of licences for hackney carriage and private hire drivers and private hire operators to establish a standard duration of three years for hackney carriage and private hire driver licences and five years for a private hire operator licence.
- 6.5 The European Services Directive states (Art 12.2) "*Authorisation procedures and formalities shall not be dissuasive and shall not unduly complicate or delay the provision of the service. They shall be easily accessible and any charges which the applicants may incur from their application shall be reasonable and proportionate to the cost of the authorisation procedures in question and shall not exceed the cost of the procedures*". Councils must not use fees covered by the Directive to make a profit or act as an economic deterrent to deter certain business types from operating within an area.
- 6.6 In December 2019 the Court of Appeal in the case "*R (on the application of Abdul Rehman, on behalf of the Wakefield District hackney Carriage and Private Hire Association) v The Council of the City of Wakefield and The Local Government Association (Intervening)* [2019] EWCA Civ 2166" confirmed, that there is no general principle that the taxi licensing fee regime should be self-financing. Also, that the costs associated to enforcing the behaviour of licensed drivers could be recovered via the licence fee set under s53(2) of the 1976 Act.

7. **Equality Impact Assessment**

- 7.1 There are no identified equality implications arising from the content of the report.

8. **Financial and Resource Implications**

- 8.1 There are a number of factors involved in setting a fees and charges, which have financial and resource implications, such as:
 - The number of licenses issues in the forthcoming year – A review of recent trends and licenses due for renewal are used to inform this element.
 - The resources required delivering these activities – The number of licenses and resources required to deliver these are intrinsically linked.
 - The processes and procedures completed in issuing and renewing licenses – The processes are regularly reviewed and updated, many applications are now through on-line applications.
 - The Councils Taxi policy requirements and standards – This sets the foundations for the taxi licensing and influences the above points.

- 8.2 There is also provision within the regime that Private Hire drivers and vehicles can be licensed by other Local Authorities – Over the past years there has been a reduction in the number of both driver licenses and vehicle licenses issued by the Council.
- 8.3 There will be financial and resource implications for the Council if full cost recovery is not achieved.

9. Major Risks & Mitigation

- 9.1 The Council may be open to challenge should the calculation of the fees and charges prove to be contrary to the Act. The best practice guidance is followed in setting the fees and charges in order to mitigate such risk.
- 9.2 Judicial Review of a decision may be made on the following grounds:
- Ultra vires – no power to levy a particular fee, or fees used to raise revenue unlawfully, or
 - Wednesbury rules – decision was unreasonable or irrational
- Again, best practice is followed in order to mitigate against such risk.
- 9.3 The financial and resource implications are also considered to be risks, should the estimates be incorrect or change within the forthcoming year, these elements and controls are discussed in section 8 of this report.

10. UN Sustainable Development Goals (UNSDG)



11. One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council: ☒

Fees have been proposed to ensure cost recovery of all relevant resources and officer time.

One Sustainable Council: ☒

These Fees & Charges are not linked to the One Sustainable Council agenda.

One Digital Council: ☒

The Council are working towards making online payments accessible and available for all fees & charges in relation to licensing regimes.

12. Key Decision Information

12.1 Not applicable

13. Earlier Cabinet/Committee Resolutions

13.1 [Public Protection report 8th October 2025](#)

13.2 [Council report 22nd February 2017](#)

14. **List of Appendices**

14.1 None

15. **Background Papers**

15.1 [LGA Guidance on Local Fee Setting](#)

Public Document Pack Agenda Item 9

Public Protection Sub-Committee - 09/12/25

PUBLIC PROTECTION SUB-COMMITTEE

Tuesday, 9th December, 2025
Time of Commencement: 2.05 pm

[View the agenda here](#)

Present: Councillor Ruth Wright (Chair)

Councillors: Dymond

Apologies: Councillor(s) Adcock and Sweeney

Substitutes: Councillor Gillian Williams

Officers: Matthew Burton Licensing Administration Team Manager
Anne-Marie Pollard Solicitor
Melanie Steadman Licensing Enforcement Officer

1. **APOLOGIES**

Apologies were shared as listed above.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **DISCLOSURE OF EXEMPT INFORMATION**

Resolved: That the public be excluded from the meeting during consideration of the following matter because it was likely that there would be disclosure of exempt information as defined in paragraphs 1, 2 and 7 contained within Part 1 of Schedule 12A of the Local Government Act, 1972.

4. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976 - APPLICANT 1**

The Sub-Committee considered a relevant matter which fell outside of Council Policy. The applicant was in attendance.

After careful consideration of the officers' report, the Department for Transport's Statutory Standards and the Council's policy and guidelines, the Sub-Committee agreed as follows.

Resolved: That the Dual Driver Licence be revoked.

5. **URGENT BUSINESS**

There was no urgent business.

Public Protection Sub-Committee - 09/12/25

**Councillor Ruth Wright
Chair**

Meeting concluded at 2.50 pm

Public Document Pack

Public Protection Sub-Committee - 12/11/25

PUBLIC PROTECTION SUB-COMMITTEE

Wednesday, 12th November, 2025

Time of Commencement: 2.20 pm

[View the agenda here](#)

Present: Deputy Mayor Councillor Joan Whieldon (Chair)

Councillors: Johnson G Williams J Williams

Officers: Gareth Harvey Environmental Health Manager
Anne-Marie Pollard Solicitor
Claire Ryles Licensing Enforcement Officer
Melanie Steadman Licensing Enforcement Officer

1. **APOLOGIES**

All members were present.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **DISCLOSURE OF EXEMPT INFORMATION**

Resolved: That the public be excluded from the meeting during consideration of the following matter because it was likely that there would be disclosure of exempt information as defined in paragraphs 1, 2 and 7 contained within Part 1 of Schedule 12A of the Local Government Act, 1972.

4. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976 - APPLICANT 1**

The Sub-Committee considered a relevant matter which fell outside of Council Policy. The applicant and their legal representative were in attendance. The applicant's nephew was also present.

After careful consideration of the officers' report, the Department for Transport's Statutory Standards and the Council's policy and guidelines, the Sub-Committee agreed as follows.

Resolved:

1. That the meeting be adjourned to allow gathering of further information of evidence by the Council staff and the applicant.
2. That the meeting be re-arranged outside of the current Public Protection Sub-Committee schedule to allow current members to attend due to the complexities of the case.

Public Protection Sub-Committee - 12/11/25

5. URGENT BUSINESS

There was no urgent business.

**Deputy Mayor Councillor Joan Whieldon
Chair**

Meeting concluded at 3.55 pm