



MEETING: LICENSING AND REGULATORY COMMITTEE

DATE: Monday 24 August, 2009

TIME: 6.30 pm

VENUE: Town Hall, Southport

Member

Councillor

Bigley (Chair)

Papworth (Vice-Chair)

Blackburn Bradshaw Dodd Fenton Friel Gustafson

Hands (Spokesperson)

Kerrigan

Mahon (Spokesperson)

Pearson Platt B Rimmer D Rimmer

COMMITTEE OFFICER: Olaf Hansen Committee Clerk

Telephone: 0151 934 2067 Fax: 0151 934 2034

E-mail: olaf.hansen@legal.sefton.gov.uk

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

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AGENDA

1.	Apologies for	r Absence
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2. Declarations of Interest

Members and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct.

3. Minutes (Pages 5 - 10)

Minutes of the meeting held on 3 August, 2009.

4. Determinations Made Under the Licensing Act 2003: (Pages 11 - 16)
Period Covering 18 July 2009 to 7 August 2009

Report of the Environmental Protection Director

5. Determinations Made Under the Gambling Act 2005: (Pages 17 - 20)
Period Covering 18 July 2009 to 7 August 2009

Report of the Environmental Protection Director

6. Revenue Expenditure - 2008/9 Portfolio Final Accounts (Pages 21 - 26)

Joint Report of the Environmental Protection Director and the Finance and Information Services Director

7. Approval of Premises for the Conduct of Civil Marriages (Pages 27 - 32) and Civil Partnerships

Report of the Legal Director



LICENSING AND REGULATORY COMMITTEE

MEETING HELD AT THE TOWN HALL, BOOTLE ON 3 AUGUST 2009

PRESENT: Councillor Bigley (in the Chair)

Councillor Papworth (Vice-Chair)

Councillors Blackburn, Bradshaw, Dodd, Fenton, Friel, Gustafson, Hands, Kerrigan, Mahon, Pearson,

B.Rimmer and D.Rimmer

7. APOLOGY FOR ABSENCE

An apology for absence was received from Councillor Platt.

8. DECLARATIONS OF INTEREST

No declarations of interest were received.

9. MINUTES

RESOLVED:

That the Minutes of the meeting held on 8 June, 2009 be confirmed as a correct record.

10. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003: PERIOD COVERING 23 MAY 2009 TO 17 JULY 2009

The Committee considered the report of the Environmental Protection Director updating on the applications made under the Licensing Act, 2003 which he had determined.

The report indicated that Sefton's Statement of Licensing Policy followed the recommended delegation of functions contained within the "Guidance issued under Section 182 of the Licensing Act 2003"; that in effect, this meant that where there were no relevant representations on an application for the grant of a premises licence or club premises certificate, or Police objections to an application for a personal licence, then these matters would be dealt with by Officers in order to speed matters through the system; and that the Guidance also recommended that, where powers had been delegated, the Committee would receive regular reports on decisions made so that they maintained an overview of the general licensing situation.

LICENSING AND REGULATORY COMMITTEE- MONDAY 3RD AUGUST, 2009

For the period 23 May to 17 July, 2009 the Environmental Protection Director had received and determined 83 applications for premises licences, 26 applications for personal licences, 0 applications for a club premises certificate and 61 notifications for temporary event notices.

RESOLVED:

That the report and the fact that further update reports will be submitted, as necessary, be noted.

11. DETERMINATIONS MADE UNDER THE GAMBLING ACT 2005: PERIOD COVERING 23 MAY 2009 TO 17 JULY 2009

The Committee considered the report of the Environmental Protection Director updating on the applications made under the Gambling Act, 2005 which he had determined.

The report indicated that Sefton's Statement of Licensing Policy followed the recommended delegation of functions contained within the "Guidance issued under Section 25 of the Gambling Act 2005"; that in effect, this meant that where there were no relevant representations on an application for the grant of a premises licence or a permit then these matters would be dealt with by Officers in order to speed matters through the system; and that the Guidance also recommended that, where powers had been delegated, the Committee would receive regular reports on decisions made so that they maintained an overview of the general gambling situation.

For the period 23 May to 17 July, 2009 the Environmental Protection Director had received and determined 1 application for a Gambling Premise Licence, 4 applications for a Licensed Premises Gaming Permits, 0 applications for Club Machine Permits, 0 applications for Club Gaming Permits and 9 notifications for Licensed Premises Automatic Gaming.

RESOLVED:

That the report and the fact that further updated reports will be submitted, as necessary, be noted.

12. NOISE AND LICENSED PREMISES - UPDATE ON THE TRIAL OF NOISE ACT POWERS FOR NIGHT TIME NOISE OFFENCE

The Committee considered the report of the Environmental Protection Director that advised on the findings of the noise enforcement trial in Southport town centre using new powers that allow the issue of Fixed Penalty Notices for noise from Licensed Premises.

LICENSING AND REGULATORY COMMITTEE- MONDAY 3RD AUGUST, 2009

RESOLVED:

That the following findings, detailed within the report, be noted:-

- The trial identified the limitations of the Fixed Penalty Notice powers in that for safety purposes additional resources, such as from the Police, are required but these cannot be guaranteed.
- A responsive out of hours noise service is not considered to be necessary on the scale of demand nor is a financially viable option.
- Existing powers available under the Environmental Protection Act 1990 are satisfactory to deal with the vast majority of noise complaints that are received.

13. LICENSING ACT 2003 - AMENDMENT TO PROVIDE FOR THE REMOVAL OF THE REQUIREMENT FOR A DPS / PERSONAL LICENCE HOLDER AT A "COMMUNITY" TYPE PREMISE

The Committee considered the report of the Environmental Protection Director that informed of the amendments made to the Licensing Act 2003, by the Legislative Reform Order, to provide for the removal of the requirement for a DPS / Personal Licence Holder at a "Community" type premise.

RESOLVED: That

- (1) the amendments to the Licensing Act 2003, as detailed within the report, be noted; and
- (2) the recommended delegation of functions, as set out in the Secretary of State's Guidance issued under Section 182 of the Act and detailed within the report, for the new process be endorsed.

14. PROPOSED RESPONSE TO HOME OFFICE CONSULTATION - "SAFE. SENSIBLE. SOCIAL. SELLING ALCOHOL RESPONSIBLY"

The Committee considered the report of the Environmental Protection Director that advised of a Home Office consultation exercise on how alcohol is sold and supplied. The report also contained the Environmental Protection Director's proposed response to the consultation exercise.

Members asked a number of questions relating to the consultation and the proposed response including: methods of publicising residents of applications; training and conditions on licence holders who obtained their licence by 'grandfather rights'; home delivery of alcohol; irresponsible marketing of alcohol; and outlets selling alcohol at extremely low prices.

LICENSING AND REGULATORY COMMITTEE- MONDAY 3RD AUGUST, 2009

The Environmental Protection Assistant Director responded to the questions and comments.

A copy of Safe. Sensible. Social. Selling Alcohol Responsibly: A Consultation on the New Code of Practice for Alcohol Retailers was attached as an annexe to the report.

RESOLVED: That

- (1) the proposed response to the Home Office Consultation "Safe. Sensible. Social. Selling Alcohol Responsibly report be noted; and
- (2) the Environmental Protection Director's proposed response to the consultation exercise, detailed within the report, be endorsed.

15. LICENSING ACT 2003 - NEW MINOR VARIATION PROCESS

The Committee considered the report of the Environmental Protection Director that informed of amendments made to the Licensing Act 2003, by Legislative Reform Order, to allow for a new process for "minor variations".

RESOLVED: That

- (1) the amendments to the Licensing Act 2003, as detailed within the report, be noted; and
- (2) the recommended delegation of functions, as set out in the Secretary of State's Guidance issued under Section 182 of the Act and detailed within the report, for the new process be endorsed.

16. EU SERVICES DIRECTIVE

The Committee considered the report of the Environmental Protection Director that advised of the implications of the EU (European Union) Services Directive. Compliance with the Directive would require considerable action across the Local Authority and might require changes to or removal of current licensing, registration, authorisation or permission regimes within Sefton.

RESOLVED: That

- (1) the EU Services Directive report be noted; and
- the actions proposed, detailed within the report, to progress the process within Sefton be endorsed.

LICENSING AND REGULATORY COMMITTEE- MONDAY 3RD AUGUST, 2009

17. LICENSING AND REGULATORY COMMUNICATIONS STRATEGY

The Committee considered the report of the Environmental Protection Director that proposed a strategy/framework for communication.

RESOLVED:

That proposed Communication Strategy/Framework, as detailed within the report, be endorsed.

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Meeting: LICENSING & REGULATORY COMMITTEE

Date of Meeting: 24th August 2009

<u>Title of Report:</u> **Determinations made under the Licensing Act 2003:**

period covering 18th July 2009 to 7th August 2009.

Report of: W. T. Milburn

Environmental Protection Director

Contact Officer: K.T. Coady,

Senior Licensing Officer

0151 934 2946

This report contains	Yes	No
CONFIDENTIAL		1
information		,
EXEMPT information by		√
virtue of paragraph(s) of		,
Part 1 Schedule 12A of the		
Local Government Act		
1972		
Is the decision of this	√	
report DELEGATED?	,	

Purpose of Report

To update Members regarding those applications, made under the Licensing Act 2003, that have been determined by Officers.

Recommendation(s)

That Members:

- i) note this Report and its contents
- ii) note that further Reports will be brought forward to up date Members as and when necessary

Corporate Objective Monitoring

Corporate Objective		Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		√ √	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√ √	
4	Improving Health and Well-Being		1	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		1	
7	Improving the Quality of Council Services and Strengthening Local Democracy		√	
8	Children and Young People		√	

Financial Implications

None.

1.0 BACKGROUND

- 1.1 Members will recall that Sefton's Statement of Licensing Policy followed the recommended delegation of functions contained within the "Guidance Issued Under Section 182 of the Licensing Act 2003".
- 1.2 In effect this means that where there are no relevant representations to an application for the grant of a Premise Licence or Club Premise Certificate, or police objections to an application for a Personal Licence or a Temporary Event Notice, then these matters are dealt with by Officers. This ensures that decisions and functions, particularly for noncontentious applications and purely administrative functions, are taken or carried out in a speedy, efficient and cost-effective way.
- 1.3 The Guidance also recommends that, where powers have been delegated as above, Licensing Committees should receive regular reports on decisions made by Officers in order that they may maintain an overview of the general licensing situation.

2.0 NUMBERS DETERMINED

2.1 During the period 18th July 2009 to 7th August 2009 the following number of applications have been determined:

•	Applications made under Premise Licences	10
•	Applications made under Club Premise Certificates	1
•	Applications made under Personal Licences	11
•	Notification of Temporary Event Notices	20

2.2 Details of determinations made under Premise Licences and Club Premise Certificates are attached within the Annex to this Report.

3.0 RECOMMENDATIONS

3.1 That Members:

- i) note this Report and it's contents
- ii) note that further Reports will be brought forward to up date Members as and when necessary

Annex

Premises Licences

Reference Number		004229			
Name & Address of Prem	ises	Cashens			
		5C Stuart Road			
		Waterloo			
Application for	Application for				
Premise Licence Holder		Cashen's Wine and Spirit Ltd			
Date of action	27/07	7/2009	Date Issued	13/09/2005	
Date of Expiry			Surrender Date		
(if applicable)			(if applicable)		
Copy of Licence Issued					
(if applicable)					

Reference Number		003365		
Name & Address of Prem	Name & Address of Premises			
		68 King Street		
		PR8 1LG		
Application for		Variation of DPS		
Premise Licence Holder		Mr Adrian Davies		
Date of action	31/0	7/2009	Date Issued	03/08/2005
Date of Expiry			Surrender Date	
(if applicable)			(if applicable)	
Copy of Licence Issued				
(if applicable)				

Reference Number		003588		
Name & Address of Premises		Frankie and Benny's		
		Marine Drive		
		PR9 1SQ		
Application for		Variation of DPS		
Premise Licence Holder		City Centre Restaurants (UK) Ltd		
Date of action	31/07	7/2009	Date Issued	20/07/2005
Date of Expiry			Surrender Date	
(if applicable)			(if applicable)	
Copy of Licence Issued				
(if applicable)				

Reference Number		003029			
Name & Address of Prem	ises	Hare & Hounds			
)		
		Maghull			
Application for	Application for		Variation of DPS		
Premise Licence Holder		Mitchells & Butlers Leisure Retail Limited			
Date of action	23/07	7/2009	Date Issued	29/06/2005	
Date of Expiry (if applicable)			Surrender Date (if applicable)		
Copy of Licence Issued (if applicable)					

Reference Number		003899		
Name & Address of Prem	ises	Pear Tree		
		Prescot Road		
Application for	Application for			
Premise Licence Holder		Punch Taverns PLC		
Date of action	24/07/2009		Date Issued	13/09/2005
Date of Expiry			Surrender Date	
(if applicable)			(if applicable)	
Copy of Licence Issued				
(if applicable)				

Reference Number		004622		
Name & Address of Prem	Name & Address of Premises			
		Ocean Plaza		
		Marine Drive		
Application for	Application for			
Premise Licence Holder	Premise Licence Holder			
Date of action	22/07/2009		Date Issued	26/09/2005
Date of Expiry			Surrender Date	
(if applicable)			(if applicable)	
Copy of Licence Issued (if applicable)				
(ii applicable)				

Reference Number		003939		
Name & Address of Premises		Regent Maritime Hotel		
		58-62 Regent Road		
		Bootle		
Application for		Licence Holder Transfer & Variation of DPS		
Premise Licence Holder		Mr Robert James Jones		
Date of action	03/08	3/2009	Date Issued	18/11/2005
Date of Expiry (if applicable)			Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)				

Reference Number		004470			
Name & Address of Prem	ises	Rileys Snooker Club			
		443D Stanley Road			
		Bootle			
Application for	Application for		Change of Name and/or Address		
Premise Licence Holder		Valiant Sports Limited			
Date of action	03/08	3/2009	Date Issued	29/09/2005	
Date of Expiry			Surrender Date		
(if applicable)			(if applicable)		
Copy of Licence Issued					
(if applicable)					

Reference Number		004430				
Name & Address of Prem	Name & Address of Premises					
		194-196 Marsh Lane				
		Bootle				
		L20				
Application for		Transfer				
Premise Licence Holder		Startmore Pub Company Ltd				
Date of action	30/07	7/2009	Date Issued	13/10/2005		
Date of Expiry			Surrender Date			
(if applicable)			(if applicable)			
Copy of Licence Issued (if applicable)						

Reference Number		004479			
Name & Address of Prem	ises	Sullivans			
		221 Stanley Road			
		Bootle			
		L20 3DY			
Application for		Transfer			
Premise Licence Holder		Scottish & Newcastle Pu	b Enterprises (Management) Limited		
Date of action	24/07	7/2009	Date Issued	27/09/2005	
Date of Expiry			Surrender Date		
(if applicable)			(if applicable)		
Copy of Licence Issued					
(if applicable)					

Club Premise Certificates

oldb i femilise definitiones					
Reference Number	014068				
Name & Address of Prem	ises	Formby Football Club			
		Altcar Road			
		Formby			
		L37 8DL			
Application for		Grant			
Premise Licence Holder					
Date of action	21/07	7/2009	Date Issued	21/07/2009	
Date of Expiry (if applicable)			Surrender Date (if applicable)		
Copy of Licence Issued					
(if applicable)					

Opening Hours of Premises

Monday - from 08.00 to 23.00

Tuesday - from 08.00 to 23.00

Wednesday - from 08.00 to 23.00

Thursday - from 08.00 to 23.00

Friday - from 08.00 to 23.00

Saturday - from 08.00 to 23.00

Sunday - from 08.00 to 23.00

Licensable Activities & Times

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

Monday - from 11.00 to 23.00

Tuesday - from 11.00 to 23.00

Wednesday - from 11.00 to 23.00

Thursday - from 11.00 to 23.00

Friday - from 11.00 to 23.00

Saturday - from 11.00 to 23.00

Sunday - from 11.00 to 23.00

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place

Monday - from 11.00 to 23.00

Tuesday - from 11.00 to 23.00

Wednesday - from 11.00 to 23.00

Thursday - from 11.00 to 23.00

Friday - from 11.00 to 23.00

Saturday - from 11.00 to 23.00

Sunday - from 11.00 to 23.00

Meeting: LICENSING & REGULATORY COMMITTEE

Date of Meeting: 24th August 2009

<u>Title of Report:</u> **Determinations made under the Gambling Act 2005:**

period covering 18th July 2009 to 7th August 2009.

Report of: W. T. Milburn

Environmental Protection Director

Contact Officer: K.T. Coady,

Senior Licensing Officer

0151 934 2946

This report contains	Yes	No
CONFIDENTIAL		1
information		,
EXEMPT information by		√
virtue of paragraph(s) of		•
Part 1 Schedule 12A of the		
Local Government Act		
1972		
Is the decision of this	V	
report DELEGATED?	,	

Purpose of Report

To update Members regarding those applications, made under the Gambling Act 2005, that have been determined by Officers.

Recommendation(s)

That Members:

- i) note this Report and its contents
- ii) note that further Reports will be brought forward to up date Members as and when necessary

Corporate Objective Monitoring

Corporate Objective		Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		√ √	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√ √	
4	Improving Health and Well-Being		1	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		1	
7	Improving the Quality of Council Services and Strengthening Local Democracy		√	
8	Children and Young People		√	

Financial Implications

None.

1.0 BACKGROUND

- 1.1 Members will recall that Sefton's Statement of Gambling Licensing Policy followed the recommended delegation of functions contained within the Gambling Commission Guidance which was issued under Section 25 of the Gambling Act 2005.
- 1.2 In effect this means that where there are no relevant representations to an application, for the grant of a Premise Licence or a Permit, then these matters are dealt with by Officers. This ensures that decisions and functions, particularly for non-contentious applications and purely administrative functions, are taken or carried out in a speedy, efficient and cost-effective way.
- 1.3 It is considered best practice that, where powers have been delegated as above, Licensing Committees should receive regular reports on decisions made by Officers in order that they may maintain an overview of the general gambling situation.

2.0 NUMBERS DETERMINED

- 2.1 During the period 18th July 2009 to 7th August 2009 the following number of applications have been determined:
 - Notifications given for Licensed Premises Automatic Gaming
- 2.2 Details of the above determinations are attached within the Annex to this Report.

3.0 RECOMMENDATIONS

- 3.1 That Members:
 - i) note this Report and it's contents
 - ii) note that further Reports will be brought forward to up date Members as and when necessary

Annex

Licensed Premises Automatic Gaming

Permit Number		014452			
Name & Address of Prem	ises	Bar Non			
		4-8 Waverley Street			
		Southport			
		PR8 1PG			
Permit type		Licensed Premises Automatic Gaming			
Application for		Grant			
Permit Licence Holder		Mr Jonathon Golbourne			
Date of action	27/07	7/2009	Licence effective	27/07/2009	
			from		
Date of Expiry			Surrender Date		
(if applicable)			(if applicable)		
Copy of Permit Issued					
(if applicable)					

Permit Number						
Name & Address of Prem	nises	Harrys Cafe Bar				
		28-30 Liverpool Road				
		Crosby				
		L23 5ŠF				
Permit type		Licensed Premises Automatic Gaming				
Application for		Grant				
Permit Licence Holder		Mr Harry Stephen Hodge	es & Mr Jeffrey O Mu	llane		
Date of action	03/08	3/2009	Licence effective	03/08/2009		
			from			
Date of Expiry			Surrender Date			
(if applicable)	applicable)					
Copy of Permit Issued						
(if applicable)						

Permit Number		014419		
Name & Address of Prem	nises	Seaburn Inn		
		194-196 Marsh Lane		
		Bootle		
		L20 4JH		
Permit type		Licensed Premises Automatic Gaming		
Application for		Grant		
Permit Licence Holder		Startmore Pub Company	y Ltd	
Date of action	24/07	7/2009	Licence effective	24/07/2009
			from	
Date of Expiry			Surrender Date	
(if applicable)		(if applicable)		
Copy of Permit Issued				
(if applicable)				

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Meeting: LICENSING & REGULATORY COMMITTEE

Date of Meeting: 24th August 2009

<u>Title of Report:</u> Revenue Expenditure – 2008/9 Portfolio Final Accounts

Report of: Environmental Protection Director - Bill Milburn

Finance & IS Services Director – Paul Edwards

Contact Officer: Peter Moore

Assistant Director 0151 934 4016

Lynton Green Senior Assistant

Director 0151 934 4096

This report contains	Yes	No
CONFIDENTIAL		1
information		
EXEMPT information		7
by virtue of		
paragraph(s) of Part		
1 Schedule 12A of the		
Local Government Act		
1972		
Is the decision of this		√
report DELEGATED?		

Purpose of Report

To notify the Committee of the final 2008/9 outturn position for the Licensing and Regulatory Committee and allow the Committee to consider whether there are any issues arising from the 2008/9 accounts for the portfolio which should be referred to the Overview and Scrutiny Committee (Performance and Corporate Services).

Recommendation(s)

The Committee is asked to:

- b) Note the Portfolio's revenue expenditure outturn for 2008/9;
- c) Consider whether any issues should be referred to the Overview and Scrutiny Committee (Performance and Corporate Services) for consideration.

Corporate Objective Monitoring

Corporate Objective		Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		V	
2	Creating Safe Communities		V	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		V	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		V	
7	Improving the Quality of Council Services and Strengthening Local Democracy	V		
8	Children and Young People		√	

Financial Implications

This report identifies a balanced revenue budget for 2008/9.

FD 106 - The Finance and Information Services Director has been consulted and his comments have been incorporated into this report.

List of background papers relied upon in the preparation of this report

None

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Revenue Expenditure - 2008/9 Portfolio Final Accounts

2 Introduction

- 2.2 The Audit and Governance Committee considered, and approved for audit, the Council's full Statement of Accounts on 24 June 2009. This report outlines the 2008/9 revenue outturn for the Licensing & Regulatory Committee Portfolio and identifies the major variations. The report also contains comments by the Environmental Protection Director, highlighting any issues that have ongoing implications for future years.
- 2.3 A separate report will be presented to the Overview and Scrutiny Committees to allow an independent review of all Portfolios' outturn positions.

2 Revenue Expenditure 2008/9

- 2.1 The closure of the 2008/9 Revenue Accounts has now been completed, however the detail is still subject to examination by the auditors Pricewaterhouse Coopers. The outturn for the Council indicates that General Fund Balances will decrease (when compared to the budgeted position) to £3.140m owing to an overall net overspend of £0.220m. This net position has been achieved via the utilisation of one-off central resources in order to minimize the impact of significant spending pressures experienced during the year.
- 2.2 The final outturn position for this portfolio, when compared to the 2008/09 Revenue Budget indicates a balanced budget.
- 2.3 Annex A summarises the divisions of service provided by this Portfolio and compares the revenue budget with provisional outturn figures. The main variations within the balanced budget are analysed below:

	<u> Budget</u> <u>Variations</u>
	<u>£m</u>
a) Staffing costs	-0.075
b) Over achievement of Income – Local Licensing	-0.061
c) Over achievement of Income – Taxi Licensing	-0.122
d) Search Fees	0.054
e) Transfer to Licensing Reserve	0.104
f) Transfer of Funds to Taxi Reserve Accounts	0.114
g) Other Net Budget Variations	-0.014
Net under spend (-) / overspend	0.000

- 2.4 The Environmental Protection Director comments:
 - a) Underspend on salaries primarily a consequence of vacancies held within the staffing establishment as a consequence of the corporate recruitment freeze.
 - b) Over achievement of income within the Local Licensing service Licensing Act 2003 applications were again higher than expected in 2008/09. The changes to the way in which minor variations are now handled is expected to reduce income from applications to vary a licence during 2009/10.
 - Over achievement of income within the Taxi Licensing service During 2009/10 high levels of licence applications continued. Members will recall that in most cases fees were reduced in 2008/9 in order to reduce anticipated income and it should be noted that the over achievement of income in 2008/09 is £76,000 less than in the previous year. The level of fee set will be subject to further review during 2009/10. Following consultation with the Hackney Carriage trade, who did not support reduction in fees, Members agreed additional expenditure budgets in support of interventions targeted towards that sector of the trade, funded from the income. Due to difficulty in securing trade agreement for interventions proposed very little was expended from these budgets in 2008/09.
- 2.5 The budget underspend achieved within Local Licensing, shown in Table 2.3 above (£103,947), was transferred to a specific Local Licensing reserve account.
- 2.6 As shown in the Table at 2.3 above, the surplus achieved over the budget within the ring-fenced Taxi and Private Hire Licensing account (£114,068) has been transferred to a specific reserve account for reinvestment into the service, for determining the level of locally set fees, or to be carried forward to make good any future deficits. This is in line with agreed Council policy in respect of the treatment of the Taxi and Private Hire accounts.

1. On-going issues for later financial years

- 3.1 The Environmental Protection Director has identified a number of ongoing issues as a result of this Portfolio's outturn position for 2008/9:
 - a) As reported to Members on 3 August 2009, the Government has now introduced a new "minor variations" process for certain changes to existing Licensing Act 2003 licences, with reduced fees for such applications. This change is expected to reduce income in 2009/10.
 - b) Overview & Scrutiny (Regeneration and Environmental Services) has a Working Group considering the issue of Community Involvement in Licensing. This review is expected to report shortly and any recommendations will be submitted to Licensing and Regulatory Committee for consideration. Any proposed changes, if adopted, may have financial implications.

4. Recommendations

- 4.1 The Cabinet Member is asked to:
 - b) Note the Portfolio's revenue expenditure outturn for 2008/9;
 - c) Consider whether, in the light of the comments made by the Environmental Protection Director, any issues should be referred to the Overview and Scrutiny Committee (Performance and Corporate Services) for consideration.

ANNEX A

Licensing Portfolio

Final Accounts 2008/9 - Revenue Expenditure Summary

DETAILS	ACTUAL 2007/8	REVENUE BUDGET 2008/9	<u>ACTUAL</u> 2008/9
SUMMARY	£	£	£
Local Licensing Section Taxi and Private Hire Section Transfer to Reserves	-89,158 -181,530 269,238	-35,948	-
Total Net Expenditure	-1,450	4,024	4,024

	Reserve A	Account Balanc	es	
Reserve Accounts	2007/8 Closing Balance £	Transfer to Reserves £	Transfer from Reserves £	2008/9 Closing Balance £
Taxi Service	355,629	114,068	0	469,697
Unmet Demand Survey	43,473	0	0	43,473
Local Licensing	76,990	103,947	0	180,937
Total	476,092	218,015	0	694,107

APPENDIX	
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Meeting: LICENSING & REGULATORY

Date of Meeting: 24TH AUGUST 2009

Title of Report: APPROVAL OF PREMISES FOR THE CONDUCT OF CIVIL

MARRIAGES AND CIVIL PARTNERSHIPS

Report of: C.J. Elwood

Legal Director

<u>Contact Officer</u>: Paula Unsworth (Telephone No.) 0151 934 3044

This report contains	Yes	No
CONFIDENTIAL		
Information/		
EXEMPT information by virtue of		
paragraph(s)of Part 1 of		
Schedule 12A to the Local		
Government Act, 1972		
(If information is marked exempt,		
the Public Interest Test must be		
applied and favour the exclusion		
of the information from the press		
and public).		
Is the decision on this report	V	
DELEGATED?		

Purpose of Report

To consider two applications from Mr Jason Carroll of Sefton MBC for the Council Chamber and Mayors Parlour at Crosby Town Hall and the Council Chamber and Ante Room at Southport Town Hall be licensed for civil marriages and civil partnerships.

That for the purpose of civil marriages and civil partnerships Crosby Town Hall be recorded as Crosby Town Hall, Great Georges Road, Waterloo and that Southport Town Hall be recorded as Town Hall, Lord Street, Southport.

Recommendation(s)

- (i) That the applications from Mr Jason Carroll of Sefton MBC to licence the Council Chamber and Mayors Parlour at Crosby Town Hall and the Council Chamber and Ante Room at Southport Town Hall be approved for a three year period with effect from 1st November 2009.
- (ii) That the name of Crosby Town Hall be recorded as Crosby Town Hall, Great Georges Road, Waterloo and the name of Southport Town Hall be recorded as Town Hall, Lord Street, Southport for the purposes of civil marriage and civil partnerships.

Corporate Objective Monitoring

Corporate Objective		Positive Impact	Neutral Impact	Negative Impact
1.	Creating a Learning Community		√	
2.	Creating Safe Communities		√	
3.	Jobs and Prosperity		√	
4.	Improving Health and Well-Being		√	
5.	Environmental Sustainability		√	
6.	Creating Inclusive Communities		√	
7.	Improving the Quality of Council Services and Strengthening local Democracy	V		
8.	Children and Young People		V	

Financial Implications

CAPITAL EXPENDITURE	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date	? Y/N	When?		
How will the service be funded post expiry?				

Departments consulted in the preparation of this R
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None

List of background papers relied upon in the preparation of this Report

None

SEFTON M.B.C.

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APPROVAL OF PREMISES FOR THE CONDUCT OF CIVIL WEDDINGS AND CIVIL PARTNERSHIPS

1. <u>Introduction</u>

- 1. Two applications have been received from Mr Jason Carroll of Sefton MBC for the Council Chamber and Mayors Parlour at Crosby Town Hall and the Council Chamber and Ante Room at Southport Town Hall to be licensed for the conduct of civil marriages and civil partnerships.
- 2. The premises have been inspected and conform to all the guidelines issued to local authorities by the General Register Office.
- 3. The closing date for objections after the official notice was published in the local newspaper was 27th July 2009. No objections have been received.
- 4. Approval of the application is sought to enable bookings for marriages and civil partnerships to be taken from 1st November 2009 for Crosby Town Hall and Southport Town Hall.

2. Background

The applications have been made following the decision by Cabinet at its meeting on 9th July 2009 to decommission the marriage rooms, formerly the Mayors Parlour at Crosby Town Hall and the Ante Room at Southport Town Hall, and to seek approved premises licences for them in addition to the Council Chambers, which have been licensed as approved premises since 1st November 2003, in order to increase the range of marriage venues available and to increase fee income to the Council.

The Cabinet agreed to a proposal to designate the Superintendent Registrar's offices at Crosby Town Hall and Southport Town Hall as the Register Offices. Couples can, if these applications are approved, choose to marry in the respective Council Chambers at Crosby and Southport Town Halls, the Mayors Parlour at Crosby Town Hall, the Ante Room at Southport Town Hall or the Superintendent Registrars offices at Crosby and Southport Town Halls with effect from 1st November 2009.

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