

Public Document Pack

Sefton Council 

MEETING: LICENSING AND REGULATORY COMMITTEE
DATE: Monday 11 March 2024
TIME: 6.30 pm
VENUE: Birkdale Room - Southport Town Hall, Lord Street, Southport, PR8 1DA

Member

Cllr. John Kelly (Chair)
Cllr. Carran Waterfield (Vice-Chair)
Cllr. Susan Bradshaw
Cllr. Clare Carragher
Cllr. Jennifer Corcoran
Cllr. Judy Hardman
Cllr. Janet Harrison Kelly
Cllr. Sonya Kelly
Cllr. Gareth Lloyd-Johnson
Cllr. Mike Morris M.B.E.
Cllr. Brenda O'Brien
Cllr. Paula Spencer
Cllr. Carla Thomas
Cllr. Anne Thompson
Cllr. Lynne Thompson

COMMITTEE OFFICER: Amy Dyson Democratic Services Officer
Telephone: 0151 934 2045
E-mail: amy.dyson@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.

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

3. Minutes

(Pages 5 - 8)

Minutes of the meeting held on 8 January 2024

4. Petitions - Revised Licensed Driver Convictions Policy

(Pages 9 - 16)

A petition from Frank West, H&PH Trade Representative has been submitted containing 25 signatures to discuss the proposed new driver convictions policy.

A petition from Joseph Johnson, H&PH Trade Representative has been submitted containing 25 signatures to discuss the proposed new driver convictions policy.

The Lead Petitioners will be allowed to address the Licensing and Regulatory Committee on the content of the petition for a period of 5 minutes each.

5. Revised Licensed Driver Convictions Policy

(Pages 17 - 34)

Report of the Assistant Director of Place (Highways and Public Protection)

6. Licensing and Regulatory Committee - Local Licensing Fees and Charges

(Pages 35 - 44)

Report of the Assistant Director of Place (Highways and

Public Protection)

7. Continuation of the Public Spaces Protection Order -Dog Control (Pages 45 - 94)

Report of the Assistant Director of Place (Highways and Public Protection)

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THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

LICENSING AND REGULATORY COMMITTEE

**MEETING HELD AT THE COMMITTEE ROOM - BOOTLE TOWN HALL,
TRINITY ROAD, BOOTLE, L20 7AE
ON 8 JANUARY 2024**

PRESENT: Councillor John Kelly (in the Chair)
Councillor Waterfield (Vice-Chair)

Councillors Bradshaw, Harrison-Kelly, Sonya Kelly,
Lloyd-Johnson, Morris, O'Brien, Spencer, Thomas
and Lynne Thompson

24. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Carragher, Corcoran, Hardman, and Anne Thompson.

25. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

26. MINUTES

RESOLVED:

That the Minutes of the meeting held on 6 November 2023 be confirmed as a correct record.

27. CHURCH GARDENS, BOOTLE – PROPOSED RESIDENTS' PARKING SCHEME

The Committee considered the report of the Assistant Director of Place (Highways and Public Protection) which reported on the results of a consultation with residents of the Church Gardens area of Bootle and to recommend the removal of the residents' parking scheme from the current works programme.

RESOLVED: That

- (1) the results of the consultation be noted; and
- (2) the proposed Residents' parking scheme for the Church Gardens area of Bootle be not progressed.

28. PRESCOT ROAD, TRAFFIC CALMING, MELLING

Agenda Item 3

LICENSING AND REGULATORY COMMITTEE - MONDAY 8TH
JANUARY, 2024

The Committee considered the report of the Assistant Director of Place (Highways and Public Protection) which sought Committee approval to implement a traffic calming scheme on Prescott Road in Melling, extending north from the roundabout junction with Bank Lane with the aim of reducing vehicle speeds making the road safer for all users.

Members of the Committee asked questions/raised matters on the following issues:

- What type of speed humps would be used?
- Would the implementation of a speed camera be an option?
- Have Merseyside police done radar work on Prescott Road?

RESOLVED:

That the Assistant Director of Place (Highways and Public Protection) be authorised to implement the following modifications to the Highway:

- (1) The introduction of a traffic calming scheme on Prescott Road in Melling north of the roundabout junction with Bank Lane.

29. REVISED LICENSED DRIVER CONVICTIONS POLICY

The Committee considered the report of the Assistant Director of Place (Highways and Public Protection) which requested approval for the suggested changes to the driver convictions policy in line with national statutory standards.

The Committee expressed concern that the policy may be altered following approval and requested an updated policy, complete with alterations, be brought to the next meeting of the Committee.

RESOLVED:

That the decision be deferred until the next meeting of the Committee on 11 March 2024.

30. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005: PERIOD COVERING 24 AUGUST 2023 TO 18 DECEMBER 2023

The Committee considered the report of the Assistant Director of Place (Highways and Public Protection) updating on applications made under the Licensing Act, 2003 and the Gambling Act, 2005 which had been determined by Licensing Officers.

The report indicated that Sefton Council's Statement of Licensing Policy (issued under the Licensing Act 2003) and the Statement of Gambling Policy (issued under the Gambling Act 2005), both followed the recommended delegation of functions contained within the Guidance,

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LICENSING AND REGULATORY COMMITTEE - MONDAY 8TH
JANUARY, 2024

issued under Section 182 of the Licensing Act 2003 and the Guidance issued under Section 25 of the Gambling Act 2005. Where there were no relevant representations to applications, then these matters would be dealt with by Officers in order to speed matters through the system. The Guidance also recommended that where powers had been delegated, the Committee would receive regular reports on decisions made by Officers in order to maintain an overview of the general licensing situation.

The report indicated that during the period 24 August 2023 to 18 December 2023 the Assistant Director of Place (Highways and Public Protection) had received and determined the following numbers of applications:

Under the Licensing Act 2003:

- 103 Applications made under Premise Licences
- 48 Applications made under Personal Licences
- 105 Notifications of Temporary Event Notices
- 46 Notifications of Late Temporary Event Notices

Under the Gambling Act 2005:

- 1 Application made under Club Gaming Permits

RESOLVED:





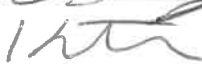





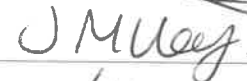
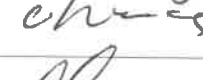




That the report and the fact that further update reports would be submitted as necessary, be noted.


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LEAD PETITIONER CONTACT DETAILS	
Name: FRANK WEST H&PH TRADE REPRESENTATIVE	Home Tel No:
Address: LEARNING CURVE GROUP BOOTLE Postcode: L20	Mobile Tel No: 07380193438
	E-Mail: fwest65@yahoo.co.uk
<p>If the person who will address the Committee is different from the Lead Petitioner named above, please state the name and contact details of the person who will speak:</p> <p>Name and contact details: FRANK WEST 07380 193438</p> <p>We the undersigned agree that the lead petitioner will address the L&R Committee on our behalf at the meeting on Monday 11th March 2024 to discuss and agree the proposed new driver convictions policy.</p>	

PLEASE PROVIDE NAMES, ADDRESSES AND SIGNATURES OF 25 SEFTON RESIDENTS.
IF THE PETITION IS PRESENTED IN ANY PUBLIC FORMAT, DETAILS WILL BE REDACTED.

NAME	ADDRESS	SIGNATURE
1 JOSEPH JOHNSON	1 ORCHARD DALE L23 2RT 6 BARRY STREET L20 8AT	JE Johnson
2 RICHARD BOSNAWA	8 VALLEY CLOSE L23 9TL	RJB
3 ANTHONY FISHER	1 MARY ROAD L20 6NW	AF

	Name	Address	Signature
4	Jamie Holt	30 FERNHILL RD L20 9HH	
5	STEPHAN WILKINSON	109 GARDNER AVE L20 6EF	
6	Olivia Miley	31 Hereford Drive L30 1PS	
7	CHRIS SWEENEY	68 Percy Street L20	
8	Kelly Ann Jones	17 Southwark Grove L30 1QT	
9	Carz Thomas	11 EDEN AVE, PR9 9QH	
10	Paul Judge	46 St Johns Close L20 4AD	
11	Rob Anne Johnson	153 Liverpool Road South L31 8AA	
12	Heather McElbhan	8 Ederhurst Drive L37 2LH	
13	LEE CHEDZOU	87 BEDFORD ROAD L20	
14	Jack Miley	31 Hereford Drive L31 1PS	
15	Charlotte Haines	46 St Johns Close L20 4AD	
16	Liam Forde	36 St Johns Close L20 4AD	
17	MICHAEL JENNINGS	41 DERBY ROAD SOUTHPORT PR9 0TZ	
18	Ammon Tanka	66 THOMSON AVE	
19	STEPHEN ZADCLIFFE	23 GUILDFORD AVE L30 1QT	

NAME	ADDRESS	SIGN
20 MOLLIE BROWN	2 HARROCKS CLOSE L30 0PU	
21 P COLLINS	68 SHARPLES CRESCENT L23 9YQ	P Collins.
22 DAVID HEATH	21 HILLSIDE CLOSE	David Heath
23 BERNARD PRENDERGAST	14 OATFIELD LANE L21 0EY	B.A. Remy
24 CARLA LYNALI	63 GAY STREET BONE L24 0J7	Carla
25 WILLIAM DAY	104 WOODEND AVENUE	W. Day

COUNCILLOR ENDORSEMENT

COUNCILLOR NAME:Councillor Trish Hardy.....

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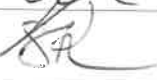

LEAD PETITIONER CONTACT DETAILS

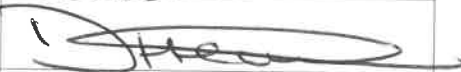
Name: JOSEPH JOHNSON H&PH TRADE REPRESENTATIVE	Home Tel No:
Address: 6 BERRY STREET 1 ORCHARD DALE BOOTLE CROSSBY L23 2RJ. Postcode: L20 8AT	Mobile Tel No: 07914340222 E-Mail: joe@berrystreetgarage.co.uk
We the undersigned agree that the lead petitioner will address the L&R Committee on our behalf at the meeting on Monday 11 th March 2024 to discuss and agree the proposed new driver convictions policy.	

PLEASE PROVIDE NAMES, ADDRESSES AND SIGNATURES OF 25 SEFTON RESIDENTS.

IF THE PETITION IS PRESENTED IN ANY PUBLIC FORMAT, DETAILS WILL BE REDACTED.

NAME	ADDRESS	SIGNATURE
1 JOSEPH JOHNSON	6 Berry Street L20 8AT 1 ORCHARD DALE L23 2RJ	J. Johnson
2 ANTHONY FISHER	1 MARY ROAD, L20 6NW	A. Fisher
3 KELLY ANN JONES	17 SOUTHWARK GROVE L30 1GJ	K. Jones
4 JAMIE HOLT	30 FERNHILL RD L20 9HH	J. Holt
5 SARAH LOUKINSON	109 GARDINER AVE	S. Loukinson

	NAME	ADDRESS	SIGNATURE
6	RICHIE BUSHAWA	8 VALLEY CLOSE L23 9TL	
7	Olivia Miley	31 Hereford Drive L30 1PS	
8	MARK DRAPER	50 EDEN AVENUE L30 5RG	M. Draper
9	CHRIS SNELLGROVE	68 PERCY STREET L20	
10	LEE CHEDZOU	87 BEDFORD ROAD L20	
11	Jack Miley	31 Hereford Drive L30 1PS	J Miley
12	CARE THOMAS	11 EDEN AVENUE PR9 9QH	
13	Paul Judge	46 St Joans Close L20 4AD	
14	Rethana Johns	153 Liverpool Road South L31 8AH	
15	Heather McEibban	8 Edenhurst Drive L37 2UH	
16	Charlotte Hainet	46 St Joans Close L20 4AD	Chann
17	Liam Forde	36 St Joans Close L20 4AD	Forde.
18	MICHAEL DENNING	41 DERBY ROAD SOUTHPORT PR9 0TZ	
19	Quinn Tuzon	81 THORNBERG AVE HIERZA	
20	STEPHEN RADCLIFFE	22 GUILDFORD AVE L30 1PT	
21	Mollie Brown	2 HARROCKS CLOSE L30 0PU	

NAME	ADDRESS	SIGNATURE
22 P Collins	68 Sharples Crescent ^{L23} _{9YQ}	P Collins.
23 David Meath	21 MILLSIDE close	
24 Bernie Prendergast	14 Oaffield Lane L21 0EY	B.A. R. M. J.
25 CARLA LOWELL	63 GIBBY STREET BOTTLEWORKY	Carla

COUNCILLOR ENDORSEMENT

COUNCILLOR NAME:Councillor Trish Hardy.....

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Agenda Item 5

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 11 March 2024
Subject:	Revised Licensed Driver Convictions Policy		
Report of:	Assistant Director of Place (Highways and Public Protection)	Wards Affected:	(All Wards);
Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	N	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To request members approval to the suggested changes to the driver convictions policy in line with national statutory standards.

Recommendation(s):

Agree to the proposed changes to the Council's current convictions policy

Reasons for the Recommendation(s):

Under the terms of the Policing and Crime Act 2017, the Department for Transport (DfT) has introduced Statutory Taxi and Private Hire Vehicle Standards for hackney carriages (taxis) and private hire vehicles. These standards were published in July 2020.

Whilst the focus of the statutory standards is on protecting children and vulnerable adults, all passengers will benefit from the recommended changes to the convictions policy contained in it.

Alternative Options Considered and Rejected: (including any Risk Implications)

The option not to implement the recommendations within the Statutory Taxis and Private Hire Vehicle Standards has been considered and rejected for the following reasons. The Council must have regard to statutory guidance and the statutory standards when undertaking its taxi and private hire vehicle licensing functions. The Department for Transport (DfT) has clearly stated that it expects the recommendations in the statutory guidance to be implemented and maintained, and for all Councils to follow it unless there is a compelling local reason not to do so. The Council could be open to challenge if the new statutory guidance is not followed without sufficient justification and could be considered to be putting children and vulnerable adults at risk of harm if it does not have

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in place a recognised robust regime of testing the fitness of those working in the Hackney Carriage and Private Hire industry.

What will it cost and how will it be financed?

(A) Revenue Costs

None.

(B) Capital Costs

There are no direct capital implications associated with the recommendations in this report.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):

The cost of the service is wholly recovered from the ring-fenced Taxi Licensing Trade Account (Revenue Budget BD12).

Legal Implications:

The Town Police Clauses Act 1847 and The Local Government (Miscellaneous Provisions) Act 1976 provide that a district council may set out criteria when undertaking their taxi and private hire licensing functions and may attach to the grant of a licence such conditions as they may consider reasonably necessary.

Equality Implications:

There are no equality implications.

Climate Emergency Implications:

The recommendations within this report will

Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y

Contribution to the Council's Core Purpose:

Protect the most vulnerable:

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Strengthening of the criteria to be eligible to obtain a licence in Sefton. Supporting independent travel of vulnerable adults and protection of children travelling to school.
Facilitate confident and resilient communities: Commitment to increased protection offered by the introduction of the national standards offering greater confidence and protection in the use of Sefton licensed drivers.
Commission, broker and provide core services: Updating taxi licensing service provision in line with national standards.
Place – leadership and influencer: N/A
Drivers of change and reform: Updating taxi licensing service provision in line with national standards.
Facilitate sustainable economic prosperity: N/A
Greater income for social investment: N/A
Cleaner Greener: N/A

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD..7567/24....) and the Chief Legal and Democratic Officer (LD.5667/24....) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Trade representatives have been consulted and a summary of their views are included in the report.

Contact Officer:	Mark Toohey
Telephone Number:	Tel: Ext 2274
Email Address:	mark.toohey@sefton.gov.uk

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Appendices:

The following appendices are attached to this report:

Annex 1 – new convictions policy

Background Papers:

There are no background papers available for inspection.

1 Introduction/Background

- 1.1 The Council is responsible for licensing hackney carriage and private hire drivers, vehicles, and private hire operators. In undertaking those responsibilities, the Council has regard to the legislation in place including case law, relevant guidance, best practice documentation and its own policies and procedures.
- 1.2 In July 2020 the Secretary of State for Transport published new Statutory Taxi and Private Hire Vehicle Standards to all licensing authorities. The Standards are aimed at safeguarding children and vulnerable adults. The standards were developed to set-out a range of robust measures to protect taxi and private hire vehicle passengers, particularly those most vulnerable.
- 1.3 The Standards are the result of extensive consultation with the police, the trade, the Institute of Licensing, and others and sets out the approach that Licensing Authorities should adopt when carrying out their functions. Under s.177(4) of the Policing and Crime Act 2017, the Council must have regard to this statutory guidance when undertaking its taxi and private hire vehicle licensing functions, it shall be followed unless there is a compelling local reason not to do so.
- 1.4 The following is an extract from the statutory standards:

“There is consensus that common core minimum standards are required to better regulate the taxi and private hire vehicle sector, and the recommendations in this document are the result of detailed discussion with the trade, regulators and safety campaign groups. The Department for Transport (DfT) therefore expects these recommendations to be implemented and maintained unless there is a compelling local reason not to.

All local authorities and district councils that provide children’s and other types of services, including licensing authorities, have a statutory duty to make arrangements to ensure that their functions and any services that they contract out to others are discharged having regard to the need to safeguard and promote the welfare of children. This means that licensing authorities should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children.”

2 New National Convictions Policy

- 2.1 Members will recall a previous report on ‘Statutory Taxi Licensing Guidance for Licensing Authorities’ in relation to taxi licensing at the 7 September 2020 meeting with a further report brought to committee on 8 January 2024.
- 2.2 The statutory standards can be found here:
<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>
- 2.3 Contained within the standards is a revised driver convictions policy which covers the following:
- Crimes resulting in death (not to be licensed – already in current policy)
 - Exploitation (new offence – not to be licensed)
 - Offences involving violence against the person (10 years disqualification – currently between 3 to 10 years)
 - Possession of a weapon (7 years – currently 3 to 5 years)
 - Sexual offences (not to be licensed – already in current policy)
 - Dishonesty (7 years – currently 3 to 5 years)
 - Drugs (10 years for supply, 5 years for possession – already in current policy)
 - Discrimination (new offence – 7 years)
 - Motoring convictions (no disqualification periods specified – same as current policy)
 - Drink driving/driving under the influence of drugs (7 years – currently 2 to 5 years)
 - Using a hand held device whilst driving (new offence – 5 years)
- 2.4 In summary, the Council’s current convictions policy already covers most of the offences included in the new standards but disqualification periods will be generally increased for all offences. New offences relating to exploitation, discrimination and using a handheld device whilst driving have been introduced.
- 2.5 Attached as annex 1 is the proposed new convictions policy.

3. Liverpool City Region (LCR) Authorities

- 3.1 All members of the LCR authorities have been working to standardise conditions across the region for many years.
- 3.2 Currently, Wirral, Liverpool & Knowsley have introduced the changes to their convictions policies brought about by the statutory standards without amendment. St Helens & Sefton are in the process of introducing them whilst Halton has yet to start the process.

4 Further Revisions to Existing Policy

- 4.1 Under Drink driving/driving under the influence of drugs, the following has been added:

“Any driver that fails a Police roadside or other test for drink or drugs will have their licence revoked.”

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- 4.2 Under Motoring convictions, the following has been added:

“The Council will review the licence of any driver that reaches twelve points on their DVLA licence. Although certain motoring offences will normally lead to revocation or refusal, the Council will consider mitigating circumstances against any decision made including the length of any applicable disqualification period (via panel or committee) upon request.

Where an existing driver is affected by any amendments made to the policy on previous convictions, the Council will consider each case on its own merits. Where there are exceptional, clear and compelling reasons to deviate from the policy, the Council may consider doing so and will record the reasons for any deviation from current policy.”

- 4.3 A new section has been added;

“National Database of Suspensions & Revocations

When assessing an application, the Council will have regard to any information contained in the NR3 national database and may decide to refuse on the basis of any adverse information held by another local authority.”

5 Consultation

- 5.1 Consultation with trade representatives has taken place between December 2023 to February 2024. Although most of the changes and minor amendments have been agreed, some of the trade disagree with the introduction of the handheld device conviction (and subsequent 5 year disqualification) and have also suggested revisions to cover testing of blood samples taken by the Police following a roadside stop that results in no further action.
- 5.2 The amendments made by the wording in 4.2 above would allow the Council to adequately deal with isolated convictions with mitigating circumstances along with drivers that have been revoked yet produce a clear blood sample so these have not been included in the revised policy.

6 Relevant Risks

- 6.1 The Department for Transport expects the recommendations within the Statutory Taxis and Private Hire Vehicle Standards to be implemented unless there is a compelling local reason not to and there is a risk that the Council could be open to challenge if the new statutory guidance is not followed without sufficient justification.
- 6.2 Adhering to the new statutory guidance will mitigate against any challenge to the Council’s licensing regime. Failure to adopt the recommendations without good reason could put children and vulnerable adults at risk of harm should the Council not have in place a recognised robust regime of testing the fitness of those working in the Hackney Carriage and Private Hire industry.

7 Conclusion

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- 7.1 It is recommended that the revised policy attached as annex 1 be approved by members with immediate effect.

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Annex 1

STATEMENT OF POLICY AND GUIDELINES RELATING TO THE RELEVANCE OF CONVICTIONS

STATEMENT OF POLICY ABOUT RELEVANT CONVICTIONS

NOTE: In the Council's view this statement and the guidelines that follow are compatible with the rights and freedoms under the European Convention on Human Rights.

This document aims to provide guidance to any person with an interest in public hire and private hire licensing. In particular, but not exclusively:

- Applicants for drivers' licences
- Existing licensed drivers whose licences are being reviewed
- Licensing Officers
- Members of the Licensing Panel (or other relevant decision making body)
- Magistrates hearing appeals against local authority decisions

Thereby providing transparency and consistency in accordance with the principles of good enforcement and relevant Regulatory Compliance Codes.

Where Licensing Officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the Licensing Panel (or other relevant decision-making body). Whilst Officers and the Panel will have regard to the guidelines contained in the policy, each case will be considered on its individual merits and, where the circumstances demand, the Officer may depart from the guidelines.

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Background

1. Licences for drivers of hackney carriages and private hire vehicles may only be granted where the Council is satisfied that the applicant is a fit and proper person to hold such a licence.
2. The document is intended to give guidance on one aspect of whether a person is or is not a fit and proper person namely the situation where a person has previous convictions and cautions and/or arrests and pending prosecutions.
3. The Council must ensure:
 - That a person is a fit and proper person.
 - That a person does not pose a threat to the public.
 - That the public are safeguarded from dishonest persons.
 - The safeguarding of children, young and vulnerable persons.
4. The public do not normally attend Licensing hearings for hackney carriage or private hire applications. The Licensing Panel are required to take account of current UK and European legislation in reaching their decisions.
5. When submitting an application for a licence to drive a hackney carriage or private hire vehicle, applicants are currently required to declare all previous convictions they may have. Applicants are also required to declare all formal cautions and all endorsable fixed penalties they have received and to provide details of all criminal matters of which they are currently the subject of criminal investigation or prosecution.
6. The information given will be treated in confidence and will only be taken into account in relation to the relevant application to assist the Council in determining whether the applicant is a fit and proper person to hold a driver's licence for the purposes of sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976, or whether the Council should exercise any of its powers under section 61 of the Act (i.e. suspension, revocation or refusal to renew a licence).
7. Applicants should be aware that the Council is empowered by law to check with the Disclosure and Barring Service (previously the Criminal Records Bureau) for the existence and content of any criminal record and other intelligence held in their name. Information received from the Disclosure and Barring Service (DBS) will be kept in strict confidence while the licensing process takes its course and will be retained no longer than is necessary and in any event will be destroyed in accordance with the requirements of the Data Protection Act 1998 and in accordance with good practice after the application is determined or any appeal against such determination is decided. Applicants will also be required to register for the DBS update service.
8. The disclosure of a criminal record or other information relating to criminal matters will not necessarily debar an applicant from obtaining a driver's licence. The Council will however consider all information on an enhanced DBS and takes a serious view of any special Police warnings contained therein. If information recorded on the DBS relates to a risk to children and young people a senior representative of the Sefton Council Safeguarding Unit will be consulted for their professional advice as to whether the applicant is a 'Fit and Proper' individual to be granted a licence. Whether or not an applicant will be granted a licence will depend upon whether or not

they can satisfy the Council that they are a fit and proper person to hold such a licence.

9. The Council may not be satisfied that an applicant is a fit and proper person to hold a driver's licence for any good reason. If adequate evidence that a person is a fit and proper person is not adduced or if there is good reason to question or doubt the evidence provided, then that could amount to good reason to refuse a licence.
10. In considering evidence of an applicant's good character and fitness to hold a driver's licence, where previous convictions or other information relating to criminal matters is disclosed, the Council will consider the nature of the offence, the date of conviction, the applicant's age when the offence was committed, the penalty imposed and any other factors which might be relevant. Where an applicant has been convicted of a criminal offence, the Council cannot review the merits of the conviction [Nottingham City Council v. Mohammed Farooq (1998)].
11. The Council has adopted the following guidelines relating to the relevance of convictions to which it refers in determining applications for drivers' licences.
12. The guidelines do not deal with every type of offence, and do not prevent the Council from taking into account offences not specifically addressed in the guidelines, or other conduct, which may be relevant to an individual's application.

If an applicant has a conviction for an offence not covered by the guidelines regard will be had to the factors at paragraph 10 when deciding whether any action should be taken. Offences described in the guidelines and similar offences, though differently entitled in any statutory provision, modification or re-enactment, will be taken into account in accordance with the guidelines.

13. The guidelines are not an attempt to define what a "fit and proper person" is.
14. Any applicant refused a driver's licence on the ground that the Council is not satisfied he is a fit and proper person to hold such a licence has a right of appeal to the Magistrates' Court within 21 days of the notice of refusal.
15. The guidance will be used for the determination of new applications, the renewal of existing licences and the review of existing licences in relation to hackney carriage drivers, private hire drivers and operator licences.
16. It is common practice for Applicants to submit simultaneous applications for Hackney Carriage and Private Hire Driving Licence(s). Licensing Authorities may use the same application form that allows the applicant to specify if they are applying for both types of driver's licences or only one type. This provides an efficient service for the customer and saves needless duplication. For dual applications the Licensing Panel are asked to apply the fit and proper test to each individual application. Similarly were an existing driver who holds both Private Hire and Hackney Carriage Licences is referred to the Licensing Panel the fit and proper test will be applied individually to each Licence.

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GUIDELINES ON THE RELEVANCE OF PREVIOUS CONVICTIONS

General Policy

1. Each case will be decided on its own merits.
2. The Council has a duty to ensure so far as possible that drivers are fit and proper persons to hold licences. One aspect of that is the extent to which previous convictions, including but not limited to convictions for offences against children and young persons, dishonesty, sexual offences, traffic offences, violence and drugs indicate that a person is not a fit and proper person, and would not take advantage of passengers or abuse or assault them.
3. A person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to:
 - a) Remain free of conviction for an appropriate period; and
 - b) Show adequate evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence).
Simply remaining free of conviction will not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence. (see (4) below).
 - c) **For the purpose of clarity the disqualification period runs from the end of any sentence, for example custodial sentence or suspended sentence or community service.**
4. It should be noted that serious offences and multiple repeat offences will be considered despite being outside the general disqualification period. For example:
 - There may be situations where the offence is an isolated one with mitigating circumstances or where a conviction defaults outside of the policy between the application and determination date.
 - Multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour, which will be taken into account.
 - In any case which involves certain specified sexual offences, murder or manslaughter a licence will normally be refused.
5. The following examples afford a general guide on the action, which might be taken where convictions are disclosed:
 - a) Offence of Dishonesty
 - (1) Drivers of hackney carriage and private hire vehicles are expected to be persons of trust. Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

b) Offences involving Violence

- (1) Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least ten years have elapsed since the completion of any sentence imposed.
- (2) Possession of a weapon. Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.
- (3) Crimes resulting in death. Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.
- (4) An application will also normally be refused where the applicant has a conviction for an offence (or similar offence(s)) relating to Arson, Riot or Perverting the Course of Justice

c) Discrimination

- (1) Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

d) Criminal Damage

- (1) An application will also normally be refused where the applicant has a conviction for an offence of criminal damage (or similar offence(s)) conviction is less than three years prior to the date of application.

e) Drugs

- (1) Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply, connected with possession with intent to supply or cultivation of drugs, a licence will not be granted until at least ten years have elapsed since the completion of any sentence imposed.
- (2) Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.

f) Drink driving/driving under the influence of drugs.

- (1) Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant

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may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs. Any driver that fails a Police roadside or other test for drink or drugs will have their licence revoked.

g) Sexual and Indecency Offences

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted. In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

h) Exploitation.

Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

i) General Motoring Convictions

- (1) Motoring Convictions. Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence. However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.
- (2) If you have been disqualified from driving including for excessive points, the Council will want to be satisfied that, upon the return of your DVLA driving licence you will remain free of further incidents for a period of time. Therefore, the time period (or additional disqualification period) before you can apply for a Sefton licence will match the DVLA disqualification i.e. a 3 month DVLA ban will mean you will not be eligible to apply for a Sefton licence until 3 months after the return of your DVLA licence/entitlement (provided you have remained free of any further incidents).
- (3) Using a hand-held device whilst driving. Where an applicant has a conviction *or penalty* for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.
- (4) The Council will review the licence of any driver that reaches twelve points on their DVLA licence. Although certain motoring offences will normally lead to revocation or refusal, the Council will consider mitigating circumstances against any decision made including the length of any applicable disqualification period (via panel) upon request.

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(5) Where an existing driver is affected by any amendments made to the policy on previous convictions, the Council will consider each case on its own merits. Where there are exceptional, clear and compelling reasons to deviate from the policy, the Council may consider doing so and will record the reasons for any deviation from current policy.

j) Mitigation Panel

1) When considering licence applications, the mitigation panel will consider all relevant offences and may decide to refuse an application due to the serious nature or number of offences. Each decision will be made on an individual case-by-case basis and it is not possible to list all circumstances when an application may be refused here. With regard to applications which pose a risk to children and young people a senior representative of Sefton Council's Safeguarding Children Unit may sit on the Mitigation Panel.

2) The panel will give consideration to all offences but those of a more serious nature will give more cause for concern and the panel would expect to see a significant period of time free of convictions upon application.

3) Any applicant who is refused a licence will be offered the chance to appeal the panel's decision in the Magistrates Court.

k) Plying For Hire & Driving with No Insurance

In the case of a private hire driver found guilty of an offence of plying for hire, the Licensing Panel would normally order the licence to be revoked or suspended.

l) Breach of Conditions, Bye-laws and complaints

Any serious or repeated breach of conditions by a private hire driver or similar breach of bye-laws by a hackney carriage driver will be referred to the Panel. A driver brought before the Panel without an associated conviction would be dealt with by formal written warning or period of suspension of up to 3 months.

m) Reapplication

Applicants are advised that Council guidelines are that where an applicant has had an application refused or a licence revoked, the Panel would normally refuse any subsequent application made within 12 months of the date of the previous refusal or revocation unless there are substantial material changes in the applicant's circumstances.

n) Other Offences

1) Offences under the Town Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976 and Hackney Carriage Byelaws and Section 167 Criminal Justice and Public Order Act 1994.

2) One of the main purposes of the licensing regime set out in the Town Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976 ("the Acts") and Hackney

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Carriage Byelaws, is to ensure the protection of the travelling public. For this reason a serious view is taken of convictions for offences under the Acts (including illegally plying for hire and/or touting) when deciding whether an applicant is to be treated as a fit and proper person to hold a licence. In particular, an applicant will normally be refused a licence if he/she has been convicted of an offence under the Acts at any time during the 2 years preceding the application or has more than one conviction within the last 5 years preceding the date of the application.

o) National Database of Suspensions & Revocations

When assessing an application, the Council will have regard to any information contained in the NR3 national database and may decide to refuse on the basis of any adverse information held by another local authority.

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Report to:	Licensing and Regulatory Committee	Date of Meeting:	11 March 2024
Subject:	Local Licensing – Fees and Charges 2024/2025		
Report of:	Assistant Director of Place (Highways and Public Protection)	Wards Affected:	(All Wards);
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To seek the approval of Members for the fees and charges for Local Licensing Services in 2024/2025.

Recommendation(s):

That Licensing and Regulatory Committee:

Endorse and approve the proposed fees and charges for 2024/2025 as listed in the Annex.

Reasons for the Recommendation(s):

Many of the Local Licensing fees and charges are set nationally. Where this is not the case with respect to the general licensing (sex establishments, animal welfare licensing, personal treatment registrations etc.) and Gambling Act 2005 fees the Authority can only cover its reasonable costs in setting them.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

The proposed changes in Fees and Charges (as appropriate) will result in a negligible change to the Council's income.

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(B) Capital Costs

There are no financial costs associated with the proposals in this report

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None.	
Legal Implications: None.	
Equality Implications: There are no equality implications.	
Climate Emergency Implications: The recommendations within this report will	
Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y
This is an information only Report and contains no proposals that will alter any impact on climate change.	

Contribution to the Council's Core Purpose:

Protect the most vulnerable: N/A
Facilitate confident and resilient communities: N/A
Commission, broker and provide core services: N/A
Place – leadership and influencer: N/A
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: N/A
Greater income for social investment: N/A
Cleaner Greener: N/A

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services has been consulted and notes the report indicates no direct financial implications for the Council. (FD 7532/24).

The Chief Legal and Democratic Officer has been consulted with regard to any legal implications and any comments have been incorporated into the report. (LD 5632/24).

(B) External Consultations

None.

Implementation Date for the Decision

1 April 2024

Contact Officer:	Jacqueline Charlton
Telephone Number:	07973 457713
Email Address:	Jackie.charlton@sefton.gov.uk

Appendices:

Annex – List of proposed fees and charges

Background Papers:

There are no background papers available for inspection.

1. Background

1.1 Many of the Local Licensing fees and charges are set nationally. Where this is not the case with respect to the general licensing (sex establishments, animal welfare licensing, personal treatment registrations etc.) and Gambling Act 2005 (the 2005 Act) fees the Authority can only cover its reasonable costs in setting them.

2. General Licence fees

2.1 It is proposed that these should be updated by 4.6% (the CPI rate in October 2023).

3. Gambling Act 2005

3.1 In respect of certain fees for the 2005 Act these can only be set up to a maximum tariff which is set by Central Government.

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- 3.2 For the majority of processes relating to Regional, Large and Small Casinos the fees are already set to the maximum level permitted and therefore no change can be made in respect of those applicable processes (it should be noted, however, that Sefton does not have any of these types of premises and the legislation currently does not allow for any further grants of this type).
- 3.3 Section 212(2)(d) of the Act specifically states that local authorities 'shall aim to ensure that the income from fees... as nearly as possible equates to the costs of providing the service to which the fees relates'.

Service Details	VAT rate	Current Charge 2023/24	Proposed 2024/25 charges	Proposed Increase 2024/25	
		£	£	£	%
GENERAL LICENSING					
SEX ESTABLISHMENT LICENCES					
Grant of Licence	O	1515.05	1585.00	69.69	4.6
Renewal of Licence	O	346.05	362.00	15.92	4.6
Transfer of Licence	O	346.05	362.00	15.92	4.6
TATTOOING, COSMETIC PIERCING, SEMI-PERMANENT SKIN-COLOURING, ACUPUNCTURE, ELECTROLYSIS					
person	O	19.93	21.00	0.92	4.6
premises	O	123.13	129.00	5.66	4.6
SCRAP METAL DEALER'S ACT 2013					
Grant or Renewal of Site Licence	O	166.56	174.00	7.66	4.6
Grant or Renewal of Collector's Licence	O	121.87	127.00	5.60	4.6
Variation of Site/Collector's Licence	O	95.39	100.00	4.39	4.6
DANGEROUS WILD ANIMALS					
	O	129.20	135.00	5.94	4.6
ZOOS					
	O	865.35	905.00	39.81	4.6
ANIMAL WELFARE LICENSING					
KEEPING OF ANIMALS FOR EXHIBITION					
Grant or Renewal of Licence	O	342.71	358.00	15.76	4.6
Re-Inspection fee	O	342.71	358.00	15.76	4.6
Variation	O	153.42	160.00	7.06	4.6
PET SHOPS					
Grant or Renewal of Licence	O	342.71	358.00	15.76	4.6
Re-Inspection fee	O	342.71	358.00	15.76	4.6
Variation	O	153.42	160.00	7.06	4.6
BREEDING OF DOGS					
Grant or Renewal of Licence*	O	342.71	358.00	15.76	4.6
Re-Inspection fee*	O	342.71	358.00	15.76	4.6
Variation*	O	153.42	160.00	7.06	4.6
*Plus veterinary fees					
ANIMAL BOARDING AND DAY CARE ESTABLISHMENTS					
Grant or Renewal of Licence					
0-4 animals	O	321.83	337.00	14.80	4.6
5-50 animals	O	360.12	377.00	16.57	4.6
Re-Inspection fee					
0-4 animals	O	321.83	337.00	14.80	4.6
5-50 animals	O	360.12	377.00	16.57	4.6
Variation					
0-4 animals	O	141.76	148.00	6.52	4.6
5-50 animals	O	164.94	173.00	7.59	4.6

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Annex

ANIMAL BOARDING AND DAY CARE DUAL ESTABLISHMENTS

Grant or Renewal of Licence

0-4 animals	O	452.99	474.00	20.84	4.6
5-50 animals	O	493.70	516.00	22.71	4.6
Re-Inspection fee					
0-4 animals	O	452.99	474.00	20.84	4.6
5-50 animals	O	439.70	516.00	22.71	4.6
Variation					
0-4 animals	O	141.76	148.00	6.52	4.6
5-50 animals	O	164.94	173.00	7.59	4.6

RIDING ESTABLISHMENTS

Grant or Renewal of Licence*	O	378.69	396.00	17.42	4.6
Re-Inspection fee*	O	378.69	396.00	17.42	4.6
Variation*	O	182.37	191.00	8.39	4.6

*Plus veterinary fees

GAMBLING ACT 2005

REGIONAL CASINO PREMISE LICENCE

Grant	O	15000.00	15000.00	Nil	Nil
Annual fee	O	15000.00	15000.00	Nil	Nil
Variation	O	7500.00	7500.00	Nil	Nil
Transfer	O	6500.00	6500.00	Nil	Nil
Re-Instatement	O	6500.00	6500.00	Nil	Nil
Provisional Statement	O	15000.00	15000.00	Nil	Nil
Change of circumstances	O	29.59	31.00	1.36	4.6
Copy of Licence	O	12.61	13.00	0.58	4.6

LARGE CASINO PREMISE LICENCE

Grant	O	10000.00	10000.00	Nil	Nil
Annual fee	O	10000.00	10000.00	Nil	Nil
Variation	O	5000.00	5000.00	Nil	Nil
Transfer	O	2150.00	2150.00	Nil	Nil
Re-Instatement	O	2150.00	2150.00	Nil	Nil
Provisional Statement	O	10000.00	10000.00	Nil	Nil
Change of circumstances	O	29.59	31.00	1.36	4.6
Copy of Licence	O	12.61	13.00	0.58	4.6

SMALL CASINO PREMISE LICENCE

Grant	O	8000.00	8000.00	Nil	Nil
Annual fee	O	5000.00	5000.00	Nil	Nil
Variation	O	4000.00	4000.00	Nil	Nil
Transfer	O	1800.00	1800.00	Nil	Nil
Re-Instatement	O	1800.00	1800.00	Nil	Nil
Provisional Statement	O	8000.00	8000.00	Nil	Nil
Change of circumstances	O	29.59	31.00	1.36	4.6
Copy of Licence	O	12.61	13.00	0.58	4.6

CONVERTED CASINO PREMISE LICENCE

Annual fee	O	1565.34	1565.00	Nil	Nil
Variation	O	1335.00	1335.00	Nil	Nil
Transfer	O	901.00	901.00	Nil	Nil
Re-Instatement	O	901.00	901.00	Nil	Nil
Change of circumstances	O	29.59	31.00	1.36	4.6
Copy of Licence	O	12.61	13.00	0.58	4.6

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BINGO PREMISE LICENCE

Grant	O	2336.00	2336.00	Nil	Nil
Annual fee	O	522.04	522.00	Nil	Nil
Variation	O	1169.00	1169.00	Nil	Nil
Transfer	O	801.00	801.00	Nil	Nil
Re-Instatement	O	801.00	801.00	Nil	Nil
Provisional Statement	O	2336.00	2336.00	Nil	Nil
Change of circumstances	O	29.59	31.00	1.36	4.6
Copy of Licence	O	12.61	13.00	0.58	4.6

ADULT GAMING PREMISE LICENCE

Grant	O	1335.00	1335.00	Nil	Nil
Annual fee	O	522.04	522.00	Nil	Nil
Variation	O	668.00	668.00	Nil	Nil
Transfer	O	802.00	802.00	Nil	Nil
Re-Instatement	O	802.00	802.00	Nil	Nil
Provisional Statement	O	1335.00	1335.00	Nil	Nil
Change of circumstances	O	29.59	31.00	1.36	4.6
Copy of Licence	O	12.61	13.00	0.58	4.6

BETTING PREMISE (TRACK) LICENCE

Grant	O	1669.00	1669.00	Nil	Nil
Annual fee	O	522.04	522.00	Nil	Nil
Variation	O	835.00	835.00	Nil	Nil
Transfer	O	634.00	634.00	Nil	Nil
Re-Instatement	O	634.00	634.00	Nil	Nil
Provisional Statement	O	1669.00	1669.00	Nil	Nil
Change of circumstances	O	29.59	31.00	1.36	4.6
Copy of Licence	O	12.61	13.00	0.58	4.6

FAMILY ENTERTAINMENT PREMISE LICENCE

Grant	O	1335.00	1335.00	Nil	Nil
Annual fee	O	391.53	392.00	Nil	Nil
Variation	O	668.00	668.00	Nil	Nil
Transfer	O	634.00	634.00	Nil	Nil
Re-Instatement	O	634.00	634.00	Nil	Nil
Provisional Statement	O	1335.00	1335.00	Nil	Nil
Change of circumstances	O	29.59	31.00	1.36	4.6
Copy of Licence	O	12.61	13.00	0.58	4.6

BETTING PREMISES (OTHER) LICENCE

Grant	O	2003.00	2003.00	Nil	Nil
Annual fee	O	313.38	313.00	Nil	Nil
Variation	O	1001.00	1001.00	Nil	Nil
Transfer	O	802.00	802.00	Nil	Nil
Re-Instatement	O	802.00	802.00	Nil	Nil
Provisional Statement	O	2003.00	2003.00	Nil	Nil
Change of circumstances	O	29.59	31.00	1.36	4.6
Copy of Licence	O	12.61	13.00	0.58	4.6

TEMPORARY USE NOTICE

Grant	O	118.47	118.00	Nil	Nil
Copy of Notice	O	12.61	13.00	0.58	4.6

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FOR INFORMATION ONLY

Fees prescribed by Parliament

LICENSING ACT 2003

PREMISE LICENCE

Grant / Variation

Band A	O	100.00	100.00	Nil	Nil
Band B	O	190.00	190.00	Nil	Nil
Band C	O	315.00	315.00	Nil	Nil
Band D	O	450.00	450.00	Nil	Nil
Band E	O	635.00	635.00	Nil	Nil

Annual charge

Band A	O	70.00	70.00	Nil	Nil
Band B	O	180.00	180.00	Nil	Nil
Band C	O	295.00	295.00	Nil	Nil
Band D	O	320.00	320.00	Nil	Nil
Band E	O	350.00	350.00	Nil	Nil

Copy of Licence	O	10.50	10.50	Nil	Nil
Provisional Statement	O	315.00	315.00	Nil	Nil
Minor Variation	O	89.00	89.00	Nil	Nil
Vary Designated Premises Supervisor	O	23.00	23.00	Nil	Nil
Disapply Designated Premises Supervisor	O	23.00	23.00	Nil	Nil
Transfer	O	23.00	23.00	Nil	Nil
Interim Authority	O	23.00	23.00	Nil	Nil
Notice of Interest in premise	O	21.00	21.00	Nil	Nil

CLUB PREMISES CERTIFICATE

Grant / Variation

Band A	O	100.00	100.00	Nil	Nil
Band B	O	190.00	190.00	Nil	Nil
Band C	O	315.00	315.00	Nil	Nil
Band D	O	450.00	450.00	Nil	Nil
Band E	O	635.00	635.00	Nil	Nil

Annual charge

Band A	O	70.00	70.00	Nil	Nil
Band B	O	180.00	180.00	Nil	Nil
Band C	O	295.00	295.00	Nil	Nil
Band D	O	320.00	320.00	Nil	Nil
Band E	O	350.00	350.00	Nil	Nil

Minor Variation	O	89.00	89.00	Nil	Nil
Copy of Certificate	O	10.50	10.50	Nil	Nil
Notification of change of name or Rule	O	10.50	10.50	Nil	Nil
Change of registered address	O	10.50	10.50	Nil	Nil

ADDITIONAL FEE / ANNUAL CHARGE WHERE MAXIMUM NUMBER OF PERSONS ALLOWED ON PREMISES IS 5000 OR OVER

Application fee					
5000 to 9999	O	1000.00	1000.00	Nil	Nil
10000 to 14999	O	2000.00	2000.00	Nil	Nil
15000 to 19999	O	4000.00	4000.00	Nil	Nil

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20000 to 29999	O	8000.00	8000.00	Nil	Nil
30000 to 39999	O	16000.00	16000.00	Nil	Nil
40000 to 49999	O	24000.00	24000.00	Nil	Nil
50000 to 59999	O	32000.00	32000.00	Nil	Nil
60000 to 69999	O	40000.00	40000.00	Nil	Nil
70000 to 79999	O	48000.00	48000.00	Nil	Nil
80000 to 89999	O	56000.00	56000.00	Nil	Nil
90000 and over	O	64000.00	64000.00	Nil	Nil

Annual Charge

5000 to 9999	O	500.00	500.00	Nil	Nil
10000 to 14999	O	1000.00	1000.00	Nil	Nil
15000 to 19999	O	2000.00	2000.00	Nil	Nil
20000 to 29999	O	4000.00	4000.00	Nil	Nil
30000 to 39999	O	8000.00	8000.00	Nil	Nil
40000 to 49999	O	12000.00	12000.00	Nil	Nil
50000 to 59999	O	16000.00	16000.00	Nil	Nil
60000 to 69999	O	20000.00	20000.00	Nil	Nil
70000 to 79999	O	24000.00	24000.00	Nil	Nil
80000 to 89999	O	28000.00	28000.00	Nil	Nil
90000 and over	O	32000.00	32000.00	Nil	Nil

PERSONAL LICENCE

Grant	O	37.00	37.00	Nil	Nil
Copy of Licence	O	10.50	10.50	Nil	Nil
Notification of change of name and/or address	O	10.50	10.50	Nil	Nil

TEMPORARY EVENT NOTICES

Grant	O	21.00	21.00	Nil	Nil
Copy of Notice	O	10.50	10.50	Nil	Nil

GAMBLING ACT 2005

FAMILY ENTERTAINMENT CENTRE

GAMING MACHINE PERMIT

PRIZE GAMING PERMIT

Grant	O	300.00	300.00	Nil	Nil
Renewal	O	300.00	300.00	Nil	Nil
Existing Operator Grant	O	100.00	100.00	Nil	Nil
Change of name	O	25.00	25.00	Nil	Nil
Copy of Permit	O	15.00	15.00	Nil	Nil

CLUB GAMING PERMIT

CLUB MACHINE GAMING PERMIT

Grant	O	200.00	200.00	Nil	Nil
Grant (Club Premises Certificate Holder)	O	100.00	100.00	Nil	Nil
Existing Operator Grant	O	100.00	100.00	Nil	Nil
Variation	O	100.00	100.00	Nil	Nil
Renewal	O	200.00	200.00	Nil	Nil
Renewal (Club Premises Certificate Holder)	O	100.00	100.00	Nil	Nil
Annual Fee	O	50.00	50.00	Nil	Nil
Copy of Permit	O	15.00	15.00	Nil	Nil

LICENSED PREMISES GAMING MACHINE

Grant	O	150.00	150.00	Nil	Nil
Existing Operator Grant	O	100.00	100.00	Nil	Nil
Variation	O	100.00	100.00	Nil	Nil

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					Annex
Transfer	<input type="radio"/>	25.00	25.00	Nil	Nil
Annual Fee	<input type="radio"/>	50.00	50.00	Nil	Nil
Change of name	<input type="radio"/>	25.00	25.00	Nil	Nil
Copy of Permit	<input type="radio"/>	15.00	15.00	Nil	Nil
LICENSED PREMISES AUTOMATIC NOTIFICATION PROCESS					
On notification	<input type="radio"/>	50.00	50.00	Nil	Nil

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Report to:	Licensing and Regulatory Committee Council	Date of Meeting:	Monday 11 March 2024 Thursday 18 th April 2024
Subject:	Continuation of the Public Spaces Protection Order -Dog Control		
Report of:	Assistant Director of Place (Highways and Public Protection)	Wards Affected:	(All Wards);
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To provide information concerning dog control and an overview of the public consultation on the proposed extension of the existing Public Spaces Protection Order Dog Control 2021 for a further three years.

Recommendation(s):

Licensing and Regulatory Committee is requested to recommend that Council gives its approval for the extension of the Public Spaces Protection Order Dog Control 2021 for a further three years:

Council is requested to approve the extension of the Public Spaces Protection Order Dog Control 2021 for a further three years:

Reasons for the Recommendation(s):

The proposal is intended to continue enforcement powers that address irresponsible dog control and protect the public from anti-social behaviour that is having or is likely to have a detrimental effect on the quality of life of those in the locality.

Alternative Options Considered and Rejected: (including any Risk Implications)

Members could take no action, following the PSPO consultation. In doing so, Members should note that the existing PSPO- Dog Control 2021 will expire on the 28th April 2024 resulting in only very limited powers to tackle irresponsible dog ownership. Existing Bye laws are dated in extent and coverage across the Borough. Crucially they fail to allow a Fixed penalty notice (FPN) to be issued and for the offender to discharge their liability for prosecution by making payment. All offences would result in prosecution which is both costly in time and resources and would leave the offender with a criminal record.

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What will it cost and how will it be financed?

(A) Revenue Costs

The consultation responses identified that a significant number of respondents considered that the information provided for the PSPO – dog Control 2021 could be improved . A review of information provision including signage will be necessary and subject to its outcome may result in additional costs to ensure that relevant and adequate information / signage is provided and maintained. These costs are subject to the outcome of the review , previous estimates for signage provision ranged up to £10,000 and will need to be met from Services existing revenue budgets.

It is not anticipated that there will be any material change in the amount of income. received from fixed penalty notices. Indeed, it is hoped that changes to irresponsible dog owners’ behaviour will mean fewer FPN’s being issued. An additional contribution towards income is not anticipated

(B) Capital Costs

None

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):	
There is potentially an increased cost associated with making improvements to information and signage for the PSPO, but this would need to be accommodated within existing budgetary provision.	
Legal Implications: The consultation process has adhered to statutory requirements and guidance. The decision-making process, if members determine to proceed with extension of the PSPO -Dog Control, will follow the necessary and appropriate decision-making route.	
Equality Implications:	
The equality Implications have been identified and mitigated. The current PSPO provides exemptions for assistance dogs which will continue if the order is extended.	
Impact on Children and Young People: Yes, the restrictions & requirements within the order will help protect children & young people from irresponsible dog ownership and dog behaviours.	
Climate Emergency Implications:	
The recommendations within this report will	
Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes

<p>Protect the most vulnerable: The PSPO ensures continued protection by ensuring that dogs are prohibited from entering enclosed playgrounds and certain sports facilities and effectively controlled on a lead in other locations such as picnic areas and cemeteries thereby ensuring children can play without disturbance in a secure environment and persons using sensitive locations are protected.</p>
<p>Facilitate confident and resilient communities: Controls over irresponsible dog owners and dog behaviours assists in enabling the whole community to feel safe and enjoy public spaces.</p>
<p>Commission, broker and provide core services: Effective controls over dog fouling and other aspects of irresponsible dog ownership and behaviours assists in keeping streets and public spaces cleaner and controlling anti-social behaviour</p>
<p>Place – leadership and influencer: The PSPO – Dog Control provides a strong message to our communities that irresponsible dog ownership, and anti-social behaviour is not acceptable, and the Council is doing what it can to prevent it.</p>
<p>Drivers of change and reform: Extending this PSPO will continue to encourage responsible dog ownership by ensuring dogs are on a lead or prohibited from entering key areas to the benefit of the community and will seek to reduce the levels of dog fouling within the Borough.</p>
<p>Facilitate sustainable economic prosperity: Effective controls over dog fouling and other aspects of irresponsible dog ownership and behaviours assists in keeping streets and public spaces cleaner, and controlling anti-social behaviour, which in turn assist in supporting a positive environment for businesses.</p>
<p>Greater income for social investment: Not applicable</p>
<p>Cleaner Greener Extending the PSPO will ensure enforcement powers continue to be available to require dog fouling to be picked up forthwith, this will impact upon dog walker's behaviour and the level of dog fouling.</p> <p>Ability for officers to request dogs leashed on direction is helpful in diffusing situations and preventing adverse impacts on the wider natural environment.</p>

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.7564/24.....) and the Chief Legal and Democratic Officer (LD.5664/24.....) have been consulted and any comments have been incorporated into the report.

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(B) External Consultations

Following approval by the Public Engagement & Consultation Panel a public consultation began on 22nd January 2024 for 4 weeks.

Details of the consultation engagement are outlined further in this report.

Implementation Date for the Decision

Immediately following the Committee / Council meetings.

(Please delete as appropriate and remove this text)

Contact Officer:	Steve Smith
Telephone Number:	07971623418
Email Address:	steve.smith@sefton.gov.uk

Appendices:

The following appendices are attached to this report:

Appendix 1 – Sefton Metropolitan Borough Council Public Spaces Protection Order (Dog Control) 2021

Appendix 2 – Correspondence received from the Dog's Trust

Background Papers:

Local Government Association -PSPO Guidance for Councils

https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf

Home Office Anti-Social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers- Statutory guidance for frontline professionals

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf

1. Introduction/Background

1.1. A public spaces protection order (PSPO) can be introduced by a Council under the Anti-social Behaviour, Crime and Policing Act 2014, Part 4 (section 59) where:

- activities that have taken place have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will take place and that they will have a detrimental effect
- the effect or likely effect of activities:
 - is, or is likely to be, persistent or continuing in nature

- is, or is likely to be, unreasonable

- 1.2. A PSPO can last for up to three years, after which it must be reviewed, after which it may be extended for up to a further three years. There is no limit on the number of times an Order may be reviewed and renewed.
- 1.3. Before introducing, extending, varying or discharging a PSPO, there are requirements under the Act regarding consultation, publicity and notification.
- 1.4. Local authorities are obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives, parish or community councils that are in the proposed area covered by the PSPO must be notified.

2. **Sefton's Current PSPO for Dog Control**

- 2.1. The current PSPO for Dog Control came into force on the 28th April 2021 and will end on 28th April 2024 (if not extended) .
- 2.2. The following requirements / restrictions summarised below are included within the current Order (Appendix 1).
 - Failure to remove your dog's fouling forthwith.
 - Restrict the number of dogs that can be walked by one person to a maximum of 6 dogs on or off the lead.
 - Prohibit dogs from entering enclosed playgrounds.
 - Prohibit dogs from entering marked or fenced sports pitches during specified times.
 - Dogs to be kept on a lead within defined picnic sites and family areas in parks.
 - Dogs to be kept on a lead within all designated carriageways (A and B classified Road) and footways.
 - Dogs to be kept on a lead within all cemeteries and crematoria.
 - Dogs to be placed on a lead when directed by an authorised officer to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to members of the public.
 - Dog leads must be no greater than 2 metres in length when used in the locations specified above.
- 2.3. A £75 fixed penalty notice (£50 if paid within 10 days) can be issued if someone fails to comply with the requirement / restrictions within the Order.
- 2.4. There are several bye laws that include reference to dog control including: banning dogs from cemeteries (contradicting the current PSPO); limitations on dogs within certain parts of the seashore; Dogs Fouling Footways/ Grass Verges only and restriction on dogs in public walks and pleasure grounds. These are limited to specific locations and crucially fail to allow a Fixed penalty notice (FPN) to be issued and for the offender to discharge their liability for prosecution by making payment. All offences would result in prosecution which is both costly in time and resources and would leave the offender with a criminal record.

3. **Activity during current PSPO**

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- 3.1. During the period of the current PSPO-Dog Control 2021 enforcement of the restrictions has primarily been undertaken by the Council's Contractor with FPN's issued for non-compliance.
- 3.2. The Officers have undertaken high visibility patrols and engagement in key locations which provides a deterrent, particularly relevant for dog fouling offences. The knowledge of and ability to issue FPN's is key to their effectiveness.

3.3. Fixed Penalty Notices served by type:

(FPNs served by offence type)	2021	2022	2023	2024 (Jan)	Grand Total
dog to enter and remain on a bowling green		1			1
dog to enter and remain in a fenced multi use games area		2	3	1	6
dog to enter and remain in a fenced sport pitch		1			1
dog to enter and remain in an enclosed playground			13	23	36
dog to enter and remain on a marked sports pitch during a restricted period		2	28		30
failed to place a dog on a lead of not more than 2 metres in length when directed to do so		4	2	1	7
failed to remove dog fouling forthwith	3	6	8		17
dog not on a lead of less than 2 metres in length in a cemetery / crematoria		27	32	2	61
dog not on a lead of less than 2 metres in length in a designated family / picnic area		86	77	3	166
dog not on a lead of less than 2 metres in length on an A or B road / footway		23	17		40
walking with more than 6 dogs		1			1
Grand Total	3	165	91	7	366

Where a FPN is not paid a prosecution for the offence is perused. This resulted in 8 cases and convictions in 2022 with fines & costs totalling £2,024 and 5 convictions in 2023 with fines & costs awarded of £2,024

3.4. Requests for Service – Sefton Council

Row Labels	2021	2022	2023	2024	Grand Total
Dangerous/Aggressive Dogs		6	3		15
Dog Fouling		309	174	34	851

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PSPO dog control	13	3	17		33
Request for Dog Fouling Notice	15	8	2		25
Grand Total	368	326	196	34	924

3.5. The number of stray dogs seized by the Council.

	2021	2022	2023	Grand Total
Seized dogs	56	85	75	216

3.6 Incidents recorded by Merseyside Police

Owner or person in charge allowing dog to be dangerously out of control in any place (whether or not a public place) injuring any person or assistance dog.

Between 2021 & January 2024 Merseyside Police recorded 564 incidents of dogs out of control where injury occurred. Over 70% of these were in a public place

	2021	2022	2023	2024(January)	Total
Offences reported total	127	194	229	14	564

Green Sefton Observations

- 3.7 Key issues and anecdotal reports from Green Sefton confirm dog fouling remains an issue in all parks and coastal sites with the littering of significant number of dog fouling bags also identified. Dogs are often encountered in enclosed children's play areas and dogs witnessed being aggressive to park users and other dogs.
- 3.8 Numerous instances of disturbance by dog walkers to the roosting birds in coastal areas have been noted and on some occasions dog walkers have been observed allowing or encouraging their dogs to disturb the birds. There remains ongoing vandalism of PSPO signage throughout the Borough and particularly in the North.
- 3.9 Green Sefton's community rangers continue to hold education events often involving the Dogs Trust at parks throughout the borough and discuss the PSPO with dog owners at all our sites when on patrol.
- 3.10 There were 35 formal dog control PSPO related comments / complaints / compliments via the Council's iCasework system to Green Sefton between September 2021 and November 2023.
- 3.11 Whilst dog fouling continues to be raised as a problem, it is clear that a major source of anti-social behaviour arises from dogs off leads. This impacts on those who do have their dogs under control and also on those site users who do not have dogs, or may be wary around dogs, with tPage 51ion that some people are starting to avoid some parks or areas of coast. The Burials & Cremation Manger also noted the

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lack of respect some dog owners have when visiting sensitive locations such as Cemeteries & Crematoria and the impact this has on other people visiting and paying respects.

4. Public Consultation Engagement

- 4.1. A consultation began on 22nd January 2024 for a 4-week period, 340 online responses were received.
- 4.2. Seven questions were agreed upon and asked whether the order should be extended; the frequency of irresponsible dog ownership; the impact of the PSPO and whether current information surrounding it was adequate. Full details of the questions can be found in the results section of this report.
- 4.3. An easy read version was developed and the wording of this was used for all versions of the consultation.
- 4.4. The consultation ran online through Your Sefton Your Say. Hard copies and audio versions were made available. Alternative language forms were available on request.
- 4.5. The Consultation was promoted through the Council website, My Sefton, social media local press, Green Sefton and all notice boards in Sefton Parks, recreational areas, and cemeteries.
- 4.6. The following groups were all contacted via email to inform them of the consultation taking place and to identify any particular requests or requirements that group members may have.
 - Sefton CVS
 - Merseyside Sight Loss Council
 - Migrant Workers Sefton Community
 - People First Merseyside
 - South Sefton Visually Impaired Group
 - Dogs Trust

5 Merseyside Chief Constable and Merseyside Police & Crime Commissioner

- 5.1 Both the Chief Constable and Police & Crime Commissioner were consulted on the proposed extension of the order. The Police & Crime Commissioner confirmed that She is “ happy to support and endorse the extension up until 28th April 2027”.

5. Parish & Town Councils:

- 5.1. All Parish & Town Councils across Sefton were contacted to inform them of the consultation taking place and the following responses were received from the clerks to the Council's.
- 5.2. Aintree Village Parish Coun

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“The two Committees [Finance and General Purposes Committee and the Park and Amenities Committee] met and agreed to support your proposal to extend the Public Spaces Protection Order and the areas that are covered by the proposed Order within Harrow Drive Park.”

5.3 Formby Parish Council;

“I have looked at the schedule 6 and this does not include the playground at Alt Lane, which has previously allowed dogs to pass through on leads to access the dog recreation area. However, this is being addressed as part of the section 106 from the Liverpool Road development and so this should be included as a dog exclusion zone for the next order.

Also the new community garden at Lonsdale Road should be included.”

5.4 Maghull Town Council

“Thank you for the consultation documentation which you have sent through.

Can I ask why the parks in Maghull and Lydiate have been left off? The PSPO is borough wide from memory but our parks are not included. There is no point sending this out for consultation for the people of Maghull when the first question will be “where are our parks?”

If you could look into this and get back to me I'd be grateful.”

[please note: Parks in Maghull & Lydiate are included within Schedule 6 of the current order and Maghull Town Council have been advised]

6. Animal charities/welfare groups:

- 6.1. The Dog's Trust responded to the consultation and made comment in respect of several areas of dog control including; dog fouling, dogs on leads, walking a specified number of dogs and exclusion of dogs from certain areas. The full response can be found in appendix 2.

7. Public Consultation Results

- 7.1. A total of 340 responses to the consultation were received online.
- 7.2. The consultation asked respondents if they were 'dog owners'. This was to identify whether views on the PSPO were from dog owners or non-dog owners. The results show an even split with 50.59% dog owners and non dog owners 49.41%.
- 7.3. The results of the consultation can be seen in the following section.

8. Executive Summary

- 8.1. Irresponsible dog control has remained an issue during the lifetime of the current PSPO – Dog Control 2021 and is reflected in the level of data and comment shown in section three of this report along with the comments made in response to this consultation.

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- 8.2. This behaviour continues to have a detrimental effect and continuation of enforcement powers to control dogs will reduce the likelihood of the effect continuing or recurring.
- 8.3 The PSPO consultation has been broad ranging reaching out to relevant groups and residents alike. It has produced a significant number of responses. These have been overwhelmingly supportive of extending the order, with 82.06% (279 /340) of respondents saying it should be extended.
- 8.4 35% of respondents who said yes to the extension were dog owners, whilst only eight of the fifty-nine respondents (13%) who said no, were dog owners.

There were 282 comments in relation to extending the PSPO, with some key themes being the focus for this continuing, they were:

- Need to ensure and encourage responsible dog ownership and also cater for those whom dogs are a nuisance or perceived threat .
- Significant concern about Dog fouling, littering of dog bags along with a lack of bin provision or not frequent collections to allow for fouling to be disposed of.
- Need for enforcement that is seen by the public and lack of wardens within green spaces to advise and enforce.
- Additional information and signage being at a size that can be clearly seen.
- Too many dogs off leads and not under control

Comments include:

“People must take responsibility for their dogs, and this should be enforced.”

“I think the current PSPO is sufficient and it supports responsible dog ownership.”

“Because there are too many people who think the rules are for everyone else except themselves. By keeping the rules.....it helps to raise awareness of how people with dogs should behave in public places and for many will act as a deterrent for letting dogs off the lead in places where they shouldn't and clearing up their dogs excrement. Provides a safer environment for children and others. to say nothing of the spread of disease.”

“There needs to be something enforceable in place for the council to act on when the states activities take place. They cannot go unaddressed, particularly in a time when dangerous dogs have been in the headlines so frequently.”

“Does not make any difference if you have rules in place irresponsible dog owners will always ignore them”.

“Dogs need to expend energy and properly run.”

- 8.5 Since the PSPO was implemented 32% of respondents (196) stated that they have seen an improvement in stray dogs and dogs being on lead in certain areas (29.71%). Respondents noticed that there had been a lesser improvement with

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aggressive dogs (10%), dog fouling (12.65%) and responsible dog ownership (13.24%).

Sefton Council is liaising with Merseyside Constabulary to address issues around aggressive dogs which aims to see improvements within the Borough and with the public's concern about aggressive and dangerous dogs.

- 8.6 The current PSPO has had an impact upon the behaviour of dog owners with 24.41% of respondents indicating that the main behaviour change was knowing the areas where they were allowed to take their dogs, whilst 10.29% said that it had an impact on both taking a means of picking up dog fouling and picking it up.
- 8.7 The consultation shows that irresponsible dog ownership is still regularly observed and needs addressing, with over 60% of respondents having observed this on a daily or weekly basis. (34.71% daily and 30.29% weekly). Only 7.65% stated that they have never witnessed irresponsible dog ownership.
- 8.8 When asked if the information about the dog control order is good enough a significant number of respondents did not agree. As a result, a review of information provision will be undertaken taking onboard issues raised through, complaint, elected members, feedback from resident and visitors and enforcement officers. The review will involve relevant Council Services such as Green Sefton and Highways and discussions with the Communications Team to identify any additional pathways in which information can be distributed amongst Sefton residents and visitors.

Residents commented on the provision of signage as:

“Speaking as a daily visitor to the botanic gardens I can state that the notices about where a dog has or hasn't got to be on a lead are a joke. Not in a suitable spot and not clear and transparent enough.”

“More signage bigger, brighter, repeated throughout public spaces”

Another commented on the lack of available information being:

“More public awareness and social media engagement. People will be vocal when opposed to such an order, but ultimately, they are a minority and probably an offender.”

Respondents commented that more education by wardens was required for areas that, with one resident commenting that:

“I've yet to see an enforcement officer talking to dog owners, not necessarily just fining people but showing people that there are people about and the expectations.”

- 8.9 Respondents were asked if they had any additional comments as part of the consultation, the general themes that came from these and throughout the consultation responses include :
- There needed to be stricter enforcement for people who were found to be dog fouling.
 - More education and advice from wardens about areas where dogs are allowed and where they are prohibited.
 - More information in green spaces and on other platforms about the PSPO such as social media and visible signage.

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- More means of disposal of dog poo bags, people are seeing an increase in bags being left on the street as there is limited means of disposal.
- The PSPO needed to be continued to be able to tackle the issues of irresponsible dog ownership.

Comments include:

“There should be more resources to monitor irresponsible dog owners “

“dog licences should be reintroduced, fines for not cleaning up after dog poo should be higher and more rigorously applied, all dogs should be on a lead and more dogs muzzled in all public places “

“ Essential that order remains in place. Irresponsible dog owners will fail to control dogs and clean up after them. Not all people like dogs and I do not feel I should feel threatened or approached by a dog when out walking on a pavement or in a park which is not on a lead and under the control of its owner . I have myself removed dog excrement from the middle of the road near where I live to prevent cars / people walking / driving through it. Any level or amount of dog excrement on the street is not acceptable and a bad advert for Southport”

“There needs to be more publicity and PSPO need to be more visible. More signs in parks informing owners when dogs must be on lead”

9 Conclusion:

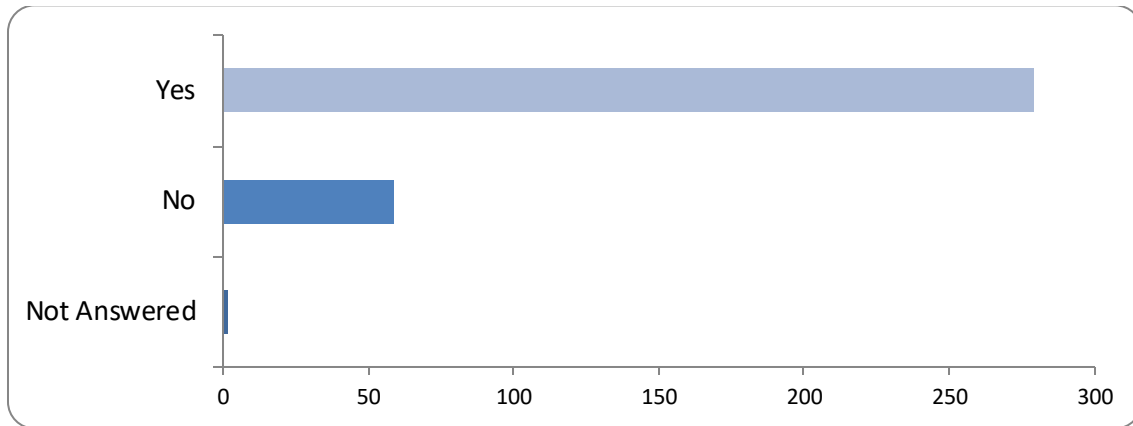
- 9.1 Extending the PSPO seeks to maintain the necessary controls, which are now firmly embedded, to address unreasonable anti-social behaviour that is or is likely to have a continuing, recurring detrimental effect on the quality of life of those in the locality and takes into consideration the outcome of the consultation and views expressed by respondents.
- 9.2 Extending the PSPO for a further 3 years will ensure a continuation of enforcement powers available to the Council to address irresponsible dog control. Not proceeding will see a reliance on very limited bye laws, an inability to tackle dog fouling in all areas or to issue any dog related Fixed Penalty Notices.

10 Consultation Results

1: Do you think we should extend the Dog Control Order for 3 more years until 2027?

Extending the Order

There were 338 responses to this part of the question.



Option	Total	Percent
Yes	279	82.06%
No	59	17.35%
Not Answered	2	0.59%

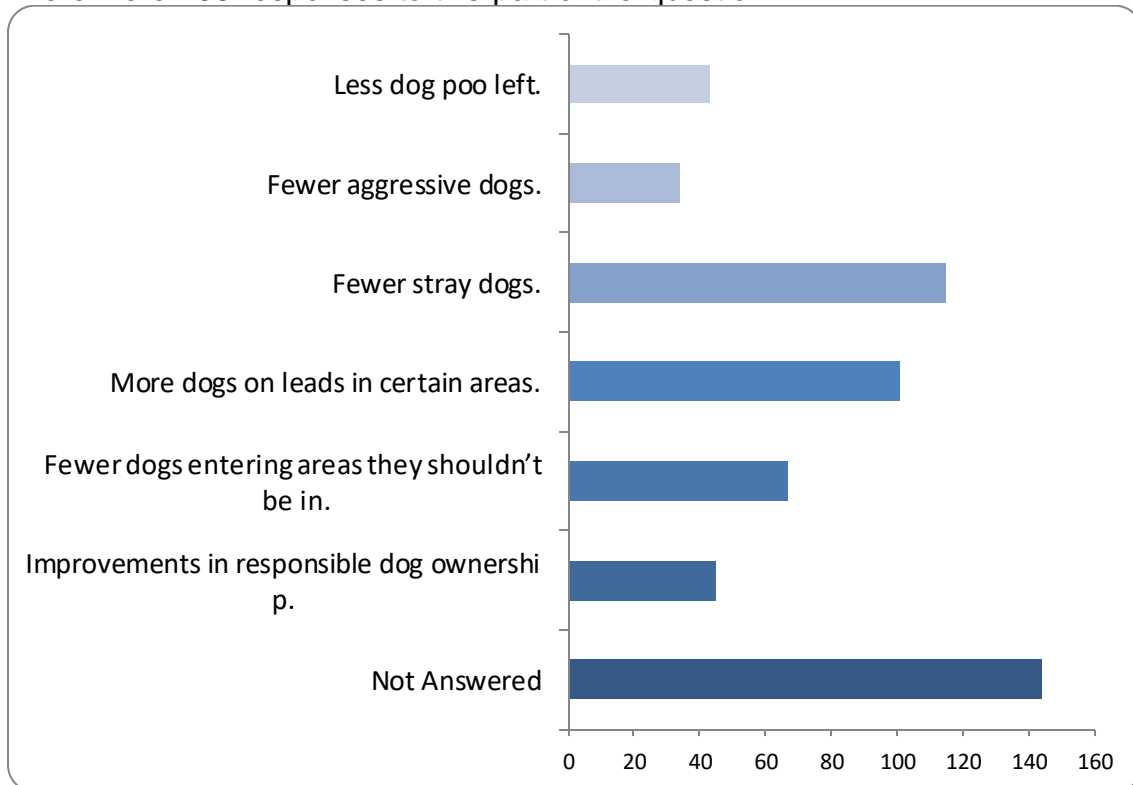
Comments about extending the order

There were 282 responses to this part of the question.

2: Sefton has had Dog Control Orders since 2017. Have you noticed any improvements? (please tick all that apply).

Any improvements?

There were 196 responses to this part of the question.



Option	Total	Percent
Less dog poo left.	43	12.65%
Fewer aggressive dogs.	34	10.00%
Fewer stray dogs.	115	33.82%
More dogs on leads in certain areas.	101	29.71%

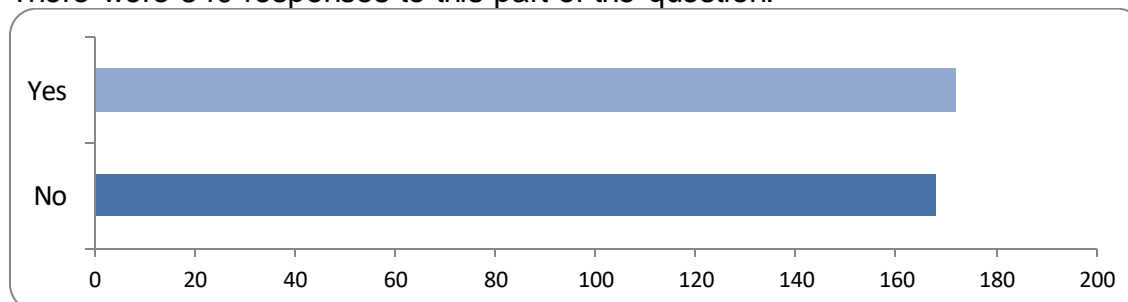
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Fewer dogs entering areas they shouldn't be in.	67	19.71%
Improvements in responsible dog ownership.	45	13.24%
Not Answered	144	42.35%

3: Are you a dog owner?

Dog owner

There were 340 responses to this part of the question.

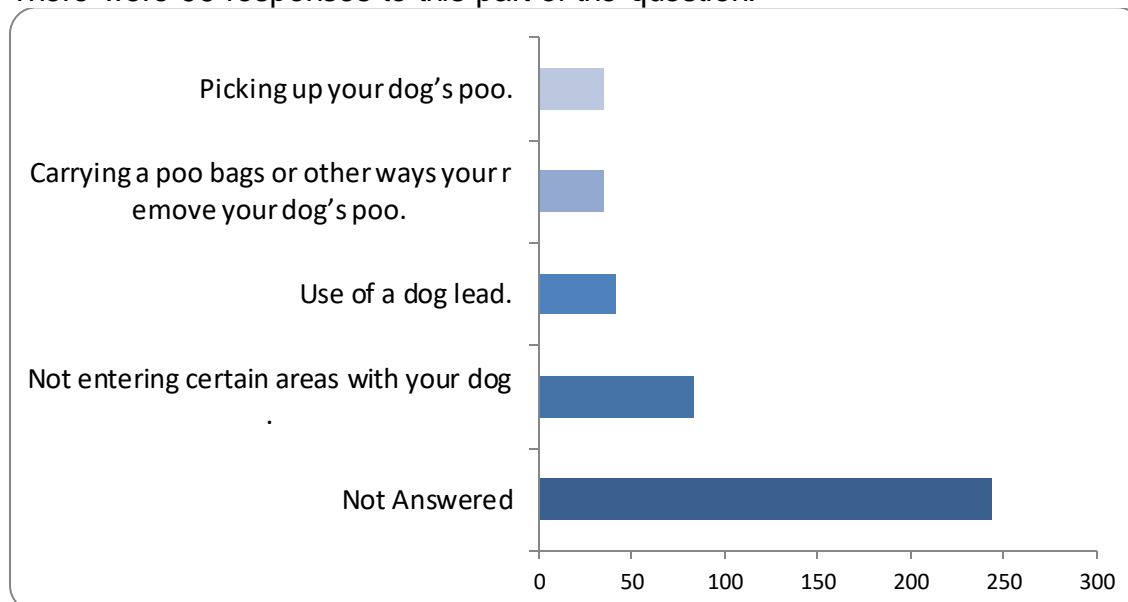


Option	Total	Percent
Yes	172	50.59%
No	168	49.41%
Not Answered	0	0.00%

If you are a dog owner, has the Dog Control order had an impact on your behaviour in any of the following ways?

Impact on behaviour

There were 96 responses to this part of the question.

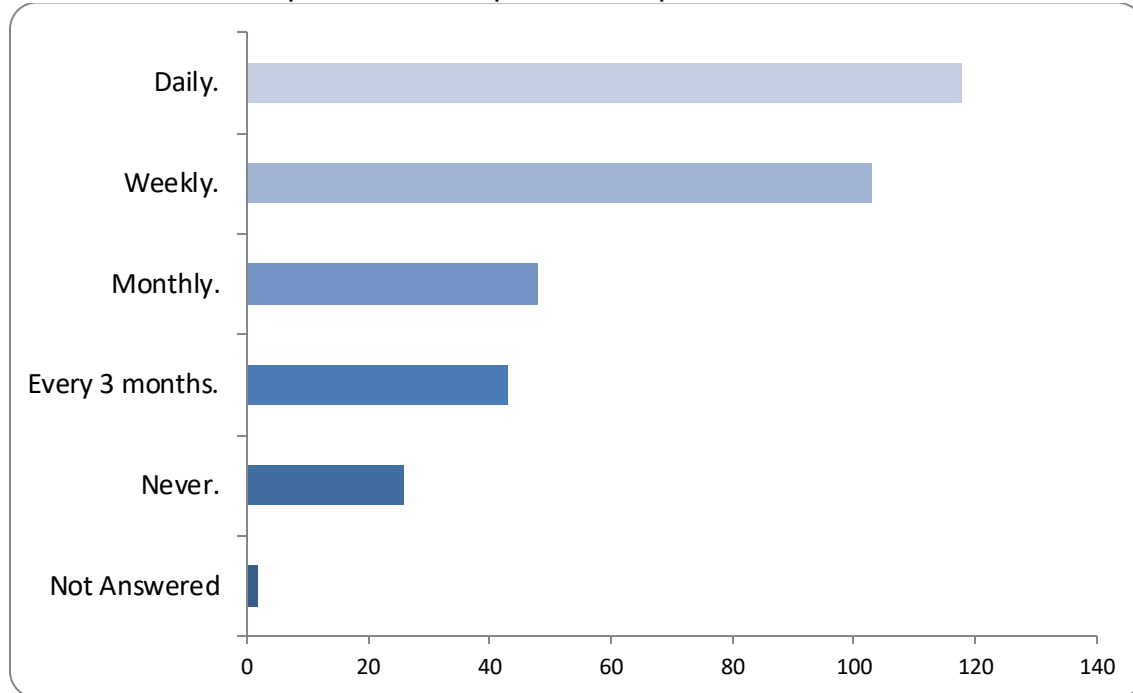


Option	Total	Percent
Picking up your dog's poo.	35	10.29%
Carrying a poo bags or other ways your remove your dog's poo.	35	10.29%
Use of a dog lead.	41	12.06%
Not entering certain areas with your dog.	83	24.41%
Not Answered	244	71.76%

5: How often have you seen irresponsible dog ownership in the last 12 months?

Frequency of irresponsible dog ownership.

There were 338 responses to this part of the question.

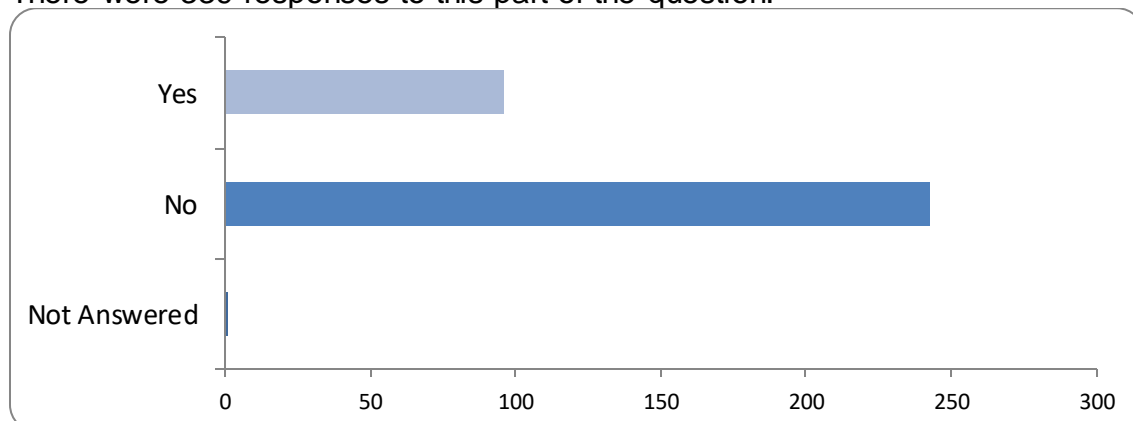


Option	Total	Percent
Daily.	118	34.71%
Weekly.	103	30.29%
Monthly.	48	14.12%
Every 3 months.	43	12.65%
Never.	26	7.65%
Not Answered	2	0.59%

6: Do you feel that the information about the Dog Control Order is good enough?

Information about the order

There were 339 responses to this part of the question.



Option	Total	Percent
Yes	96	28.24%

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No	243	71.47%
Not Answered	1	0.29%

Dog Control information improvements

There were 243 responses to this part of the question.

7: Do you have any comments about the Dog Control Order?

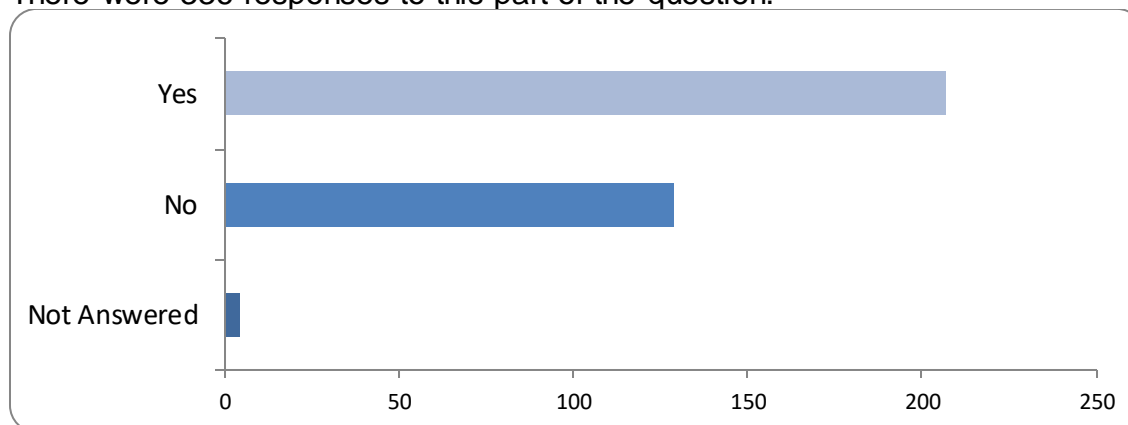
Comments

There were 232 responses to this part of the question.

8: Do you give consent to providing your details, in accordance with the Privacy Notice?

Consent

There were 336 responses to this part of the question.

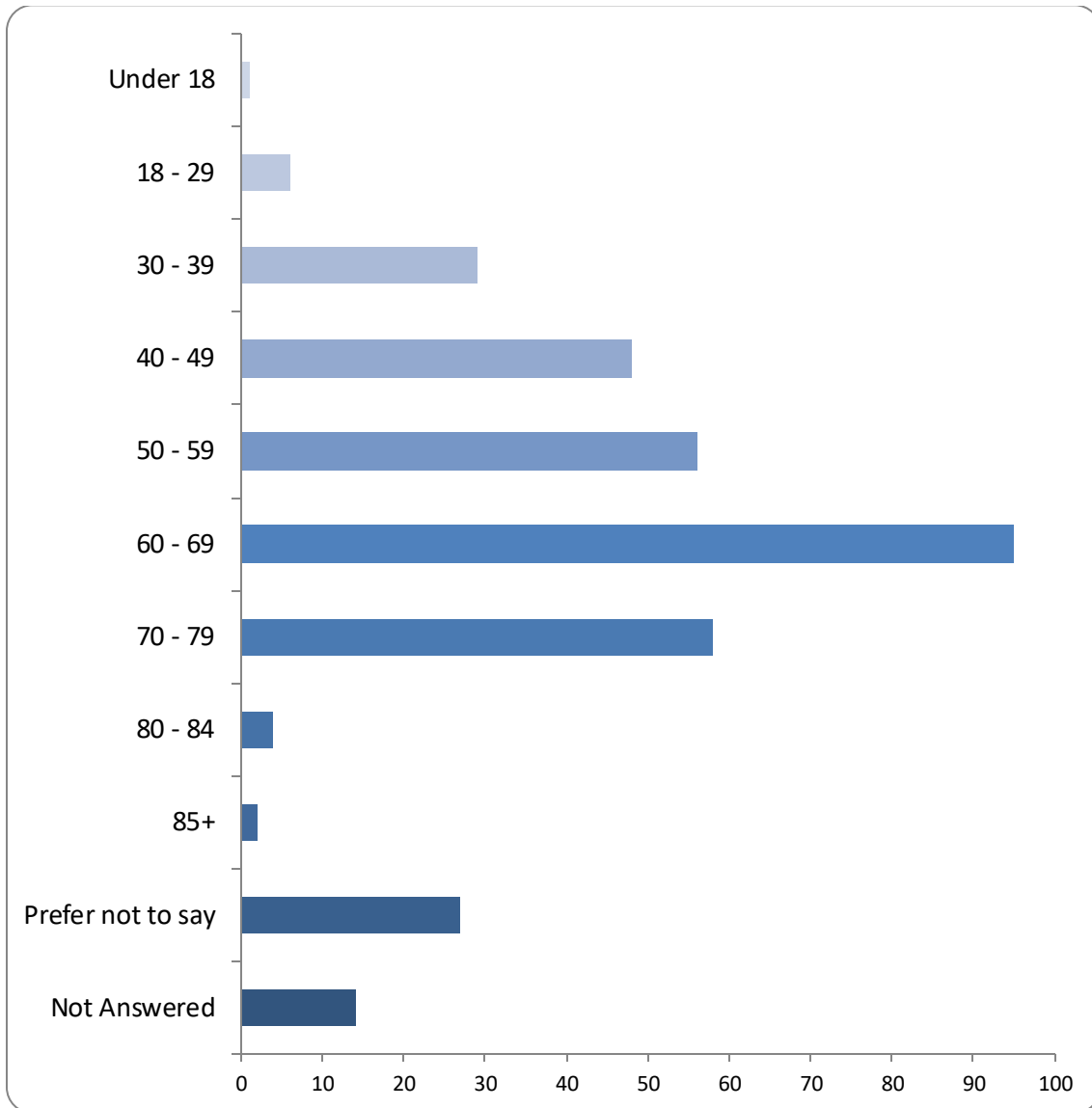


Option	Total	Percent
Yes	207	60.88%
No	129	37.94%
Not Answered	4	1.18%

9: How old are you?

Age

There were 326 responses to this part of the question.



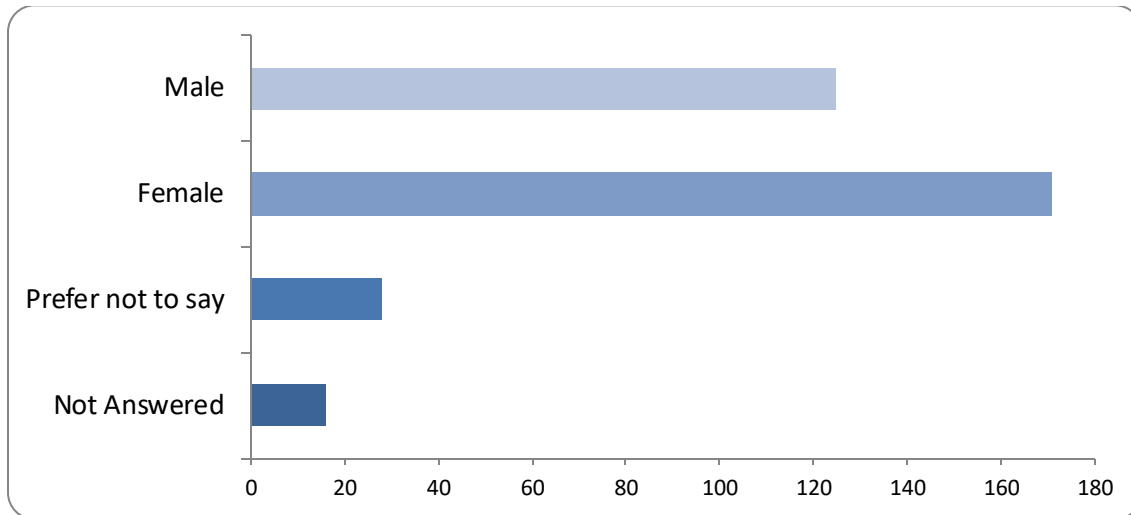
Option	Total	Percent
Under 18	1	0.29%
18 - 29	6	1.76%
30 - 39	29	8.53%
40 - 49	48	14.12%
50 - 59	56	16.47%
60 - 69	95	27.94%
70 - 79	58	17.06%
80 - 84	4	1.18%
85+	2	0.59%
Prefer not to say	27	7.94%
Not Answered	14	4.12%

10: Sex

Sex

There were 324 responses to this part of the question.

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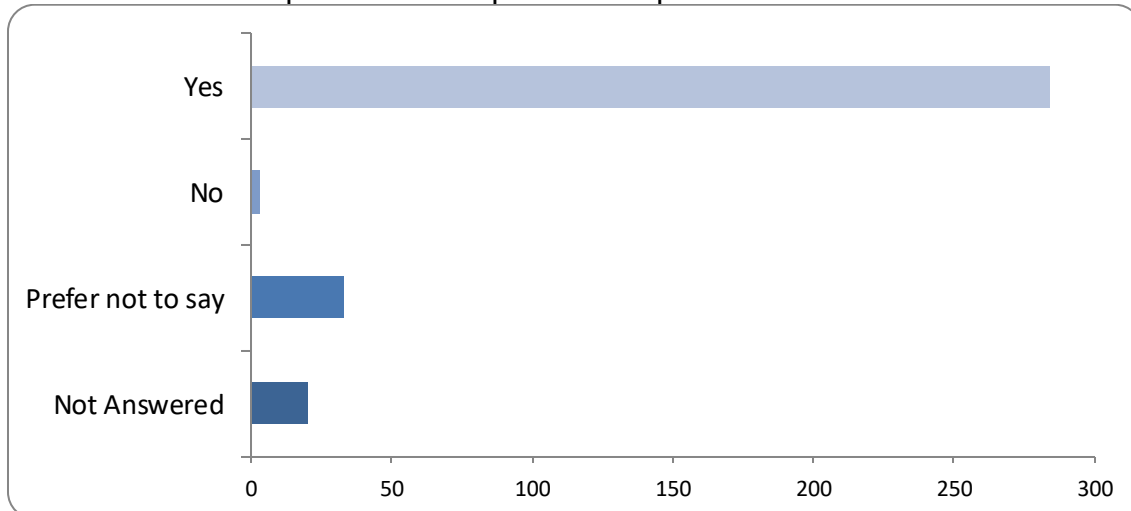


Option	Total	Percent
Male	125	36.76%
Female	171	50.29%
Prefer not to say	28	8.24%
Not Answered	16	4.71%

11: Is the gender you identify with the same as your sex registered at birth?

Gender

There were 320 responses to this part of the question.

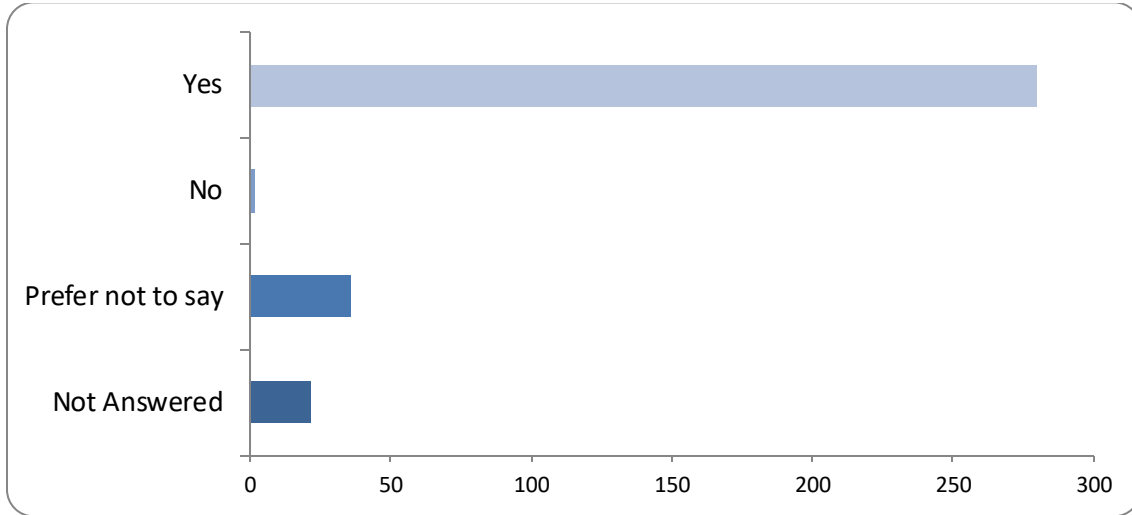


Option	Total	Percent
Yes	284	83.53%
No	3	0.88%
Prefer not to say	33	9.71%
Not Answered	20	5.88%

12: Do you currently live as your birth sex?

Gender identity

There were 318 responses to this question.



Option	Total	Percent
Yes	280	82.35%
No	2	0.59%
Prefer not to say	36	10.59%
Not Answered	22	6.47%

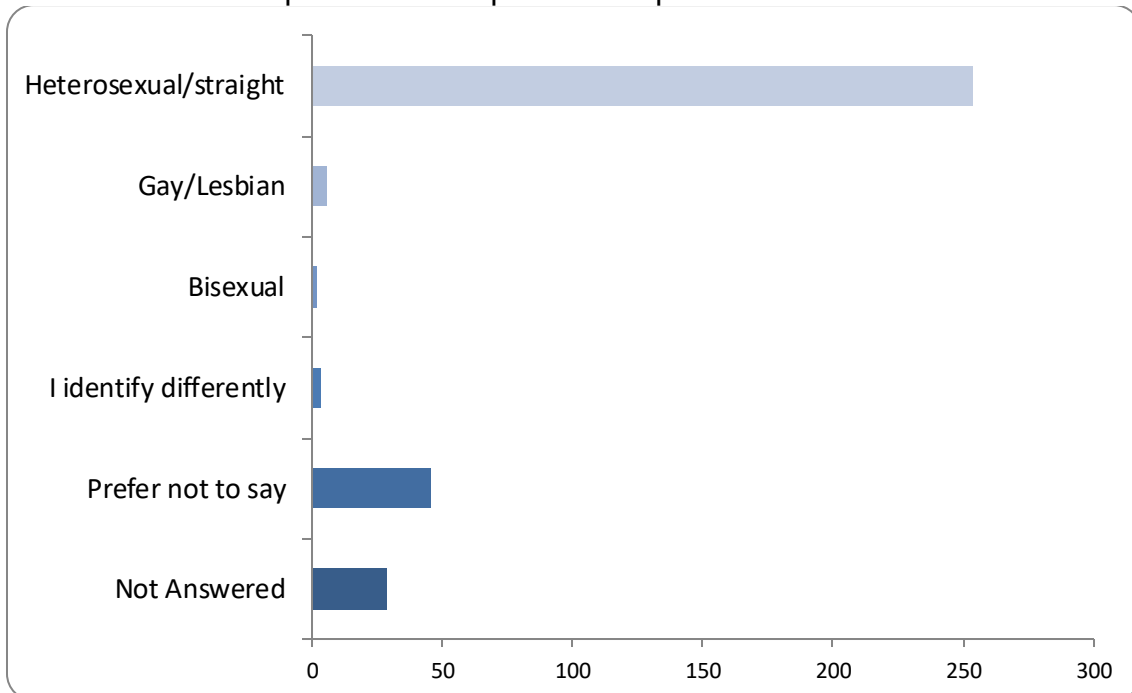
Gender identity

There were 3 responses to this part of the question.

13: Relationships - How would you describe your sexual orientation?

Sexual orientation

There were 311 responses to this part of the question.



Option	Total	Percent
Heterosexual/straight	254	74.71%
Gay/Lesbian	6	1.76%
Bisexual	2	0.59%
I identify differently	3	0.88%

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Prefer not to say	46	13.53%
Not Answered	29	8.53%

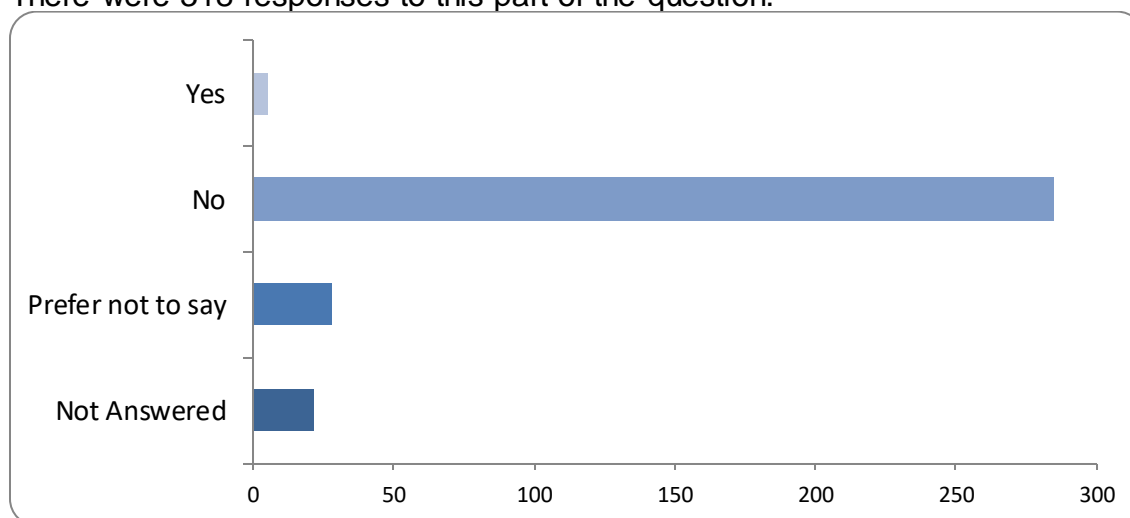
Please tell us how you identify.

There were 9 responses to this part of the question.

14: Are you cared for by Sefton Council?

Currently cared for

There were 318 responses to this part of the question.

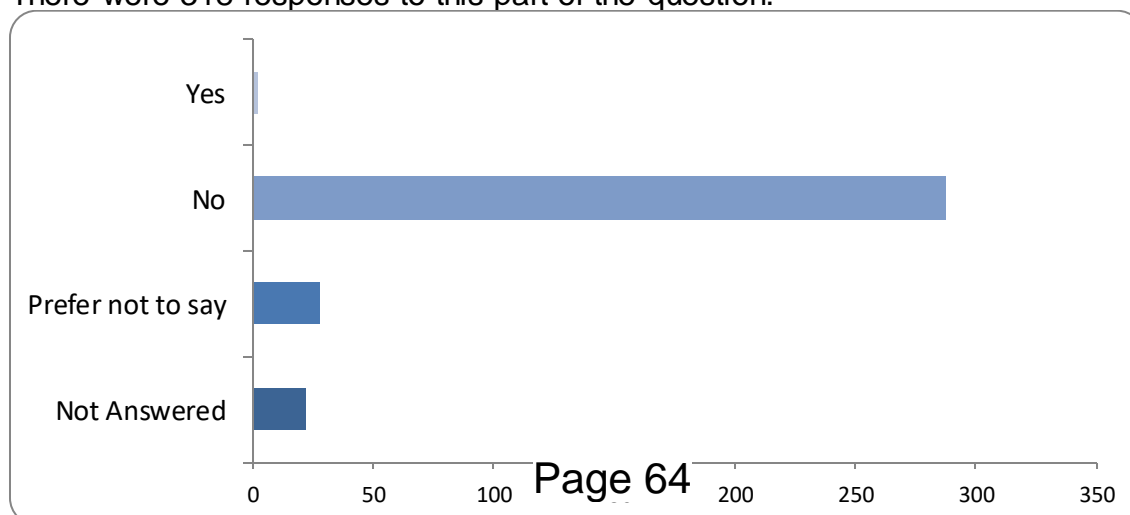


Option	Total	Percent
Yes	5	1.47%
No	285	83.82%
Prefer not to say	28	8.24%
Not Answered	22	6.47%

15: Have you ever been cared for as a child by Sefton Council or any other Council?

Care experienced

There were 318 responses to this part of the question.

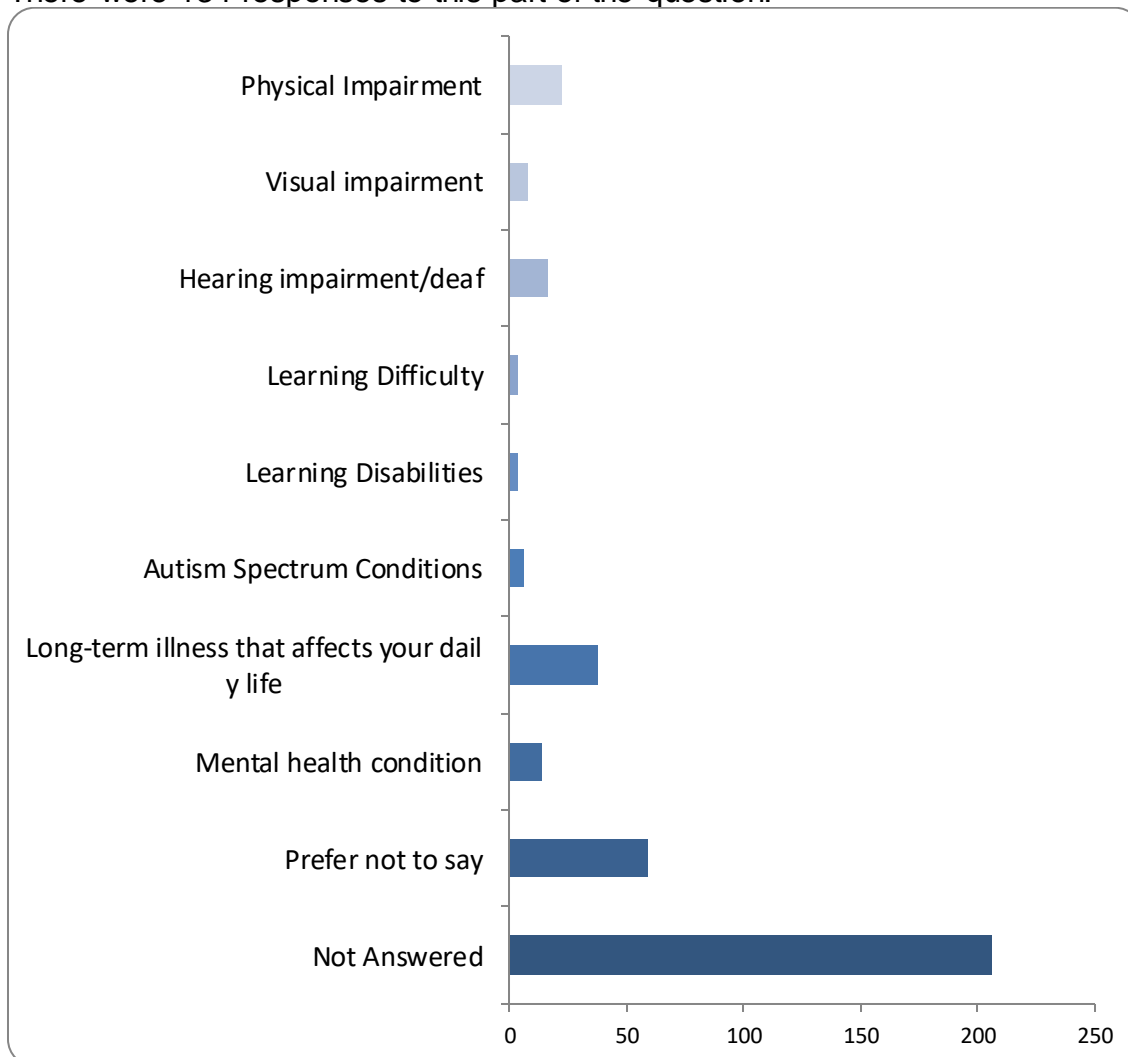


Option	Total	Percent
Yes	2	0.59%
No	288	84.71%
Prefer not to say	28	8.24%
Not Answered	22	6.47%

16: Disability: Do you have any of the following (please tick all that apply):

Disability

There were 134 responses to this part of the question.



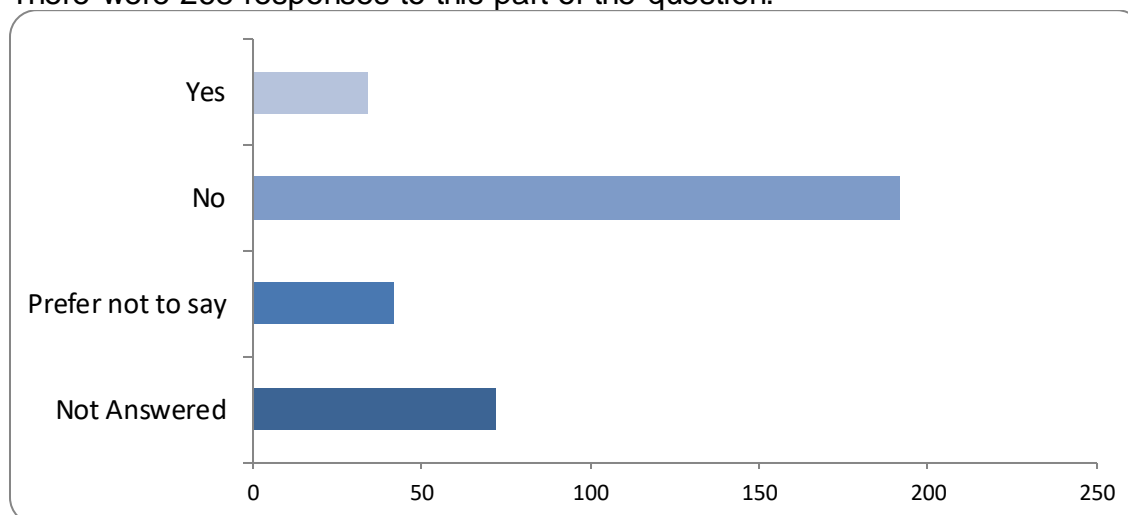
Option	Total	Percent
Physical Impairment	22	6.47%
Visual impairment	8	2.35%
Hearing impairment/deaf	16	4.71%
Learning Difficulty	4	1.18%
Learning Disabilities	4	1.18%
Autism Spectrum Conditions	6	1.76%
Long-term illness that affects your daily life	38	11.18%
Dementia	0	0.00%
Mental health condition	14	4.12%
Prefer not to say	59	17.35%
Not Answered	206	60.59%

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17: If you have Cancer, diabetes, or HIV this is seen as a disability under the Equalities Law. Or if you have ticked any of the boxes in question 16. Do you think of yourself as disabled?

Consider disabled?

There were 268 responses to this part of the question.

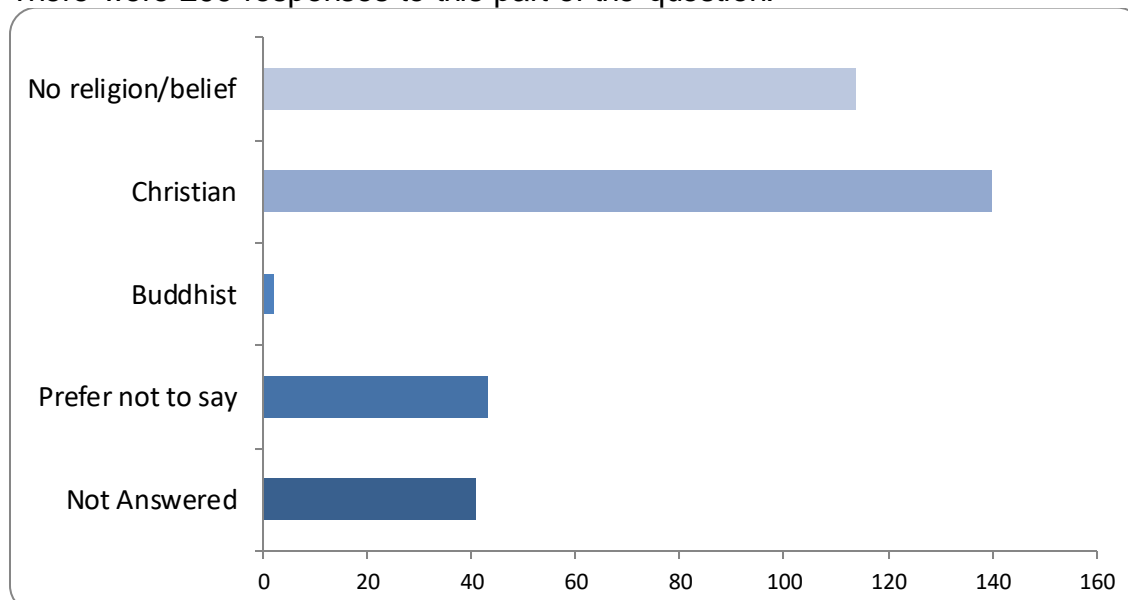


Option	Total	Percent
Yes	34	10.00%
No	192	56.47%
Prefer not to say	42	12.35%
Not Answered	72	21.18%

18: What is your religion/belief?

Religion or belief

There were 299 responses to this part of the question.



Option	Total	Percent
No religion/belief	114	33.53%

Christian	140	41.18%
Hindu	0	0.00%
Muslim	0	0.00%
Jewish	0	0.00%
Sikh	0	0.00%
Buddhist	2	0.59%
Prefer not to say	43	12.65%
Not Answered	41	12.06%

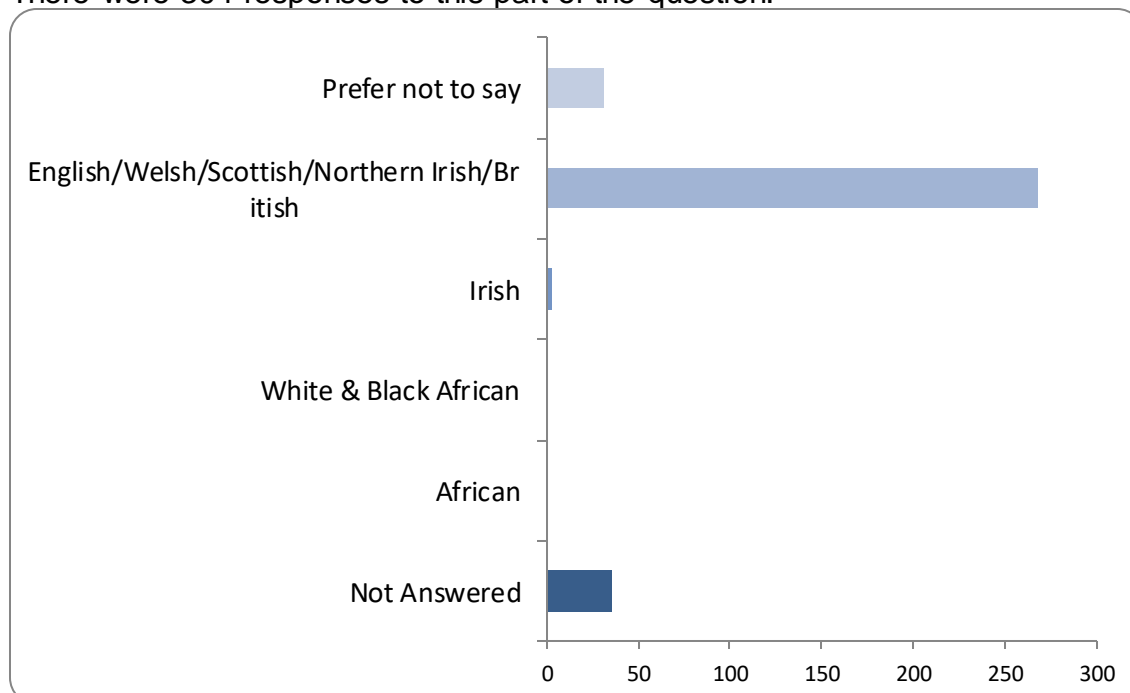
Other religion or belief?

There were 10 responses to this part of the question.

19: Race and Ethnicity - do you identify as:

Ethnicity

There were 304 responses to this part of the question.



Option	Total	Percent
Prefer not to say	31	9.12%
English/Welsh/Scottish/Northern Irish/British	268	78.82%
Irish	3	0.88%
Gypsy or Irish Traveller or Roma	0	0.00%
Polish	0	0.00%
Portuguese	0	0.00%
Latvian	0	0.00%
Lithuanian	0	0.00%
White and Black Caribbean	0	0.00%
White & Black African	1	0.29%
White & Asian	0	0.00%
Indian	0	0.00%
Bangladeshi	0	0.00%
Pakistani	0	0.00%

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Chinese	0	0.00%
African	1	0.29%
Caribbean	0	0.00%
Arab	0	0.00%
Not Answered	36	10.59%

Other ethnic background (please describe)

There were 9 responses to this part of the question

Appendix 1 – Sefton MBC Public Spaces Protection Order 2021

Sefton Metropolitan Borough Council

Public Spaces Protection

Order Dog Control

Anti-social Behaviour, Crime and Policing Act 2014, Part 4

Sefton Metropolitan Borough Council in exercise of the powers conferred on it by Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 makes the following Order —

1. Citation

This Order may be cited as the **Sefton MBC Public Spaces Protection Order [Dog Control]** and for the purposes of any enforcement proceedings, Notices, documents or correspondence the short title **Dog Control Order** may be given.

2. Interpretation

- (1) In this Order the expressions "the Authority" or "the Council" shall mean Sefton MBC whose principal offices are Magdalen House, 30 Trinity Road, Bootle, L20 3NJ.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act").
- (3) For the purposes of this Order a person who habitually has a dog in his/her possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- (4) Any reference in the Schedules to this Order to "prescribed charity" shall mean any of the following charities —

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- (a) **Dogs for the Disabled** (registered charity number 1092960);
- (b) **Support Dogs** (registered charity number 1088281);
- (c) **Canine Partners for Independence** (registered charity number 803680);
- (d) **Dog A.I.D.** (registered charity number 1098619);
- (e) **Dogs for Good** (registered charity number 1092960);
- (f) **Guide Dogs** (registered charity number 209617); and
- (g) **Hearing Dogs for Deaf People** (registered charity number 293358).

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3. Effect

(1) This Order shall come into force on **28th April 2021**

(2) This Order is made as the Council is satisfied on reasonable grounds that the two conditions prescribed by section 59(2) and (3) of the Act have been met, namely:

(a) **The first condition:**

- (i) Activities carried on in a public place within the Authority's area have had a detrimental effect on the quality of life of those in the locality ("the Activities"); or
- [ii] It is likely that activities will be carried on in a public place within the Authority's area ("the Activities") and that they will have a detrimental effect on the quality of life of those in the locality;

and such Activities are set out in the respective Schedules to this Order

(b) **The second condition:**

The effect, or likely effect, of the Activities —

- (i) is, or is likely to be, of a persistent or continuing nature,
- (ii) is, or is likely to be, such as to make the activities unreasonable, and
- (iii) justifies the restrictions imposed by this Order.

(3) This Order relates to each public place referred to in **Schedules 1, 2, 3 4 and 5** to this Order ("the Restricted Areas") together with such other Schedules as may be included under any variation of the Order from time to time and —

- (a) prohibits specified things from being done in the Restricted Area ("the Restrictions") as may be set out in the Schedules,
- (b) requires specified things to be done by persons carrying on the activities in the Restricted Area ("the Requirements"), or
- (c) does both of those things.

4. Requirement to provide name and address

(1) For the purposes of enforcing the provisions of this Order any person who appears to a duly authorised officer of the Authority or to a Police Officer to be in charge of any dog to which the provisions of this Order apply shall **Page 70**

confirm their full name, address and date of birth upon any request having been made in that respect whether verbally or in writing by any such officer and within such time as may be stipulated by that officer.

5. **Offence of failing to comply with this Order**

- (1) It is an offence for a person without reasonable excuse—
 - (a) to do anything that a person is prohibited from doing by a public spaces protection order, or
 - (b) to fail to comply with a requirement to which a person is subject under a public spaces protection order.
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to the Order,
- (4) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.

6. **Duration of Order**

- (1) This Order will remain in force for the period of **3 years** from the date that it comes into force specified in paragraph 3(1).
- (2) Before the time when this Order is due to expire, the Council may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent —
 - (a) an occurrence or recurrence after that time of the Activities, or
 - (b) an increase in the frequency or seriousness of the Activities after that time.
- (3) The Order may be so extended more than once.

6. **Variation and discharge of the Order**

- (1) The Council may vary this Order —
 - (a) by increasing or reducing the Restricted Areas;
 - (b) by altering or removing a prohibition or requirement included in the Order or adding a new one.

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- (2) Where the Council considers it appropriate to do so the Order may be discharged by the Council before the end of the period that the Order may remain in force specified in paragraph 5(1).

7. Challenging the validity of the Order

- (1) Under the provisions of section 66 of the Act an interested person may within 6 weeks of the making of this Order apply to the High Court to question its validity or the validity of any variation of this Order on the grounds specified in section 66(2) of the Act, namely –
 - (a) that the Council did not have power to make the Order or variation, or to include particular prohibitions or requirements imposed by the Order (or by the Order as varied);
 - (b) that a requirement under Chapter 2 of Part 4 of the Act was not complied with in relation to the Order of variation.

Dated this **28th** day of **April 2021**

The Common Seal of the **Sefton Metropolitan Borough Council**

was hereunto affixed in the presence of -



.....
Duly Authorised Officer - David McCullough, Chief Legal and Democratic Officer

SCHEDULE 1

The fouling of land by dogs

1. The Restricted Areas

- (1) Any land within the Metropolitan Borough of Sefton which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.

2. *The Requirements*

- (1) If a dog defecates at any time on land to which this Schedule applies a person who is in charge of that dog shall remove the faeces from the land forthwith **unless—**
 - (a) that person has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land *has consented (generally or specifically) to his/her failing to do so.*

3 Exemptions

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1949; or
- (b) has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

For the purposes of this Schedule —

- (a) placing faeces in a receptacle on the land which is provided for that purpose, or for the disposal of waste, shall be sufficient removal from the land;
- (b) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;

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SCHEDULE 2

The exclusion of dogs from land

1. The Restricted Areas

- (1) All enclosed children's playgrounds and all fenced sports pitches including multi use game sports facilities including bowling greens within the Metropolitan Borough of Sefton which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.
- (2) All marked sports pitches within the Metropolitan Borough of Sefton within defined dates which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.

2. The Restrictions

- (1) A person in charge of a dog shall not take the dog, nor shall allow the dog to enter and to remain, on any land described in paragraph 1(1) of this Schedule at any time;
- (2) A person in charge of a dog shall not take the dog, nor shall allow the dog to enter and to remain, on any land described in paragraphs 1(2) of this Schedule at any time from

Football or Rugby pitches from **01 September to 31st May** inclusive

Cricket pitches from **01 April to 30th September** inclusive

unless in the case of either of the restrictions described under paragraphs 2(1) and (2)[2] respectively of this Schedule —

- (a) that person has a reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her doing so.

3. Exemptions

The offence does not apply to a person who

- (a) is registered as a blind person in a register compiled under section of the National Assistance Act 1949; or
- (b) is deaf, in respect of a dog trained by **Hearing Dogs for Deaf People** (registered charity number 293358) and upon which that person relies for assistance; or
- (c) has a disability which affects his/her mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

SCHEDULE 3

Dogs on leads

1. **The Restricted Areas**

- (1) Any land within the Metropolitan Borough of Sefton which is used as a memorial, burial ground, cemetery or garden of remembrance together with any forecourt, terrace, yard or walkway providing access, and together with adjoining verges, landscaped areas and gardens.
- (2) Any land within the Metropolitan Borough of Sefton which is a designated carriageway (A or B classified roads) together with the adjoining footpaths and verges of such carriageways.
- (3) Any Land with the Metropolitan Borough of Sefton which is a designated Picnic Area or Family Area

2. **The Requirements**

- (1) A person in charge of a dog shall at all times keep the dog on a lead of not more than 2.0 metres in length unless:
 - (a) that person has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her failing to do so.

3. **Exemptions**

The offence does not apply to a person who –

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1949; or
- (b) is deaf, in respect of a dog trained by **Hearing Dogs for Deaf People** (registered charity number 293358) and upon which that person relies for assistance; or
- (c) has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

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4. Definition of a lead

For the purposes of this Schedule the definition of a lead is

Any rope, cord, leash, or similar items used to tether control or restrain a dog but does not include any such item which is not actively used as a means of restraint so that the dog remains under a persons close control.

SCHEDULE 4

Dogs on leads by direction

1. The Restricted Areas

- (1) Any land within the Metropolitan Borough of Sefton which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.

2. The Requirements

- (1) A person in charge of a dog shall comply with a direction given to him by an authorised officer or agent of the Council or by a police officer to put and keep the dog on a lead of not more than 2.0 metres in length unless —
 - (a) that person has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her failing to do so.
- (2) For the purposes of this Schedule an authorised person may only give a direction under this Schedule to put and keep a dog on a lead if such restraint is necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to the public on any land to which this Schedule applies and the behaviour would have a detrimental effect on the quality of life of the public.

3. Exemptions

The offence does not apply to a person who –

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1949; or
- (b) is deaf, in respect of a dog trained by **Hearing Dogs for Deaf People** (registered charity number 293358) and upon which that person relies for assistance; or
- (c) has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in

respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

5. Definition of a lead

For the purposes of this Schedule the definition of a lead is

Any rope, cord, leash, or similar items used to tether control or restrain a dog but does not include any such item which is not actively used as a means of restraint so that the dog remains under a persons close control.

SCHEDULE 5

Number of dogs walked by an individual

1. The Restricted Areas

- (1) Any land within the Metropolitan Borough of Sefton which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side.

2. The Requirements

- (1) A person in charge of a dog on land to which this order applies must restrict the number of dogs that can be walked by a single individual to six dogs unless
 - (a) they have reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

3. Exemptions

The offence does not apply to a person who –

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1949; or
- (b) is deaf, in respect of a dog trained by **Hearing Dogs for Deaf People** (registered charity number 293358) and upon which that person relies for assistance; or

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- (c) has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

SCHEDULE 6

Locations to which schedule 2 and 3 apply

1. List of Locations

Location	Post code	Marked sports pitches (within defined dates) - Dog exclusion	Bowling Greens (playing surface only) - Dog exclusion	enclosed children's playgrounds, fenced sports pitches including multi use game sports facilities (MUGA's) - Dog Exclusion	designated Picnic or family area - Dog on Lead
Abbeyfield Park	L30 1PF			Playground	
Ainsdale Village Park	PR8 3BQ			Playground	south/west end of site and contains fenced children's playground.
Ballswood	L31 3EB		*		
Barkfield Lane	L37 3JW			Playground	
Bedford Park	PR8 4HU	Football		Playground	Community garden bounded by footpaths and fenced playground. (towards longford Road)
Bootle Stadium	L20 9PQ	Football, Baseball			
Botanic Gardens	PR9 7NB		*	Playground	aviary, cafe/museum exterior, fernery and formal flowers

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					beds south of water feature/ up to the two bridges
Bowersdale Park	L21 3TX			Playground,MUGA	family area -is the area adjacent to cafe and children playground.
Brook Vale Playing Fields	L22 3YB	Football			
Buckley Hill	L29 1YB	Football			
Canning Road	PR9 7SP			Playground	
Carr Lane Rec	PR8 3EF	Football			
Compton Road	PR8 4HA			Playground	
Copy Farm	L30 7RN			Playground	family area - surrounds enclosed playground up to dog exercise area and woodland
Coronation Park, Crosby	L23 5RD		*	Playground, Ball Court (tennis), MUGA	
Crescent Bowls Moss Lane	L20 0EA		*		
Crosby Coastal Park	L22 5SR			Playground	
Crossens Recreation ground	PR9 8HT	Cricket	*	Playground, MUGA	
Deansgate Lane	L37 7EP	Football		MUGA	
Derby Park, Bootle	L20 9AA		*	MUGA, Playground	
Devonshire Rd Park	PR9 7BZ	Football		Playground	
Dodds Park	L31 9AB			MUGA	

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Duke St Park, Formby	L37 4AN	Football	*	Playground, Ball courts (tennis) MUGA	Pavillion and picnic area adjacent to childrens playground and tennis courts. Bounded by footpath from Dukes Street to Phillips Lane.
Fernbank Drive	L30 7RH			Playground	
Ferryside Lane Rec	PR9 9YL	Football			
Fleetwood Road	PR9 7QN			Playground	
Glenn Park	L31 6DA			Playground, MUGA	
Hall Lane Playing Field	L31 3DY	Football & Cricket			
Hapsford Road Park	L21 6NP			Playground	
Harrow Drive, Aintree Village	L10 8LD	Football	*	Playground, MUGA, Ball Court (Tennis)	
Hatton Hill Park, Litherland	L21 9JN		*	Playground MUGA	Picnic and family "Rose garden" area bounded by park pavilion and bowling greens.
Hesketh Park	PR9 9LB			Playground	lakeside path and the bands of lawn between the cafe/childrens playground and the lake - inner part of the site.
Hightown Childrens Park	L38 9EX			Playground	Whole site is family area apart from

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					fenced playground
Kenyons Lane	L31 9PU			Playground	
Killen Green	L30 0PF			Playground	Family picnic area fenced (former) bowling green.
Kings Gardens, Southport	PR8 1PQ		*	Playground	2 family areas - "sunken " Community Garden towards South of site and the area surrounding play builder next to fenced playground
King George V playing fields , Maghull Town hall	L31 7BB		**	Playground, Ball Court (Tennis)	
Kirkstone Park	L21 7NT			Playground	
Litherland Sports Park	L21 7QZ	Football & Rugby		MUGA, Athletics	
Lathom Gardens Park	L31 9PF			Playground	
Lonsdale Road	L21 0DS			Playground	
Marian Gardens	L30 3SW			Playground	Picnic / family "Rose Garden" area defined within a triangle of footpaths and contains the childrens playground.

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Menai Road Park	L20 6PG			Playground	
Meols Park Rec	PR8 5HL	Football		Playground	
Mersey Avenue Park	L31 9PJ			Playground	
Moorhey Play area	L31 5NH			Playground	
Moss Park	L31 9PA			Playground	
Moorside Park, Crosby	L23 2RT		*	Playground, MUGA	Picnic / family " rose garden" area with lawns and seating. contained within one corner of park (Moorside Road)
Netherton Activity Centre	L30 3TL	Football		MUGA (football)	
North Park	L20 5BY			Playground, Skate park	north east corner of park and is defined by low kick-rail fence.
Oakhill Park	L31 2LX		*		
Old Hall Park	L31 3DY			Playground	
Ollery Green/Deerbarn	L30 8RU			Playground	
Orrell Mount Park	L20 6DX	Football		Playground, MUGA	north end of park and encompasses fenced childrens playground and grassed area
Ovington Drive	PR8 6JW			Playground	
Pimbley Playing Field	L31 5NB	Football			

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Pinfold Lane	PR8 3QH			Playground	
Poets Park	L20 4SE			Playgrounds, MUGA	
Portland St Playing Fields	PR8 6LX	Football			
Potters Barn Park	L22 1RO			Skate Park/MUGA	
Preston New Road	PR9 8PR	Football			
Rainbow Drive Park	L31 1BW			Playground	
Ridgeway Park	L31 0BZ			Playground, Ball Court (basketball)	
Round Meade	L31 8DY			Playground	
Runnells Lane	L23 1UH			MUGA	
Russell Road Rec	PR9 7RF	football			
Sandbrook Road	PR8 3RQ	Football	*	Playground, MUGA	
Sandy Lane Park	L31 2LA	Football		Playground, Ball Courts (Tennis, basketball)	
Smithy Green	L37 3JZ	Football		Playground	
South Park	L20 7DA			Playground, MUGA	Family / picnic area around park hub pavillion with picnic benches.
Tarleton Road Rec	PR9 7QW	Football			
Victoria Park, Southport	PR8 2BZ		*	Playground	
Victoria Park, Crosby	L22 2AP			Playground, Ball Court(tennis) MUGA	Central zone of park - adjacent to fenced playgrounds and ball courts.
Waterloo Rd recreational ground	PR8 4QW	Rugby			

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<u>Cemeteries & Crematoria</u>					
Bootle, Linacre lane	L20 6 ES				
Duke Street Southport	PR8 5EL				
Liverpool Road, Birkdale	PR8 3DB				
Thornton, Lydiate Lane	L23 1TP				

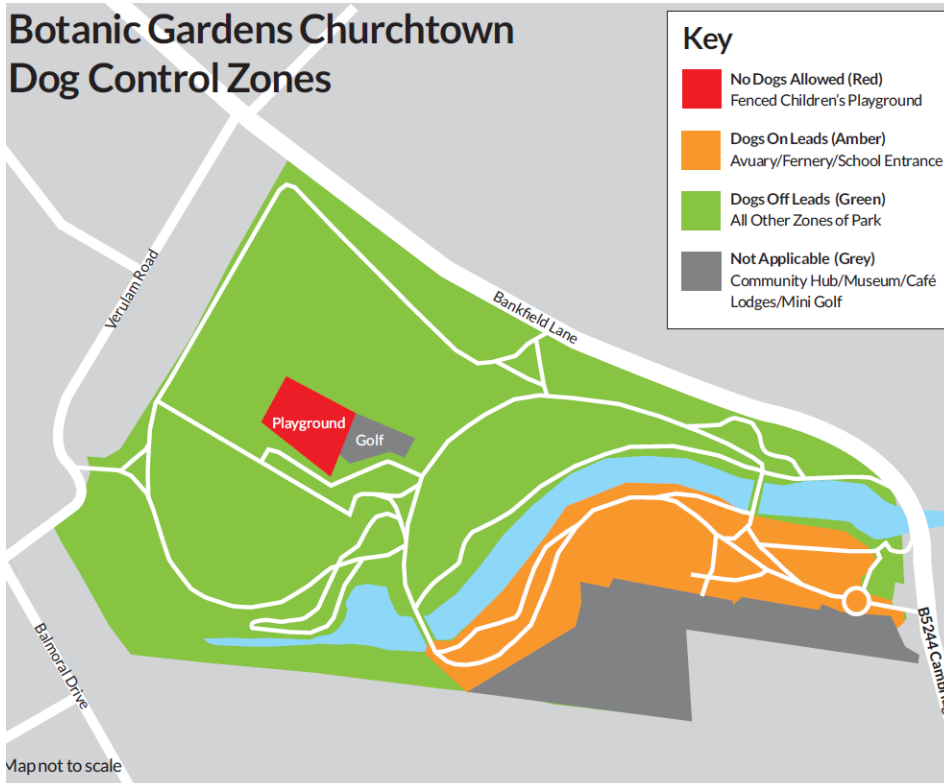
2 Location of Picnic / Family Areas (highlighted orange)



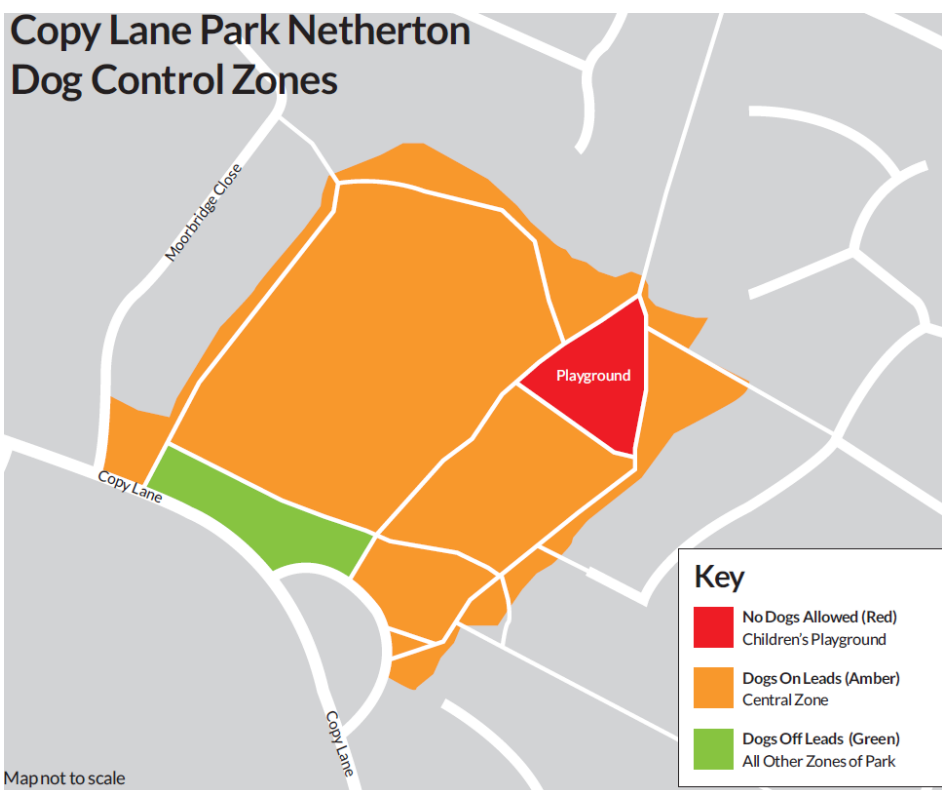
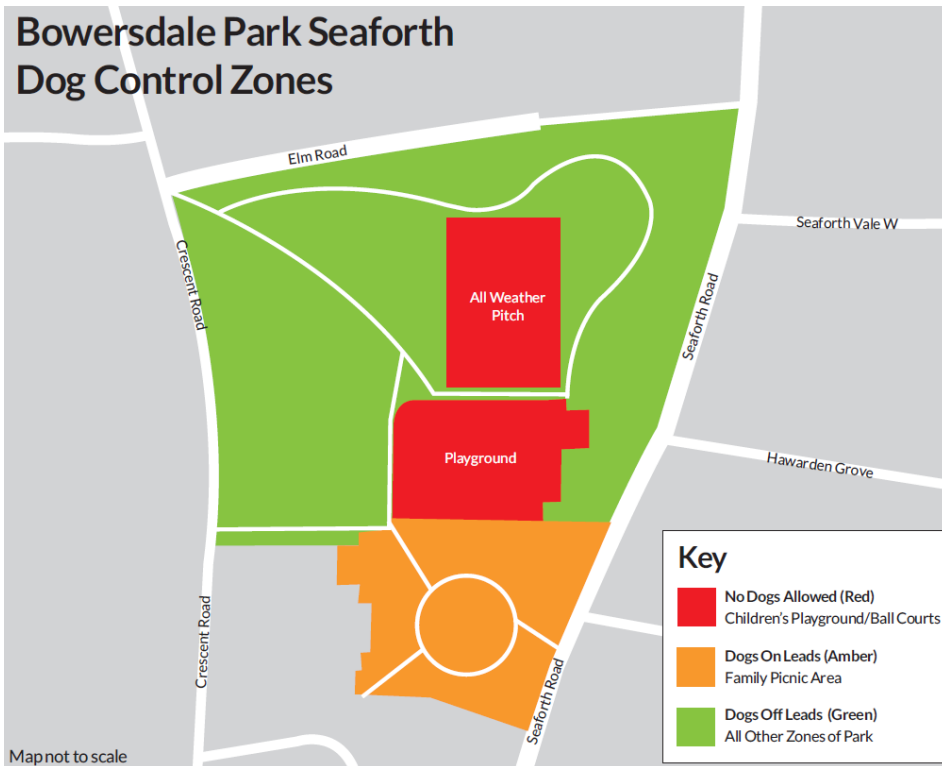
Bedford Park Birkdale Dog Control Zones

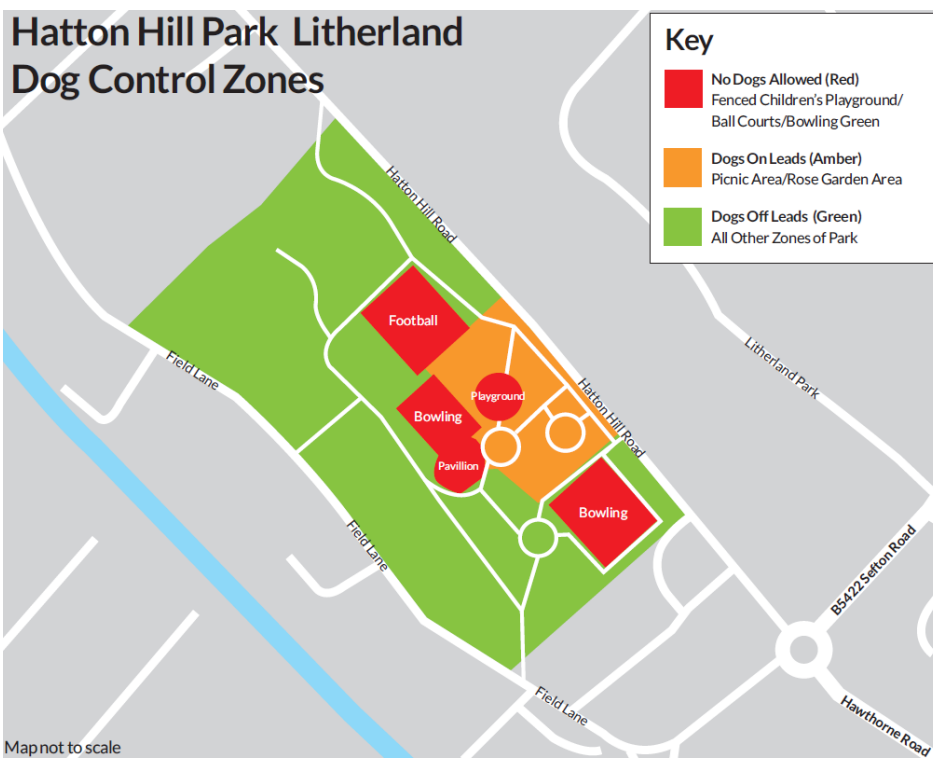
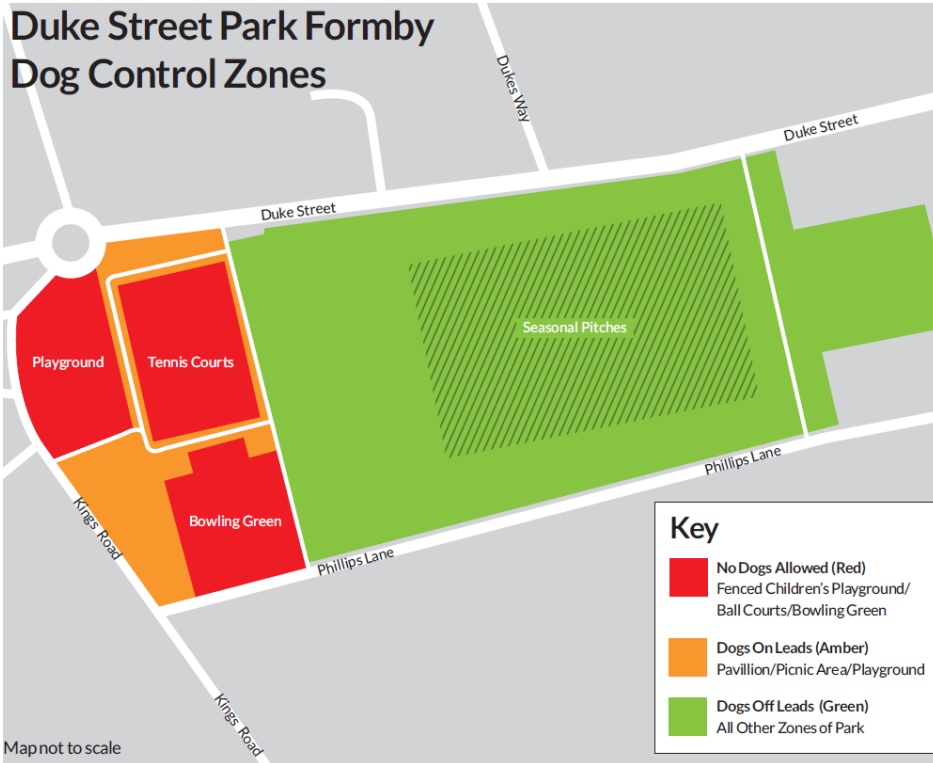


Botanic Gardens Churchtown Dog Control Zones

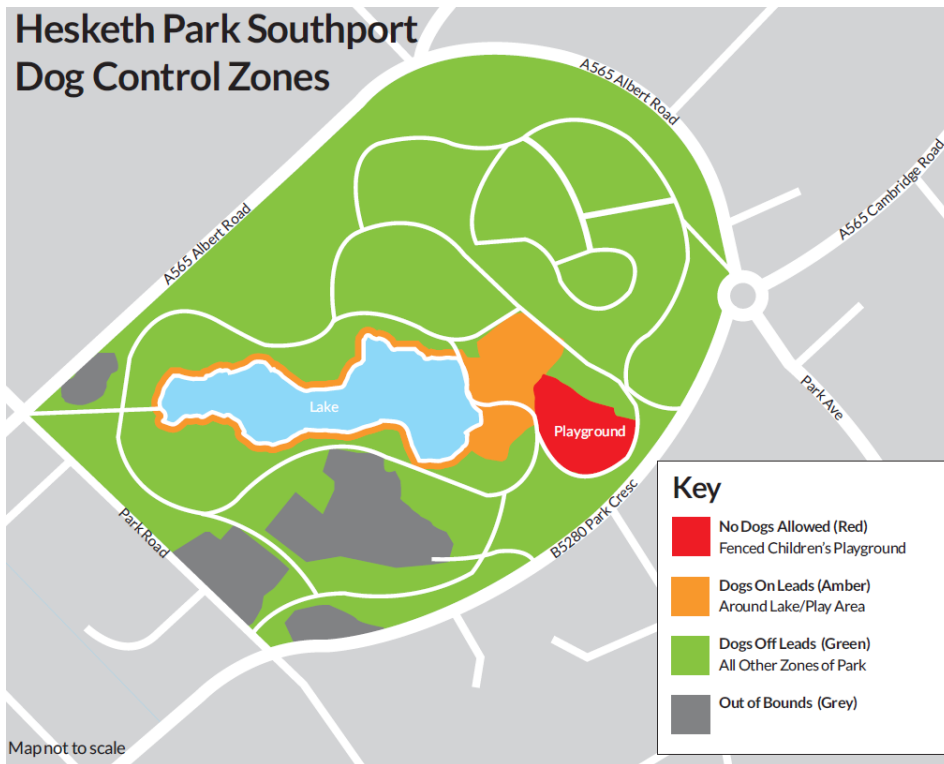


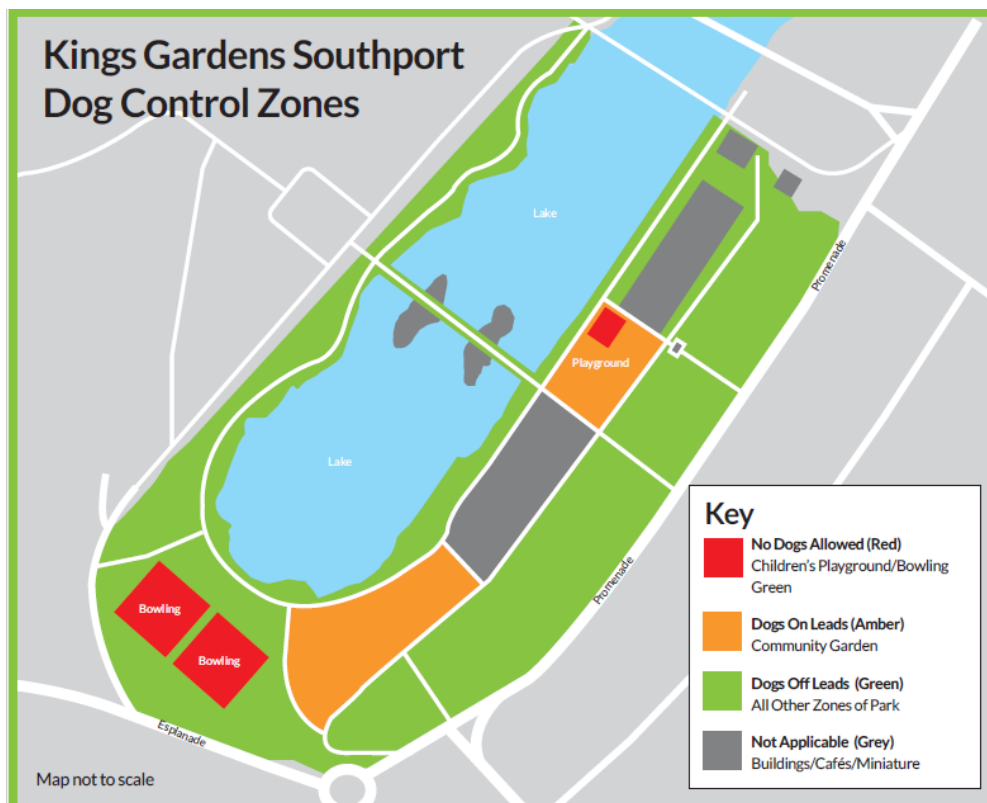
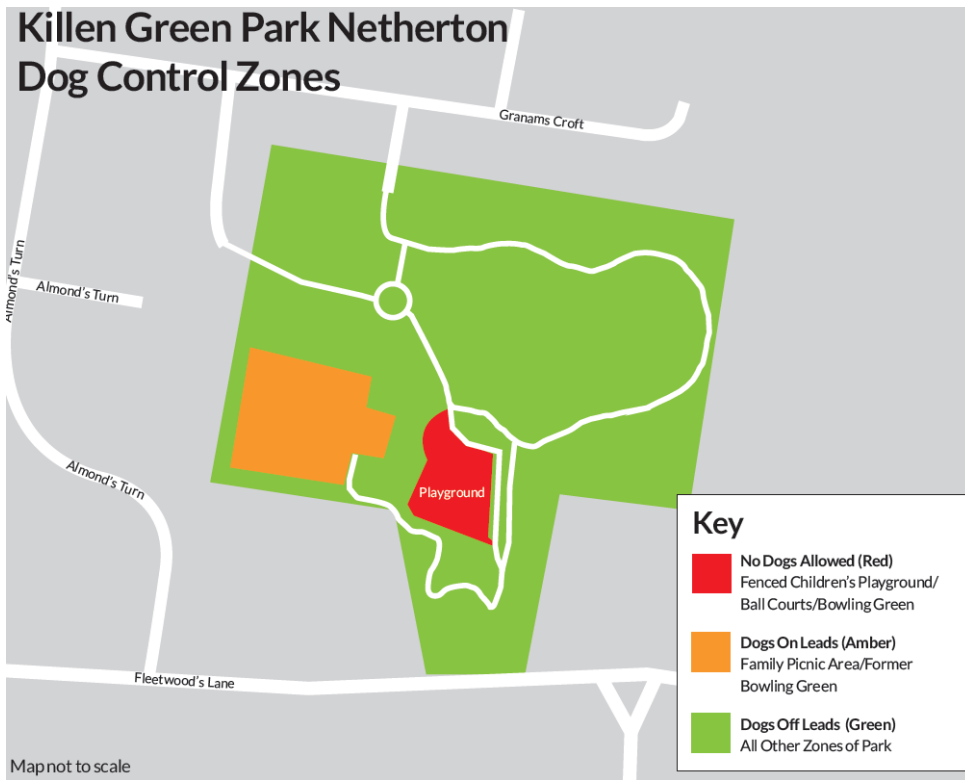
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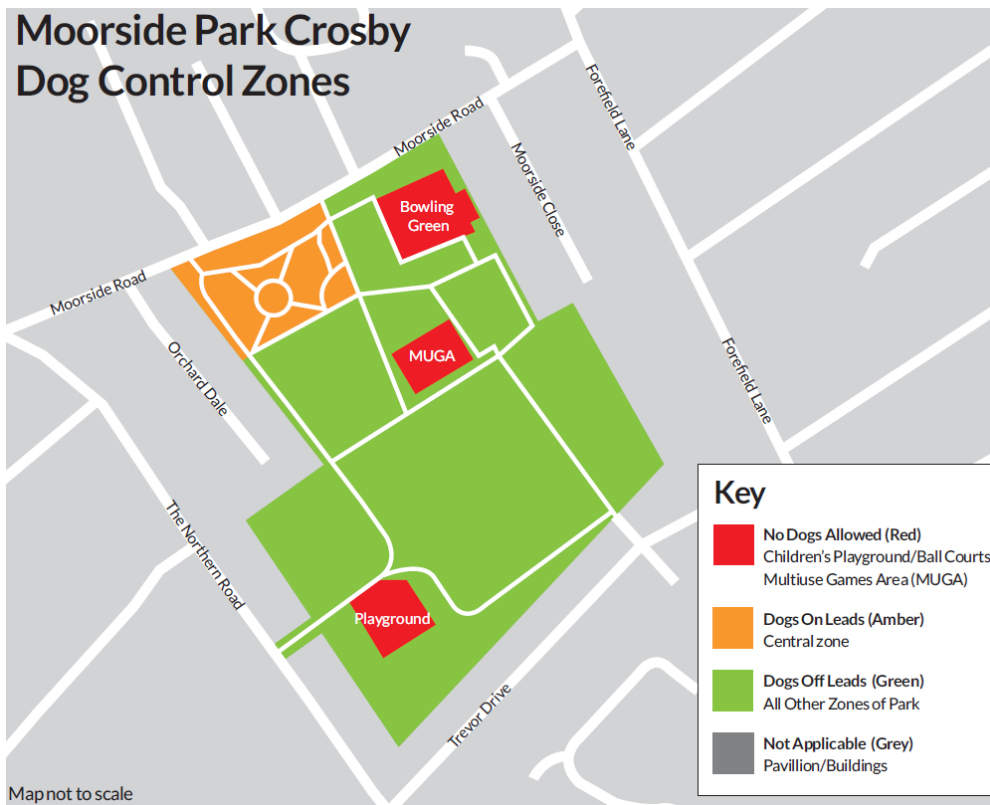
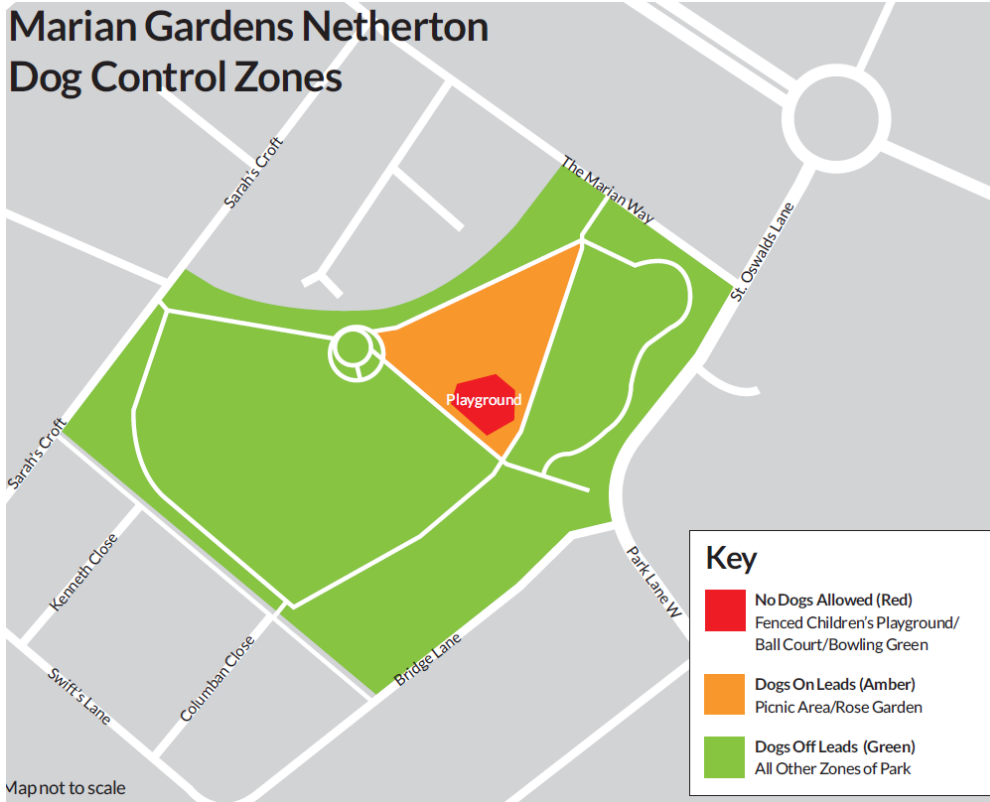


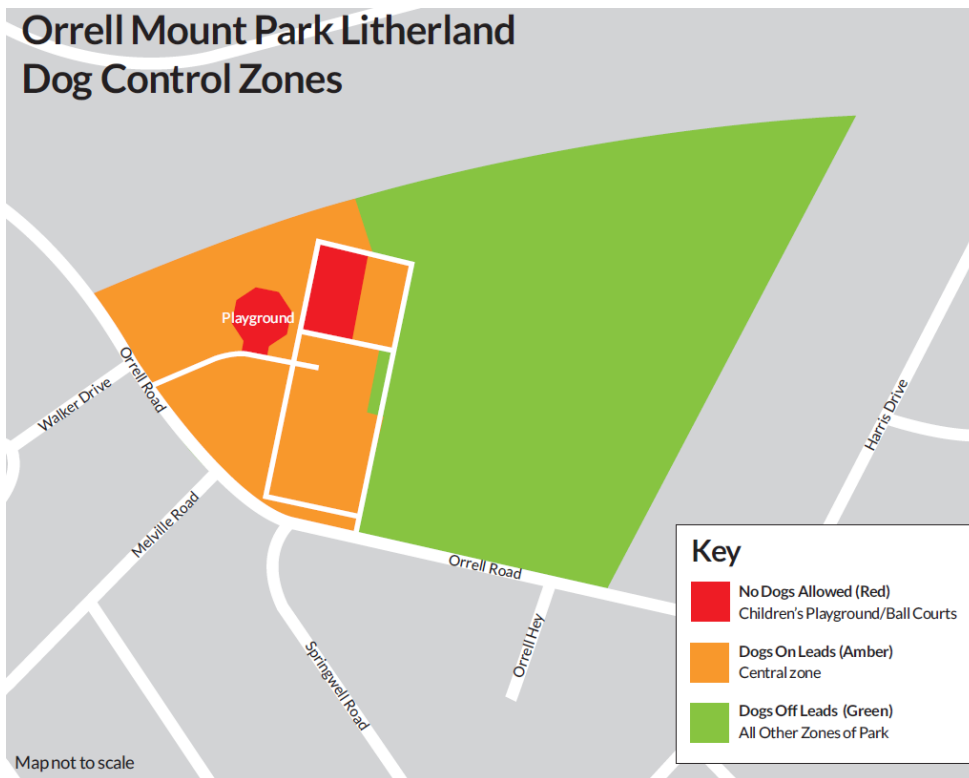
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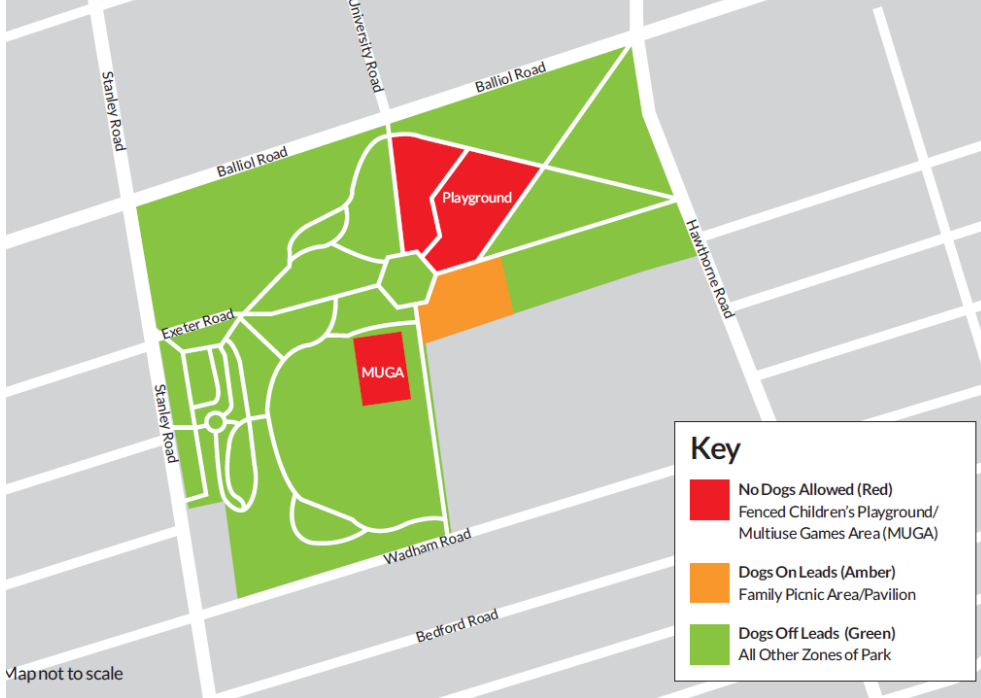
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South Park & Kings Gardens Dog Control Zones



Victoria Park Waterloo Dog Control Zones



Appendix 2: Correspondence from Dogs Trust

Sefton Council



12th February 2024

Public Spaces Protection Order (Dog) - Consultation

Dear Sefton Council,

We are aware that you are running a consultation on the proposal to introduce a Public Space Protection Orders (PSPO), in relation to dogs.

As the UK's largest dog welfare charity, we would like to make some comments for consideration.

Dogs Trust's Comments

1. Re; Fouling of Land by Dogs Order:

- Dogs Trust consider 'scooping the poop' to be an integral element of responsible dog ownership and would fully support a well-implemented order on fouling. We urge the Council to enforce any such order rigorously. In order to maximise compliance, we urge the Council to consider whether an adequate number of disposal points have been provided for responsible owners to use, to consider providing free disposal bags and to ensure that there is sufficient signage in place.
- We question the effectiveness of issuing on-the-spot fines for not being in possession of a poo bag and whether this is practical to enforce.

2. Re; Taking more than a specified number of dogs onto a land:

- The behaviour of the dogs and the competency of the handler need to be taken into consideration if considering this order. Research from 2010 shows that 95% of dog owners have up to 3 dogs. Therefore, the number of dogs taken out on to land by one individual would not normally be expected to exceed four dogs.

3. Re; Dog Exclusion and sport pitches

- Excluding dogs from areas that are not enclosed could pose enforcement problems - we would consider it more difficult to enforce an exclusion order in areas that lack clear boundaries.
- We feel that exclusion zones should be kept to a minimum, and that excluding dogs from all sports pitches for long stretches of the year is unnecessary. In some cases, sports pitches may account for a large part of the open space available in a public park, and therefore excluding dogs could significantly reduce available dog walking space for owners.
- We would urge the Council to consider focusing its efforts on reducing dog fouling in these areas, rather than excluding dogs entirely, with adequate provision of bins and provision of free disposal bags.

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4.Re; Dogs on Leads Order:

- Dogs Trust accept that there are some areas where it is desirable that dogs should be kept on a lead.
- Dogs Trust would urge the Council to consider the Animal Welfare Act 2006 section 9 requirements (the 'duty of care') that include the dog's need to exhibit normal behaviour patterns – this includes the need for sufficient exercise including the need to run off lead in appropriate areas. Dog Control Orders should not restrict the ability of dog keepers to comply with the requirements of this Act.
- The Council should ensure that there is an adequate number, and a variety of, well sign- posted areas locally for owners to exercise their dog off-lead.

5.Re; Dogs on Lead by Direction Order:

- Dogs Trust enthusiastically support Dogs on Leads by Direction orders (for dogs that are considered to be out of control or causing alarm or distress to members of the public to be put on and kept on a lead when directed to do so by an authorised official).
- We consider that this order is by far the most useful, other than the fouling order, because it allows enforcement officers to target the owners of dogs that are allowing them to cause a nuisance without restricting the responsible owner and their dog. As none of the other orders, less fouling, are likely to be effective without proper enforcement we would be content if the others were dropped in favour of this order.

The PDSA's ['Paw Report 2018'](#) found that 89% of veterinary professionals believe that the welfare of dogs will suffer if owners are banned from walking their dogs in public spaces such as parks and beaches, or if dogs are required to be kept on leads in these spaces. Their report also states that 78% of owners rely on these types of spaces to walk their dog.

We believe that the vast majority of dog owners are responsible, and that the majority of dogs are well behaved. In recognition of this, we would encourage local authorities to exercise its power to issue Community Protection Notices, targeting irresponsible owners and proactively addressing anti- social behaviours.

Dogs Trust works with local authorities, across the UK, to help promote responsible dog ownership. Please do not hesitate to contact me should you wish to discuss this and how we can support you in your work in Sefton Council.

We would be very grateful if you could inform us of the consultation outcome and any subsequent decisions made in relation to the Public Space Protection Orders.

Yours sincerely



Kevin Atkinson Hughes-Gandy
Community Engagement