

MEETING: LICENSING AND REGULATORY COMMITTEE  
DATE: Monday 19th April, 2010  
TIME: 6.30 pm  
VENUE: Town Hall, Bootle

**Member**

Councillor

Bigley (Chair)  
Papworth (Vice-Chair)  
Blackburn  
Bradshaw  
Dodd  
Fenton  
Friel  
Gustafson  
Hands (Spokesperson)  
Kerrigan  
Mahon (Spokesperson)  
Pearson  
B Rimmer  
D Rimmer  
Sir Ron Watson

COMMITTEE OFFICER: Ian Williams  
Telephone: 0151 934 2788  
Fax: 0151 934 2034  
E-mail: [ian.williams@legal.sefton.gov.uk](mailto:ian.williams@legal.sefton.gov.uk)

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

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# AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**

Members and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct.
3. **Minutes** (Pages 5 - 12)

Minutes of the meeting held on 22 February 2010
4. **Public Engagement and Consultation Framework**

Presentation by Consultation and Public Engagement Officer, Sefton Equalities Partnership
5. **Determinations Made Under the Licensing Act 2003: Period Covering 6 February 2010 to 31 March 2010** (Pages 13 - 38)

Report of the Environmental and Technical Services Director
6. **Determinations Made Under the Gambling Act 2005: Period Covering 6 February 2010 to 31 March 2010** (Pages 39 - 48)

Report of the Environmental and Technical Services Director
7. **Imposition of New Mandatory Conditions in Respect of Certain Premises Licensed Under the Licensing Act 2003** (Pages 49 - 56)

Report of the Environmental and Technical Services Director
8. **The Appointment of a Consultant to Carry Out the Hackney Carriage Unmet Demand Survey** (Pages 57 - 62)

Report of the Environmental and Technical Services Director
9. **Restructure of the Taxi Licensing Enforcement Team and Reduction of Driver Licence Fees** (Pages 63 - 72)

Report of the Environmental and Technical Services Director

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

## **LICENSING AND REGULATORY COMMITTEE**

### **MEETING HELD AT THE TOWN HALL, BOOTLE ON 22 FEBRUARY 2010**

PRESENT: Councillor Bigley (in the Chair)  
Councillor Papworth (Vice-Chair)

Councillors Blackburn, Bradshaw, Dodd, Fenton,  
Friel, Gustafson, Hands, Pearson, B Rimmer and  
D Rimmer

#### **76. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mahon, Kerrigan, and Sir Watson.

#### **77. DECLARATIONS OF INTEREST**

No declarations of interest were received.

#### **78. MINUTES**

The Committee considered the minutes of the meeting held on 18 January 2010.

RESOLVED: That subject to:

(1) Minute No 75 (2) being amended to read:

“the proposed criteria for determining any lapsed licences from within the existing restricted 271 hackney carriage vehicles licences that Sefton currently issue, be referred to the Committee for approval.”; and

(2) following being added to Minute No 74:

(6) “the Engagement and Consultation Standards Panel be requested to make a presentation to the Committee outlining the process across Sefton for public consultation at the next appropriate meeting”

the minutes of the meeting held on 18 January 2010 be confirmed as a correct record.

#### **79. SOUTH ROAD WATERLOO – ESTABLISHMENT OF LICENSING LIQUOR FORUM**

Further to Minute No 68 of the Council Meeting held on 14 January 2010, the Committee considered the petition of Ian Hamilton Fazey, Chairman of the Waterloo Residents' Association, which had been deferred by Full Council to the Licensing and Regulatory Committee for consideration.

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The submitted petition was signed by 1,015 residents of the Borough and outlined its purpose in the following terms:

“We, the undersigned, bearing in mind Sefton Council’s ‘Duty to Involve’ the community in the policy making process under the Local Government and Involvement in Health Act 2007, and having regard to the Council’s policy on alcohol and health, call upon Sefton Council and the Council’s, Licensing Committee, to accept the Secretary of State’s strong recommendations in the Guidance to the Licensing Act 2003, to

- (1) Hold a series of well publicised Open-Meetings to obtain the views of the public concerning the Licensing Policy;
- (2) Set up a standing ‘Licensing Liaison Forum’ involving all interested parties in which community groups and the public can be represented, and;
- (3) Grant no new alcohol licences and adjourn all current licence applications in the Waterloo (L22) area until such Open Meetings have been held and such a ‘Licensing Liaison Forum’ has been established.”

RESOLVED: That

- (1) the petition be noted; and
- (2) the Environmental Protection Director be requested to write to Mr Hamilton-Fazey and highlight the following responses to the petition on behalf of the Licensing and Regulatory Committee:
  - existing Area Committees are a series of well publicised Open-Meetings and the most appropriate forum to obtain the views of the public concerning the licensing policy;
  - it would be difficult to establish one or several ‘Licensing Liaison Forums’ involving all interested parties to adequately tackle the issues of licensing, given the variations in the night time economies across the Borough, however the Council were looking to establish a number of Focus Groups through the Area Committees to obtain more specific views on the current licensing policy during its consultation as part of the review of Sefton’s Licensing Policy; and
  - the Act and its accompanying statutory instruments lay down the time frames in which matters have to be dealt with by the licensing authority. As the licensing authority is constrained by the legislation, it would be unlawful “to grant no new alcohol licences and adjourn all current licence applications”.

**80. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003:  
PERIOD COVERING 2 JANUARY 2010 TO 5 FEBRUARY 2010**

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

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

For the period 2 January 2010 to 5 February 2010 the Environmental Protection Director had received and determined: 21 applications for Premise Licences; 13 applications for Personal Licences; and 19 notifications of Temporary Event Notices.

RESOLVED:

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

**81. DETERMINATIONS MADE UNDER THE GAMBLING ACT 2005:  
PERIOD COVERING 2 JANUARY 2010 TO 5 FEBRUARY 2010**

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

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

For the period 2 January 2010 to 5 February 2010 the Environmental Protection Director had received and determined: 3 applications for Premise Licences; 1 applications for Gaming Permits; and 2 notifications for licensed premises automatic gaming.

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RESOLVED:

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

**82. APPROVAL OF PREMISES FOR THE CONDUCT OF CIVIL MARRIAGES AND CIVIL PARTNERSHIPS - AINTREE SUITE, PARK HOTEL, DUNNINGSBRIDGE ROAD, NETHERTON**

The Committee considered the report of the Legal Director regarding an application from Mrs Lydia Forshaw, General Manager of Park Hotel, for the Aintree Suite, Park Hotel, Dunningbridge Road, Netherton, to be licensed for civil marriages and civil partnerships.

The report indicated that the premises had been inspected and conformed to all the guidelines issued to local authorities for the General Register Office, and that no objections had been received to the official notices published in local newspapers or from Merseyside Police and Merseyside Fire and Rescue Service.

RESOLVED:

That the application from Mrs Lydia Forshaw, General Manager of Park Hotel to license the Aintree Suite, Park Hotel, Dunningbridge Road, Netherton be approved for a three year period with effect from 1 March 2010.

**83. COMMON ACT 2006 - REGISTRATION OF A VILLAGE GREEN - HIGHTOWN**

The Committee considered the report of the Legal Director (acting on behalf of the Council as the "Local Registration Authority"), seeking approval for authorisation to request that the Land Charges Department, have the Village Green at Hightown formally recognised and registered as a Village Green.

RESOLVED:

That the Legal Director be authorised to request that the Land Charges Department, have the Village Green at Hightown formally recognised and registered as a Village Green.

**84. LICENSING ACT 2003 - NEW CATEGORY OF "INTERESTED PARTY"**

Further to Minute No 44 of the meeting held on 19 January 2009, the Committee considered the report of the Environmental Protection Director regarding the additional category of "interested party" in relation to the Licensing Act 2003 inserted by the Police and Crime Act 2009 (PCA09).



The report indicated that whilst certain provisions of the PCA09 were introduced on 29 January 2009, Section 33 was tabled and accepted at the Lords Report stage on 5 November 2009 and as such did not form part of the proposed provisions reported to Members at the meeting held on 19 January 2009; that with effect from 29 January 2010 the PCA09 had added to the list of "interested party" with the new category 'a member of the relevant licensing authority'; and that the amendment meant that members the licensing authority could now make representations or seek a review in their own right.

RESOLVED:

That the report be noted.

**85. PROPOSED RESPONSE TO DCMS CONSULTATION -  
"PROPOSAL TO EXEMPT SMALL LIVE MUSIC EVENTS FROM  
THE LICENSING ACT 2003"**

The Committee considered the report of the Environmental Protection Director on the consultation by the Department for Culture, Media and Sport and seeking views on proposals to make live music between the hours of 8am and 11pm, held inside buildings, and to an audience of 100 or less not a licensable activity; that the proposals would create a 'revocable exemption', i.e. small live music events, at either licensed and unlicensed premises, would be exempt provided that they complied with the requirements above; and that the last submission for responses was 26 March 2010.

A copy of the consultation document was attached as an annex to the report.

RESOLVED: That

- (1) the report be noted; and
- (2) the proposed response contained in Annex 2 be endorsed.

**86. PROPOSED RESPONSE TO DCMS CONSULTATION -  
"PROPOSAL TO AMEND LICENSING ACT 2003 (PERSONAL  
LICENCE: RELEVANT OFFENCES)"**

The Committee considered the report of the Environmental Protection Director on the consultation by the Department for Culture, Media and Sport and seeking views on proposals to amend the Licensing Act 2003 (the Act) to update the list of offences that were treated as relevant offences for the purposes of obtaining and holding a licence under Part 6 of the Act and indicating that the last date for submission of responses was 12 March 2010.

A copy of consultation document was attached as an annex to the report.

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RESOLVED: That

- (3) the report be noted; and
- (4) the proposed response contained in Annex 3 be endorsed.

## **87. GENERAL LICENSING - FEES AND CHARGES 2010/2011**

Further to Minute No 70 of the meeting held on 18 January 2010, the Committee considered the report of the Environmental Protection Director on the fees and charges for general licensing for 2010/2011 and seeking approval for proposed increases to fees and charges for general licensing services 2010/2011.

The report indicated that unlike licensing fees which were set by central government, Gambling Act Premise Licences were determined by the relevant licensing authorities; that for Sefton, these fees were initially agreed by Members at the meeting held on 26 March 2007 and it was also agreed not to increase these further in 2008/2009 and 2009/2010 in order to allow the new regime to 'bed in'; that in formulating the original fees, certain assumptions were made with regard to the extent of the work that would be involved for the Authority in carrying out its functions under the new regime; that these assumptions had been revisited and after the Authority had carried out its functions under the Gambling Act 2005 in 2010/2011 a surplus of £3,969.24 was forecasted for year end; and that given the forecasted position it was recommended that fees not be increased at this time.

It was clarified by the Environmental Protection Director that he understood the concerns of Councillors regarding the slippage as to the targets set for the inspection regime and that this was attributable a staff vacancy and long term sickness absence. The long term absentee had now returned to work and an appeal before the vacancy panel was to be heard next week with a view to resolving the current vacancy. The Environmental Protection Director was confident that staffing could be delivered through existing budgets, and targets for the next financial year would be achieved.

RESOLVED: That

- (1) the proposed fees and charges for 201/2011 as listed in the Annex be endorsed; and
- (2) Cabinet be recommended to approve the proposed fees and charges for 2010/2011 as listed in the annex attached to the report.

## **88. PUBLISHING SENTENCING OUTCOMES**

The Committee considered the report of the Environmental Protection Director seeking endorsement of the publication of sentencing outcomes for Council initiated prosecutions; and indicating that a decision on this

matter was required as the Government had issued guidance advising Councils of their expectation that local authorities would take such a course of action. A copy of the Criminal Justice System Guidance - Publishing Sentencing Outcomes was attached as an annex to the report.

The report indicated that publication of sentencing outcomes should reassure the public that they and their interests were being protected by the work of Local Authority regulatory services and also act as a reminder and deterrent to traders and business operators that there was a sanction if minimum legal standards were not observed; and that in light of the clear Government guidance, it was proposed that the results of sentencing outcomes from regulatory cases be published on the Council's internet as soon as possible after the Court hearing.

RESOLVED:

That in line with national guidance, the publication of sentencing outcomes from cases brought to Court by the Council be endorsed.

## **89. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED:

That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 5 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the press and public.

## **90. THE DETERMINATION OF LAPSED HACKNEY CARRIAGE VEHICLE LICENCES AND ALLOCATION OF VACANT LICENCES**

Further to Minute No 75 of the meeting held on 18 January 2010, the Committee considered the report of the Environmental Protection Director on the determination of lapsed Hackney Carriage Vehicle Licences and the allocation of vacant licences and seeking approval for the proposed basis for determining any appeals against the refusal to allow the "renewal" of a lapsed Hackney Carriage Vehicle Licences and the methodology of any vacant licences from within the existing restricted 271 Hackney Vehicle Licences issued by Sefton Council.

RESOLVED: That

- (1) the contents of the report be noted;
- (2) the criteria, defined in paragraph 11 of the report, which would be used in the determination, by the Environmental Protection Director, of any appeals relating to the refusal to "renew" a lapsed Hackney Carriage Vehicle Licence, be approved;

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- (3) the agreed methodology on a first come first serve basis, for allocating any vacant licences from within the restricted 271 Hackney Carriage Vehicle Licences that Sefton currently issue, to be on a first come first serve basis, be approved; and
- (4) the intention to inform the Joint Trade Stakeholder Group of the criteria for determining appeals, as referred to in 2 above, and the methodology for allocating vacant licences, as referred to in 3 above be noted.

# Agenda Item 5

Meeting: LICENSING & REGULATORY COMMITTEE

Date of Meeting: 19<sup>th</sup> April 2010

Title of Report: DETERMINATIONS MADE UNDER THE LICENSING ACT 2003:  
PERIOD COVERING 6<sup>TH</sup> FEBRUARY 2010 TO 31<sup>ST</sup> MARCH 2010.

Report of: P. J. Moore  
Environmental & Technical Services Director

Contact Officer: K.T. Coady,  
Senior Licensing Officer  
0151 934 2946

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

## Purpose of Report

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

## Recommendation(s)

That Members:

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

## Corporate Objective Monitoring

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

## Financial Implications

None.

# Agenda Item 5

## Background

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

## Numbers determined

4. During the period 6<sup>th</sup> February 2010 to 31<sup>st</sup> March 2010 the following number of applications have been determined:

• Applications made under Premise Licences	<b>49</b>
• Applications made under Personal Licences	<b>28</b>
• Notification of Temporary Event Notices	<b>35</b>
5. Details of determinations made under Premise Licences are attached within the Annex to this Report.

### Premises Licences

<b>Reference Number</b>	004224		
<b>Name &amp; Address of Premises</b>	Blue Anchor Inn 32 School Lane Aintree L10 8LH		
<b>Application for</b>	Minor Variation		
<b>Premise Licence Holder</b>	Greene King Retailing Ltd		
<b>Date of action</b>	08/02/2010	<b>Date Issued</b>	10/10/2005
<b>Date of Expiry (if applicable)</b>	28/02/2010	<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

### Opening Hours of Premises

Monday - from 11.00 to 00.00  
 Tuesday - from 11.00 to 00.00  
 Wednesday - from 11.00 to 00.00  
 Thursday - from 11.00 to 00.00  
 Friday - from 11.00 to 01.00  
 Saturday - from 11.00 to 01.00  
 Sunday - from 11.00 to 00.00

### Licensable Activities & Times

The sale of alcohol by retail  
 Monday - from 11.00 to 23.00  
 Tuesday - from 11.00 to 23.00  
 Wednesday - from 11.00 to 23.00  
 Thursday - from 11.00 to 23.00  
 Friday - from 11.00 to 00.00  
 Saturday - from 11.00 to 00.00  
 Sunday - from 11.00 to 23.00

The provision of late night refreshment

Friday - from 23.00 to 00.00  
 Saturday - from 23.00 to 00.00

The provision of regulated entertainment - Live music

Monday - from 18.00 to 23.00  
 Tuesday - from 18.00 to 23.00  
 Wednesday - from 18.00 to 23.00  
 Thursday - from 18.00 to 23.00  
 Friday - from 18.00 to 23.00  
 Saturday - from 18.00 to 23.00  
 Sunday - from 11.00 to 23.00

The provision of regulated entertainment - Recorded music

Monday - from 18.00 to 23.00  
 Tuesday - from 18.00 to 23.00  
 Wednesday - from 18.00 to 23.00  
 Thursday - from 18.00 to 23.00  
 Friday - from 18.00 to 23.00  
 Saturday - from 18.00 to 23.00  
 Sunday - from 18.00 to 23.00

The provision of regulated entertainment - entertainment of a similar description to that falling within the category of live music, recorded music, or performance of dance

Monday - from 18.00 to 23.00  
 Tuesday - from 18.00 to 23.00  
 Wednesday - from 18.00 to 23.00

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Thursday - from 18.00 to 23.00

Friday - from 18.00 to 23.00

Saturday - from 18.00 to 23.00

Sunday - from 18.00 to 23.00

<b>Reference Number</b>	003203		
<b>Name &amp; Address of Premises</b>	Crown Hotel 304 Liverpool Road Birkdale PR8 3BZ		
<b>Application for</b>	Minor Variation		
<b>Premise Licence Holder</b>	Mitchells & Butlers Leisure Retail Limited		
<b>Date of action</b>	05/03/2010	<b>Date Issued</b>	19/08/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

## Opening Hours of Premises

Monday - from 10.00 to 00.30

Tuesday - from 10.00 to 00.30

Wednesday - from 10.00 to 00.30

Thursday - from 10.00 to 00.30

Friday - from 10.00 to 00.30

Saturday - from 10.00 to 00.30

Sunday - from 10.00 to 00.30

## Licensable Activities & Times

The sale of alcohol by retail

Monday - from 10.00 to 00.00

Tuesday - from 10.00 to 00.00

Wednesday - from 10.00 to 00.00

Thursday - from 10.00 to 00.00

Friday - from 10.00 to 00.00

Saturday - from 10.00 to 00.00

Sunday - from 10.00 to 00.00

The provision of late night refreshment

Monday - from 23.00 to 00.00

Tuesday - from 23.00 to 00.00

Wednesday - from 23.00 to 00.00

Thursday - from 23.00 to 00.00

Friday - from 23.00 to 00.00

Saturday - from 23.00 to 00.00

Sunday - from 23.00 to 00.00

The provision of regulated entertainment - Films

Monday - from 10.00 to 00.00

Tuesday - from 10.00 to 00.00

Wednesday - from 10.00 to 00.00

Thursday - from 10.00 to 00.00

Friday - from 10.00 to 00.00

Saturday - from 10.00 to 00.00

Sunday - from 10.00 to 00.00



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<b>Reference Number</b>	003885		
<b>Name &amp; Address of Premises</b>	The Endbutt Hotel 63 Endbutt Lane Crosby L23 0TU		
<b>Application for</b>	Minor Variation		
<b>Premise Licence Holder</b>	Greene King Retailing Ltd		
<b>Date of action</b>	12/03/2010	<b>Date Issued</b>	28/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Opening Hours of Premises</b>
Monday - from 11.00 to 23.30
Tuesday - from 11.00 to 23.30
Wednesday - from 11.00 to 23.30
Thursday - from 11.00 to 23.30
Friday - from 11.00 to 00.30
Saturday - from 11.00 to 00.30
Sunday - from 11.00 to 23.30

## Licensable Activities & Times

The sale of alcohol by retail

Monday - from 11.00 to 23.00

Tuesday - from 11.00 to 23.00

Wednesday - from 11.00 to 23.00

Thursday - from 11.00 to 23.00

Friday - from 11.00 to 00.00

Saturday - from 11.00 to 00.00

Sunday - from 11.00 to 23.00

The provision of late night refreshment

Friday - from 23.00 to 00.00

Saturday - from 23.00 to 00.00

The provision of regulated entertainment - Live music

Monday - from 18.00 to 23.00

Tuesday - from 18.00 to 23.00

Wednesday - from 18.00 to 23.00

Thursday - from 18.00 to 23.00

Friday - from 18.00 to 23.00

Saturday - from 18.00 to 23.00

Sunday - from 18.00 to 23.00

The provision of regulated entertainment - Recorded music

Monday - from 18.00 to 23.00

Tuesday - from 18.00 to 23.00

Wednesday - from 18.00 to 23.00

Thursday - from 18.00 to 23.00

Friday - from 18.00 to 23.00

Saturday - from 18.00 to 23.00

Sunday - from 18.00 to 23.00

The provision of regulated entertainment - entertainment of a similar description to that falling within the category of live music, recorded music, or performance of dance

Monday - from 18.00 to 23.00

Tuesday - from 18.00 to 23.00

Wednesday - from 18.00 to 23.00

Thursday - from 18.00 to 23.00

Friday - from 18.00 to 23.00

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Saturday - from 18.00 to 23.00

Sunday - from 18.00 to 23.00

<b>Reference Number</b>	015935		
<b>Name &amp; Address of Premises</b>	Frankie & Benny's Ormskirk Road Aintree L9 5AN		
<b>Application for</b>	Grant		
<b>Premise Licence Holder</b>	City Centre Restaurants (UK) Ltd		
<b>Date of action</b>	01/03/2010	<b>Date Issued</b>	01/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

## Opening Hours of Premises

Monday - from 10.00 to 00.30

Tuesday - from 10.00 to 00.30

Wednesday - from 10.00 to 00.30

Thursday - from 10.00 to 00.30

Friday - from 10.00 to 00.30

Saturday - from 10.00 to 00.30

Sunday - from 10.00 to 00.30

## Licensable Activities & Times

The sale of alcohol by retail

Monday - from 10.00 to 00.00

Tuesday - from 10.00 to 00.00

Wednesday - from 10.00 to 00.00

Thursday - from 10.00 to 00.00

Friday - from 10.00 to 00.00

Saturday - from 10.00 to 00.00

Sunday - from 10.00 to 00.00

The provision of late night refreshment

Monday - from 23.00 to 00.00

Tuesday - from 23.00 to 00.00

Wednesday - from 23.00 to 00.00

Thursday - from 23.00 to 00.00

Friday - from 23.00 to 00.00

Saturday - from 23.00 to 00.00

Sunday - from 23.00 to 00.00

<b>Reference Number</b>	003178		
<b>Name &amp; Address of Premises</b>	Golden Harvest 9 - 11 Litherland Road Bootle L20 3BY		
<b>Application for</b>	Variation		
<b>Premise Licence Holder</b>	Mr Tak Ming Cheung		
<b>Date of action</b>	22/02/2010	<b>Date Issued</b>	28/06/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

## Opening Hours of Premises

Hours not being restricted

# Agenda Item 5

## Licensable Activities & Times

The sale of alcohol by retail  
 Monday - from 11.00 to 00.00  
 Tuesday - from 11.00 to 00.00  
 Wednesday - from 11.00 to 00.00  
 Thursday - from 11.00 to 00.00  
 Friday - from 11.00 to 00.00  
 Saturday - from 11.00 to 00.00  
 Sunday - from 12.00 to 23.30

<b>Reference Number</b>	003432		
<b>Name &amp; Address of Premises</b>	Hawthorne Wines 38-40 Hawthorne Road Bootle L20		
<b>Application for</b>	Minor Variation		
<b>Premise Licence Holder</b>	Mr Joseph Owens		
<b>Date of action</b>	02/03/2010	<b>Date Issued</b>	25/07/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

## Opening Hours of Premises

Hours not restricted

## Licensable Activities & Times

The sale of alcohol by retail  
 Monday - from 08.00 to 23.00  
 Tuesday - from 08.00 to 23.00  
 Wednesday - from 08.00 to 23.00  
 Thursday - from 08.00 to 23.00  
 Friday - from 08.00 to 23.00  
 Saturday - from 08.00 to 23.00  
 Sunday - from 10.00 to 22.30

<b>Reference Number</b>	003760		
<b>Name &amp; Address of Premises</b>	Hightown Hotel School Road Hightown L38 0BA		
<b>Application for</b>	Minor Variation		
<b>Premise Licence Holder</b>	Punch Taverns PLC		
<b>Date of action</b>	15/02/2010	<b>Date Issued</b>	09/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

## Opening Hours of Premises

Monday - from 10.00 to 00.30  
 Tuesday - from 10.00 to 00.30  
 Wednesday - from 10.00 to 00.30  
 Thursday - from 10.00 to 00.30  
 Friday - from 10.00 to 01.30  
 Saturday - from 10.00 to 01.30  
 Sunday - from 12.00 to 00.00

# Agenda Item 5

## Licensable Activities & Times

The sale of alcohol by retail

Monday - from 10.00 to 00.00

Tuesday - from 10.00 to 00.00

Wednesday - from 10.00 to 00.00

Thursday - from 10.00 to 00.00

Friday - from 10.00 to 01.00

Saturday - from 10.00 to 01.00

Sunday - from 12.00 to 23.30

The provision of regulated entertainment - Live music

Monday - from 10.00 to 00.00

Tuesday - from 10.00 to 00.00

Wednesday - from 10.00 to 00.00

Thursday - from 10.00 to 00.00

Friday - from 10.00 to 01.00

Saturday - from 10.00 to 01.00

Sunday - from 12.00 to 23.30

The provision of regulated entertainment - Recorded music

Monday - from 10.00 to 00.00

Tuesday - from 10.00 to 00.00

Wednesday - from 10.00 to 00.00

Thursday - from 10.00 to 00.00

Friday - from 10.00 to 01.00

Saturday - from 10.00 to 01.00

Sunday - from 12.00 to 23.30

The provision of entertainment facilities - entertainment of a similar description to that falling within the category of making music or dancing

Monday - from 10.00 to 00.00

Tuesday - from 10.00 to 00.00

Wednesday - from 10.00 to 00.00

Thursday - from 10.00 to 00.00

Friday - from 10.00 to 01.00

Saturday - from 10.00 to 01.00

Sunday - from 12.00 to 23.30

<b>Reference Number</b>	016272		
<b>Name &amp; Address of Premises</b>	The Latin Lounge 8 Post Office Avenue Southport PR9 0US		
<b>Application for</b>	Grant		
<b>Premise Licence Holder</b>	Krackers Limited		
<b>Date of action</b>	23/03/2010	<b>Date Issued</b>	22/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

## Opening Hours of Premises

Monday - from 09.00 to 00.30

Tuesday - from 09.00 to 00.30

Wednesday - from 09.00 to 00.30

Thursday - from 09.00 to 00.30

Friday - from 09.00 to 01.30

Saturday - from 09.00 to 01.30

Sunday - from 09.00 to 00.30

## **Licensable Activities & Times**

The sale of alcohol by retail

Monday - from 12.00 to 00.00

Tuesday - from 12.00 to 00.00

Wednesday - from 12.00 to 00.00

Thursday - from 12.00 to 00.00

Friday - from 12.00 to 01.00

Saturday - from 12.00 to 01.00

Sunday - from 12.00 to 00.00

The provision of late night refreshment

Monday - from 23.00 to 00.00

Tuesday - from 23.00 to 00.00

Wednesday - from 23.00 to 00.00

Thursday - from 23.00 to 00.00

Friday - from 23.00 to 01.00

Saturday - from 23.00 to 01.00

Sunday - from 23.00 to 00.00

The provision of regulated entertainment - Live music

Monday - from 12.00 to 00.00

Tuesday - from 12.00 to 00.00

Wednesday - from 12.00 to 00.00

Thursday - from 12.00 to 00.00

Friday - from 12.00 to 01.00

Saturday - from 12.00 to 01.00

Sunday - from 12.00 to 00.00

The provision of regulated entertainment - Recorded music

Monday - from 12.00 to 00.00

Tuesday - from 12.00 to 00.00

Wednesday - from 12.00 to 00.00

Thursday - from 12.00 to 00.00

Friday - from 12.00 to 01.00

Saturday - from 12.00 to 01.00

Sunday - from 12.00 to 00.00

The provision of regulated entertainment - Performances of dance

Monday - from 12.00 to 00.00

Tuesday - from 12.00 to 00.00

Wednesday - from 12.00 to 00.00

Thursday - from 12.00 to 00.00

Friday - from 12.00 to 01.00

Saturday - from 12.00 to 01.00

Sunday - from 12.00 to 00.00

The provision of entertainment facilities - making music

Monday - from 12.00 to 00.00

Tuesday - from 12.00 to 00.00

Wednesday - from 12.00 to 00.00

Thursday - from 12.00 to 00.00

Friday - from 12.00 to 01.00

Saturday - from 12.00 to 01.00

Sunday - from 12.00 to 00.00

The provision of entertainment facilities - dancing

Monday - from 12.00 to 00.00

Tuesday - from 12.00 to 00.00

Wednesday - from 12.00 to 00.00

Thursday - from 12.00 to 00.00

Friday - from 12.00 to 01.00

Saturday - from 12.00 to 01.00

# Agenda Item 5

Sunday - from 12.00 to 00.00

The provision of entertainment facilities - entertainment of a similar description to that falling within the category of making music or dancing

Monday - from 12.00 to 00.00

Tuesday - from 12.00 to 00.00

Wednesday - from 12.00 to 00.00

Thursday - from 12.00 to 00.00

Friday - from 12.00 to 01.00

Saturday - from 12.00 to 01.00

Sunday - from 12.00 to 00.00

<b>Reference Number</b>	012575		
<b>Name &amp; Address of Premises</b>	Marks and Spencer Unit 4 Ormskirk Road L9 5AN		
<b>Application for</b>	Minor Variation		
<b>Premise Licence Holder</b>	Marks and Spencer Simply Foods Ltd		
<b>Date of action</b>	10/02/2010	<b>Date Issued</b>	01/10/2008
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

## Opening Hours of Premises

Monday - from 00.00 to 24.00

Tuesday - from 00.00 to 24.00

Wednesday - from 00.00 to 24.00

Thursday - from 00.00 to 24.00

Friday - from 00.00 to 24.00

Saturday - from 00.00 to 24.00

Sunday - from 00.00 to 24.00

## Licensable Activities & Times

The sale of alcohol by retail

Monday - from 00.00 to 24.00

Tuesday - from 00.00 to 24.00

Wednesday - from 00.00 to 24.00

Thursday - from 00.00 to 24.00

Friday - from 00.00 to 24.00

Saturday - from 00.00 to 24.00

Sunday - from 00.00 to 24.00

The provision of late night refreshment

Monday - from 23.00 to 05.00

Tuesday - from 23.00 to 05.00

Wednesday - from 23.00 to 05.00

Thursday - from 23.00 to 05.00

Friday - from 23.00 to 05.00

Saturday - from 23.00 to 05.00

Sunday - from 23.00 to 05.00

# Agenda Item 5

<b>Reference Number</b>	016098		
<b>Name &amp; Address of Premises</b>	Morris Newsagents and General Store 7 Harris Drive Bootle L20 6LD		
<b>Application for</b>	Grant		
<b>Premise Licence Holder</b>	Mr Warren Shaun Caffrey		
<b>Date of action</b>	02/03/2010	<b>Date Issued</b>	02/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Opening Hours of Premises</b> Monday - from 06.30 to 23.00 Tuesday - from 06.30 to 23.00 Wednesday - from 06.30 to 23.00 Thursday - from 06.30 to 23.00 Friday - from 06.30 to 23.00 Saturday - from 06.30 to 23.00 Sunday - from 06.30 to 23.00
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### Licensable Activities & Times

The sale of alcohol by retail  
Monday - from 06.30 to 23.00  
Tuesday - from 06.30 to 23.00  
Wednesday - from 06.30 to 23.00  
Thursday - from 06.30 to 23.00  
Friday - from 06.30 to 23.00  
Saturday - from 06.30 to 23.00  
Sunday - from 06.30 to 23.00

<b>Reference Number</b>	016130		
<b>Name &amp; Address of Premises</b>	Pudding & Pie 39-43 Wayfarers Arcade Southport PR8 1NT		
<b>Application for</b>	Grant		
<b>Premise Licence Holder</b>	Mrs Andrea Malcolm		
<b>Date of action</b>	09/03/2010	<b>Date Issued</b>	09/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Opening Hours of Premises</b> Monday - from 09.00 to 17.30 Tuesday - from 09.00 to 17.30 Wednesday - from 09.00 to 17.30 Thursday - from 09.00 to 17.30 Friday - from 09.00 to 17.30 Saturday - from 09.00 to 17.30 Sunday - from 09.00 to 17.30
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### Licensable Activities & Times

The sale of alcohol by retail  
Monday - from 09.00 to 17.30  
Tuesday - from 09.00 to 17.30  
Wednesday - from 09.00 to 17.30  
Thursday - from 09.00 to 17.30

# Agenda Item 5

Friday - from 09.00 to 17.30  
 Saturday - from 09.00 to 17.30  
 Sunday - from 09.00 to 17.30

The provision of regulated entertainment - Live music

Monday - from 09.00 to 17.30  
 Tuesday - from 09.00 to 17.30  
 Wednesday - from 09.00 to 17.30  
 Thursday - from 09.00 to 17.30  
 Friday - from 09.00 to 17.30  
 Saturday - from 09.00 to 17.30  
 Sunday - from 09.00 to 17.30

The provision of regulated entertainment - Recorded music

Monday - from 09.00 to 17.30  
 Tuesday - from 09.00 to 17.30  
 Wednesday - from 09.00 to 17.30  
 Thursday - from 09.00 to 17.30  
 Friday - from 09.00 to 17.30  
 Saturday - from 09.00 to 17.30  
 Sunday - from 09.00 to 17.30

<b>Reference Number</b>		003012	
<b>Name &amp; Address of Premises</b>		Toby Carvery 537-553 Liverpool Road Ainsdale PR8 3BJ	
<b>Application for</b>		Minor Variation	
<b>Premise Licence Holder</b>		Mitchells & Butlers Leisure Retail Limited	
<b>Date of action</b>	11/02/2010	<b>Date Issued</b>	26/07/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Opening Hours of Premises</b>
Monday - from 10.00 to 00.30
Tuesday - from 10.00 to 00.30
Wednesday - from 10.00 to 00.30
Thursday - from 10.00 to 00.30
Friday - from 10.00 to 00.30
Saturday - from 10.00 to 00.30
Sunday - from 10.00 to 00.30

## Licensable Activities & Times

The sale of alcohol by retail

Monday - from 10.00 to 00.00  
 Tuesday - from 10.00 to 00.00  
 Wednesday - from 10.00 to 00.00  
 Thursday - from 10.00 to 00.00  
 Friday - from 10.00 to 00.00  
 Saturday - from 10.00 to 00.00  
 Sunday - from 10.00 to 00.00

The provision of regulated entertainment - Films

Monday - from 10.00 to 00.00  
 Tuesday - from 10.00 to 00.00  
 Wednesday - from 10.00 to 00.00  
 Thursday - from 10.00 to 00.00  
 Friday - from 10.00 to 00.00  
 Saturday - from 10.00 to 00.00



# Agenda Item 5

Sunday - from 10.00 to 00.00

The provision of late night refreshment

Monday - from 23.00 to 00.00

Tuesday - from 23.00 to 00.00

Wednesday - from 23.00 to 00.00

Thursday - from 23.00 to 00.00

Friday - from 23.00 to 00.00

Saturday - from 23.00 to 00.00

Sunday - from 23.00 to 00.00

<b>Reference Number</b>	003093		
<b>Name &amp; Address of Premises</b>	West Lancs Golf Club Hall Road West Blundellsands L23 8SZ		
<b>Application for</b>	Minor Variation		
<b>Premise Licence Holder</b>	West Lancashire Golf Club		
<b>Date of action</b>	03/03/2010	<b>Date Issued</b>	15/07/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

## Opening Hours of Premises

Monday - from 08.00 to 23.00

Tuesday - from 08.00 to 23.00

Wednesday - from 08.00 to 23.00

Thursday - from 08.00 to 23.00

Friday - from 08.00 to 23.00

Saturday - from 08.00 to 23.00

Sunday - from 08.00 to 22.00

## Licensable Activities & Times

The sale of alcohol by retail

Monday - from 11.00 to 23.00

Tuesday - from 11.00 to 23.00

Wednesday - from 11.00 to 23.00

Thursday - from 11.00 to 23.00

Friday - from 11.00 to 23.00

Saturday - from 11.00 to 23.00

Sunday - from 11.00 to 22.00

The provision of late night refreshment

Monday - from 23.00 to 00.00

Tuesday - from 23.00 to 00.00

Wednesday - from 23.00 to 00.00

Thursday - from 23.00 to 00.00

Friday - from 23.00 to 01.00

Saturday - from 23.00 to 01.00

Sunday - from 23.00 to 00.00

The provision of regulated entertainment - Live music

Friday - from 19.00 to 01.00

Saturday - from 19.00 to 01.00

The provision of regulated entertainment - Recorded music

Friday - from 19.00 to 01.00

Saturday - from 19.00 to 01.00

# Agenda Item 5

The provision of entertainment facilities - dancing

Friday - from 19.00 to 01.00

Saturday - from 19.00 to 01.00

<b>Reference Number</b>	013277		
<b>Name &amp; Address of Premises</b>	B & M Bargains 55-58 New Strand Medway Bootle L20 4SR		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	B & M Retail Limited		
<b>Date of action</b>	26/03/2010	<b>Date Issued</b>	13/02/2009
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	004215		
<b>Name &amp; Address of Premises</b>	The Birkey Hotel 35 Cooks Road Crosby L23 2TB		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Greene King Retailing Ltd		
<b>Date of action</b>	29/03/2010	<b>Date Issued</b>	10/10/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	004601		
<b>Name &amp; Address of Premises</b>	Blue Anchor Tithebarn Road Southport PR8 6AB		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Startmore Pub Company Ltd		
<b>Date of action</b>	18/02/2010	<b>Date Issued</b>	05/10/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

# Agenda Item 5

<b>Reference Number</b>	004224		
<b>Name &amp; Address of Premises</b>	Blue Anchor Inn 32 School Lane Aintree L10 8LH		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Greene King Retailing Ltd		
<b>Date of action</b>	01/03/2010	<b>Date Issued</b>	10/10/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	004493		
<b>Name &amp; Address of Premises</b>	Bootle Golf Club Dunnings Bridge Road Netherton L30 2PP		
<b>Application for</b>	Change of Name and/or Address		
<b>Premise Licence Holder</b>	Mr Gary Tyton Howarth		
<b>Date of action</b>	18/03/2010	<b>Date Issued</b>	04/10/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	005044		
<b>Name &amp; Address of Premises</b>	Crosby Fish Bar 83 Liverpool Road Crosby L23 5TD		
<b>Application for</b>	Transfer		
<b>Premise Licence Holder</b>	Mr Resit Tekgur		
<b>Date of action</b>	09/03/2010	<b>Date Issued</b>	31/10/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

# Agenda Item 5

<b>Reference Number</b>	004487		
<b>Name &amp; Address of Premises</b>	Crown Inn 18-20 Coronation Walk Southport PR8 1RE		
<b>Application for</b>	Licence Holder Transfer & Variation of DPS		
<b>Premise Licence Holder</b>	Startmore Pub Company Ltd		
<b>Date of action</b>	12/03/2010	<b>Date Issued</b>	13/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>	01/03/2010		

<b>Reference Number</b>	003864		
<b>Name &amp; Address of Premises</b>	Eden Vale Hotel Glovers Lane Netherton L30 3QW		
<b>Application for</b>	Transfer		
<b>Premise Licence Holder</b>	Enterprise Inns PLC		
<b>Date of action</b>	12/02/2010	<b>Date Issued</b>	31/08/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	003773		
<b>Name &amp; Address of Premises</b>	Fishermans Rest Weld Road Birkdale PR8 2BX		
<b>Application for</b>	Licence Holder Transfer & Variation of DPS		
<b>Premise Licence Holder</b>	Mr Stephen Nolan		
<b>Date of action</b>	25/02/2010	<b>Date Issued</b>	08/09/2005
<b>Date of Expiry (if applicable)</b>	11/03/2010	<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

# Agenda Item 5

<b>Reference Number</b>	003773		
<b>Name &amp; Address of Premises</b>	Fishermans Rest Weld Road Birkdale PR8 2BX		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Mr Stephen Nolan		
<b>Date of action</b>	12/03/2010	<b>Date Issued</b>	08/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	011576		
<b>Name &amp; Address of Premises</b>	The Glasshouse 241B Lord Street Southport PR8 1NY		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Mr Perry James Cain		
<b>Date of action</b>	16/02/2010	<b>Date Issued</b>	18/03/2008
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	004545		
<b>Name &amp; Address of Premises</b>	Grand Palace 11-13 Nevill Street Southport PR9 0DE		
<b>Application for</b>	Change of Name and/or Address		
<b>Premise Licence Holder</b>	Mrs Zhenjin Li		
<b>Date of action</b>	04/03/2010	<b>Date Issued</b>	28/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

# Agenda Item 5

<b>Reference Number</b>	003376		
<b>Name &amp; Address of Premises</b>	Home Bargains 12-14 Moor Lane Crosby L23 2UE		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	T. J. Morris Limited t/a Home Bargains		
<b>Date of action</b>	08/03/2010	<b>Date Issued</b>	21/07/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	004210		
<b>Name &amp; Address of Premises</b>	Kirkstone Hotel 102 Moss Lane Litherland L21 7NJ		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Mr Arnold Martin & Ms Tracey Marie Martin		
<b>Date of action</b>	09/02/2010	<b>Date Issued</b>	08/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	004214		
<b>Name &amp; Address of Premises</b>	The Liver Public House 137 South Road Waterloo L22 0LT		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Punch Taverns PLC		
<b>Date of action</b>	10/03/2010	<b>Date Issued</b>	16/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

# Agenda Item 5

<b>Reference Number</b>	014502		
<b>Name &amp; Address of Premises</b>	Matalan Ocean Plaza Marine Drive PR8		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Matalan Retail Ltd		
<b>Date of action</b>	01/03/2010	<b>Date Issued</b>	07/09/2009
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	003738		
<b>Name &amp; Address of Premises</b>	The Merton Inn 42 Merton Road Bootle L20 3BW		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	JD Wetherspoon PLC		
<b>Date of action</b>	22/03/2010	<b>Date Issued</b>	13/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	004729		
<b>Name &amp; Address of Premises</b>	Michael's 47 Liverpool Road Birkdale PR8 4AG		
<b>Application for</b>	Transfer		
<b>Premise Licence Holder</b>	Good Food Restaurants Limited		
<b>Date of action</b>	08/02/2010	<b>Date Issued</b>	07/10/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

# Agenda Item 5

<b>Reference Number</b>	003875		
<b>Name &amp; Address of Premises</b>	Old Roan Inn Copy Lane Netherton L30 8RD		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Enterprise Inns PLC		
<b>Date of action</b>	15/02/2010	<b>Date Issued</b>	09/09/2005
<b>Date of Expiry (if applicable)</b>	25/03/2010	<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	003875		
<b>Name &amp; Address of Premises</b>	Old Roan Inn Copy Lane Netherton L30 8RD		
<b>Application for</b>	Licence Holder Transfer & Variation of DPS		
<b>Premise Licence Holder</b>	Mr Stephen William Hughes		
<b>Date of action</b>	26/03/2010	<b>Date Issued</b>	09/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	008965		
<b>Name &amp; Address of Premises</b>	Owens Bar Cafe 9B Houghton St. / 36 Anchor St. Southport PR9 0TE		
<b>Application for</b>	Transfer		
<b>Premise Licence Holder</b>	Stockton Heath Catering Limited		
<b>Date of action</b>	03/03/2010	<b>Date Issued</b>	15/03/2007
<b>Date of Expiry (if applicable)</b>	02/03/2010	<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			



# Agenda Item 5

<b>Reference Number</b>	008965		
<b>Name &amp; Address of Premises</b>	Owens Bar Cafe 9B Hoghton St. / 36 Anchor St. Southport PR9 0TE		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Stockton Heath Catering Limited		
<b>Date of action</b>	03/03/2010	<b>Date Issued</b>	15/03/2007
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	005568		
<b>Name &amp; Address of Premises</b>	Pizza Villa 449 Stanley Road Bootle L20 5DN		
<b>Application for</b>	Change of Name and/or Address		
<b>Premise Licence Holder</b>	Mr Farmarz Khalilo		
<b>Date of action</b>	15/02/2010	<b>Date Issued</b>	29/11/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	004622		
<b>Name &amp; Address of Premises</b>	Premierbowl Southport Ocean Plaza Marine Drive PR9 1RY		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Sole Leisure Limited		
<b>Date of action</b>	19/03/2010	<b>Date Issued</b>	26/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

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<b>Reference Number</b>	003129		
<b>Name &amp; Address of Premises</b>	The Priory Public House 64 Sefton Road Litherland L21 7PL		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Orchid Pubs & Dining Limited		
<b>Date of action</b>	01/03/2010	<b>Date Issued</b>	04/08/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	003060		
<b>Name &amp; Address of Premises</b>	Railway Hotel 2 Duke Street Formby L37 4AS		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Mitchells & Butlers Leisure Retail Limited		
<b>Date of action</b>	10/03/2010	<b>Date Issued</b>	28/07/2005
<b>Date of Expiry (if applicable)</b>	24/03/2010	<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	003060		
<b>Name &amp; Address of Premises</b>	Railway Hotel 2 Duke Street Formby L37 4AS		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Mitchells & Butlers Leisure Retail Limited		
<b>Date of action</b>	25/03/2010	<b>Date Issued</b>	28/07/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

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<b>Reference Number</b>	003939		
<b>Name &amp; Address of Premises</b>	Regent Maritime Hotel 58-62 Regent Road Bootle L20 8DB		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Mr Robert James Jones		
<b>Date of action</b>	25/02/2010	<b>Date Issued</b>	18/11/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	002740		
<b>Name &amp; Address of Premises</b>	The Retreat 41 Weld Road Birkdale PR8 2DS		
<b>Application for</b>	Change of Name and/or Address		
<b>Premise Licence Holder</b>	Mrs Elaine Amundsen		
<b>Date of action</b>	16/02/2010	<b>Date Issued</b>	03/05/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	003223		
<b>Name &amp; Address of Premises</b>	Running Horses 25 Bells Lane Lydiate L31 4EN		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Punch Taverns PLC		
<b>Date of action</b>	03/03/2010	<b>Date Issued</b>	17/08/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

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<b>Reference Number</b>	003069		
<b>Name &amp; Address of Premises</b>	Sainsburys Lord Street Southport PR9 0AF		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Sainsbury's Supermarkets Limited		
<b>Date of action</b>	30/03/2010	<b>Date Issued</b>	13/06/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	003469		
<b>Name &amp; Address of Premises</b>	Spar 113 - 115 Cambridge Road Southport PR9 9SB		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	James Hall & Co		
<b>Date of action</b>	17/03/2010	<b>Date Issued</b>	14/07/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	003860		
<b>Name &amp; Address of Premises</b>	Stockwell Mount 54 Linacre Road Litherland L21 6NT		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Bold Pub Company Ltd		
<b>Date of action</b>	03/03/2010	<b>Date Issued</b>	13/09/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

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<b>Reference Number</b>	012685		
<b>Name &amp; Address of Premises</b>	Super Saver Pendle View Litherland L21 0JF		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Mr Harry Haran		
<b>Date of action</b>	08/02/2010	<b>Date Issued</b>	09/12/2008
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	003219		
<b>Name &amp; Address of Premises</b>	The Thatch & Thistle 147 Norwood Road Southport PR8 6EF		
<b>Application for</b>	Variation of DPS		
<b>Premise Licence Holder</b>	Punch Taverns PLC		
<b>Date of action</b>	05/03/2010	<b>Date Issued</b>	22/07/2005
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

<b>Reference Number</b>	012811		
<b>Name &amp; Address of Premises</b>	Zebra Square 4-6 Coronation Walk Southport PR8 1RE		
<b>Application for</b>	Licence Holder Transfer & Variation of DPS		
<b>Premise Licence Holder</b>	AXM & Co Limited		
<b>Date of action</b>	12/02/2010	<b>Date Issued</b>	09/12/2008
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

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# Agenda Item 6

Meeting: LICENSING & REGULATORY COMMITTEE

Date of Meeting: 19<sup>th</sup> April 2010

Title of Report: DETERMINATIONS MADE UNDER THE GAMBLING ACT 2005:  
PERIOD COVERING 6<sup>TH</sup> FEBRUARY 2010 TO 31<sup>ST</sup> MARCH 2010.

Report of: P. J. Moore  
Environmental & Technical Services Director

Contact Officer: K.T. Coady,  
Senior Licensing Officer  
0151 934 2946

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

## Purpose of Report

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

## Recommendation(s)

That Members:

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

## Corporate Objective Monitoring

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

## Financial Implications

None.

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## Background

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

## Numbers determined

4. During the period 6<sup>th</sup> February 2010 to 31<sup>st</sup> March 2010 the following number of applications have been determined:
  - Applications made under Licensed Premises Gaming Permits **4**
  - Notifications given for Licensed Premises Automatic Gaming **10**
  - Applications made under Club Machine Permits **2**
5. Details of the above determinations are attached within the Annex to this Report.



## Licensed Premises Gaming Permits

<b>Permit Number</b>	016460		
<b>Name &amp; Address of Premises</b>	Hare & Hounds 53 Liverpool Road North Maghull L31 2HF		
<b>Permit type</b>	Licensed Premises Gaming Permit		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Mitchells & Butlers Leisure Retail Limited		
<b>Date of action</b>	16/03/2010	<b>Licence effective from</b>	16/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

<b>Permit Number</b>	016478		
<b>Name &amp; Address of Premises</b>	Milly's Bar Liverpool Road North Maghull L31 2PN		
<b>Permit type</b>	Licensed Premises Gaming Permit		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Ms Bilynda Burgess & Mr Anthony Burgess		
<b>Date of action</b>	19/03/2010	<b>Licence effective from</b>	19/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

<b>Permit Number</b>	016289		
<b>Name &amp; Address of Premises</b>	Park Hotel 36 Weld Road Birkdale PR8 2ED		
<b>Permit type</b>	Licensed Premises Gaming Permit		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Punch Pub Company Limited		
<b>Date of action</b>	23/02/2010	<b>Licence effective from</b>	22/02/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

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<b>Permit Number</b>	016493		
<b>Name &amp; Address of Premises</b>	Premierbowl Southport Ocean Plaza Marine Drive PR8 1RY		
<b>Permit type</b>	Licensed Premises Gaming Permit		
<b>Application for</b>	Conversion		
<b>Permit Licence Holder</b>	Sole Leisure Limited		
<b>Date of action</b>	25/03/2010	<b>Licence effective from</b>	24/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

## Licensed Premises Automatic Gaming

<b>Permit Number</b>	016338		
<b>Name &amp; Address of Premises</b>	Crown Inn 18-20 Coronation Walk Southport PR8 1RE		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Startmore Pub Company Ltd		
<b>Date of action</b>	01/03/2010	<b>Licence effective from</b>	01/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

<b>Permit Number</b>	016325		
<b>Name &amp; Address of Premises</b>	Doric Hotel 146 Rawson Road Seaforth L21 1HR		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Punch Taverns PLC		
<b>Date of action</b>	26/02/2010	<b>Licence effective from</b>	26/02/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

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<b>Permit Number</b>	016165		
<b>Name &amp; Address of Premises</b>	Eden Vale Hotel Glovers Lane Netherton L30 3QW		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Enterprise Inns PLC		
<b>Date of action</b>	10/02/2010	<b>Licence effective from</b>	10/02/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

<b>Permit Number</b>	016448		
<b>Name &amp; Address of Premises</b>	Ferndale Lodge 15 Crosby Road North Waterloo L22 0LD		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	W Licensing Limited		
<b>Date of action</b>	12/03/2010	<b>Licence effective from</b>	12/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

<b>Permit Number</b>			
<b>Name &amp; Address of Premises</b>	Fishermans Rest Weld Road Birkdale PR8 2BX		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Mr Stephen Nolan		
<b>Date of action</b>	24/02/2010	<b>Licence effective from</b>	24/02/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

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<b>Permit Number</b>	016450		
<b>Name &amp; Address of Premises</b>	Great Mogul 31 Station Road Maghull L31 3DE		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Punch Taverns PLC		
<b>Date of action</b>	12/03/2010	<b>Licence effective from</b>	12/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

<b>Permit Number</b>	016324		
<b>Name &amp; Address of Premises</b>	Linacre 46 Linacre Lane Bootle L20 5AL		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Mrs Sheila Kielty		
<b>Date of action</b>	26/02/2010	<b>Licence effective from</b>	26/02/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

<b>Permit Number</b>	016510		
<b>Name &amp; Address of Premises</b>	Madigans Lighthouse 206 Knowsley Road Bootle L20 4NU		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Ms Clare Bourke		
<b>Date of action</b>	30/03/2010	<b>Licence effective from</b>	30/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

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<b>Permit Number</b>	016449		
<b>Name &amp; Address of Premises</b>	Portland Hotel 27 Bedford Road Birkdale PR8 4HU		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Punch Taverns PLC		
<b>Date of action</b>	12/03/2010	<b>Licence effective from</b>	12/03/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

<b>Permit Number</b>	016280		
<b>Name &amp; Address of Premises</b>	Regent Maritime Hotel 58-62 Regent Road Bootle L20 8DB		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Mr Robert James Jones		
<b>Date of action</b>	22/02/2010	<b>Licence effective from</b>	22/02/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

## Club Machine Permits

<b>Permit Number</b>	016326		
<b>Name &amp; Address of Premises</b>	Our Lady Star Of The Sea Club Elm Road Seaforth L21		
<b>Permit type</b>	Club Machine Permit		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Archdiocesan Parish Centres Management Ltd		
<b>Date of action</b>	29/03/2010	<b>Licence effective from</b>	29/03/2010
<b>Date of Expiry (if applicable)</b>	28/03/2020	<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

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<b>Permit Number</b>	016308		
<b>Name &amp; Address of Premises</b>	Tesco Staff Sports & Social Club (Litherland) Hawthorne Road Litherland L21 8NZ		
<b>Permit type</b>	Club Machine Permit		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Tesco Staff Sports & Social Club (Litherland)		
<b>Date of action</b>	26/03/2010	<b>Licence effective from</b>	25/03/2010
<b>Date of Expiry (if applicable)</b>	24/03/2020	<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

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# Agenda Item 7

Meeting: LICENSING & REGULATORY COMMITTEE

Date of Meeting: 19<sup>th</sup> April 2010

Title of Report: IMPOSITION OF NEW MANDATORY CONDITIONS IN RESPECT OF CERTAIN PREMISES LICENSED UNDER THE LICENSING ACT 2003.

Report of: P. J. Moore  
Environmental & Technical Services Director

Contact Officer: K.T. Coady,  
Senior Licensing Officer  
0151 934 2946

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

## Purpose of Report

To update Members regarding the imposition of new Mandatory Conditions, via the Policing and Crime Act 2009, on certain premises licensed under the Licensing Act 2003.

## Recommendation(s)

That Members note this Report and its contents.

## Corporate Objective Monitoring

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

## Financial Implications

None.

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

- *Certain provisions of the Policing and Crime Bill* – Report to Licensing & Regulatory Committee dated 19<sup>th</sup> January 2009.
- *Proposed response to Home Office consultation – “Safe. Sensible. Social. Selling alcohol responsibly”* – Report to Licensing & Regulatory Committee dated 3<sup>rd</sup> August 2009.
- Licensing Act 2003.
- Policing & Crime Act 2009.
- *The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010* - Statutory Instrument No. 860 / 2010.

# Agenda Item 7

## Background

1. Members will recall, from previous Reports submitted to them, that the Policing and Crime Act 2009 (“the PCA09”) confers a power on the Secretary of State to specify further mandatory licensing conditions relating to the sale by retail or supply of alcohol in premises licences and club premises certificates.
2. Schedule 4 to the PCA09 amended the Licensing Act 2003 (“the LA03”) and created an enabling power that allows the Secretary of State to set out (in secondary legislation) mandatory licence conditions relating to the supply of alcohol for all new and existing relevant premises licences and for all new and existing relevant club premises certificates respectively (or for those premises licences or club premises certificates of a particular description). “Relevant” here refers to the licence being for supply or retail of alcohol.
3. Paragraph 1 of Schedule 4 to the PCA09 amends Section 19 of the LA03 so that where premises are licensed for the sale of alcohol, that licence will be subject to the mandatory conditions specified in any order made by the Secretary of State.
4. Each mandatory condition will take precedence over any existing licensing conditions to the extent that the mandatory conditions are identical or inconsistent and more onerous.
5. Statutory Instrument No. 860 / 2010 (“The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010”) represents the first use of the powers inserted into the LA03 by the PCA09 and was approved in Parliament on 15th March 2010.
6. The Schedule to this Statutory Instrument sets out five mandatory conditions which apply to relevant premises licences and club premises certificates from the date of coming into force of the respective parts of the Order. Those conditions are attached within Annex 1 to this Report.
7. Conditions 1-3 and 5 do not apply to those premises which permit the supply of alcohol only for consumption off the premises. However condition 4, requiring an age verification policy to be adopted, will apply in addition to licences and certificates which permit the supply of alcohol only for consumption off the premises.
8. Conditions 1-3 will come into force on 6<sup>th</sup> April 2010, whilst 4 and 5 will take effect from 1<sup>st</sup> October 2010.

## Publicising the new conditions

9. At the time of compiling this Report (1<sup>st</sup> April 2010) information is still awaited from the Home Office, who are the lead Department in this matter, concerning:
  - (i) the communications plan for alerting licensees to these changes and what is expected from Licensing Authorities; and,
  - (ii) Guidance as to what constitutes an “irresponsible promotion”.
10. Accordingly Members will be updated at the Meeting with the latest information supplied from the Home Office.

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11. On 30<sup>th</sup> March 2010, the DCMS re-issued the Guidance issued under S.182 of the LA03, and an extract from this is to be found within Annex 2 to this Report.

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## Annex 1

### **Condition 1**

- (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

### **Condition 2**

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

### **Condition 3**

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

## **Condition 4**

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

## **Condition 5**

The responsible person shall ensure that–

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

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## Annex 2

### Extract from Guidance issued under Section 182 of the Licensing Act 2003 – issued 30<sup>th</sup> March 2010.

#### Transitional Arrangements for the new mandatory conditions

- 10.53 The new mandatory conditions introduced in section 19A of the 2003 Act (governing e.g. irresponsible promotions), unlike the existing mandatory conditions (e.g. the requirement for a Designated Premises Supervisor under section 19 of the 2003 Act), do not have to be physically included in the licence or certificate but nonetheless will apply to every licence and certificate authorising the sale and supply of alcohol for consumption on the premises. However, like the existing mandatory conditions, the new mandatory conditions do not apply to activities (including the supply of alcohol) authorised by a temporary event notice.
- 10.54 Whereas the existing mandatory conditions are set out in Annex A of the licence or certificate, the new mandatory conditions are treated as if they are included in existing licences and certificates on the date that they come into force. The new mandatory conditions prohibiting irresponsible promotions and alcohol from being dispensed directly by one person into the mouth of another, and the condition requiring tap water to be available, come into force on 6 April 2010. The new mandatory conditions imposing an age verification requirement and a requirement to make small alcohol measures available come into force on 1 October 2010.
- 10.55 The new mandatory conditions override any pre-existing conditions already included in a licence or certificate insofar as the new mandatory conditions are identical to, or inconsistent with and more onerous than, any pre-existing conditions. The new mandatory conditions take effect on this basis in relation to existing licences and certificates on the date that the new mandatory conditions come into force, and the impact this will have on preexisting conditions written into existing licences and certificates will not be recorded on the face of those documents. Local Authorities may like to make licence and certificate holders aware that the new conditions apply, to enable them to check that they thereafter operate in accordance with any changes which have been made to their conditions. Licensing Authorities may also wish to make license holders aware of Home Office Guidance on the new mandatory conditions (see 10.38 for weblink).

#### Irresponsible promotions

- 10.56 Under this condition, the “responsible person” (defined in the 2003 Act as the holder of a premises licence, designated premises supervisor, a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18 or a member or officer of a club present on the club premises who can oversee the supply of alcohol) should be able to demonstrate that they have taken all reasonable steps to ensure that staff do not carry out, arrange or participate in any irresponsible promotions. An irresponsible promotion is one which encourages the sale or supply of alcohol for consumption on the premises and carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children. The aim of the condition is to prohibit or restrict promotions which encourage people to drink more than they might ordinarily do and in a manner which does not promote the licensing objectives.
- 10.57 Irresponsible promotions take a number of forms. The following activities are set out under the 2003 Act and cover the specific activities described below or those that are substantially similar. Please refer to guidance issued by the Home Office for fuller understanding of irresponsible promotions (see 10.38 for weblink).

#### Drinking Games

- 10.58 Drinking games are those which may require or encourage individuals to drink a quantity of alcohol within a time limit, or drink as much alcohol as possible within a time limit or otherwise.

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For example, this may include organised 'drink downing' competitions if these carry a significant risk to any of the four licensing objectives. This would not prevent the responsible person (see paragraph 10.56) from requiring all drinks to be consumed or abandoned at, or before, the closing time of the premises. Nor does it necessarily prohibit 'happy hours' as long as these are not designed to encourage individuals to drink excessively or rapidly.

## **Large Quantities of Alcohol For Free or A Fixed Price**

10.59 The sale, supply or provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted price to the public or to a group defined by a particular characteristic. This does not apply to a promotion or discount on alcohol for consumption with a table meal. However, it may apply specifically to promotions aimed at groups that are defined by a particular characteristic if there is a significant risk that this does not promote the licensing objectives. This restriction does not mean that promotions cannot be designed with a particular group in mind but a common sense approach is encouraged, for example, by specifying the quantity of alcohol included in the promotion and not targeting groups that may become more vulnerable, or present a greater risk of crime and disorder, as a result of excessive alcohol consumption. For example, this prohibition is likely to apply to deals such as "all you can drink for £10".

## **Prizes and Rewards**

10.60 The sale, supply or provision of free or discounted alcohol or any other item as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less where there is a significant risk to any of the four licensing objectives.

## **Sporting Events**

10.61 The sale, supply or provision of alcohol for free or for a discounted price in relation to a sporting event shown on the premises, where the sale etc. depends on the outcome of a race, match or other event. For example, this may include offering unlimited drinks based on the outcome of a sporting competition where there is a significant risk to any of the four licensing objectives. It also applies to events which are unpredictable, such as offering free double shots for every foul committed in a football match, or heavily reduced drinks for five minutes after a try is scored in a rugby match.

## **Posters and Flyers**

10.62 The sale or supply of alcohol in association with promotional materials on display in or around the premises, which can either be reasonably considered to condone, encourage or glamorise anti social behaviour or refer to the effects of drunkenness in any favourable manner.

## **Dispensing alcohol directly into the mouth**

10.63 The responsible person (see paragraph 10.56) must ensure that no alcohol is dispensed directly by one person into the mouth of another person. For example, this may include drinking games such as the 'dentist's chair' where a drink is poured continuously into the mouth of another individual and may also prevent a premises from allowing another body to promote its products by employing someone to dispense alcohol directly into customers' mouths. An exception to this condition would be when an individual is unable to drink without assistance due to a disability.

## **Free tap water**

10.64 The responsible person (see paragraph 10.56) must ensure that free potable tap water is provided on request to customers where it is reasonably available on the premises. What is meant by reasonably available is a question of fact; for example, it would not be reasonable to expect free tap water to be available in premises for which the water supply had temporarily been lost because of a broken mains water supply.

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# Agenda Item 8

**Committee:** LICENSING & REGULATORY

**Date of Meeting:** 19<sup>th</sup> April 2010

**Title of Report:** THE APPOINTMENT OF A COUNSULTANT TO CARRY OUT THE HACKNEY CARRAIGE UNMET DEMAND SURVEY

**Report of:** Mr Peter Moore  
Environmental Protection &  
Technical Services Director

**Contact Officer:** Mr John Thompson  
(Telephone No.) 0151 934 2842

This report contains	Yes	No
<b>CONFIDENTIAL</b> information/		✓
<b>EXEMPT</b> information by virtue of paragraph(s)..... of Part 1 of Schedule 12A to the Local Government Act, 1972		✓
Is the decision on this report <b>DELEGATED?</b>	✓	

## **Purpose of Report**

To advise the Licensing & Regulatory Committee of the appointment of a consultant to carry out a Hackney Carriage Unmet Demand Survey in 2010/11.

## **Recommendation(s)**

That the Committee endorses the Environmental Protection & Technical Services Director's decision to appoint 'Halcrow Ltd' as the consultant for the Hackney Carriage Unmet Demand Survey in Sefton, subject to approval by the 'Vacancy Panel'.

## **Corporate Objective Monitoring**

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

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## Financial Implications

The cost of the survey is covered by ring fenced revenue reserves solely for the provision of such surveys.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2009/ 2010 £</b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>
Gross Increase in Capital Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton Capital Resources	-	-	-	-
Specific Capital Resources	-	-	-	-
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton funded Resources	-	-	-	-
Funded from External Resources	-	£21,000	-	-
Does the External Funding have an expiry date? N		When?		
How will the service be funded post expiry?				

## Departments consulted in the preparation of this Report

N/A

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

N/A

## BACKGROUND

1. The existing numerical restriction applied to hackney carriage vehicle licences has stood since 1986 when the limit was set at 271. Vehicle licences are issued under the Town Police Clauses Act 1847 as amended by the Transport Act 1985. Before 1985 the Council had the discretion as to the number of hackney carriage vehicles it chose to licence for the purpose of controlling their numbers.
2. Current legislation states the only reason on which an application for a hackney carriage licence can be refused is that the Council is satisfied that there is no significant demand for hackney carriage services, which is not being met. This means that the Council is satisfied there are enough licensed hackney carriages to serve the public without issuing any more.
3. Following a Crown Court decision (29<sup>th</sup> February 2000) to uphold an appeal by a Sefton private hire driver for the issue of hackney carriage licences the Council agreed to carry out a hackney carriage demand survey in 2000/2001 and subsequently at intervals of 4 – 5 years, (Minute 58, 27<sup>th</sup> March 2000). The last 'full' demand survey was carried out in 2006.
4. After consultation with the Finance Department who have confirmed that the value of the contract is below the current tender threshold of £30,000, four specialist consultants were contacted and asked to submit a comprehensive estimate of the costs of carrying out the 2010 survey. As a result the four firms have submitted estimates.
5. The specific content of each bid has been scrutinised. Consideration has been given to the past experience and views of past clients of each consultant, the differing proposed methodology of their surveys and the survey costs as broken down.
6. After due consideration it has been decided to appoint Halcrow Ltd to carry out the 2010 Hackney Carriage unmet demand survey at a cost of £20,376.00. The Halcrow Ltd survey is the most comprehensive and lowest cost. A breakdown of the criteria specified is attached to this report as Annex 1.
7. The survey will include the following:
  - 1100 Person Public Attitude Survey (Face to Face)
  - Rank / On Street Hails (Overt & Covert Observations)
  - Queue simulation
  - Comparison with other Local Authorities
  - Consultation with interested parties
  - Study fares / effect on demand
  - Latent demand for Horse Omnibuses
  - Study the effect Public Service Vehicles (PSV) / Private Hire Vehicles (PHV) on demand
  - Inception Meeting
  - Comparison of hackney carriage fares with PSV / PHV fares
  - Consultation with all hackney carriage and private hire drivers (Postal Survey)
  - Consultation with all hackney carriage and private hire operators, and Trade Representatives
  - Consultation with Sefton Council's Access Officer and Disability Group Representatives.

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- Consultation with Police
  - Consultation with Local Chamber of Commerce, Clubs, Tourist Board, Students etc
  - Monthly Progress Reports
  - Data Analysis
  - Multiple Copies of the final report and presentation to Elected Members; and
  - A rank viability survey.
8. This survey is intended to obtain the best possible level of information and is essential in assisting the Committee to determine its' future policy on the existing numerical restriction on the numbers of licensed hackney carriages within Sefton.

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## Annex 1

<b>Initial Quotation from Consultant:</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
1100 Person Public Attitude Survey- face to face	Y	Y	Y	<b>No detailed breakdown provided for comparison purposes.</b>  <b>General quotation only and no sample report provided.</b>
Rank/ On street Hails (overt & covert observations)	Y	Y	Y	
Queue Simulation	Y	Y	Y	
Other LA comparison	Y	Y	Y	
Consultation Interested parties	Y	Y	Y	
Study fares/ effect on demand	Y	Y	Y	
Latent demand Horse Omnibuses	Y	Y	Y	
Study effect PSV/ PHV on demand	Y	Y	Y	
Inception meeting (if appointed)	Y	Y	Y	
Comparison HC fares -v- PSV/PHV fares	Y	Y	Y	
Consult via post all Private & Public Hire drivers (3400)	Y	Y	Y	
Consult Operators (HC & PH)	Y	Y	Y	
Consult trade reps (HC & PH)	Y	Y	Y	
Consult Sefton Access officer	Y	Y	Y	
Consult Disability Group Reps	Y	Y	Y	
Consult Police	Y	Y	Y	
Consult Cham. Commerce/Clubs/ Tourist Board/ Students etc.	Y	Y	Y	
Monthly progress Reports (what benefit to Council for what cost)	Y	Y	Y	
Data Analysis	Y	Y	Y	
Final Reports	Y	Y	Y	
Presentation of Final Report to Committee	Y	Y	Y	
Rank Viability Survey	Y	Y	Y	
Optional Focus/ Trade Groups- Face to Face meetings	Y	NQ	Y	
Total Cost excluding Court Appeals costs	£30,470	£21,855	£20,376	£25,000
Litigation support at appeals (additional cost per day)	Y	Y	Y	Y
<p>The above comparison of consultants has been made with firstly quality and robustness of survey in mind then moving on to best value principles as regards to cost.</p> <p>Of the four bidders, Company D failed to provide either sample reports or a detailed breakdown, C provided the most detailed quotation at lowest cost, Company B did not quote for face to face interviews and Company A was the most expensive without being seen as higher in standard.</p> <p>Consultant C that is Halcrow Ltd is considered best value.</p>				

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**REPORT TO:** LICENSING & REGULATORY CABINET

**DATE:** 19<sup>th</sup> APRIL 2010  
20<sup>th</sup> MAY 2010

**SUBJECT:** RESTRUCTURE OF THE TAXI LICENSING ENFORCEMENT TEAM & REDUCTION OF DRIVER LICENCE FEES

**WARDS AFFECTED:** 1.1 All

**REPORT OF:** P.J. Moore,  
Environmental & Technical services Director

**CONTACT OFFICER:** Mr Andrew Naisbitt  
Trading Standards Section Manager  
0151 934 4014

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To advise the Licensing & Regulatory Committee of the restructure of the Taxi Licensing Enforcement Team and the reduction of the hackney carriage and private driver licence fees.

**REASON WHY DECISION REQUIRED:**

In order to maintain cost recovery for the General Licensing services provided.

**RECOMMENDATION(S):**

That the Licensing & Regulatory Committee:

1. Notes the report;
2. Recommends Cabinet to approve the temporary increase in establishment of the Taxi Licensing Enforcement Team;
3. Recommends Cabinet to approve the increase in the 'Hackney Stands' budget; and
4. Recommends Cabinet to approve the Taxi Licensing Fees in Annex 1 of the report.

That Cabinet:

1. Approves the temporary increase in establishment of the Taxi Licensing Enforcement Team;
2. Approves the increase in the 'Hackney Stands' budget; and
3. Approves the Taxi Licensing Fees in Annex 1 of the report.

**KEY DECISION:** No

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** Following the call in period for the minutes of this meeting,

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## ALTERNATIVE OPTIONS:

Not to agree the proposed fee reductions will almost certainly lead to a continued increase in the size of the ring-fenced reserve. Not to agree the temporary establishment change would lead to dissatisfaction within the trade that their concerns about enforcement are not being addressed.

## IMPLICATIONS:

**Budget/Policy Framework:** Fees and Charges are outside the budget setting framework.

## Corporate Objective Monitoring

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

## Financial Implications

All costs associated with this report are funded from the Taxi Licensing Income and Ring Fenced Taxi Revenue Reserve Account.

	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
<b><u>CAPITAL EXPENDITURE</u></b>				
Gross Increase in Capital Expenditure	–	–	–	–
Funded by:				
Sefton Capital Resources	–	–	–	–
Specific Capital Resources	–	–	–	–
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure	–	43,000	70,000	43,000
Funded by:				
Sefton funded Resources	–	–	–	–
Funded from External Resources	–	43,000	70,000	43,000
Does the External Funding have an expiry date? Y/N	When?			
N				
How will the service be funded post expiry?				

## Departments consulted in the preparation of this Report

FD 367 – The comments of the Interim Head of Corporate Finance and Information Services have been incorporated into the report.

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



N/A

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## BACKGROUND

1. The Licensing & Regulatory Committee will recall the report entitled “*Review of the Taxi Licensing Portfolio*”, dated 31<sup>st</sup> March 2008 (the “2008 Review”). The report advised of the review of the Taxi Licensing Service. The Report made a number of recommendations aimed at addressing many of the historical concerns raised by the Trade and so provided the foundation for future service development.
2. The report reviewed the structure of the Taxi Licensing Team structure and recommended changes to enhance the ‘on street’ enforcement which were implemented in April 2008. The report also recommended a general reduction in the level of the licence fees as part of measures to address the level of the ring-fenced Taxi Licensing Trade Account.
3. The Taxi Licensing service is a self-financing service with a ring-fenced budget, any surplus income is transferred to a specific reserve account where it is held for reinvestment into the service, for determining the level of locally set fees, or to be carried forward to make good any future deficits. This is in line with agreed Council policy in respect of the treatment of the Taxi and Private Hire accounts.
4. Other than any areas specifically identified in the Council’s budget proposals, the setting of fees and charges falls outside the budget setting framework and it is left to individual departments to determine any need for increases. None of the fees and charges included within this report for services delivered by the Environmental and Technical Services Department has been specifically identified in the Council’s budget proposals for 2010/11.

## THE IMPACT OF THE CHANGES - ENFORCEMENT

5. Dynamic proactive risk-based intelligence-led enforcement exercises allow the service to target resources to areas of greatest need, for example targeting illegal plying for hire via test purchases are now monthly activities. These exercises regularly result in criminal convictions in the local courts. Recent exercises in January and February 2010 have resulted in fifteen Liverpool Licensed Hackney Carriages being caught illegally plying for hire within Sefton.
6. Enforcement services currently cover 7.30am through 4am, a bandwidth of 20.5 hours per day by utilising a targeted shift system that seeks to provide an enforcement presence at peak periods, eg Thursday, Friday and Saturday nights & Special Events such as Aintree race meetings.
7. Hackney Carriage and Private Hire enforcement statistics are presented to the trade at the quarterly Trade Stakeholder meetings and the Trade have complemented the service on recent successes, however the praise is tempered by requests for increased levels of enforcement.

## THE IMPACT OF THE CHANGES - REDUCTION IN LICENCE FEES

8. Members will be aware that the ring-fenced Taxi Licensing Trade Account is intended to be operated on a “break-even” basis. Any surplus income is transferred into a reserve account for reinvestment in the service. The 2008 Review highlighted:

*“The licensing portfolio outturn report for 2006/07 shows a budget surplus of £119,286.00 to be transferred into the reserve account. This added to the reserve*

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*balance of £100,123.00 means the reserve balance stands at £219,409.00 at the closure of accounts 2006/07”.*

9. Following the publication of the 2008 Review, the closing balance for the reserve account in 2007/08 was £355,629.00.
10. The intention of reducing the licence fees in April 2008 was to reduce the annual surpluses generated and achieve a year on year balanced budget.
11. The impact of the reduced licence fees has been negated by other factors. In 2008/09, the Service experienced a unprecedented surge in applications for private hire licences fuelled by a vigorous expansion programme by a local private hire operator. The net outcome was an increase of almost **15%** in licence applications. Consequently the budget ended the year with a surplus of £114,068.00, increasing the reserve account balance to £469,688.60.
12. Licence demand has now settled and filling a long standing vacant enforcement officer post has resulted in a projected budget surplus for 2009/10 in the region of £40,000.00.
13. Legal advice obtained in August 2009 clearly indicates the income generated (including the reserve) can **only** be used for the administration of the Taxi Licensing Regime and can not be used to raise revenue generally.

## TRADE FEEDBACK

14. The Trade have repeatedly raised concerns that a small percentage of Sefton Private Hire vehicles in the Southport area and hackney carriages from outside Sefton operating in and around Bootle, continue to operate illegally and as such action should be taken by increasing the number of test purchasing operations particularly during the hours 11:00pm until 6:00am. The most recent request was tabled at the meeting of the Licensing and Regulatory Committee Spokespersons / Joint Trades Stakeholders on 26<sup>th</sup> January 2010. There have also been regular requests for the Council to increase its ‘enforcement’ presence generally.
15. There have also been requests for a reduction in the driver licence fees, most recently at the Joint Hackney Carriage and Private Hire Stakeholder meeting in December 2009.

## STAFF FEEDBACK

16. The consensus view from the Taxi Licensing team is additional staff are required to assist with enforcement duties. The use of intelligence led test purchasing exercises has seen a sharp increase in investigative work and processing casework which diverts the officers away from their district duties. Whilst the team has coped with increasing level of enforcement, the level of successful prosecutions has risen from six and seven in 2005/06 and 2006/07 respectively to the current level of twenty five per annum, it has reduced the ‘district’ presence.
17. The increased demand for new licences has also put additional strain on the Team with respect to supporting the Knowledge Test and handling telephone enquires from the trade that cannot be handled within the One-Stop Shops and Call Centre.

## LICENCE FEES

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18. It is proposed that the Hackney Carriage Driver and Private Hire Driver licence fees be reduced as follows:

Licence Type	"Full Period" Sefton Charge 1st April 2005 – 31st March 2008	Current "Full Period" Sefton Charge 1st April 2008 - present	Proposed Charges	Price drop	% drop against April 2008	'Real Time' % drop against April 2008 (assuming annual inflation of 2.5% per annum)
<b>PH Driver (3 year)</b>	£99.00	£77.75	£57.60	£20.15	<b>-25.9%</b>	-29.7%
<b>HC Driver (3 year)</b>	£99.00	£77.75	£57.60	£20.15	<b>-25.9%</b>	-29.7%
PH Vehicle (1 Year) (exc Test Fee)	£140.40	£120.00	£110.00	£10.00	<b>-8.3%</b>	-12.5%
HC Vehicle (1 Year) (exc Test Fee)	£140.40	£120.00*	£110.00**	£10.00	<b>-8.3%</b>	-12.5%

(\* licence fee before £20 hackney carriage rank levy applied)

(\*\* licence fee before £30 hackney carriage rank levy applied).

The proposed changes represent a 25.9% reduction in the hackney carriage and private driver licence fees against the current levels and an 8% reduction in the hackney carriage and private hire vehicle licence fees. It also represents an almost 42% reduction in the driver licence fees when compared against fees charged between 1<sup>st</sup> April 2005 and 31<sup>st</sup> March 2008.

19. The proposed reduction should reduce annual income by approximately £45,000. If income levels remain constant revenue levels should be close to the break-even point. All other hackney carriage, private hire & omnibus licence fees will remain unchanged. A full list of the Taxi Licensing Fees is appended to this report as Annex 1.
20. The proposed fees will mean Sefton continues to offer drivers the lowest fees on Merseyside, see below.

Licence Type	Time period	Halton	Knowsley	Liverpool	St. Helens	Sefton	Wirral
Private Hire Driver	3 year	£164.00	£165.00	£150.00	£148.00	£57.60	£125.40
Hackney Driver	3 year	£164.00	£165.00	£150.00	£148.00	£57.60	£125.40
Private Hire Vehicle exc Test	1 year	£195.00	£208.00	£160.00	£218.00	£110.00	£160.20
Hackney Carriage Vehicle exc Test	1 year	£192.50	£208.00	£160.00	£218.00	£110.00	£160.20
Knowledge Test	n/a	£0	£0	£35	£25	£0	£0

NB Figures corrected to account for differing licence durations

21. These proposals taking inflation into account are a net reduction across all the licence types.

## ENFORCEMENT PROVISION

22. The Taxi Licensing Team is part of the Trading Standards Section within the Environmental & Technical Services Department. The Principal Taxi Licensing & Enforcement Officer currently reports directly to the Trading Standards Manager. The current structure (Figure 1) comprises:

- Principal Taxi Licensing & Enforcement Officer (1 FTE)
- Enforcement Officer (4 FTE)
- Enforcement Officer (Administration) (1 FTE)

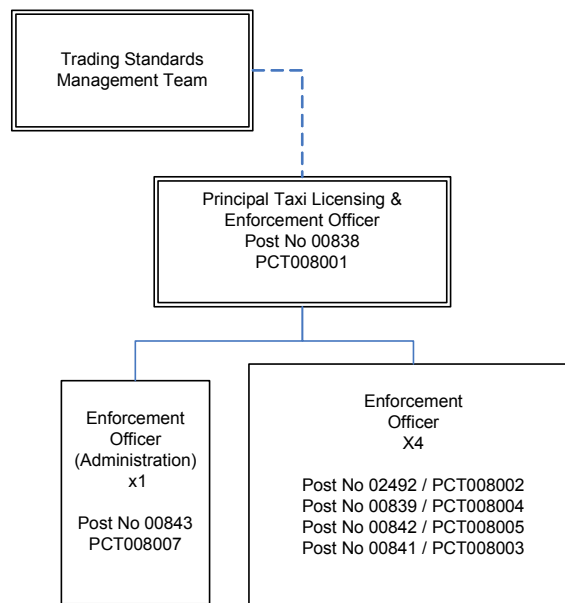


Figure 1 – Existing Taxi Licensing Team Structure

23. It is proposed to increase provision by restructuring the Taxi Licensing Team and increasing the establishment by:

- a) 2 FTE Enforcement Officers. The increased resource is in response to the near 15% increase in licences that has occurred during the last two years and will allow expansion of the current intelligence led targeted shift system to make provision for cover 24 hours, 7 days a week. These posts to be two year contracts and subject to review at that time;
- b) 0.5 FTE Management Information Officer. This post will be assigned to the Environmental & Technical Services Department's Management Information Team and independent of the Taxi Licensing Team and will deal specifically with the administration of the Lalpac database. It is envisaged this proposal will leave the Principal Taxi Licensing Officer free to concentrate on service delivery rather than 'back office' administration.
- c) Redefine the lines responsibility within the Trading Standards Section to streamline current reporting mechanisms.

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24. In order to accommodate changes to line-management responsibility within the Environmental & Technical Services Department, the Principal Taxi Licensing & Enforcement Officer will be re-designated Taxi Licensing Team Leader. The revised team structure is illustrated in Figure 2.

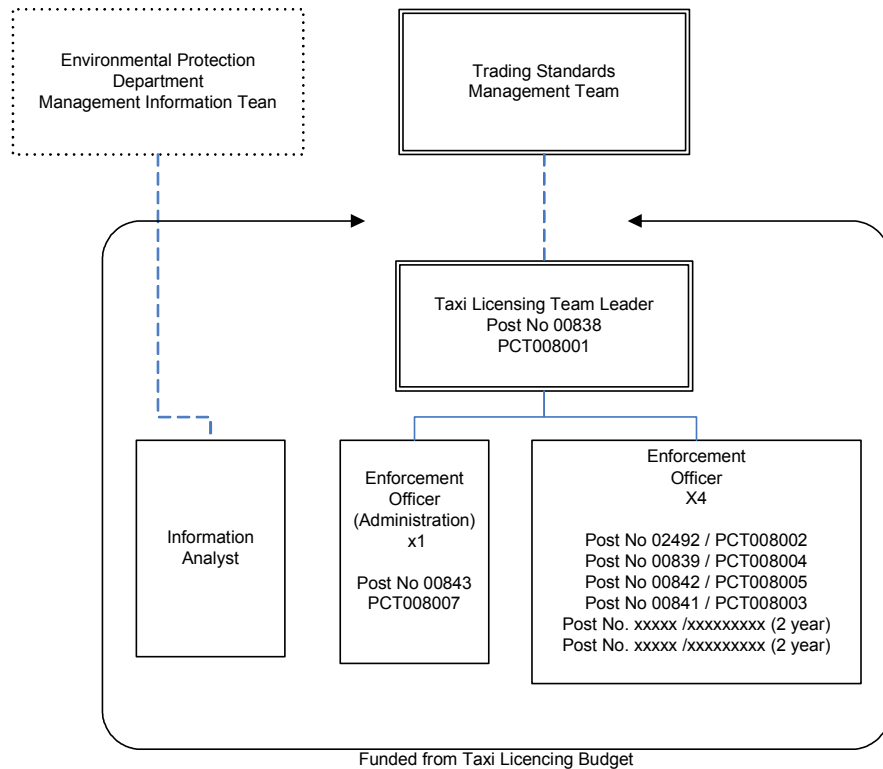


Figure 2 – Proposed Taxi Licensing Team Structure

25. It is proposed the restructure be wholly funded from Taxi Licensing income, drawing on the Taxi Licensing Reserve Account as necessary as the Council takes steps to reduce the outstanding reserves. The Council is entitled to levy a charge to cover the administration of the Taxi Licensing Portfolio however the level of the reserves could be subject to legal challenge if allowed to accumulate unchecked. The restructure will cost approximately £150,000 over the two year period with a corresponding reduction in the value of the Taxi Licensing Reserve Account.
26. It is proposed to implement the restructure from 1<sup>st</sup> June 2010 and all posts are subject to job evaluation.

## CONCLUSIONS

27. These measures are being proposed in response to requests, primarily from the trade, but also by a need to reduce the current balance held in the ring-fenced Taxi Licensing Trade Account. The Council also seeks to provide some financial assistance to the trade during the current difficult economic climate.

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28. The proposals were considered at the Joint Trade Stakeholder meeting on 23<sup>rd</sup> March 2010 and the outcome of the consultation is as follows:
- a) The proposed reduction in Private Hire Driver Licence Fees – Agreed.
  - b) The proposed reduction in Hackney Carriage Licence Fees – Agreed.
  - c) The proposed reduction in Private Hire Vehicle (1 year) (exc Test Fee) – Agreed.
  - d) The proposed reduction in Hackney Carriage (1 year) (exc Test Fee) – The consensus view was the proposed reduction in Licence Fee be accepted but that the annual Hackney Rank Levy be increased and those funds reinvested in the hackney stands budget to improve disability access to hackney carriage ranks and rank signage / furniture. Consequently the hackney stands budget to be increased from £5,400 to £8,150 per annum.
  - e) The restructure of the Taxi Licensing Team - Agreed.
29. The Environmental & Technical Services Director will continue to monitor the balance of the ring-fenced Taxi Licensing Trade Account and will further review the Taxi Licensing Team in 2012.

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## Annex 1

Licence Type	"Full Period" Sefton Charge 1st April 2005 – 31st March 2008	Current "Full Period" Sefton Charge 1st April 2008 - present	Proposed Charges	Price drop	% drop against April 2008
PH Driver (3 year)	£99.00	£77.75	<b>£57.60</b>	£20.15	-25.9
PH Vehicle (1 Year) (exc Test Fee)	£140.40	£120.00	<b>£110.00</b>	£10	-8.3
PH Vehicle (6 Month) (exc test fee x 2)	£74.80	£64.00	£64.00	£0	0
PH Operator (1-2) vehicles 1 Year	£40.80	£25.00	£25.00	£0	0
PH Operator (3-50) vehicles 1 Year	£154.80	£125.00	£125.00	£0	0
PH Operator (51-100) vehicles 1 Year	£183.00	£150.00	£150.00	£0	0
PH Operator (100+) vehicles 1 Year	£218.40	£175.00	£175.00	£0	0
HC Driver (3 year)	£99.00	£77.75	<b>£57.60</b>	£20.15	-25.9
HC Vehicle (1 Year) (exc Test Fee)	£140.40	£140.00*	<b>£140.00*</b>	£10.00**	-8.3**
HC Vehicle (6 Month) (exc test fee x 2)	£74.80	£74.00*	£74.00*	£0	0
HC Vehicle (NEW ISSUE) (exc Test Fee)	£280.80	£140.00*	£140.00*	£10.00**	-8.3**
Omnibus Driver	£33.00	£20.00	£20.00	£0	0
Omnibus Vehicle (1 Year) (exc Test Fee)	£215.40	£100.00	£100.00	£0	0
Omnibus Vehicle (NEW ISSUE) (exc Test Fee)	£280.80	£200.00	£200.00	£0	0

\* includes £110 Licence Fee and £30 annual hackney rank levy,

\*\*before hackney rank levy applied