

**LICENSING AND REGULATORY COMMITTEE**

**MEETING HELD AT THE TOWN HALL, SOUTHPORT  
ON 5 JULY 2010**

**PRESENT:** Councillor McGuire (in the Chair);  
Councillor D Rimmer (Vice-Chair);  
Councillors Bradshaw, Carr, Doran, Friel, Ibbs,  
Papworth, Preece and B Rimmer.

**14. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Fenton, Kerrigan, Larkin, Mahon and Councillor Sir Ron Watson.

**15. DECLARATIONS OF INTEREST**

The following declaration of interest was received:

Member	Item / Minute No.	Interest	Action
Councillor Friel	Item No. 8 / Minute No. 21 – Hackney Carriage and Private Hire Vehicle Compliance Testing – Appointment of Additional Facilities	Personal – knows a Director of one of the companies applying to be added to the list of Compliance Testing Stations	Remained in the room, but did not take part in consideration of the item and did not vote thereon.

**16. MINUTES**

RESOLVED:

That the Minutes of the meeting held on 7 June 2010 be confirmed as a correct record.

**17. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003  
PERIOD COVERING 22 MAY 2010 TO 18 JUNE 2010**

The Committee considered the report of the Environmental and Technical Services 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 22 May 2010 to 18 June 2010 the Environmental and Technical Services Director had received and determined: 29 applications for Premise Licences; 16 applications for Personal Licences; and 31 notifications of Temporary Event Notices.

RESOLVED:

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

**18. DETERMINATIONS MADE UNDER THE GAMBLING ACT 2005 PERIOD COVERING 22 MAY 2010 TO 18 JUNE 2010**

The Committee considered the report of the Environmental and Technical Services 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 22 May 2010 to 18 June 2010, the Environmental and Technical Services Director had received and determined: 8 applications for licensed premises automatic gaming; and 1 application for club machine permits.

RESOLVED:

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

**19. BEST BAR NONE**

The Committee considered the report of the Environment and Technical Services Director seeking endorsement of the continuation of the Best Bar None Scheme which was a strategic intervention to promote the four

licensing objectives; prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.

The report indicated that the Sefton Safer and Stronger Communities Partnership (SSCP) had been assigned the responsibility for the delivery of National Indicator 21 (NI21) – “Dealing with local concerns about ASB and Crime by the Local Council and Police”; that a key factor in satisfying NI21 was having baseline data which could inform intelligence led interventions and serve as a benchmark for assessing progress; and that Best Bar None - a national award scheme which recognised and rewarded well managed licensed premises, developed by the Manchester City Centre Safe as part of its remit to address alcohol related crime had been adopted by Sefton amongst other local authorities and countries to help promote the four licensing objectives and achieve the aims set out in NI2.

Mrs Val Roberts, Senior Enforcement Officer, Trading Standards, who had taken the lead on and driven the Scheme forward presented the report and answered questions thereon.

**RESOLVED:** That

- (1) the continued promotion of the Best Bar None Scheme be endorsed; and
- (2) Mrs. Roberts be thanked for her work in leading and driving the Scheme forward.

**20. AN UPDATE ON PROVISION OF THE TAXI LICENSING FACILITIES BY SEFTON PLUS AND ON ENFORCEMENT ACTIVITY CARRIED OUT BY THE TAXI LICENSING TEAM**

Further to Minute No. 58 of the meeting held on 23 November 2009 the Committee considered the report of the Environmental and Technical Services Director updating on the provision of taxi licensing facilities by Sefton Plus and on enforcement activity carried out by the Taxi Licensing Scheme.

**RESOLVED:** *That*

- (1) the report be noted; and
- (2) the Environmental Protection and Technical Services Director be requested to submit further reports updating on the Provision of taxi licensing facilities by Sefton Plus and on enforcement activity carried out by the Taxi Licensing Scheme on a bi-annual basis.

**21. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE COMPLIANCE TESTING - APPOINTMENT OF ADDITIONAL FACILITIES**

Further to Minute No. 71 of 18 January 2010, the Committee considered the Report of the Environmental and Technical Services Director advising of requests from eight VOSA approved MOT stations to be appointed as Sefton Hackney Carriage and Private Hire Compliance Testing Stations.

The report indicated that there were currently four Hackney Carriage and Private Hire Compliance Testing Stations as listed in Paragraph 10; and that a further eight VOSA approved MOT stations, listed in Paragraph 11 and detailed in Annexes had A to H of the report, had applied to be added to the list of appointed Hackney Carriage and Private Hire Compliance Testing Stations.

The Trading Standards Manager reminded Members that the Environmental and Technical Services Director had commissioned a review of the current policies and procedures relating to Testing Stations to commence in July 2010 with a view to reporting its conclusions and making its recommendations to the Licensing and Regulatory Committee in November 2010.

The review would consider:

- a) existing policy and procedure;
- b) custom and practice;
- c) Testing Station Standards;
- d) codes of good practice;
- e) benchmarks compared with other Local Authorities;
- f) feedback from the Trade; and
- g) views / concerns of the Testing Stations.

The report indicated that the review might result in changes to the existing scheme and that all the garages detailed in paragraphs (10) and (11) would be advised that there could be no guarantee that they would be retained as a compliance testing station beyond that review, if they did not meet the revised minimum standards within a notified timescale.

It was recommended that the review considered a cap of 12 maximum on the total number of approved testing stations to allow effective quality control inspection by enforcement officers.

RESOLVED: That

- (1) the eight additional garages which had applied to be approved Hackney Carriage and Private Hire Compliance Testing Stations as indicated in Paragraph 11 and Annexes A to H of the report, be approved;
- (2) the maximum number of approved Hackney Carriage and Private Hire Compliance Testing Stations be limited to twelve pending and without prejudice to the outcome of the review of the Council's Hackney Carriage and Private Hire Compliance Testing policy; and

- (3) the Taxi Licensing Team Leader be instructed to advise all the Sefton appointed Hackney Carriage and Private Hire Compliance Testing Stations that their status was subject to review and that no facility could be guaranteed to remain authorised as a Compliance Test Facility if it did not meet the minimum standards subsequently determined by the Council.