

MEETING: LICENSING AND REGULATORY COMMITTEE
DATE: Monday 5th July, 2010
TIME: 6.30 pm
VENUE: Town Hall, Southport

Member

Councillor

McGuire (Chair)
D Rimmer (Vice-Chair)
Bradshaw
Carr
Doran
Fenton
Friel
Ibbs
Kerrigan
Larkin
Mahon (Spokesperson)
Papworth (Spokesperson)
Preece
B Rimmer
Sir Ron Watson

COMMITTEE OFFICER: Ian Williams
Telephone: 0151 934 2788
Fax: 0151 934 2034
E-mail: 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 7 June 2010

**4. Determinations Made Under the Licensing Act 2003
Period Covering 22 May 2010 to 18 June 2010**

(Pages 13 - 32)

Report of the Environmental and Technical Services
Director

**5. Determinations Made Under the Gambling Act 2005
Period Covering 22 May 2010 to 18 June 2010**

(Pages 33 - 38)

Report of the Environmental and Technical Services
Director

6. Best Bar None

(Pages 39 - 46)

Report of the Environmental and Technical Services
Director

**7. An Update on Provision of the Taxi Licensing
Facilities by Sefton Plus and on Enforcement Activity
Carried Out by the Taxi Licensing Team**

(Pages 47 - 52)

Report of the Environmental and Technical Services
Director

**8. Hackney Carriage and Private Hire Vehicle
Compliance Testing - Appointment of Additional
Facilities**

(Pages 53 - 70)

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 7 JUNE 2010

PRESENT: Councillor McGuire (in the Chair)
Councillor D Rimmer (Vice-Chair)

ALSO PRESENT Councillors Bradshaw, Carr, Doran, Fenton, Friel, Ibbes, Kerrigan, Mahon, Papworth, Preece and Sir Ron Watson

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor B.Rimmer and Larkin

2. DECLARATIONS OF INTEREST

Member	Minute No	Interest	Action
Cllrs Friel and Kerrigan	11 - Sex Establishment (Sex Shop) Licence – Scandals Adult Superstore, 304 Derby Road, Bootle, L20 8LN	Prejudicial - They are Ward Councillors where the superstore would be sited if the licence was granted	Left the room and took no part in the consideration of the item.
Cllr Carr	12 – The Licensing of Limousines	Personal - Taxi Trade representative in Knowsley	Stayed in the room, took part in the consideration of the item and voted thereon

3. MINUTES

RESOLVED:

That the Minutes of the meeting held on 19 April 2010 be confirmed as an correct record.

4. THANK YOU TO FORMER COUNCILLOR MARK BIGLEY

The Committee asked that their thanks be passed to former Councillor Mark Bigley for his contribution as former Chair of the Committee.

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LICENSING AND REGULATORY COMMITTEE- MONDAY 7TH JUNE, 2010

5. LOCAL LICENSING: PERFORMANCE REPORT 2009/10

Further to Minute No. 57 of the meeting held on 11 November 2009, the Committee considered the report of the Environmental and Technical Services Director on the programmed inspection regime for those premises licensed under the Licensing Act 2003 and the Gambling Act 2005.

The report indicated that, under the Licensing Act 2003, 192 premises had been inspected between 1 October 2009 and 31 March 2010; that 132 premises were found to be operating correctly and that 76 premises were found to have committed various breaches under the Licensing Act 2003, and detailed such breaches. Most premises were able to attend to the breaches at the time of the initial visits and whilst the Licensing Officer was still in attendance.

The report indicated that, under the Gambling Act 2005, 43 premises had been inspected between 1 October 2009 to 31 March 2010; that 36 premises were found to be operating correctly and that 7 premises were found to have committed various breaches and detailed such breaches. All premises were able to attend to the breaches at the time of the initial visits and whilst the Licensing Officer was still in attendance.

The report, concluded by detailing that the Licensing Unit had received 411 Service Requests and that such requests were handled in accordance with departmental timescales.

RESOLVED: That

- (1) the report and the fact that further update reports will be submitted, as necessary, be noted; and
- (2) a report in relation to the criteria used to categorise the number and frequency of inspections for all premises be brought to the next appropriate Committee for Members' consideration.

6. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003: PERIOD COVERING 1 APRIL 2010 TO 21 MAY 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 6 February 2010 to 31 March 2010 the Environmental and Technical Services Director had received and determined: 52 applications for Premise Licences; 23 applications for Personal Licences; and 73 notifications of Temporary Event Notices.

RESOLVED:

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

**7. DETERMINATIONS MADE UNDER THE GAMBLING ACT 2005:
PERIOD COVERING 1 APRIL 2010 TO 21 MAY 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 6 February 2010 to 31 March 2010, the Environmental and Technical Services Director had received and determined: 6 applications for licensed premises gaming permits; 9 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.

**8. DRAFT REVISED STATEMENT OF LICENSING POLICY -
LICENSING ACT 2003**

The Committee considered the report of the Environmental and Technical Services Director that sought comments on the draft revised Statement of Licensing Policy. The report also advised Members of the proposals for wider consultation on the draft revised document.

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Attached as an annexe to the report was a copy of the draft revised Statement of Licensing Policy.

Officers responded to a variety of questions from Members regarding definitions and points of clarification within the report and added that Sefton Council was doing more than any other local authority in England regarding this matter.

RESOLVED: That

- 1) the draft revised Statement of Licensing Policy, as detailed in the annex to the report, be approved;
- 2) the actions being taken to progress the revision of the Statement of Licensing Policy, subject to the removal of the proposal to undertake 400 interviews with members of the public, be approved; and
- 3) a meeting of the Licensing and Regulatory Urgent Referrals Committee to be arranged discuss the powers available under the Licensing Act 2003 to tackle issues of serious crime.

9. EARLY MORNING ALCOHOL RESTRICTION ORDERS

The Committee considered the report of the Environmental and Technical Services Director on the early morning alcohol restriction orders to be implemented through the proposed changes to be made to the Licensing Act 2003 (LA03) by the Crime and Security Act 2010 (CSA10) indicating that a motion was moved in Parliament on 10 February 2010 requesting the House to “instruct” the Bill Committee to consider certain amendments to the CSA10 to amend the LA03 to give local authorities powers to “ban 24 hour licences in their area”; that whilst the CSA10 received Royal Assent on 8 April 2010, the provisions to amend the LA03 would not come into force until the Secretary of State laid the necessary Commencement Order; and that Section 55 of the CSA10 would amend the LA03 by inserting five new sections (sections 172A to 172E) into Part 9 of the CSA10.

RESOLVED:

That the report and the fact that further reports would be submitted once the provisions came into force be noted.

10. SEX ESTABLISHMENT LICENCE - SEXUAL ENTERTAINMENT VENUE

Further to Minute No. 84 of the meeting held on 22 February 2010, the Committee considered the report of Environmental and Technical Services Director on the sex establishment licence – sexual establishment venue and seeking approval of the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by Section 27 of the Policing and Crime Act 2009. The report indicated the delegation

of powers to Licensing (Sexual Entertainment Venues) Sub-Committees and the Environmental and Technical Services Director in respect of certain functions under the Policing and Crime Act, 2009 and Schedule 3 of the Local Government (Miscellaneous Provisions) Act, 1982 and the introduction of proposed conditions and fees in respect of this process.

The report also indicated that Schedule 3 of the Policing and Crime Act 2009 (PCA09) inserted a new category of “sex establishment” called a “sexual entertainment venue” into Schedule 3 to the Local Government (Miscellaneous Provisions) Act, 1982 (LGA82), therefore bringing the licensing of lap dancing and pole dancing clubs and other similar venues under the regime set out in the 1982 Act, which was currently used to regulate establishments such as sex shops and sex cinemas, rather than under the Licensing Act 2003 (“the LA03”); that guidance issued by the Home Office indicated that whilst local authorities should judge each case on its own merits, it would be expected that the definition of relevant entertainment would apply to the following forms of entertainment as they commonly understood, namely: lap dancing; pole dancing; table dancing; strip shows; peep shows and live sex shows; that the guidance indicated that the mere fact that there was a display of nudity did not mean that a sex establishment licence would necessarily be required; and that the relevant entertainment must be provided for the financial gain of the ‘organiser’ or ‘entertainer’.

RESOLVED: That

- (1) the adoption of Schedule 3 the Local Government (Miscellaneous Provisions) Act, 1982, as amended by Section 27 of the Policing and Crime Act, 2009; be endorsed;
- (2) the recommended delegation of functions to the Licensing (Sexual Entertainment Venues) Sub-Committee be endorsed;
- (3) the proposed conditions and fees be endorsed; and
- (4) Cabinet be requested to approve the recommendations set out in paragraphs (a) – (c) detailed in the report.

**11. SEX ESTABLISHMENT (SEX SHOP) LICENCE - SCANDALS
ADULT SUPERSTORE, 304 DERBY ROAD, BOOTLE, L20 8LN**

The Committee considered the report of the Environmental and Technical Services Director on Sex Establishment (Sex Shop) Licence - Scandals Adult Superstore, 304 Derby Road, Bootle, L20 8LN indicating that a licence was required for any person wishing to operate either a Sex Cinema, a Sex Shop or a Sexual Entertainment Venue under the Local Government (Miscellaneous Provisions) Act 1982; that a Sex Shop is defined as ‘any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating sex articles or other things intended for use in connection with or for stimulating or encouraging sexual activity

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or acts of force or restraint which are associated with sexual activity'; that the Standard Conditions relating to Sex Establishment (Sex Shops) Licences were approved on 22 March 2004 by the Council; that Paragraph 2 of these Conditions stated that: "except with the previous written consent of the Council no sex shop shall be open to the public earlier than 9am in the morning and shall be closed not later than 8pm in the evening on any day Monday to Friday and not later than 9pm in the evening on Saturdays. The sex shop shall not be open on Sundays or any Bank Holidays or any public holidays"; and that the hours requested by the applicants exceeded those allowed for in the Standard Conditions and should Members be minded to grant the application, as applied for, then the Standard Conditions would be amended for these premises only to show the hours as requested.

The application had been advertised in the prescribed manner; no public objections had been received with regard to this application; and a copy of the Standard Conditions was attached as an annex to the report.

Stephen and Lilian Kershaw, applicants, were in attendance at the meeting and spoke in support of the application.

RESOLVED:

That subject to the conditions as detailed in the report and that the renewal of the licence in 12 months time be referred back to the Committee for further consideration, the application for the granting of a sex establishment licence (sex shop) in respect of Scandals Adult Superstore, 304 Derby Road, Bootle, L20 8LN, be granted.

12. THE LICENSING OF LIMOUSINES

Further to Minute No. 104 of the meeting held on 19 April 2010, the Committee considered the report of the Environmental and Technical Services Director on the licensing of limousines, indicating that following the Traffic Commissioner's decision to no longer issue Public Service Vehicle (PSV) Operator licences to cover the hiring of Limousines being used for "drinking parties", vehicles were required to be licensed under the Private Hire legislation administered by local authorities; that Sefton Council conformed to Department of Transport's "Best Practice" for licensing of all limousines and novelty vehicles; that under the Licensing Act 2003 ("the LA03"), alcohol could not be sold on a moving vehicle and the vehicle could not be licensed for that purpose, but licensing authorities could consider applications for the sale of alcohol from a parked or stationary vehicle. The report concluded that a method or framework for hire and reward of licensing and the LA03 licensing were in place and that any complaints received by the Environmental and Technical Services Department would be investigated in consultation with the Police and/or VOSA as appropriate.

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RESOLVED:

That the report be noted.

13. FAREWELL TO IAN WILLIAMS, COMMITTEE ADMINISTRATOR

The Committee requested that their thanks be passed to Ian Williams, Committee Administrator, for his contribution and support to the Committee during his tenure.

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Meeting: LICENSING & REGULATORY COMMITTEE

Date of Meeting: 5th July 2010

Title of Report: DETERMINATIONS MADE UNDER THE LICENSING ACT 2003:
PERIOD COVERING 22ND MAY 2010 TO 18TH JUNE 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.

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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 22nd May 2010 to 18th June 2010 the following number of applications have been determined:

• Applications made under Premise Licences	29
• Applications made under Personal Licences	16
• Notification of Temporary Event Notices	31
5. Details of determinations made under Premise Licences are attached within the Annex to this Report.

Premises Licences

Reference Number	012811		
Name & Address of Premises	AXM 4-6 Coronation Walk Southport PR8 1RE		
Application for	Minor Variation		
Premise Licence Holder	AXM & Co Limited		
Date of action	03/06/2010	Date Issued	09/12/2008
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises

Hours Not Restricted

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

The provision of regulated entertainment - Live music

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 regulated entertainment - Recorded music

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 regulated entertainment - Performances of dance

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

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Saturday - from 00.00 to 24.00

Sunday - from 00.00 to 24.00

The provision of entertainment facilities - making music

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 entertainment facilities - dancing

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

Reference Number	016734		
Name & Address of Premises	Cashens 12 Coronation Road Crosby L23 5RG		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)	17/06/2010	Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises

Monday - from 08.00 to 23.00

Tuesday - from 08.00 to 23.00

Wednesday - from 08.00 to 23.00

Thursday - from 08.00 to 23.00

Friday - from 08.00 to 23.00

Saturday - from 08.00 to 23.00

Sunday - from 08.00 to 23.00

Licensable Activities & Times

The 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 08.00 to 23.00

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Reference Number	016741		
Name & Address of Premises	Cashens 5C Stuart Road Waterloo L22 4QR		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises Monday - from 08.00 to 23.00 Tuesday - from 08.00 to 23.00 Wednesday - from 08.00 to 23.00 Thursday - from 08.00 to 23.00 Friday - from 08.00 to 23.00 Saturday - from 08.00 to 23.00 Sunday - from 08.00 to 23.00
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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 08.00 to 23.00

Reference Number	016738		
Name & Address of Premises	Cashens Wines & Spirits 26 Carr Meadow Hey Netherton L30		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises Monday - from 08.00 to 23.00 Tuesday - from 08.00 to 23.00 Wednesday - from 08.00 to 23.00 Thursday - from 08.00 to 23.00 Friday - from 08.00 to 23.00 Saturday - from 08.00 to 23.00 Sunday - from 08.00 to 23.00
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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

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Friday - from 08.00 to 23.00

Saturday - from 08.00 to 23.00

Sunday - from 08.00 to 23.00

Reference Number	016737		
Name & Address of Premises	Discount Booze 86 Linacre Lane Bootle L20 6AH		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises
Monday - from 08.00 to 23.00
Tuesday - from 08.00 to 23.00
Wednesday - from 08.00 to 23.00
Thursday - from 08.00 to 23.00
Friday - from 08.00 to 23.00
Saturday - from 08.00 to 23.00
Sunday - from 08.00 to 23.00

Licensable Activities & Times

The 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 08.00 to 23.00

Reference Number	016753		
Name & Address of Premises	Discount Booze 96 Bridge Road Litherland L21 6PH		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises
Monday - from 08.00 to 23.00
Tuesday - from 08.00 to 23.00
Wednesday - from 08.00 to 23.00
Thursday - from 08.00 to 23.00
Friday - from 08.00 to 23.00
Saturday - from 08.00 to 23.00
Sunday - from 08.00 to 23.00

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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 08.00 to 23.00

Reference Number	016739		
Name & Address of Premises	Esperanto 56 South Road Waterloo L22 5PQ		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises

Monday - from 11.00 to 02.30

Tuesday - from 11.00 to 02.30

Wednesday - from 11.00 to 02.30

Thursday - from 11.00 to 02.30

Friday - from 11.00 to 02.30

Saturday - from 11.00 to 02.30

Sunday - from 11.00 to 02.30

Licensable Activities & Times

The sale of alcohol by retail

Monday - from 12.00 to 02.00

Tuesday - from 12.00 to 02.00

Wednesday - from 12.00 to 02.00

Thursday - from 12.00 to 02.00

Friday - from 12.00 to 02.00

Saturday - from 12.00 to 02.00

Sunday - from 12.00 to 02.00

The provision of late night refreshment

Monday - from 23.00 to 02.00

Tuesday - from 23.00 to 02.00

Wednesday - from 23.00 to 02.00

Thursday - from 23.00 to 02.00

Friday - from 23.00 to 02.00

Saturday - from 23.00 to 02.00

Sunday - from 23.00 to 02.00

The provision of regulated entertainment - Live music

Monday - from 16.00 to 01.00

Tuesday - from 16.00 to 01.00

Wednesday - from 16.00 to 01.00

Thursday - from 16.00 to 01.00

Friday - from 16.00 to 01.00

Saturday - from 16.00 to 01.00

Sunday - from 16.00 to 01.00

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The provision of regulated entertainment - Recorded music

- Monday - from 16.00 to 01.00
- Tuesday - from 16.00 to 01.00
- Wednesday - from 16.00 to 01.00
- Thursday - from 16.00 to 01.00
- Friday - from 16.00 to 01.00
- Saturday - from 16.00 to 01.00
- Sunday - from 16.00 to 01.00

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 16.00 to 01.00
- Tuesday - from 16.00 to 01.00
- Wednesday - from 16.00 to 01.00
- Thursday - from 16.00 to 01.00
- Friday - from 16.00 to 01.00
- Saturday - from 16.00 to 01.00
- Sunday - from 16.00 to 01.00

The provision of entertainment facilities - dancing

- Monday - from 16.00 to 01.00
- Tuesday - from 16.00 to 01.00
- Wednesday - from 16.00 to 01.00
- Thursday - from 16.00 to 01.00
- Friday - from 16.00 to 01.00
- Saturday - from 16.00 to 01.00
- Sunday - from 16.00 to 01.00

Reference Number		016733	
Name & Address of Premises		Friendly Fry 147 Linacre Road Litherland L21 8JP	
Application for		Grant	
Premise Licence Holder		Cashen's Wines & Spirits Partnership	
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises
Monday - from 11.00 to 01.00
Tuesday - from 11.00 to 01.00
Wednesday - from 11.00 to 01.00
Thursday - from 11.00 to 03.00
Friday - from 11.00 to 03.00
Saturday - from 11.00 to 03.00
Sunday - from 11.00 to 01.00

Licensable Activities & Times

The provision of late night refreshment

- Monday - from 23.00 to 01.00
- Tuesday - from 23.00 to 01.00
- Wednesday - from 23.00 to 01.00
- Thursday - from 23.00 to 03.00
- Friday - from 23.00 to 03.00
- Saturday - from 23.00 to 03.00
- Sunday - from 23.00 to 01.00

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Reference Number	016736		
Name & Address of Premises	Martins 95 Knowsley Road Bootle L20 4NH		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises
Monday - from 08.00 to 23.00
Tuesday - from 08.00 to 23.00
Wednesday - from 08.00 to 23.00
Thursday - from 08.00 to 23.00
Friday - from 08.00 to 23.00
Saturday - from 08.00 to 23.00
Sunday - from 08.00 to 23.00

Licensable Activities & Times

The 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 08.00 to 23.00

Reference Number	005537		
Name & Address of Premises	The Mouse Trap 656 Liverpool Road Ainsdale PR8 3LT		
Application for	Minor Variation		
Premise Licence Holder	Ms Lynn Christina Atkinson		
Date of action	09/06/2010	Date Issued	15/11/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises
Monday - from 09.00 to 23.00
Tuesday - from 09.00 to 23.00
Wednesday - from 09.00 to 23.00
Thursday - from 09.00 to 23.00
Friday - from 09.00 to 23.00
Saturday - from 09.00 to 23.00
Sunday - from 09.00 to 23.00

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

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Friday - from 11.00 to 23.00
 Saturday - from 11.00 to 23.00
 Sunday - from 11.00 to 16.00

Reference Number	016756		
Name & Address of Premises	Mr Casey's Diners Limited 2 Union Street / 176 Lord Street Southport PR9 0QE		
Application for	Grant		
Premise Licence Holder	Mr Casey's Diners Limited		
Date of action	10/06/2010	Date Issued	10/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

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 02.30
Saturday - from 09.00 to 02.30
Sunday - from 09.00 to 00.30

Licensable Activities & Times

The sale of alcohol by retail

Monday - from 09.00 to 00.00
 Tuesday - from 09.00 to 00.00
 Wednesday - from 09.00 to 00.00
 Thursday - from 09.00 to 00.00
 Friday - from 09.00 to 02.00
 Saturday - from 09.00 to 02.00
 Sunday - from 09.00 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 02.00
 Saturday - from 23.00 to 02.00
 Sunday - from 23.00 to 00.00

The provision of regulated entertainment - Plays

Monday - from 09.00 to 00.00
 Tuesday - from 09.00 to 00.00
 Wednesday - from 09.00 to 00.00
 Thursday - from 09.00 to 00.00
 Friday - from 09.00 to 02.00
 Saturday - from 09.00 to 02.00
 Sunday - from 09.00 to 00.00

The provision of regulated entertainment - Films

Monday - from 09.00 to 00.00
 Tuesday - from 09.00 to 00.00
 Wednesday - from 09.00 to 00.00
 Thursday - from 09.00 to 00.00
 Friday - from 09.00 to 02.00
 Saturday - from 09.00 to 02.00

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Sunday - from 09.00 to 00.00

The provision of regulated entertainment - Live music

Monday - from 09.00 to 00.00

Tuesday - from 09.00 to 00.00

Wednesday - from 09.00 to 00.00

Thursday - from 09.00 to 00.00

Friday - from 09.00 to 02.00

Saturday - from 09.00 to 02.00

Sunday - from 09.00 to 00.00

The provision of regulated entertainment - Recorded music

Monday - from 09.00 to 00.00

Tuesday - from 09.00 to 00.00

Wednesday - from 09.00 to 00.00

Thursday - from 09.00 to 00.00

Friday - from 09.00 to 02.00

Saturday - from 09.00 to 02.00

Sunday - from 09.00 to 00.00

The provision of regulated entertainment - Performances of dance

Monday - from 09.00 to 00.00

Tuesday - from 09.00 to 00.00

Wednesday - from 09.00 to 00.00

Thursday - from 09.00 to 00.00

Friday - from 09.00 to 02.00

Saturday - from 09.00 to 02.00

Sunday - from 09.00 to 00.00

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 09.00 to 00.00

Tuesday - from 09.00 to 00.00

Wednesday - from 09.00 to 00.00

Thursday - from 09.00 to 00.00

Friday - from 09.00 to 02.00

Saturday - from 09.00 to 02.00

Sunday - from 09.00 to 00.00

The provision of entertainment facilities - making music

Monday - from 09.00 to 00.00

Tuesday - from 09.00 to 00.00

Wednesday - from 09.00 to 00.00

Thursday - from 09.00 to 00.00

Friday - from 09.00 to 02.00

Saturday - from 09.00 to 02.00

Sunday - from 09.00 to 00.00

The provision of entertainment facilities - dancing

Monday - from 09.00 to 00.00

Tuesday - from 09.00 to 00.00

Wednesday - from 09.00 to 00.00

Thursday - from 09.00 to 00.00

Friday - from 09.00 to 02.00

Saturday - from 09.00 to 02.00

Sunday - from 09.00 to 00.00

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Reference Number	016752		
Name & Address of Premises	Party Beers 39 Ford Lane Litherland L21 0HG		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises
Monday - from 11.00 to 23.00
Tuesday - from 11.00 to 23.00
Wednesday - from 11.00 to 23.00
Thursday - from 11.00 to 23.00
Friday - from 11.00 to 23.00
Saturday - from 11.00 to 23.00
Sunday - from 11.00 to 23.00

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 08.00 to 23.00

Reference Number	016751		
Name & Address of Premises	Cashens 91 Marsh Lane Bootle L20 4JA		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises
Monday - from 06.00 to 23.00
Tuesday - from 06.00 to 23.00
Wednesday - from 06.00 to 23.00
Thursday - from 06.00 to 23.00
Friday - from 06.00 to 23.00
Saturday - from 06.00 to 23.00
Sunday - from 06.00 to 23.00

Licensable Activities & Times

The sale of alcohol by retail

Monday - from 06.00 to 23.00

Tuesday - from 06.00 to 23.00

Wednesday - from 06.00 to 23.00

Thursday - from 06.00 to 23.00

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Friday - from 06.00 to 23.00
 Saturday - from 06.00 to 23.00
 Sunday - from 06.00 to 23.00

Reference Number	004370		
Name & Address of Premises	Warehouse Brasserie 28 West Street Southport PR8 1QN		
Application for	Minor Variation		
Premise Licence Holder	Chromepark Limited		
Date of action	02/06/2010	Date Issued	21/09/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises Hours not restricted
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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

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 23.30

Reference Number	016740		
Name & Address of Premises	Webleys & Cashens Wines & Spirits 43 Linacre Lane Bootle L20 5AG		
Application for	Grant		
Premise Licence Holder	Cashen's Wines & Spirits Partnership		
Date of action	09/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Opening Hours of Premises Monday - from 08.00 to 23.00 Tuesday - from 08.00 to 23.00 Wednesday - from 08.00 to 23.00 Thursday - from 08.00 to 23.00 Friday - from 08.00 to 23.00 Saturday - from 08.00 to 23.00 Sunday - from 08.00 to 23.00
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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 08.00 to 23.00

Reference Number	003956		
Name & Address of Premises	Wyndham 43 Oriel Road Bootle L20 7AB		
Application for	Minor Variation		
Premise Licence Holder	Bold Pub Company Ltd		
Date of action	16/06/2010	Date Issued	03/10/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

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 23.30

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 01.00

Saturday - from 11.00 to 01.00

Sunday - from 11.00 to 23.30

The provision of regulated entertainment - Indoor sporting events

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 23.30

The provision of regulated entertainment - Live music

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 23.30

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Reference Number	002735		
Name & Address of Premises	AVS Newsagents 267-269 Hawthorne Road Bootle L20 3AP		
Application for	Transfer		
Premise Licence Holder	Mr Ailesapillai Thevakumar & Inthirra Thevakumar		
Date of action	24/05/2010	Date Issued	03/05/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Reference Number	004294		
Name & Address of Premises	Bar Humbug 19-21 Scarisbrick Avenue Southport PR8 1NN		
Application for	Licence Holder Transfer & Variation of DPS		
Premise Licence Holder	Bar Humbug; Bar Humbug (UK) Ltd		
Date of action	10/06/2010	Date Issued	10/10/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Reference Number	013913		
Name & Address of Premises	Best Save 57 Coronation Road Crosby L23 5RE		
Application for	Licence Holder Transfer & Variation of DPS		
Premise Licence Holder	Mr Arulsabesan Arulanantham		
Date of action	11/06/2010	Date Issued	07/07/2009
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

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Reference Number	015306		
Name & Address of Premises	Buster Booze 156D Liverpool Road North Maghull L31 2HW		
Application for	Variation of DPS		
Premise Licence Holder	Liverpool Accident Management Ltd		
Date of action	10/06/2010	Date Issued	03/12/2009
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Reference Number	004756		
Name & Address of Premises	Co-op Late Shop 1-3 Mersey Road Crosby L23 3AT		
Application for	Variation of DPS		
Premise Licence Holder	Co-operative Group Food Limited		
Date of action	18/06/2010	Date Issued	22/09/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Reference Number	003615		
Name & Address of Premises	Costcutter Post Office 159-61 Rawson Road Seaforth L21 1HL		
Application for	Licence Holder Transfer & Variation of DPS		
Premise Licence Holder	Mr Harry Haran & Mr T. Rajkumar		
Date of action	02/06/2010	Date Issued	27/07/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

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Reference Number	016734		
Name & Address of Premises	Daleys 12 Coronation Road Crosby L23 5RG		
Application for	Transfer		
Premise Licence Holder	Mrs Christina Elizabeth Houghton		
Date of action	17/06/2010	Date Issued	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Reference Number	009201		
Name & Address of Premises	Elementary 11A West Street Southport PR8 1QN		
Application for	Licence Holder Transfer & Variation of DPS		
Premise Licence Holder	Funked Up Promotions Limited		
Date of action	17/06/2010	Date Issued	30/04/2007
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Reference Number	003365		
Name & Address of Premises	Falstaff 68 King Street Southport PR8 1LG		
Application for	Transfer		
Premise Licence Holder	Scottish & Newcastle Pub Company (Management Limited)		
Date of action	26/05/2010	Date Issued	03/08/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

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Reference Number	004210		
Name & Address of Premises	Kirkstone Hotel 102 Moss Lane Litherland L21 7NJ		
Application for	Variation of DPS		
Premise Licence Holder	Mr Arnold Martin & Ms Tracey Marie Martin		
Date of action	04/06/2010	Date Issued	08/09/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Reference Number	003918		
Name & Address of Premises	Leo's Bar 46 Nevill Street Southport PR9 0DR		
Application for	Transfer		
Premise Licence Holder	Mr John Steven Ford		
Date of action	10/06/2010	Date Issued	06/09/2005
Date of Expiry (if applicable)	09/06/2010	Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

Reference Number	003918		
Name & Address of Premises	Leo's Bar 46 Nevill Street Southport PR9 0DR		
Application for	Transfer		
Premise Licence Holder	Mr Trevor Anthony Ford		
Date of action	10/06/2010	Date Issued	06/09/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

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Reference Number	003080		
Name & Address of Premises	Toby Carvery 13 Church Road Formby L37 8BQ		
Application for	Variation of DPS		
Premise Licence Holder	Mitchells & Butlers Leisure Retail Limited		
Date of action	10/06/2010	Date Issued	04/07/2005
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Licence Issued (if applicable)			

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Agenda Item 5

Meeting: LICENSING & REGULATORY COMMITTEE

Date of Meeting: 5th July 2010

Title of Report: DETERMINATIONS MADE UNDER THE GAMBLING ACT 2005:
PERIOD COVERING 22ND MAY 2010 TO 18TH JUNE 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 22nd May 2010 to 18th June 2010 the following number of applications have been determined:
 - Notifications given for Licensed Premises Automatic Gaming **8**
 - Applications made under Club Machine Permits **1**
5. Details of the above determinations are attached within the Annex to this Report.

Licensed Premises Automatic Gaming Notification

Permit Number		016956	
Name & Address of Premises		Bar Humbug 19-21 Scarisbrick Street Southport Merseyside PR8 1NN	
Permit type		Licensed Premises Automatic Gaming	
Application for		Grant	
Permit Licence Holder		Bar Humbug	
Date of action	09/06/2010	Licence effective from	09/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Permit Issued (if applicable)			

Permit Number		017020	
Name & Address of Premises		Blue Anchor 1/3 Tithebarn Road Southport PR8 6AB	
Permit type		Licensed Premises Automatic Gaming	
Application for		Grant	
Permit Licence Holder		W & L G Trading 1 Limited	
Date of action	17/06/2010	Licence effective from	17/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Permit Issued (if applicable)			

Permit Number		016935	
Name & Address of Premises		Leo's Bar 46 Nevill Street Southport PR9 0DR	
Permit type		Licensed Premises Automatic Gaming	
Application for		Grant	
Permit Licence Holder		Mr John Steven Ford	
Date of action	04/06/2010	Licence effective from	04/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Permit Issued (if applicable)			

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Permit Number	016965		
Name & Address of Premises	Leo's Bar 46 Nevill Street Southport PR9 0DR		
Permit type	Licensed Premises Automatic Gaming		
Application for	Grant		
Permit Licence Holder	Mr Trevor Anthony Ford		
Date of action	11/06/2010	Licence effective from	11/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Permit Issued (if applicable)			

Permit Number	016501		
Name & Address of Premises	Old Roan Inn Copy Lane Netherton L30 8RD		
Permit type	Licensed Premises Automatic Gaming		
Application for	Grant		
Permit Licence Holder	Mr Stephen William Hughes		
Date of action	08/06/2010	Licence effective from	08/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Permit Issued (if applicable)			

Permit Number	016506		
Name & Address of Premises	The Shakespeare 1 Scarisbrick New Road Southport PR8 6PU		
Permit type	Licensed Premises Automatic Gaming		
Application for	Grant		
Permit Licence Holder	GDD Limited		
Date of action	28/05/2010	Licence effective from	27/05/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Permit Issued (if applicable)			

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Permit Number		016873	
Name & Address of Premises		The Thatch & Thistle 147 Norwood Road Southport PR8 6EF	
Permit type		Licensed Premises Automatic Gaming	
Application for		Grant	
Permit Licence Holder		Punch Taverns PLC	
Date of action	26/05/2010	Licence effective from	26/05/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Permit Issued (if applicable)			

Permit Number		017004	
Name & Address of Premises		Waterloo Tavern Queen Street Waterloo L22	
Permit type		Licensed Premises Automatic Gaming	
Application for		Grant	
Permit Licence Holder		Admiral Taverns (780) Ltd	
Date of action	15/06/2010	Licence effective from	16/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Permit Issued (if applicable)			

Club Machine Permits

Permit Number		016957	
Name & Address of Premises		Crosby Conservative Club Moor Lane Crosby L23 2UN	
Permit type		Club Machine Permit	
Application for		Grant (Fast Track)	
Permit Licence Holder		Crosby Conservative Club	
Date of action	10/06/2010	Licence effective from	10/06/2010
Date of Expiry (if applicable)		Surrender Date (if applicable)	
Copy of Permit Issued (if applicable)			

Agenda Item 6

REPORT TO: Licensing & Regulatory Committee
Cabinet Member – Environmental
Cabinet Member – Communities

DATE: 5th July 2010
4th August 2010
11th August 2010

SUBJECT: **BEST BAR NONE**

WARDS AFFECTED: All

REPORT OF: Peter Moore
Environmental & Technical Services Director

CONTACT OFFICER: Andrew Naisbitt
0151 934 4014

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To inform the Cabinet Member – Environmental, Cabinet Member – Communities and the Licensing and Regulatory Committee of “Best Bar None” 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.

REASON WHY DECISION REQUIRED:

To inform the Cabinet Member – Environmental, Cabinet Member – Communities and Licensing and Regulatory Committee of the results of the Best Bar None “2009/10” and to seek endorsement for further similar interventions.

RECOMMENDATION(S):

That the Cabinet Member – Environmental, Cabinet Member – Communities and Licensing and Regulatory Committee:

- a) Note the content of this report and
- b) Endorses the continued promotion of the “Best Bar None” Scheme.

KEY DECISION: No

FORWARD PLAN: N/A

IMPLEMENTATION DATE: Immediately following the expiry of the “call-in” period for this meeting.

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ALTERNATIVE OPTIONS:

Enforcement of the Licensing Act is a statutory duty. The Best Bar None Scheme promotes four licensing objectives; prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm and complements traditional law enforcement activity by consensual approach to help to deliver a safer night time economy.

IMPLICATIONS:

Budget/Policy Framework: None - Best Bar None is a joint initiative commissioned by the Public Health Partnership Alcohol Related Crime Sub Group, Trading Standards Service and the Police and part funded by the Safer Stronger Communities Fund.

Financial:

<u>CAPITAL EXPENDITURE</u>	2008/ 2009 £	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £
Gross Increase in Capital Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton Capital Resources	-	-	-	-
Specific Capital Resources	-	-	-	-
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton funded Resources, within existing budget	-	-	-	-
Funded from External Resources	-	-	-	-
Does the External Funding have an expiry date? Y/N				
How will the service be funded post expiry?	N/A			

Legal: Any legal implications as a result of this project will be reported separately.

Risk Assessment Enforcement of the Licensing Act is a statutory duty

Asset Management N/A

Management

Consultation Undertaken/Views

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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		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Agenda Item 6

Background

1. The Cabinet Members will be aware that The Sefton Safer & Stronger Communities Partnership (SSCP) has been assigned the responsibility for the delivery of National Indicator 21 – “Dealing with local concerns about ASB and Crime by the Local Council and Police”
2. The Comprehensive Area Assessment (CAA) will assess performance and prospects for delivery on the priority indicators. The CAA is a new framework through which the major public service inspectorates will together make independent assessments of how well people are being served by their local public services. Its focus is primarily on the prospects for better outcomes locally rather than the internal workings of individual organizations.
3. A key factor in satisfying NI21 is having baseline data which can inform intelligence led interventions and serve as a benchmark for assessing progress.

Best Bar None

4. Best Bar None is a national award scheme which recognises and rewards well managed licensed premises. It is centred round the four licensing objectives; prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.
5. The scheme was developed by the Manchester City Centre Safe as part of its remit to address alcohol related crime. The aim was to enhance and complement traditional law enforcement activity by consensual approach to help to deliver a safer night time economy. Good operators were rewarded through Best Bar None; bad operators were similarly identified and tackled through targeted enforcement activity. Best Bar None has since been adopted by many towns and cities across the UK and is even now being taken up in parts of Europe, USA, New Zealand and Australia.
6. The objectives of Best Bar None are:
 - To reduce the risk of alcohol related harm, disorder and crime.
 - To establish a benchmark of good practice in licensed premises.
 - To identify and reward responsible operators and share their good practice with others.
 - To create consistency of standards throughout the UK with which to underpin the alcohol harm reduction strategy and the 2003 Licensing Act.
 - To improve the knowledge and skills of enforcement and regulation agencies, licensees and bar staff in order to deal effectively with issues relating to the management of licensed premises and to understand how this can reduce alcohol related crime and disorder, minimise the harmful effects of binge drinking, whilst improving profitability of an individual business and attractiveness of a general area.

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- To raise public awareness of choosing to use well run licensed premises, thereby increasing public reassurance and the promotion of social inclusion and diversity of use.
 - To create a positive vehicle for all sectors of the night time economy to work together in partnership for the common good.
 - To improve the attractiveness and economic vitality of the awards area.
7. Best Bar None was initially introduced in Sefton through the Safer Stronger Communities Partnership (SSCP) by Merseyside Police in 2007 when Southport town centre pubs, clubs and bars were invited to apply. In 2008, the scheme was broadened to include all districts within the Borough, and 'The Willow Grove' in Southport was the overall winner. In early 2009, the SSCP invited the Council's Trading Standards Service to take over the management of the project
8. The 2009/10 Best Bar None competition was launched in Sefton in May 2009 and 13 applications were returned before the deadline on the 30th September. There were 3 applicants from Southport, 2 from Formby, 2 from Waterloo / Crosby and 1 from each of Hightown, Sefton Village, Maghull, Aintree, Bootle, and Thornton.
9. The application form served to guide the licensed premise through all the issues that should be considered in compiling and delivering an effective operating schedule and included:
- Security, security reviews
 - Managing capacity
 - Dealing with drunkenness
 - Dealing with drugs
 - Thefts and burglary
 - Disorder
 - First Aid
 - Event control
 - Glass collection and glass safety
 - Building safety and fire control
 - Noise control
 - Community engagement
 - Litter
 - Underage sales
10. The Premises were judged on the number of policies and procedures they had in place to ensure they met all the essential criteria applicable to their premise to be accredited under the scheme. The essential criteria are:
- Carrying out regular security reviews
 - A policy on searching patrons
 - Management and staff ensure drunkenness is managed on the premises
 - All staff receive training in relation to handling drunkenness
 - Policies in place to prevent the use and supply of drugs on the premise
 - Procedures in place if illegal drugs are discovered on the premises, including how to surrender any drugs to the police

Agenda Item 6

- Toilet attendants/documentated toilet checks are carried out
 - A clear anti-theft strategy is in place
 - A lost property recording system is in place
 - Strategies in place for dealing with disorder/conflict
 - A policy in place to prevent overcrowding
 - A written accident recording system in place
 - Procedures are in place for building evacuations in the event of an emergency (fire, terrorism, power loss)
 - An effective glass collection policy is in place
 - An effective spillage and broken glass policy is in place
 - The police and any relevant agencies are notified of any special events that are not already included on the licence, which may impact on the neighbourhood to a much greater extent than normal trading practice
 - A written fire safety risk assessment in place, which has been completed and reviewed in the last 12 months
 - Staff receive documented training in fire safety procedures
 - Daily pre opening checks are carried out
 - Fire fighting and safety equipment is inspected/serviced annually
 - Processes, procedures and policies are in place to ensure noise disturbance from the operation of the premises and from customers is kept to a minimum
 - A dispersal policy is in place
 - Documented procedures are in place to minimise the risk of under 18s buying, consuming or being supplied with alcohol
 - A proof of age policy is in place
 - There is documentary evidence of staff training in relation to age/alcohol related offences
 - There are posters and other materials displaying warnings about underage drinking and stating that proof of age may be required
11. Applicants received additional bonus points for extra initiatives they have in place such as, providing a free taxi phone service, involvement in community initiatives, promotion of soft drinks to drivers.
12. Independent assessors verified the claims made by the premise during a comprehensive assessment visit. 11 premises, (2 withdrew at the assessment stage) underwent consistent, vigorous assessments by 2 independent assessors and all of them were accredited. This meant that they met all the essential criteria necessary to become a Best Bar None premise and display a commemorative plaque and use the BBN logo. This was twice the number of accredited premises compared to 2008.
13. The accredited premises were then put forward to the marking stage where they were marked and ranked according to their score comparing like for like. As all the applications were of a high standard, they were all put forward to the judging phase where a panel of judges examined the applications together with a comprehensive breakdown of the scores for each category.
14. The 2009/10 winners were announced at the Awards Ceremony on 26th January 2010 at the Jospice Academy. All 11 premises received accreditation certificates and plaques to be displayed on their premises. In addition 5 premises were Highly Commended and they received a further plaque. The overall winner received a Winners Plaque and trophy together with free advertising on 3 hackney cabs which will also serve as advertising for next year's scheme. In addition the winner has been invited to a Parliamentary reception. All premises have also been listed on the tip seats of 10 further hackney cabs within the borough.

15. The 2009/10 awards were as follows:

Overall Winner

Barbacoa, 47-51 Merseyview, Waterloo,

Highly Commended

The Merton Inn, Merton Rd. Bootle,

The Royal Hotel, Marine Terrace, Waterloo,

The Willow Grove, 387-389 Lord St. Southport

The Royal, 59-63 Liverpool Rd, Formby

Maloneys- Scarisbrick Hotel, 239 Lord St. Southport

Accredited

The Pheasant, 20 Moss Lane, Hightown,

The Punchbowl, Lunt Rd, Sefton Village,

The Freshfield, 1 Massams Lane, Formby,

The Phoenix, 2-4 Coronation Walk, Southport

Sir Henry Segrave, 93 – 97 Lord Street, Southport

The Way Forward

16. The 2010/11 Best Bar None competition was launched at the beginning June when all the pubs, clubs and bars across Sefton were invited to apply. Offers of help in completing the forms and meeting the minimum requirements will again be advertised and new members will be encouraged to apply through personal visits and Pubwatch meetings. The closing date for applications is the 30th September 2010. Assessment visits will take place during October and November. The judging will take place in December and the Awards Ceremony will be held in January, 2011.
17. Best Bar None is a well recognised scheme, supported by the government and the licensed retail industry, which is being successfully run in a number of local authorities. Such schemes serve to promote the local economy whilst tackling anti social behaviour, and act as a catalyst for joined-up thinking on a wide range of policies in the management of the night time economy.

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Agenda Item 7

Committee: LICENSING & REGULATORY

Date of Meeting: 5th July 2010

Title of Report: AN UPDATE ON PROVISION OF THE TAXI LICENSING FACILITIES BY SEFTON PLUS AND ON THE ENFORCEMENT ACTIVITY CARRIED OUT BY THE TAXI LICENSING TEAM.

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

Contact Officer: Mr Andrew Naisbitt
(Telephone No.) 0151 934 2842

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

Purpose of Report

To update Members on the Hackney Carriage / Private Hire Licensing Facilities provided by Sefton Plus and the enforcement activities of the Taxi Licensing Team

Recommendation(s)

That the Licensing & Regulatory Committee:

- (i) Notes the report and
- (ii) Requests similar reports on a biannual basis.

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 Taxi Licensing Section is required to be self-financing; all service costs are accommodated from within the existing budget and fee-charging regime.

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

Departments consulted in the preparation of this Report

Sefton Plus

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

N/A

Background

1. Members will recall that, on 23rd November 2009, the Licensing and Regulatory Committee considered a report entitled “An Update on the Provision of the Taxi Licensing Facilities by Sefton Plus”.
2. That report highlighted Service performance for the period 1st April 2009 to 30th September 2009 and can be summarised as follows:
 - 1108 of the available 1181 appointments available were booked at the Bootle One Stop Shop. **35%, (383)** were not kept by the trade.
 - 560 of the available 946 appointments available were booked at the Southport One Stop Shop. **18%, (100)** were not kept by the trade.
 - 483 failed appointments equates to 241.5 officer hours wasted, ie 33.5 days.
 - A total of 512 appointments remained unbooked, 392 in Southport One Stop Shop.
 - There were 6996 “drop ins” in the Bootle One Stop Shop of which 3% (233) did not wait to be seen.
 - There were 1296 “drop ins” in the Southport One Stop Shop of which 1% (18) did not wait to be seen.
 - 1470 Knowledge Test places have been offered at the Bootle One Stop Shop, 89% of which were booked. 30% of candidates failed to attend their appointments. 345 (43%) of the 920 candidates who attended passed the test.
 - 1060 Knowledge test places have been offered at the Southport One Stop Shop, 75% of which were booked. 25% of candidates failed to attend their appointments. 254 (43%) of the 589 candidates who attended passed the test.
 - The average pass rate was 40%
 - The number of licence applications received over the period is up by 13.93% compared with the same period in 2008/09.
3. The report also concluded that there was available capacity in the Appointment system in both One Stop Shops, which if used could reduce the number of “drop ins” and waiting time, not just for the Trade but other Council clients.

The Service – 1st April 2009 to 31st March 2010

4. Taxi Licensing Appointments at Bootle One Stop Shop

Appts Offered	Appts Booked	Appts Unused	Appts Kept	Appts Not Kept	Drop Ins Seen	Drop Ins Not Seen	Total Drop Ins
995	875 (88%)	120 (12%)	555 (63%)	320 (37%)	7651	4 (0.05%)	7655

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5. Taxi Licensing Appointments at Southport One Stop Shop

Appts Offered	Appts Booked	Appts Unused	Appts Kept	Appts Not Kept	Drop Ins Seen	Drop Ins Not seen	Total Drop Ins
919	446 (48%)	473 (52%)	352 (38%)	94 (10%)	1442	0 (0%)	1442

6. Knowledge Test at Bootle One Stop Shop

Thursdays	Total Spaces	Booked Test	"Did Not Attend"	Actual Attendance	Attended and failed	Attended and passed	Bootle % pass rate attendees	Bootle % pass rate against bookings
TOTALS	1560	730	206	524	293	231	44%	32%
		(47%)	(28%)	(72%)	(56%)	(44%)	% -v- Attend	% -v- Booked

7. Knowledge Test at Southport One Stop Shop

Tuesdays	Total Spaces	Booked Test	"Did Not Attend"	Actual Attendance	Attended and failed	Attended and passed	Southport % pass rate attendees	Southport % pass rate against bookings
TOTALS	520	373	105	268	176	92	34%	25%
		(72%)	(28%)	(72%)	(66%)	(34%)	% -v- Attend	% -v- Booked

8. For the period 1st April 2009 to 31st March 2010 of those who completed licence applications 246 chose a hackney carriage driver licence whilst 1496 chose a private hire drivers licence.

9. Number of Licence Applications compared against previous years

Month of	Number of Licence Applications	Number of Licence Applications	Number of Licence Applications	Number of Licence Applications	Change 2008/09 against 2008/09	Percentage change
	2006/07	2007/08	2008/09	2009/10		
Apr	411	411	552	663	111	20.10%
May	462	470	475	532	57	12.00%
Jun	466	477	511	581	70	13.69%
Jul	443	509	610	651	41	6.72%
Aug	485	511	488	526	38	7.79%
Sep	478	468	484	556	72	14.87%
Oct	453	483	505	562	57	11.28%
Nov	554	625	577	560	-13	-2.25%
Dec	478	384	546	462	-84	-15.38%
Jan	494	578	595	554	-41	-6.89%
Feb	490	540	691	598	-93	-13.45%
Mar	552	538	421	741	320	76.01%
Total	5766	5994	6455	6986	531	8.23%

10. Service performance for the period 1st April 2009 to 31st March 2010 can be summarised as follows:
- 875 of the available 995 appointments available were booked at the Bootle One Stop Shop. **37%, (320)** were not kept by the trade.
 - 446 of the available 919 appointments available were booked at the Southport One Stop Shop. **10%, (94)** were not kept by the trade.
 - 414 failed appointments equates to 207 officer hours wasted, ie 28.8 days.
 - A total of 593 appointments remained unbooked, 473 in Southport One Stop Shop.
 - There were 7651 “drop ins” in the Bootle One Stop Shop of which 0.05% (4) did not wait to be seen.
 - There were 1442 “drop ins” in the Southport One Stop Shop of which 0% did not wait to be seen.
 - 1560 Knowledge Test places have been offered at the Bootle One Stop Shop, 47% of which were booked. 28% of candidates failed to attend their appointments. 231 (44%) of the 524 candidates who attended passed the test.
 - 520 Knowledge test places have been offered at the Southport One Stop Shop, 72% of which were booked. 28% of candidates failed to attend their appointments. 92 (34%) of the 268 candidates who attended passed the test.
 - The average pass rate was 39%
 - The number of licence applications received over the period is up by 8.23% compared with the same period in 2008/09.
11. There is available capacity in the Appointment system in both One Stop Shops, which if used could reduce the number of “drop ins” and waiting time, not just for the Trade but other Council clients.

Taxi Licensing Team Enforcement Statistics

12. Taxi Licensing Team Enforcement performance for the period 1st April 2009 to 31st March 2010 and can be summarised as follows:
- a) Hackney Carriage On Street Inspections
- 459 vehicles inspected
 - 87% Fault Free – 64 vehicle defect notices issued, 8 stop notices issued.
 - 145 requests to produce insurance
- b) Private Hire On Street Inspections
- 2364 vehicles inspected
 - 67% Fault Free – 571 vehicle defect notices issued, 41 stop notices issued.
 - 873 requests to produce insurance

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c) Prosecutions

Defendant	Offences	Fine	Costs	Points
Riley	Plying for Hire / No Insurance	£265	£349	6
Scott	Plying for Hire / No Insurance	£265	£290	6
Marcus	Defective Tyres	£75 x 2	£165	3
McCluskey	Plying for Hire / No Insurance	£250	£245	6
Birchall	Plying for Hire / No Insurance	£265	£292	6
Cooper	Plying for Hire / No Insurance	£600	£232	6
Morley	Plying for Hire / No Insurance	£500	£230	6
Bennetts	Plying for Hire / No Insurance	£500	£1015	6
Dunkley	Plying for Hire	£250	£280	N/A
Francis	Plying for Hire / No Insurance	£490	£231	6
Burns	Plying for Hire / No Insurance	£650	£245	8
Miah	Defective Tyre	£200	£213	3
Thompson	Defective Tyre	£200	£165	3
Warham	Plying for Hire / No Insurance	£250	£100	6
Gerrard	L'pool Hackney – Plying for Hire	£150 x 4	£286.45	
Milne	Plying for Hire / No Insurance	£250	£100	6
Riding	L'pool Hackney – Plying for Hire	£200	£216	
Kesler	L'pool Hackney – Plying for Hire	£170	£288	
McMullen	Plying for Hire / No Insurance	£400	£355	7
Williams	L'pool Hackney – Plying for Hire	£350	£287	
Melia	L'pool Hackney – Plying for Hire	£350	£303	

d) Warnings

- 20 Warning Letters

e) Suspensions / Revocations / Refusals

- 19 Licence Applications Refused
- 12 Licences Revoked
- 7 Licences Suspended

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Meeting: LICENSING & REGULATORY

Date of Meeting: 5th July 2010

Title of Report: HACKNEY CARRIAGE & PRIVATE HIRE VEHICLE COMPLIANCE TESTING – APPOINTMENT OF ADDITIONAL FACILITIES

Report of: Mr Peter Moore
Environmental and Technical Services Director

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

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

Purpose of Report

To advise the Licensing & Regulatory Committee of requests from eight VOSA approved MOT stations to be appointed as Sefton Hackney Carriage & Private Hire Compliance Testing Stations

Recommendation(s)

That the Committee:

1. Determine the eight outstanding applications and appoint the eight additional garages as approved Hackney Carriage & Private Hire Compliance Testing Stations.
2. Limit the maximum number of approved Hackney Carriage & Private Hire Compliance Testing Stations to twelve pending and without prejudice to the outcome of the review of the Council's Hackney Carriage & Private Hire Compliance Testing policy.
3. Instruct the Taxi Licensing Team Leader to advise all the Sefton appointed Hackney Carriage & Private Hire Compliance Testing Stations that their status is subject to review and that no facility is guaranteed to remain authorised as a Compliance Test Facility if it does not meet the minimum standards subsequently determined by the Council.

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

There are no financial implications as a result of this report

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

Departments consulted in the preparation of this Report

None

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

None

Background

1. The Licensing & Regulatory Committee will recall the report “Hackney Carriage & Private Hire Vehicles Compliance Testing – Approval of Additional Facility” presented on 18th January 2010. That report advised the Members that:
 - a) The Council is currently authorised by the DfT Vehicle Inspectorate Agency to test vehicles under a compliance testing scheme in accordance with the Motor Vehicles (Test) Regulations 1981 (as amended) The current certification was renewed in 8th July 1998.
 - b) The authorisation terms require that only Vehicle and Operator Services Agency (VOSA) approved facilities based within the political boundary of the Council may be used.
 - c) The use of this compliance scheme means that, in addition to the standard “MOT” test, the council can specify additional items, which it considers necessary to safeguard the best interests of the travelling public of Sefton.
 - d) In 1998 there were a total of 1673 vehicles licensed, all of which required compliance testing via three facilities. In 2002 the Council facility of Pine Grove was approved but that subsequently ceased to be VOSA approved on the move to Hawthorne Road in 2006.
 - e) There are currently approximately 2910 licensed hackney carriage and private hire vehicles, which are licensed by Sefton, an increase of 74% over the earlier 1998 figure of 1673 vehicles.
 - f) That the trade had reported delays of up to four days in putting vehicles through a test resulting in commercial disadvantage and
 - g) There have been longstanding requests from Trade Stakeholders requesting an additional facility in the north of the Borough.
2. On 18th January 2010, the Committee resolved, (Minute 71) that the request from the Joint Trades Consultation Group for the appointment of an additional Hackney Carriage and Private Hire Compliance Testing Station (Berry Street Garage, Bootle) be approved and also requested the Environmental and Technical Services Director to carry out a review of the Council’s testing scheme and facilities.
3. A number of additional VOSA approved MOT stations have recently submitted applications, requesting to be added to the Council’s list of appointed Hackney Carriage & Private Hire Compliance Testing Stations. These applications require determination.

Current Position

4. The appointment of the Council’s Hackney Carriage & Private Hire Testing Stations has historically been reserved to the Licensing & Regulatory Committee.
5. Sefton Council currently does not have any independent policies relating to the quality of testing facilities to assist the determination of new vehicle testing

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stations. This has been recognised and the review of policy in this area has been initiated.

6. The Vehicle and Operator Services Agency (VOSA) does however operate an internal verification assessment scheme for all authorised MOT Testing facilities in England and Wales. This scheme assesses the quality of authorised facilities as Green, Amber or Red. All three classifications permit continued testing of vehicles on behalf of VOSA. If a facility is considered no longer fit to test then a short- term cessation notice is issued or the authorisation is revoked.
7. The “Traffic Light” system is based on several different factors. Not all matters relate to the testing of vehicles. The Disciplinary record held at VOSA of each facility is combined with the resultant score of the site assessment and determines that facility’s current status. Red or amber means that there will be a further inspection within the next 18 months. Green means that the next inspection will usually be in three years time, unless other complaints are received in the interim.
8. Relevant factors include:

Customer & facilities management	
a.	Notices and mandatory displays
b.	Booking in & workload management
c.	Professional Vehicle handover process
d.	VTS Feedback to customer procedure
e.	Staff & Customer facilities provision
Business Management	
f.	Review of MOT Data
g.	Calibration & Maintenance all required equipment
h.	Document Management Systems
i.	Procedure for management/ Training of Nominated Testers and measuring performance
j.	Pricing structure
k.	Signs of abnormal failure rates or “favoured” repair agents/ customers
m.	Catchment areas of customer base.

9. Facilities with a poor score cannot request a further assessment as soon as they have remedied defects. They must wait until the next date selected by VOSA. Therefore a facility graded “red” may remedy all the causes of that grading within a week yet remain graded “red” until 18 months later when next assessed. Existing facilities which change hands and which retain at least one Tester from the old regime retain their score and assessment. All new facilities and those where the old testers leave are assessed within six months of appointment.

10. There are currently four appointed Hackney Carriage & Private Hire Compliance Testing Stations within Sefton.

Facility	Declared VOSA Status
Virginia St Service Station, SOUTHPORT	Green
Beach Garage, LITHERLAND	Amber
E. Hilderley's & Co, BOOTLE	Amber
Berry St Garage, BOOTLE	Green

Each Hackney Carriage & Private Hire Compliance Testing Station has been inspected by the councils enforcement staff for testing standards, paperwork, key security etc and have taken regard of the VOSA 'traffic light' assessment of each facility.

Applications or Additional Testing Facilities

11. The following VOSA approved MOT stations have recently applied to be added to the list of appointed Hackney Carriage & Private Hire Compliance Testing Stations:

Facility	Declared VOSA Status
RSM Services, SOUTHPORT	Green
Autotechnics (NW) Ltd, SOUTHPORT	Green
S & R MOT Centre Ltd, FORMBY	Green
Maghull Garages Ltd, MAGHULL	Amber
Delta Garages Ltd, CROSBY	Green
The Bootle Motor Company, BOOTLE	Green
Catterall Motors, FORMBY	Amber
*Worcester Garage Ltd, BOOTLE This sole *RED entry is as a result of the proprietor recently alerting VOSA to incorrect practices by his ex-testers. The facility now employs new validly authorised MOT testers	*Red

A copy of the respective applications are attached as Annexes A to H respectively

12. At the Trade Stakeholder Meeting, 23rd March 2010, the group discussed the current facilities for the testing of hackney carriage and private hire vehicles. A clear consensus of support was expressed for additional appointments and the following points were made:
- a) There were significant differences between the testing of Hackney carriages and Private Hire Vehicles as opposed to ordinary cars;
 - b) That all Sefton Council appointed Compliance Testers and Licensing Officers should undertake specialised compliance test training;

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- c) It was stressed that the maintenance of standards was of great importance and the VOSA Traffic Light system, i.e. facilities being given Green; Amber or Red status was an aid to this aim.
 - d) That the other main issue was the need for the availability of a test within a reasonable period of time; and
 - e) That any future review should consider points (a-d) above as important in any Review.
13. The current number of Sefton licensed vehicles, as of the 27th May 2010, was 2966. Of those some 336 require twice yearly testing. Therefore, if 100% of vehicles passed first inspection, a minimum of some 3300 tests per annum would be required, split between the existing and applicant facilities giving an average of 275 tests per annum per facility. The overall failure rate at first presentation currently averages 45% across the borough. Appointment of the additional Hackney Carriage & Private Hire Compliance Testing Stations should satisfy demand and provide a comprehensive network of testing stations across the Borough.

The Review

14. Further to Minute 71 of the Licensing & Regulatory Committee Meeting 18th January 2010, the Environmental Protection & Technical Services Director has commissioned a review of the current policies & procedures relating to Testing Stations. The Review will commence in July 2010 with a view to reporting its conclusions and making its recommendations to the Licensing & Regulatory Committee in November 2010.
15. The Review will be carried out by the Taxi Licensing Team leader and will consider:
- a) Existing Policy & procedures
 - b) Custom & Practice
 - c) Testing Stations Standards
 - d) Codes of Good Practice
 - e) Benchmark with other Local Authorities
 - f) Feedback from the Trade and
 - g) The Views / Concerns of the Testing Stations.
16. That review may result in changes to the existing scheme and all the garages detailed in paragraphs (10) and (11) will be advised that there is no guarantee that they will be retained as a compliance testing station beyond that review if they do not meet the revised minimum standards within a notified timescale. Member's comments are welcomed at this stage prior to the start of the Review.

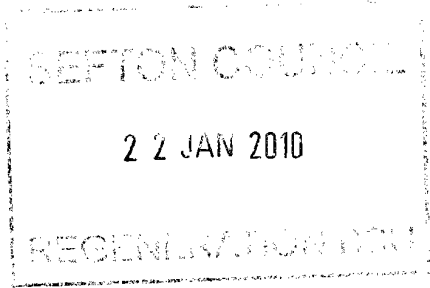
Agenda Item 8

17. It is recommended that the review consider a cap on the total number of approved testing stations to allow effective quality control inspection by enforcement officers.

ISSUES FOR CONSIDERATION

18. The appointment of the Council's testing facilities has historically been reserved to the Licensing & Regulatory Committee and the Committee is requested to determine the eight outstanding applications.
19. In view and without prejudice to the outcome of the review, members may wish to consider temporarily limiting the maximum number of potentially approved testing stations to twelve.

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RSM SERVICES LIMITED
12 PORTLAND STREET
SOUTHPORT
MERSEYSIDE
PR8 1LJ
08/01/2010
TEL: 01704 538600
FAX: 01704 538600
VAT NO: 696 2342 09

ENVIRONMENTAL PROTECTION DEPARTMENT
MAGDALEN HOUSE
30 TRINITY ROAD
BOOTLE
MERSEYSIDE
L20 3NJ

DEAR MR THOMPSON

THANK YOU FOR YOUR LETTER DATED 22ND DECEMBER 2009. I WOULD LIKE TO CONFIRM THAT I AM VERY MUCH STILL INTERESTED IN BEING APPOINTED AS A TAXI AND PRIVATE HIRE COMPLIANCE TESTING FACILITY.

SINCE MY LAST CORRSPONDANCE I HAVE BEEN APPROACHED BY A FEW MORE TAXI DRIVERS WHO WOULD WELCOME A NEW TESTING FACILITY IN SOUTHPORT.

I WAIT TO HEAR FROM YOU WITH ANY FURTHER DEVELOPMENTS WITH THE TESTING SCHEME.

WITH THANKS

PIP [Signature]

MR BARRY ORR
DIRECTOR



Rsm Services Limited
Registered Office: 12 Portland Street, Southport, Merseyside, PR8 1LJ
Registered in England No 5538493

Mr. J Thompson
Sefton MBC
30 Trinity Road
Bootle
Liverpool
L20 3NJ

08 February 2010

Dear Mr Thompson,

I am writing to enquire as to the process of appointment as an authorised tester for Private Hire and Hackney Carriages within Sefton MBC.

I am the proprietor of Auto Technics Northwest Limited, trading as Southport MOT Testing Station. My garage is located on London Street, Southport and is a VOSA appointed MOT station covering classes I, II, III, IV and VII.

Up until three years ago, I ran a fleet of private hire taxis and have a number of clients who operate taxis. It has been brought to my attention that there is a deficiency in the number of taxi testing stations in Sefton MBC with only one station servicing the Southport area.

It seems that this can bring a considerable commercial disadvantage to the individuals operating taxis in terms of the undue delay caused in returning the vehicles to the road and the impact on their ability to earn a living.

I should be grateful if you would consider appointing Southport MOT Testing station as a second station to not only alleviate the commercial disadvantage to taxi drivers operating in the Sefton area but to continue to protect the interests of the travelling public.

I eagerly await your response and look forward to hearing from you.

Yours Faithfully,



R. C. Cross

S&R MOT CENTRE LTD

**46 Stephenson Way
Formby Business Park
Formby
Merseyside
L37 8EG
01704 834634**

4th January 2010

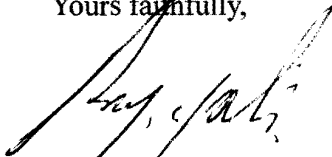
Our Ref: Sefton Compliance
Your Ref: JT/Test Station/ Interest

Dear Mr Thompson,

After our recent telephone conversation on 4th January 2010 with regards to your letter dated 22nd December 2009, I am pleased to confirm in writing that we are still very interested in becoming a taxi and private hire compliance facility.

We look forward to hearing from you in due course.

Yours faithfully,



Dave and Ray
S&R MOT Centre Ltd

Agenda Item 8

	MAGHULL GARAGES Ltd. UNIT 1G, SEFTON LANE IND. EST., SEFTON LANE, MAGHULL, L31 8BX. MOT - SERVICING - REPAIRS tel: 0151 - 526 0470 E.MAIL: MAGHULLGARAGESLTD@BTCONNECT.COM	
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29 January 2010

Dear Mr Thompson

We are an approved VOSA MOT testing station. Number V103184.

We would like to apply for a licence to enable us to test Private Hire and Hackney vehicles.

The only personnel who would test are qualified MOT testers.

We are also fully insured to road test the vehicles, which I believe is part of the test.

Yours sincerely



N R Quinn

Director

VAT REG. No. 899 9805 23

DELTA MERSEYSIDE L.T.D T/A DELTA GARAGES
56 MERSEY ROAD BLUNDELLSANDS
LIVERPOOL L23 6SS
0151 924 1604

**F.A.O Mr John Thompson
Sefton Private Hire
& taxi Manager**

**REF :- TAXI TESTING
DATE :- 27/01/2010**

RECEIVED @ TLU

27 JAN 2010

BY JS FOR Joint
Trades.

DEAR MR J THOMPSON

**WE AT DELTA GARAGES HAVE BEEN
CONDUCTING MOT TESTING FOR APPROXIMATELY 14 YEARS
ON BEHALF OF VOSA , WITH VOSA TRAINED AND
RECOGNISED STAFF AND WE WOULD BE VERY INTERESTED IN
CARRYING OUT TESTING ON YOUR BEHALF ALSO ON YOUR
SEFTON LICENSED TAXI'S AND PRIVATE HIRE VEHICLES.**

**WE ARE VERY AWARE OF THE STANDARD OF THE TEST AS WE
ARE ALSO INVOLVED IN THE TRADE AND HAVE BEEN FOR A
GREAT MANY YEARS AND HAVE SEEN THE LEVEL AND QUALITY
IMPROVE OVER THIS TIME .**

YOURS SINCERELY

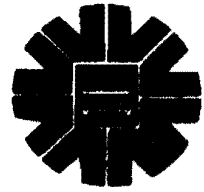
**MARK SANDERS
DIRECTOR
DELTA MERSEYSIDE LTD**

Agenda Item 8



26 BERRY STREET, BOOTLE, MERSEYSIDE.
TELEPHONE: 0151-933 4433 FAX: 0151-933 9479

V.A.T. Reg. No.: 414 8822 49



Retail Motor
Industry Federation

**M.O.T. STATION
CLUTCHES, BRAKES,
EXHAUST, STEERING,
SUSPENSION, SERVICING,
DIAGNOSTIC TUNING**

4th January 2010

Mr J. Johnson
Taxi Licensing Officer
Sefton Council
Magdalen House
Trinity Road
Bootle
L20 NT

TESTING OF TAXI AND PRIVATE HIRE VEHICLES

Dear Mr Johnson,

My company would like to show an expression of interest in the testing of taxi and private hire vehicles.

The Bootle Motor Company has been trading as a service, repair and class 4 MOT Testing Station for the past 30 years, we employ 4 VOSA approved MOT testing personal on site and are currently in the process of applying for a second test lane.

I understand that at the meeting of the Hackney Carriage/Private Hire Joint Working Group on the 8th December 2009 it was reported that concerns have been raised by both drivers and fleet owners as to the inadequacy of existing facilities for the testing of vehicles. If SEFTON MBC were to change their existing policy The Bootle Motor Company would like to be considered as an additional Testing Station, we do not own taxis or private hire vehicles or have any connection or affiliations to same. I am confident that we can offer you a prompt and unbiased service.

If you require any further information please do not hesitate to contact me, thanking you in anticipation.

• Yours Sincerely

Chris Hughes

Lang + acknowledged

Agenda Item 8

CATTERALL MOTORS

109, ALTCAR ROAD, FORMBY, SEFTON, MERSEYSIDE, L37 8DL

Our Ref:- Testing Station Application

Date:- 29th March 2010

Your Ref:-

f.a.o. John Thompson
Principal Licensing Officer
Sefton M.B.C. - Magdalen House,
30, Trinity Road,
Bootle,
Sefton
L20 3NJ

RECEIVED @ TLU
- 9 2010
BY JT FOR JT

Application for Authorised Private Hire and Hackney Carriage Testing Station

Dear Sir,

I am writing by way of application to become an Authorised Testing Station for Private Hire and Hackney Carriages in the Sefton area. I believe that, as the official applications procedure is under review I should make this application by letter.

Catterall Motors has been operating as a Garage for 30 years and an authorised M.O.T. Testing Station (No 2946AO) for the past 23 years and we are proud of our reputation for service and integrity in Sefton.

We are situated, within the Sefton area, in Altcar Lane (behind Tesco) just off the A565 Formby Bypass. This is a central position within Sefton and is easily accessed from the Formby Bypass by customers travelling from the South and North Sefton areas.

There is adequate parking for this use and, because we are positioned on the edge of an Industrial Estate, any increase in traffic would not cause inconvenience or disruption to residents or other local people. The nearest residential house is a quarter of a mile away.

CATTERALL MOTORS MOT Testing Station No 2946AO

Agenda Item 8

CATTERALL MOTORS

Our premises and equipment are well maintained and will easily be able to cope with any increase in workload.

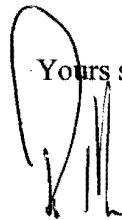
We are locally owned and employ local people in our workshops including one of the few female MOT Testers in the borough. The increase in business as a result of this application being successful, may allow us to create further local jobs.

I ask that this letter be submitted in the appropriate way, as a formal application from Catterall Motors for Authorisation as a Testing Station for Private Hire and Hackney Carriages in the Sefton area.

I would be pleased to attend your office or any Council Meetings in furtherance of this application and I would be obliged if you could keep me informed of any prospective meetings, events or time scales relevant to this matter.

I look forward to hearing from you in the near future regarding the next stage of this application. If you require and further information in the meantime please contact me on my mobile 07970053331 or by e-mail bob.morris@xrayi.co.uk.

Yours sincerely



Robert W. Morris
Catterall Motors

Worcester Garage Ltd

Agenda Item 8

ACCIDENT REPAIR SPECIALISTS

231, WORCESTER ROAD, BOOTLE, LIVERPOOL L20 9AE.

Telephone: 0151-933 3860 / 0151-922 2947 • Fax: 0151-933 8647

V.A.T. No. 387 2290 27

M.O.T. TEST STATION CLASS 4 AND CLASS 7

Repairs and Servicing • Cars and Commercial Vehicles • 24-Hour Breakdown Recovery Service

Registered in England No. 408 5262

Mr John Thompson
Magdalene House
Trinity Road
Bootle
Liverpool

26 th February 2010

Dear Sir

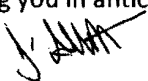
Worcester Garage are a well established family run Mot, Service and repair centre, we are Based in Worcester Road and the junction of Aintree Road in Bootle, and have been trading here for 30 years.

We have recently upgraded our business to accommodate a second Mot bay, and do carry out Class 4 5 and 7 mot.

Our client base includes Sefton Council through John Robinson based at the transport section At Hawthorne Road depot, Merseyside Police and Merseyside Fire and Rescue Service.

We would like to be considered for a licence to carry out mot's on hackney and private hire Taxis in the Sefton area and would like some advice on how to apply.

Thanking you in anticipation



Mr James Abbott
Worcester Garage Ltd



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