

LICENSING AND REGULATORY COMMITTEE

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON 24 SEPTEMBER 2012**

PRESENT: Councillor Kerrigan (in the Chair)

Councillors Robinson, Ball, Blackburn, Bradshaw,
Carr, Gustafson, Keith, Kermode, Mahon, Preece,
Rimmer, Robertson and Roche.

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dorgan.

18. DECLARATIONS OF INTEREST

No declarations of interest were received.

19. MINUTES

RESOLVED:

That the Minutes of the meeting held on 30 July 2012, be confirmed as a correct record.

**20. FINAL DRAFT REVISED STATEMENT OF GAMBLING
LICENSING POLICY - GAMBLING ACT 2005**

The Committee considered the report of the Director of Built Environment on the revised Statement of Gambling Licensing Policy – Gambling Act 2005.

The Trading Standards and Licensing Manager presented the report and answered questions thereon.

RESOLVED:

That the final draft of the revised Licensing Policy be agreed and referred to full Council for approval.

**21. PROVISIONS CONTAINED WITHIN THE SCRAP METAL
DEALERS BILL 2012**

The Committee considered the report of the Director of Built Environment on proposals contained within the Scrap Metal Dealers Bill 2012.

The Trading Standards and Licensing Manager presented the report and answered questions thereon.

RESOLVED: That

- (1) the report and its contents be noted; and
- (2) the Director of Built Environment be requested to submit further update reports on the progress of the Scrap Metal Dealers Bill.

22. HACKNEY CARRIAGE UNMET DEMAND SURVEY

The Committee considered the report of the Director of Built Environment advising of the requirement to review the policy on the numerical restriction of Hackney Carriage Vehicle Licences.

The Trading Standards and Licensing Manager presented the report and answered questions thereon.

He indicated that it had been proposed to request quotations from the five recognised market leaders to undertake the survey, namely:

- Halcrow Limited (Provider 2-10 survey);
- Jacobs Consultancy Limited
- Mouchel Limited
- TPI Limited
- Transport Research Unit

However, the Trading Standards and Licensing Manager advised, that further to publication of the report, a member of the Hackney Carriage and Private Hire Working Group had suggested a further recognised company to be included on the above list, namely:

- CTS Traffic and Transportation

RESOLVED: That

- (1) the report be noted;
- (2) the addition of CTS Traffic and Transportation, to the list of independent recognised consultants be agreed; and
- (3) as such, the Trading Standards and Licensing Manager be requested to contact the following 6 independent recognised consultants requesting a quotation for undertaking the Hackney Carriage and Private Hire Demand Survey in 2013:
 - (i) Halcrow Limited (Provider 2-10 survey);
 - (ii) Jacobs Consultancy Limited

- (iii) Mouchel Limited
 - (iv) TPI Limited
 - (v) Transport Research Unit
 - (vi) CTS Traffic and Transportation; and
- (4) the Trading Standards and Licensing Manager be instructed to carry out a best value assessment of the resulting quotations.

23. LICENSING MOTOR CYCLES AS PRIVATE HIRE VEHICLES

The Committee considered the report of the Director of Built Environment advising of the proposed changes to the Hackney Carriage, Private Hire and Omnibus Licensing Scheme in relation to Motorcycles.

A copy of the Department for Trade's guidance on Licensing Motor Cycles as Private Hire Vehicles was attached as Annex 1 and the proposed changes to Sefton Council's Hackney Carriage, Private Hire and Omnibus Licensing Scheme were detailed in paragraphs 3.2, 3.3, 3.4, 3.5 and 3.6 of the report.

The Trading Standards and Licensing Manager presented the report and answered questions thereon.

Councillor Carr suggested that paragraph 3.5 (e) should be expanded to include the condition that drivers should refuse to carry any passenger who cannot be carried safely e.g. because they appear to be under the influence of alcohol or drugs.

The report concluded that it was intended that the revised Hackney Carriage, Private Hire and Omnibus Handbook would be considered at the meeting of the Licensing and Regulatory Spokespersons with Representatives of the Hackney Carriage and Private Hire Trades on 22 January 2013; and that the revised handbook would be presented for adoption by the Licensing and Regulatory Committee on 11 March 2013.

RESOLVED: That

- (1) the report be noted;
- (2) para 3.5(e) be amended to read
 - “The driver should refuse to carry any passenger who cannot be carried safely e.g. because they appear to be under the influence of alcohol or drugs”.
- (3) subject to the addition indicated in (2) above, the changes detailed in paragraphs 3.2, 3.3, 3.4, 3.5 and 3.6 to Sefton Council's Hackney Carriage, Private Hire and Omnibus Licensing Scheme be approved.

**24. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003
AND THE GAMBLING ACT 2005, PERIOD COVERING 7 JULY
2012 TO 24 AUGUST 2012**

The Committee considered the report of the Director of Built Environment updating on applications made under the Licensing Act, 2003 and the Gambling Act 2005, which had been determined by Licensing Officers.

The report indicated that Sefton Council's Statement of Licensing Policy (issued under the Licensing Act 2003) and the Statement of Gambling Policy (issued under the Gambling Act 2005), both followed the recommended delegation of functions contained within the Guidance issued under Section 182 of the Licensing Act 2003 and the Guidance issued under Section 25 of the Gambling Act 2005 and that where there were no relevant representations to applications, then these matters would be dealt with by Officers in order to speed matters through the system. The Guidance also recommended that where powers had been delegated, the Committee would receive regular reports on decisions made by Officers in order to maintain an overview of the general licensing situation.

The report indicated that during the period 7 July to 24 August 2012, the Director of Built Environment had received and determined the following numbers of applications:

Under the Licensing Act 2003:

• Premises Licences	37
• Personal Licences	27
• Temporary Event Notices	54
• Notification of Late Temporary Event Notices	10

Under the Gambling Act 2005:

• Gambling Premises Licences	2
• Licensed Premises Automatic Gaming	5

Details of the determinations were indicated in Annexes 1 and 2 of the report.

RESOLVED:

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