

LICENSING AND REGULATORY COMMITTEE
MEETING HELD AT THE TOWN HALL, BOOTLE
ON 25 JUNE 2018

PRESENT: Councillor John Kelly (in the Chair)

Councillors Bliss, Burns, Dodd, Dutton, Keith, McCann, McGinnity, Morris, Page, Tweed and Marianne Welsh

1. JILL COULE - HEAD OF REGULATION AND COMPLIANCE

The Chair, Councillor John Kelly, indicated that this evening's meeting of the Committee would be the last to be attended by Jill Coule, Head of Regulation and Compliance. Jill had been with Sefton since 2010 but would be leaving the Authority at the end of June to take up the position of Chief Legal Officer to the Liverpool City Region Combined Authority. On behalf of the Committee Councillor Kelly placed on record its appreciation for all the help and guidance Jill had given to Members and wished her every success for the future in her new role at the Combined Authority.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bradshaw, Friel and Gannon.

3. DECLARATIONS OF INTEREST

In accordance with Paragraph 9 of the Council's Code of Conduct, the following declaration of predetermination was made and the Member concerned left the room during the consideration of the item:

<u>Member</u>	<u>Minute No.</u>	<u>Nature of Interest</u>
Councillor McCann	6. St. Luke's Church Road, Formby – Public Path Creation Agreements	A member of the Parish Council and has been involved in consultations. Councillor McCann left the room during the consideration of this item due to a potential pre-determination.

4. MINUTES OF THE MEETING HELD ON 19 MARCH 2018

RESOLVED:

That the Minutes of the meeting held on 19 March 2018 be confirmed as a correct record.

5. M58 JUNCTION 1 IMPROVEMENTS – DIVERSION OF A PUBLIC RIGHT OF WAY

The Committee considered the report of the Head of Locality Services – Commissioned that sought the approval of Members on the modifications to the Public Right of Way network in Melling which are necessary to facilitate improvements to Junction 1 of the M58 Motorway.

RESOLVED:

That the Head of Regulation and Compliance be authorised to progress:

- (1) the order for the diversion of Melling No. 32;
- (2) the dedication of the diverted and extended Melling No. 32 as Bridleway; and
- (3) subject to the completion of (1) and (2) above, be authorised to make a Definitive Map Legal Event Modification Order under Section 53 of the Wildlife and Countryside Act 1981 to amend the Definitive Map and Statement to record the additional way as shown as the line A-E on plan M58J1-ATK-GEN-ZZ-DR-Z-0007 on the Definitive Rights of Way Map and Statement and its diversion as shown as lines E-C and B-D on plan M58J1-ATK-GEN-ZZ-DR-Z-0007.

6. ST. LUKE'S CHURCH ROAD, FORMBY - PUBLIC PATH CREATION AGREEMENTS

The Committee considered the report of the Head of Locality Services – Commissioned that sought the approval of Members for the Head of Regulation and Compliance in conjunction with the Head of Locality Services – Commissioned to negotiate and enter into Public Path Creation Agreements with the relevant landowners to create a series of Public Rights of Way and sought the approval of Members to make the necessary Modification Orders to record the new ways on the Council's Definitive Map and Statement of Public Rights of Way.

The Manager – Highways Management indicated that the Parish Council would be kept informed of progress with this matter.

RESOLVED:

That the Head of Regulation and Compliance be authorised in conjunction with the Head of Locality Services – Commissioned to:

- (1) negotiate and enter into Public Path Creation Agreements pursuant to Section 25 of the Highways Act 1980, with the relevant landowners, for the dedication of Public Rights of Way along the routes shown on plan numbers DC1810 to DC 1819; and
- (2) subject to completion of (1) above, make Legal Event Modification Orders under the provisions of Section 53 of the Wildlife and Countryside Act 1981 to record the new ways, as per the Creation Agreements, on the Council's Definitive Map and Statement of Public Rights of Way.

7. HEATHFIELD ROAD BUS STOP, AINSDALE

The Committee considered the report of the Head of Locality Services – Commissioned on the results of a consultation exercise to consider the relocation of an existing bus stop on accessibility grounds, and sought the approval of Members to progress the relocation of the bus stop near Heathfield Road / Georges Drive junction, Ainsdale. The consultation exercise resulted in the submission of one objection to the proposal.

RESOLVED: That

- (1) the objection be noted;
- (2) the progression of the relocation of the bus stop, as detailed in paragraph 1.5 of the report and as shown in the plan in Annex A, be approved; and
- (3) the objector be advised accordingly.

8. RENAMING PART OF BRICKWALL LANE, SEFTON

The Committee considered the report of the Head of Locality Services – Commissioned that sought the approval of Members to proceed with the statutory advertising of a proposal to rename part of Brickwall Lane, between Glebe End and the junction of Bridges Lane/Lunt Road, Sefton to Coachmans Lane.

RESOLVED: That

- (1) authority be granted for the Head of Regulation and Compliance, in conjunction with the Head of Locality Services – Commissioned to proceed to make an Order pursuant to Section 18 of the Public Health Act 1925, to rename part of Brickwall Lane, Sefton between Glebe End and the junction of Bridges Lane/Lunt Road to Coachmans Lane, as shown upon plan number DC1801 and subject to there being no objections during the statutory advertising period; and

- (2) if any objections are raised during the statutory advertising period, then the matter be referred to the Magistrates Court.

**9. WARRENHOUSE ROAD AREA, BRIGHTON-LE-SANDS -
OBJECTION TO PROPOSED WAITING RESTRICTIONS**

The Committee considered the report of the Head of Locality Services – Commissioned on the receipt of one objection, against a proposal to introduce waiting restrictions on various junctions in the Warrenhouse Road area of Brighton-Le-Sands.

RESOLVED: That

- (1) the objection be noted;
- (2) all 'No waiting at any time' waiting restrictions in the Warrenhouse Road area be progressed as originally advertised; and
- (3) the objectors be advised accordingly.

**10. FORD VIEW, LITHERLAND - OBJECTIONS TO DISABLED
PARKING PLACE**

The Committee considered the report of the Head of Locality Services – Commissioned on the receipt of a number of objections, against a proposed Disabled Parking Place in Ford View, Litherland.

RESOLVED: That

- (1) the objections be noted;
- (2) the Disabled Parking Place be progressed as originally advertised; and
- (3) the objectors be advised accordingly.

**11. GLOUCESTER ROAD, BOOTLE - PROPOSED RESIDENTS'
PARKING SCHEME, RESULTS OF PUBLIC CONSULTATION**

The Committee considered the report of the Head of Locality Services – Commissioned on the results of a consultation with residents and seeking the progression of a residents' parking scheme in Gloucester Road, Bootle between its junctions with Park Street and Oxford Road.

RESOLVED: That

- (1) the results of the consultation be noted;
- (2) the Cabinet Member for Locality Services be requested to;
 - (i) approve the introduction of the Residents' Privileged Parking scheme in Gloucester Road between its junctions with Park Street and Oxford Road as shown in Annex A.
 - (ii) approve the revocation of the existing Traffic Regulation Orders, as described within the report.
- (3) the progression of the necessary Traffic Regulation Orders, including those of public consultation and advertising the Council's intention to implement the Order, be authorised;
- (4) in the event that no objections are received during the consultation process, referred to in (3) above, the Head of Regulation and Compliance be authorised to make the Order(s) and the Head of Locality Services - Commissioned be authorised to implement the order; and
- (5) in the event that objections are received during the consultation process, the matter be referred back to this Committee for further consideration.

12. EXECUTIVE CAR HIRE EXEMPTION POLICY

The Committee considered the report of the Head of Regulation and Compliance seeking approval of a policy for the Taxi Licensing service when considering applications for an exemption from displaying an external plate on a licensed vehicle; and indicating that applications for exemption from the requirement to display identification plates may only be considered where a set of specific requirements were met.

RESOLVED:

That the Executive Hire Plate Exemption Policy be approved with an additional requirement that all drivers must display their identification badge.

13. TAXI LICENSING PERFORMANCE REPORT 2017/18

The Committee considered the report of the Head of Regulation and Compliance which reported the progress of the Taxi Licensing Service during 2017/18.

RESOLVED: That

- (1) the contents of the report be noted; and
- (2) similar reports be submitted to the Licensing and Regulatory Committee on an annual basis.

14. LOCAL LICENSING: PERFORMANCE REPORT 2017/18

The Committee considered the report of the Head of Regulation and Compliance which reported on progress against the 2017/18 Local Licensing Service Plan.

RESOLVED: That

- (1) the report be noted; and
- (2) similar reports be submitted to the Licensing and Regulatory Committee on an annual basis.

15. FINAL DRAFT REVISED STATEMENT OF LICENSING POLICY – LICENSING ACT 2003

The Committee considered the report of the Head of Regulation and Compliance on the final draft revised Statement of Licensing Policy – Licensing Act 2003.

RESOLVED: That

- (1) the final draft revised Statement of Licensing Policy, attached at Annex 2 to the report, be approved; and
- (2) the revised Statement of Licensing Policy be referred to Council for approval.

16. FINAL DRAFT REVISED STATEMENT OF GAMBLING LICENSING POLICY – GAMBLING ACT 2005

The Committee considered the report of the Head of Regulation and Compliance on the final draft revised Statement of Gambling Licensing Policy – Gambling Act 2005.

RESOLVED: That

- (1) the final draft revised Statement of Gambling Licensing Policy, attached at Annex 2 to the report, be approved; and

(2) the revised Statement of Gambling Licensing Policy be referred to Council for approval.

17. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005: PERIOD COVERING 24 FEBRUARY 2018 TO 25 MAY 2018

The Committee considered the report of the Head of Regulation and Compliance 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. Where there are no relevant representations to applications, then these matters would be dealt with by Officers in order to speed matters through the system. The Guidance also recommended that where powers had been delegated, the Committee would receive regular reports on decisions made by Officers in order to maintain an overview of the general licensing situation.

The report indicated that during the period 24 February 2018 to 25 May 2018 the Head of Regulation and Compliance had received and determined the following numbers of applications:

Under the Licensing Act 2003:

- 85 Applications made under Premise Licences
- 30 Applications made under Personal Licences
- 82 Notifications of Temporary Event Notices
- 42 Notifications of Late Temporary Event Notices

Under the Gambling Act 2005:

- 1 Applications made under Licensed Premises Gaming Permits
- 10 Notifications given for Licensed Premises Automatic Gaming
- 1 Applications made under Club Machine Permits

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.

18. PAPER COPIES OF AGENDAS

Some Members expressed concern that paper copies of agendas were no longer provided to Members, following the Council's budget saving decision to go 'paperlite' with effect from 21 May 2018 and requested that paper copies of agendas be provided to those Members who required them, for future meetings.

Arising from discussion, Members also emphasised the importance of maintaining connectivity with the Council's WiFi, in the absence of paper copies.

The Head of Regulation and Compliance reminded Members that the decision to go 'paperlite' had been a budgetary decision made by full Council as part of the Council's cost cutting measures and the Licensing and Regulatory Committee did not have the authority to over-turn this decision.

She did however indicate that she would be passing on the issues raised by Members to the Cabinet Member - Regulatory, Compliance and Corporate Services.

19. DATE OF NEXT MEETING

RESOLVED:

That the next meeting will be held at 6.30 pm, on Monday 24 September 2018, at the Town Hall, Southport.