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Sefton Council 

MEETING: LICENSING AND REGULATORY COMMITTEE
DATE: Monday 25th June, 2018
TIME: 6.30 pm
VENUE: Town Hall, Bootle

Member

Councillor
Councillor John Kelly (Chair)
Councillor Bradshaw (Vice-Chair)
Councillor Bliss
Councillor Burns
Councillor Dodd
Councillor Dutton
Councillor Friel
Councillor Gannon
Councillor Keith
Councillor McCann
Councillor McGinnity
Councillor Morris
Councillor Page
Councillor Tweed
Councillor Marianne Welsh

COMMITTEE OFFICER: Caitlin Manion
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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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A G E N D A

1. Apologies for Absence

2. Declarations of Interest

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

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| 3. Minutes of the Meeting held on 19 March 2018 | (Pages 5 - 12) |
| Minutes of the meeting held on 19 March 2018. | |
| 4. M58 Junction 1 Improvements – Diversion of a Public Right of Way | (Pages 13 - 20) |
| Report of the Head of Locality Services - Commissioned | |
| 5. St. Luke's Church Road, Formby - Public Path Creation Agreements | (Pages 21 - 38) |
| Report of the Head of Locality Services – Commissioned. | |
| 6. Heathfield Road Bus Stop, Ainsdale | (Pages 39 - 46) |
| Report of the Head of Locality Services – Commissioned. | |
| 7. Renaming part of Brickwall Lane, Sefton | (Pages 47 - 50) |
| Report of the Head of Locality Services – Commissioned. | |
| 8. Warrenhouse Road Area, Brighton-Le-Sands - Objection | (Pages 51 - |

	to proposed waiting restrictions	60)
	Report of the Head of Locality Services – Commissioned.	
9.	Ford View, Litherland - Objections to Disabled Parking Place	(Pages 61 - 72)
	Report of the Head of Locality Services – Commissioned.	
10.	Gloucester Road, Bootle - Proposed Residents Parking Scheme, Results of Public consultation	(Pages 73 - 80)
	Report of the Head of Locality Services – Commissioned.	
11.	Executive Car Hire Exemption Policy	(Pages 81 - 88)
	Report of the Head of Regulation and Compliance.	
12.	Taxi Licensing Performance Report 2017/18	(Pages 89 - 96)
	Report of the Head of Regulation and Compliance.	
13.	Local Licensing: Performance Report 2017/18	(Pages 97 - 102)
	Report of the Head of Regulation and Compliance.	
14.	Final draft revised Statement of Licensing Policy – Licensing Act 2003	(Pages 103 - 134)
	Report of the Head of Regulation and Compliance.	
15.	Final draft revised Statement of Gambling Licensing Policy – Gambling Act 2005	(Pages 135 - 166)
	Report of the Head of Regulation and Compliance.	
16.	Determinations made under the Licensing Act 2003 and the Gambling Act 2005: period covering 24 February 2018 to 25 May 2018	(Pages 167 - 176)
	Report of the Head of Regulation and Compliance.	

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

LICENSING AND REGULATORY COMMITTEE

MEETING HELD AT THE TOWN HALL, SOUTHPORT ON 19 MARCH 2018

PRESENT: Councillor John Kelly (in the Chair)
Councillor Bradshaw (Vice-Chair)

Councillors Jo Barton, Burns, Dodd, Friel, Gannon,
Keith, McGinnity, Page, Preece, Anne Thompson
and Tweed

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bliss and Marianne Welsh.

2. DECLARATIONS OF INTEREST

In accordance with Paragraph 9 of the Council's Code of Conduct, the following declarations of personal interest were made:

<u>Member</u>	<u>Minute No.</u>	<u>Nature of Interest</u>
Councillor Page	5. Gores Lane, Formby – Objection to Proposed Traffic Regulation Order	Personal - is a resident of Gores Lane, Formby. Remained in the room, took part in the consideration of this item and voted thereon.
Councillor Burns	6. Green Lane, Maghull – Receipt of Objection to Traffic Regulation Order	Personal – had been involved in previous discussions on the Traffic Regulation Order as a Ward Councillor for Park Ward. Remained in the room, took part in the consideration of this item and voted thereon.

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LICENSING AND REGULATORY COMMITTEE- MONDAY 19TH
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3. MINUTES OF THE MEETING HELD ON 8 JANUARY 2018

RESOLVED:

That the Minutes of the meeting held on 8 January 2018 be confirmed as a correct record.

4. TRANSFER OF AREA COMMITTEE RESPONSIBILITIES TO LICENSING AND REGULATORY COMMITTEE

The Committee considered the report of the Head of Regulation and Compliance on the transfer of functions to the Licensing and Regulatory Committee following the cessation of Area Committees.

RESOLVED: That

- (1) the transfer of functions to the Licensing and Regulatory Committee following the cessation of Area Committees, as set out in the Appendix attached to the report, be noted; and
- (2) it be noted that Regulation and Compliance Officers will make a presentation to the first meeting of the Licensing and Regulatory Committee in the new Municipal Year to avail current and new Members of these changes.

5. GORES LANE, FORMBY - OBJECTION TO PROPOSED TRAFFIC REGULATION ORDER

The Committee considered the report of the Head of Locality Services – Commissioned on the receipt of nine objections and a 65 signature petition, against a proposal to introduce waiting restrictions on Gores Lane, Formby.

Prior to consideration of the report the Committee was addressed by Mr Steven Stuart, on behalf of petitioners, objecting to the proposal for double yellow lines on Gores Lane and Halsall Lane.

RESOLVED: That

- (1) the objections be noted;
- (2) the 'No waiting at any time' waiting restriction be progressed in a reduced form, on the southwest side of Halsall Lane, from the existing double yellow lines on the corner of Page Court, to the centreline of Long Lane; and

- (3) the objectors be advised accordingly.

6. GREEN LANE MAGHULL - RECEIPT OF OBJECTION TO TRAFFIC REGULATION ORDER

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 the Green Lane service road, Maghull.

RESOLVED: That

- (1) the objection be noted;
- (2) the time limit for the proposed ‘Limited Waiting’ Traffic Regulation Order on the Green Lane service road be increased to 3 hours (no return within 1 hour); and
- (3) the objector be advised accordingly.

7. ROSEMARY LANE, FORMBY - RECEIPT OF OBJECTION

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 Rosemary Lane, Formby.

RESOLVED: That

- (1) the objection be noted;
- (2) the ‘Daytime’ waiting restriction be progressed on the southerly side of Rosemary Lane, as originally advertised; and
- (3) the objector be advised accordingly.

8. STUART ROAD / MYERS ROAD EAST, CROSBY - OBJECTIONS TO TRAFFIC REGULATION ORDER

The Committee considered the report of the Head of Locality Services – Commissioned on the receipt of a number of objections, against a proposal to introduce waiting restrictions on the corner of Stuart Road and Myers Road East, Crosby.

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RESOLVED: That

- (1) the objections be noted and overruled for the reasons described in the report;
- (2) the proposed 'No waiting at any time' restrictions be implemented as originally advertised; and
- (3) the objectors be advised accordingly.

9. CHANGES TO LICENSED VEHICLE CONDITIONS

The Committee considered the report of the Head of Regulation and Compliance on the suggested amendments to the current licensed vehicle conditions.

The report indicated that the widespread availability of mobile phone apps, information on websites and fare estimators in vehicles meant passengers could obtain pricing information by a variety of means.

The report also indicated that modern vehicle manufacturers were no longer supplying spare wheels in many vehicles and had replaced this with tyre repair kits and inflators.

RESOLVED: That

- (1) the need for tariff cards to be carried in all vehicles be removed if clear pricing information is available by other means; and
- (2) the requirement for all licensed vehicles to carry a spare wheel be removed if the vehicle is fitted with a manufacturer's tyre repair kit.

10. PROPOSED CHANGES TO THE ANIMAL LICENSING REGIMES

The Committee considered the report of the Head of Regulation and Compliance that informed Members of the proposed changes to be made to the animal licensing regime, currently before both Houses of Parliament.

RESOLVED: That

- (1) the report be noted; and
- (2) it be noted that further reports will be brought to the Licensing and Regulatory Committee to update Members on the progress of this draft statutory instrument.

11. DRIVER MEDICALS

The Committee considered the report of the Head of Regulation and Compliance that sought the approval of Members for changes to the conduct of Driver Medicals.

The report indicated that since the Council introduced a full Group 2 Medical as a requirement on 11 September 2017, drivers had struggled to obtain these medicals from their own GP's.

RESOLVED: That

- (1) the requirement for all driver medicals to be conducted by the driver's own GP be removed; and
- (2) any GP be approved to conduct a driver medical providing the Doctor has access to the driver's medical records.

12. RENAMING OF PART OF ALLENGATE TO NEVILLE HYMUS WAY

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 a passageway, known as Allengate, where it commences from Moor Lane into the continuation of Allengate Car Park, Crosby to Neville Hymus Way.

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 s18 of the Public Health Act 1925, to rename part of a passageway, known as Allengate, where it commences from Moor Lane into the continuation of Allengate Car Park, Crosby to Neville Hymus Way as shown upon plan No DC1759 and subject to there being no objections during the statutory advertising period; and
- (2) if any objections are received during the statutory advertising period, then the matter be referred to the Magistrates Court.

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13. RENAMING OF PELHAM DRIVE TO GEORGE MASTERS WAY

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 Pelham Drive where it commences from Bridle Road, Bootle to the TA Centre to George Masters Way.

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 s18 of the Public Health Act 1925, to rename Pelham Drive, commencing from its junction with Bridle Road, Bootle to, George Masters Way, as shown upon plan No DC790 and subject to there being no objections during the statutory advertising period; and
- (2) if any objections are received during the statutory advertising period, then the matter be referred to the Magistrates Court.

14. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005: PERIOD COVERING 25 NOVEMBER 2017 TO 23 FEBRUARY 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 25 November 2017 to 23 February 2018 the Head of Regulation and Compliance had received and determined the following numbers of applications:

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Under the Licensing Act 2003:

- 80 Applications made under Premise Licences
- 40 Applications made under Personal Licences
- 57 Notifications of Temporary Event Notices
- 30 Notifications of Late Temporary Event Notices

Under the Gambling Act 2005:

- 2 Applications made under Licensed Premises Gaming Permits
- 3 Notifications given for Licensed Premises Automatic Gaming
- 2 Applications made under Club Machine Permits
- 1 Application made under Club Gaming 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.

15. ANNUAL LICENSING AND REGULATORY COMMITTEE TRAINING SESSION

RESOLVED: That

- (1) it be noted that the Annual Licensing and Regulatory Committee training session will be held on Monday 18 June 2018, 4.00 p.m. to 6.00 p.m., Bootle Town Hall, prior to the meeting of the Licensing and Regulatory Committee at 6.30 pm;
- (2) it be noted that the session will include a briefing by the Manager, Highways Management on Traffic Regulation Orders in addition to the usual briefing and update on the Licensing Act 2003 and Gambling Act 2005; and
- (3) all Members of the Licensing and Regulatory Committee be requested to attend the training session.

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Agenda Item 4

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 25 June 2018
Subject:	M58 Junction 1 Improvements – Diversion of a Public Right of Way		
Report of:	Head of Locality Services - Commissioned	Wards Affected:	Molyneux;
Portfolio:	Locality Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To seek Members' approval of modifications to the Public Right of Way network in Melling which are necessary to facilitate improvements to Junction 1 of the M58 motorway.

Recommendation(s):

It is recommended that the Head of Regulation and Compliance be authorised to progress the:

- i. Order for the Diversion of Melling No. 32
- ii. Dedication of the diverted and extended Melling No. 32 as bridleway
- iii. subject to completion of (i), & (ii) above be authorised to make a Definitive Map Legal Event Modification Order under Section 53 Wildlife and Countryside Act 1981 to amend the Definitive Map & 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 the change of status of Melling Footpath No. 32 to a bridleway and its diversion as shown as the lines E-C and B-D on plan M58J1-ATK-GEN-ZZ-DR-Z-0007.

Reasons for the Recommendation(s):

The M58 Junction 1 scheme involves the creation of two new slip roads to the south west of the junction with Maghull Lane. In order to accommodate the new on-slip the section of Giddygate Lane needs to be stopped up. This section currently forms part of a public

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right of way, Melling no. 32. The scheme involves the creation of a new farm access track which will link the remaining element of Giddygate Lane with Maghull Lane. It is proposed that the public right of way be diverted onto the farm access track with both a series of steps and a ramped access provided to Maghull Lane. It is proposed that this diverted public right of way be dedicated as bridleway.

This report seeks authority for the legal process be implemented in order to enable the diversion to be introduced and the Definitive Rights of Way Map and Statement to be modified accordingly.

Pursuant to section 53 of the Wildlife and Countryside Act 1981, the Surveying Authority has a duty to amend the Definitive Map and Statement of Public Rights of Way following a legal event that has altered a Right of Way.

Sefton Council fulfils the role of Surveying Authority and as a result, the series of legal changes listed in the report to the Rights of Way network, must make a Legal Event Modification Order to amend the Definitive Map and Statement of Public Rights of Way accordingly.

The Surveying Authority also has a duty to continually review the Definitive Map and Statement of Public Rights of Way and should it become aware of the need to add, alter or remove a Right of Way, make the required Modification Order.

Within the Council's current constitution consideration of rights of way issues fall under the remit of the Area Committees.

Alternative Options Considered and Rejected: (including any Risk Implications)

The farm access track is a necessary element of the scheme in order to provide access between Maghull Lane and Guest Farm and is as close to the section of Giddygate Lane to be stopped up as possible, albeit with the junction with Maghull Lane being further from the roundabout, for highway safety reasons.

There are no alternative options which provide as close a route to the existing public right of way than the one proposed.

What will it cost and how will it be financed?

(A) Revenue Costs

None.

(B) Capital Costs

The works associated with the stopping up of Giddygate Lane and creation of the farm access track will be funded from the scheme budget which is included within the Council's Capital Programme. Similarly, the costs of publicising the Order will be funded from the scheme budget. It is acknowledged that should there be an objection to the Order then the Council will need to refer the matter to the Secretary of State who may

determine the matter be considered by written representation, or by a public inquiry. Any associated costs will be funded from the scheme budget.

Implications of the Proposals:

<p>Resource Implications (Financial, IT, Staffing and Assets):</p> <p>The processing of the order will be completed by staff within Locality Services with any capital costs funded from the scheme capital budget.</p>
<p>Legal Implications:</p> <p>The legal implications are set out in the report</p>
<p>Equality Implications:</p> <p>There are no equality implications</p>

Contribution to the Council's Core Purpose:

Protect the most vulnerable: not applicable
Facilitate confident and resilient communities: not applicable
Commission, broker and provide core services: not applicable
Place – leadership and influencer: not applicable
Drivers of change and reform: not applicable
Facilitate sustainable economic prosperity: not applicable
Greater income for social investment: not applicable
Cleaner Greener: supports sustainable travel and leisure cycling and walking

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 5186/18) and Head of Regulation and Compliance (LD.4410/18) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

The proposals for the diversion have been discussed with the Sefton walking groups.

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Implementation Date for the Decision

Immediately following the Committee / Council meeting.

Contact Officer:	Andrew Dunsmore
Telephone Number:	Tel: 0151 934 2766
Email Address:	andrew.dunsmore@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

1.0 Introduction/Background

- 1.1 The M58 Junction 1 Improvement scheme was approved by Cabinet on 3 September 2015 and Council on 17 September 2015. A further report was taken to Cabinet on 6 April 2017 seeking authority to make a Compulsory Purchase order for the land required to construct the scheme.
- 1.2 The Council subsequently procured a Contractor, John Sisk and Sons to complete the design and construction of the scheme. The design has been completed and the scheme costed and the contractor is in a position to begin the works as soon as the land is secured.
- 1.3 Planning permission has been granted for the scheme and a formal agreement has been signed with Highways England to enable the Council to complete the works on the motorway network.
- 1.4 Negotiations over the land have been in progress for some years. A Compulsory Purchase Order (CPO) was made by Highways England on the Council's behalf and the formal objection period has now expired. One objection was received, but this is centred on the extent of the land required rather than the scheme itself. Negotiations are proceeding with the hope that the objection will be withdrawn. However, if the objection remains, then the matter will be considered by an Inspector appointed by the Department for Transport using written representations.
- 1.5 The new 'on-slip' will be constructed on the section of Giddygate Lane parallel to the motorway which forms a gated private means of access. A consultation exercise completed in 2016 concluded that the vast majority of the current key holders preferred that the relevant section be stopped up with no alternative provided, other than a private means of access to Guest Farm.
- 1.6 The scheme design was developed to close Giddygate Lane to vehicular traffic and to include a new farm access track which over some of its length, runs parallel to the new slip road.
- 1.7 A Stopping Up Order (SRO) was made at the same time as the CPO. No objections were received during the consultation process. The SRO will be confirmed once the CPO is confirmed. The plan accompanying the Order is appended.
- 1.8 A Public Right of Way, Melling no. 32, extends along the section of Giddygate Lane to be stopped up. The newly created farm access track provides an alternative route suitable for pedestrians and cyclists parallel to and relatively close to the existing route. The design incorporates steps to provide the most direct route between the farm access track and Maghull Lane for able bodied users, particularly those travelling from and towards Maghull. A link is also provided between to accommodate cyclists, pushchairs and disabled users.

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- 1.9 The proposed amendment to the Public Right of Way has been discussed with the Sefton Walking Group and seems to have been well received.
- 1.10 This report seeks to make the necessary amendments to the Definitive Map to include the relevant section of the farm access track and associated links as a bridleway.

2.0 Proposed Modifications

- 2.1 The proposed Legal Event Modification Order (LEMO) for the bridleway will alter the DM Map as shown on Plan No. M58J1-ATK-GEN-ZZ-DR-Z-0007 and alter the DM statement to include the following description:

Melling No. 32

- Commencing on Giddygate Lane, at a point 16m north of the midpoint of the access to Guest Farm (Point A), O.S Grid Reference SD 339856,402058, the way is a bituminous path running in a northerly direction for a distance of 34 metres with a width of 3.1 metres, it then continues in an easterly direction for a distance of 130 metres along a stoned access track of width 3.5 metres to Point B, OS Grid Reference 339953, 402160. At this point the right of way continues in a south easterly direction for a distance of 83m along a bituminous path of width 2.4 metres to join Maghull Lane an Point C of OS Grid reference 340042, 402139. A further element of the way is a path leading up steps from Point B, to join Maghull Lane at Point D OS Grid Reference SD 339964, 402160.
- The length of the way is 270 metres in total.

3.0 Conclusion

- 3.1 In line with The Wildlife and Countryside Act 1981, Definitive Map Modification Orders to record the above detailed changes to the rights of way network are required.

Agenda Item 5

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 18 June 2018
Subject:	St. Luke's Church Road, Formby Public Path Creation Agreements		
Report of:	Head of Locality Services - Commissioned	Wards Affected:	(All Wards);
Portfolio:			
Is this a Key Decision:	N	Included in Forward Plan:	Yes / No
Exempt / Confidential Report:	N		

Summary:

To seek approval 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 to seek approval to make the necessary Modification Orders to record the new ways on the Council's Definitive Map and Statement of Public Rights of Way.

Recommendation(s):

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

- (i) 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 DC1819.
- (ii) Subject to completion of (i) 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.

Reasons for the Recommendation(s):

The Council has the power to enter into an agreement with the relevant landowner pursuant to section 25 of the Highways Act 1980 for the dedication of a way as a highway. The Licensing and Regulatory Committee has delegated powers under the current Constitution for issues relating to the Borough's Rights of Way network and management.

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Alternative Options Considered and Rejected: (including any Risk Implications)

The alternative is not to enter into the Agreements or to dedicate the permissive routes, process the parish Council application or leave the situation as it currently stands.

The public that are currently using the routes may be doing so without permission and would subsequently be committing trespass against the landowners.

The application process could result in no public rights being recorded.

What will it cost and how will it be financed?

(A) Revenue Costs

The Legal costs for administering the Agreements and Legal Event Map Modification Orders will be met from the existing Rights of Way Revenue Budgets.

(B) Capital Costs

Nil.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
None
Legal Implications:
See body of the report
Equality Implications:
There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Not applicable
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Not applicable
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: An improved Rights of Way network will help provide sustainable transportation and encourage sustainable travel options.

Greater income for social investment: An improved Rights of Way network will enhance the opportunities to generate visitor attraction income.

Cleaner Greener: An improved Rights of Way network will provide better access for all to Sefton's visitor attractions and promote healthier and more sustainable modes of transport.
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What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 5146/18) and Head of Regulation and Compliance (LD 4370/18) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Implementation Date for the Decision

Immediately following the Committee / Council meeting.

(Please delete as appropriate and remove this text)

Contact Officer:	Brian Goodwin
Telephone Number:	0151 934 4239
Email Address:	brian.goodwin@sefton.gov.uk

Appendices:

The following appendices are attached to this report:

Background Papers:

5th September 1994 Highways Committee – Public Rights of Way Claims made by the Formby Civic Society

6th March 1995 Highways Committee - Public Rights of Way Claims made by the Formby Civic Society – Consultation Results

23rd September 2004 Formby Area Committee - Wildlife And Countryside Act 1981, Section 53, Application For Modification Order To Definitive Map And Statement In Respect Of St. Luke's Church Road And Associated Ways.

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1 INFORMATION

- 1.1 An application to have a number of routes within the Ravenmeols area of Formby recorded as Definitive Public Right of Way has been prepared by Formby Parish Council. The routes included in the application are:
- St Luke's Church Road,
 - Range Lane,
 - Albert Road,
 - Alexandra Road,
 - Cambridge Road,
 - Two paths connecting Albert Road and Alexandra Road,
 - Path linking St Luke's Church Road with Beechwood Drive.
- 1.2 The application will seek to have an Order made that if confirmed, will alter the Council's Definitive Map and Statement to include the listed routes as Public Rights of Way. The application would be made under the Wildlife and Countryside Act 1981(1981 Act) to add routes to the Definitive Map and Statement. The relevant statutory provision which applies to adding a route to the Definitive Map and Statement is based on 20 years user evidence is Section 53(3)(b) of the 1981 Act.
- 1.3 The Parish Council has indicated that the purpose of their application is to protect and ensure public access along these routes and to the sefton coast. The application was instigated following one the landowners erecting "Private Road" signs and undertaking works to alter the layout of one of the roads included in the application.
- 1.4 Currently many of the ways included within the application are permissive routes, one being the Sefton Coastal Footpath on St Luke's Church Road, which could be closed by the landowners should they wish to do so.
- 1.5 The Parish Council has been working through the procedural requirements of making an application and has recently completed the processes. Whilst following these procedures they have served a notice upon all the known freehold landowners of land over which the routes pass. This notice informs the landowner of the application and the highway status applied for.
- 1.6 The Parish Council indicates that all of the routes within the application have been used by the public for in excess of 20 years. They also state that the public use has been on foot, by cycle and vehicular. As such the application seeks to have the majority of the ways recorded as Byways open to any traffic.
- 1.7 On receipt of the notice from the Parish Council most of the affected landowners were in contact with either the Parish Council, Sefton Council or both. The general response from the landowners was of support for public access to continue but some had reservations over public vehicular use.

2 **BACKGROUND**

- 2.1 In 1994 the Highways Committee considered a report from the Director of Technical Services regarding a similar application made by the Formby Civic Society. The Committee resolved that the Council should consult with the interested parties prior to making an Order to record the routes as Definitive Public Rights of Way.
- 2.2 A second report was put to the Highways Committee in March 1995 to consider the results of the consultation with interested parties. Two objections had been received to the proposals, one that there may be an increase in use of the paths and resultant deterioration of the road surfaces and damage to flora and fauna, and the other that St Luke's Church Road and Range Lane are public footpaths and vehicles may only use it with the express permission of the landowner.
- 2.3 This report recommended the making of an Order under Section 53(2) and (3)(b) and (3)(c)(i) of the Wildlife and Countryside Act 1981 to add the ways and lanes to the Definitive Rights of Way Map and Statement.
- 2.4 In 2004 the Formby Area Committee considered a report from the Technical Services Director that sought approval to consult with residents of Albert Road, Alexandra Road and St Luke's Church for the introduction of access controls in the area and for the Legal Services Director to make Public Path Creation Agreements with the relevant landowners along the majority of the routes included in the application made by the Civic Society.
- 2.5 Section 25 of the Highways Act 1980 provides the legal mechanism for a Local Authority to enter into a Public Path Creation Agreement with a landowner to dedicate an area of their land to the public, as highway. It was pursuant to this legislation that the recommendations of the 2004 report were put forward.

3 **PROPOSAL**

- 3.1 The outcome of the application from the Parish Council, should it be formally processed cannot be guaranteed and could conceivably result in no public rights being recorded or that all the ways could be available for vehicular use. The formal decision on the outcome of the application, if it were objected to would rest with the Secretary of State.
- 3.2 The current feedback from the majority of the landowners regarding the application by the Parish Council is of support in principle to public use of the ways but of concern and in some cases opposition, to possible public vehicular use. Therefore, it is likely that some will object to the application, resulting in the requirement to refer the decision to the Secretary of State.
- 3.3 Given the feedback of the landowners is largely in favour of public use, the option considered by the Formby Area Committee in 2004, Public Path Creation Agreements, would be more likely to deliver the outcome of recording and protecting the public's rights. It is therefore, considered appropriate to work with the landowners and to enter into Creation Agreements for the routes included within the application by the Parish Council.

Agenda Item 5

- 3.4 The Parish Council at its meeting of 3 April 2018 resolved to agree the principle of Sefton Council entering into negotiations with the landowners to enter into Public Path Creation Agreements as a potential alternative option to their application, which would achieve the same or similar intended outcomes. The Parish Council also resolved to not withdraw their application in lieu of the possible agreements to ensure it would be duly considered should Sefton Council fail to enter into the Agreements.
- 3.5 The resolution of the Formby Area Committee in 2004 can no longer be enacted due to the length of time passed and the changes of landownership since then. As such and in line with the Council's current Constitution a new resolution would be required.
- 3.6 The proposed Agreements will be for a series of footpaths, bridleways and restricted byway dedications which will add clear benefit to the network for the public including horse riders and will be adding value to the existing Rights of Way network. Therefore, it would be in the public interest to enter into a Public Path Creation Agreement with the relevant landowners for each parcel of land over which the routes pass.
- 3.7 The proposals will also help to meet the following actions from the Liverpool City Region Rights of Way Improvement Plan 2018-2028 (ROWIP):
- Action 1 - Manage the Definitive Map and Statement.
- Action 6 - Increase sustainable travel.
- Action 7 - Support tourism and the visitor economy.
- 3.8 Following completion of the Agreements, a Legal Event Map Modification Order, pursuant to the Wildlife and Countryside Act 1981, would be required to update the Definitive Map and Statement for Public Rights of Way accordingly.
- 3.9 It is important to note that many of the routes currently have private vehicular access rights for residents and their visitors and that the application and possible Creation Agreements will have no legal impact upon these rights.

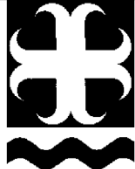

4 **CONCLUSION**

- 4.1 An application has been prepared by Formby Parish Council to record a number of ways on the Council's Definitive Map and Statement for Public Rights of Way. Having reached agreement in principle with the Parish Council and landowners, officers seek approval to negotiate and enter into Public Path Creation Agreements with the relevant landowners which would essentially result in the same or similar intended outcome of the Definitive Map Modification application prepared by the Parish Council.
- 4.2 In order to protect the rights of the public and their enjoyment of the rights of way network it is considered expedient to enter into negotiations with the relevant landowners to dedicate the footpaths, bridleways and restricted byways shown on the attached plans DC1810 to DC1819, to provide a joined up, continuous network in and along the coastal areas Ravenmeols.

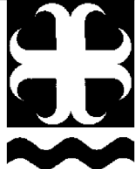

- 4.3 Therefore, it is recommended that approval for the Head of Regulation and Compliance in conjunction with the Head of Locality Services – Commissioned is granted to negotiate and enter into Public Path Creation Agreements with the relevant landowners to create a series of Public Rights of Way and to make the necessary Modification Orders to record the new ways on the Definitive Map and Statement of Public Rights of Way.

Agenda Item 5



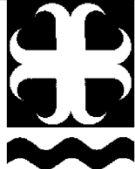

SEFTON M.B.C.  HIGHWAYS DEVELOPMENT & DESIGN	<p><u>Public Path Creation Agreement</u> <u>Section 25 Highways Act 1980</u></p> <p>St Luke's Church Road Formby Restricted Byway No.57</p>									
Jim Black Locality Services - Commissioned Magdalen House Trinity Road Bootle L20 3NJ	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Drawn By: BG</td> <td style="width: 25%;">Scale: not to scale</td> <td style="width: 25%;">Date: 10 May 2018</td> <td style="width: 25%;">Checked: B Mason</td> </tr> <tr> <td colspan="2">Ward:</td> <td colspan="2">Os Sheet Name:</td> </tr> </table> <p style="font-size: x-small;"> This map is reproduced from Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution. Sefton Council Licence number 100018192. (c) 2016. </p>	Drawn By: BG	Scale: not to scale	Date: 10 May 2018	Checked: B Mason	Ward:		Os Sheet Name:		DC1810
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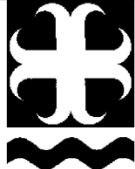

SEFTON M.B.C.  HIGHWAYS DEVELOPMENT & DESIGN	<p>Public Path Creation Agreement Section 25 Highways Act 1980</p> <p>St Luke's Church Road Formby Bridleway No.58 (Part)</p>									
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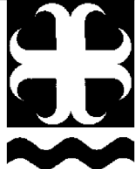

SEFTON M.B.C. 	<p><u>Public Path Creation Agreement</u> <u>Section 25 Highways Act 1980</u></p> <p>St Luke's Church Road Formby Bridleway No.58 (Part)</p>									
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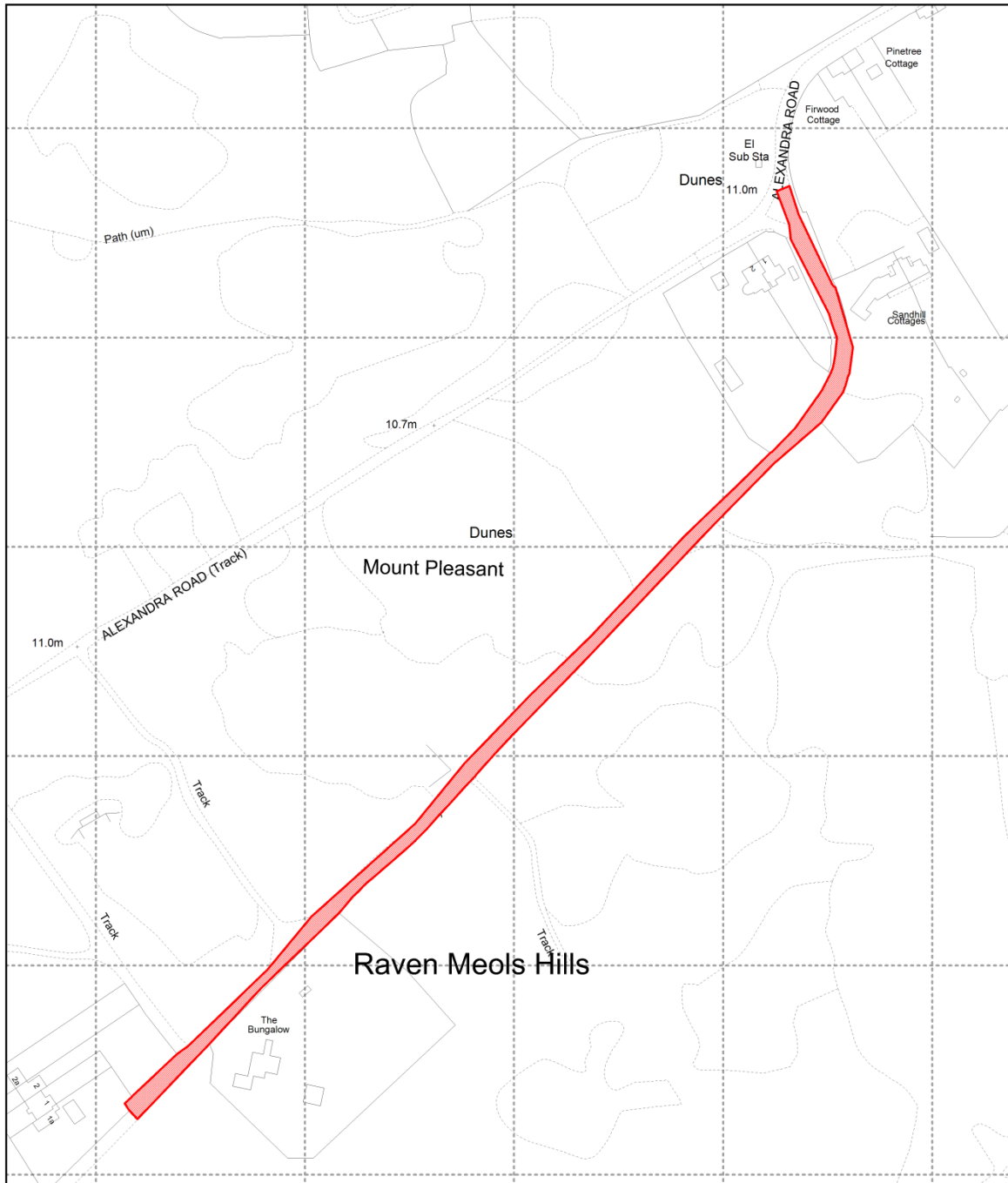


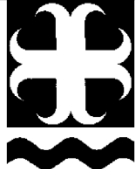

<p>SEFTON M.B.C.</p>  <p>HIGHWAYS DEVELOPMENT & DESIGN</p> <p>Jim Black Locality Services - Commissioned Magdalen House Trinity Road Boole L20 3NJ</p>	<p><u>Public Path Creation Agreement</u> <u>Section 25 Highways Act 1980</u></p> <p>Range Lane Formby Bridleway No.59</p>	
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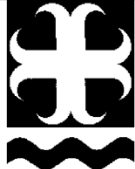

SEFTON M.B.C.  <small>HIGHWAYS DEVELOPMENT & DESIGN</small>	<p>Public Path Creation Agreement Section 25 Highways Act 1980</p> <p>Alexandra Road Formby Restricted Byway No.60 (Part)</p>									
Jim Black Locality Services - Commissioned Magdalen House Trinity Road Bootle L20 3NJ	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Drawn By: BG</td> <td style="width: 25%;">Scale: not to scale</td> <td style="width: 25%;">Date: 10 May 2018</td> <td style="width: 25%;">Checked: B Mason</td> </tr> <tr> <td colspan="2">Ward:</td> <td colspan="2">Os Sheet Name:</td> </tr> </table>	Drawn By: BG	Scale: not to scale	Date: 10 May 2018	Checked: B Mason	Ward:		Os Sheet Name:		<p>DC1814</p>
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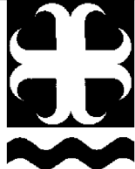

 SEFTON M.B.C. HIGHWAYS DEVELOPMENT & DESIGN	Public Path Creation Agreement Section 25 Highways Act 1980			
	Albert Road Formby Restricted Byway No.60 (Part)			
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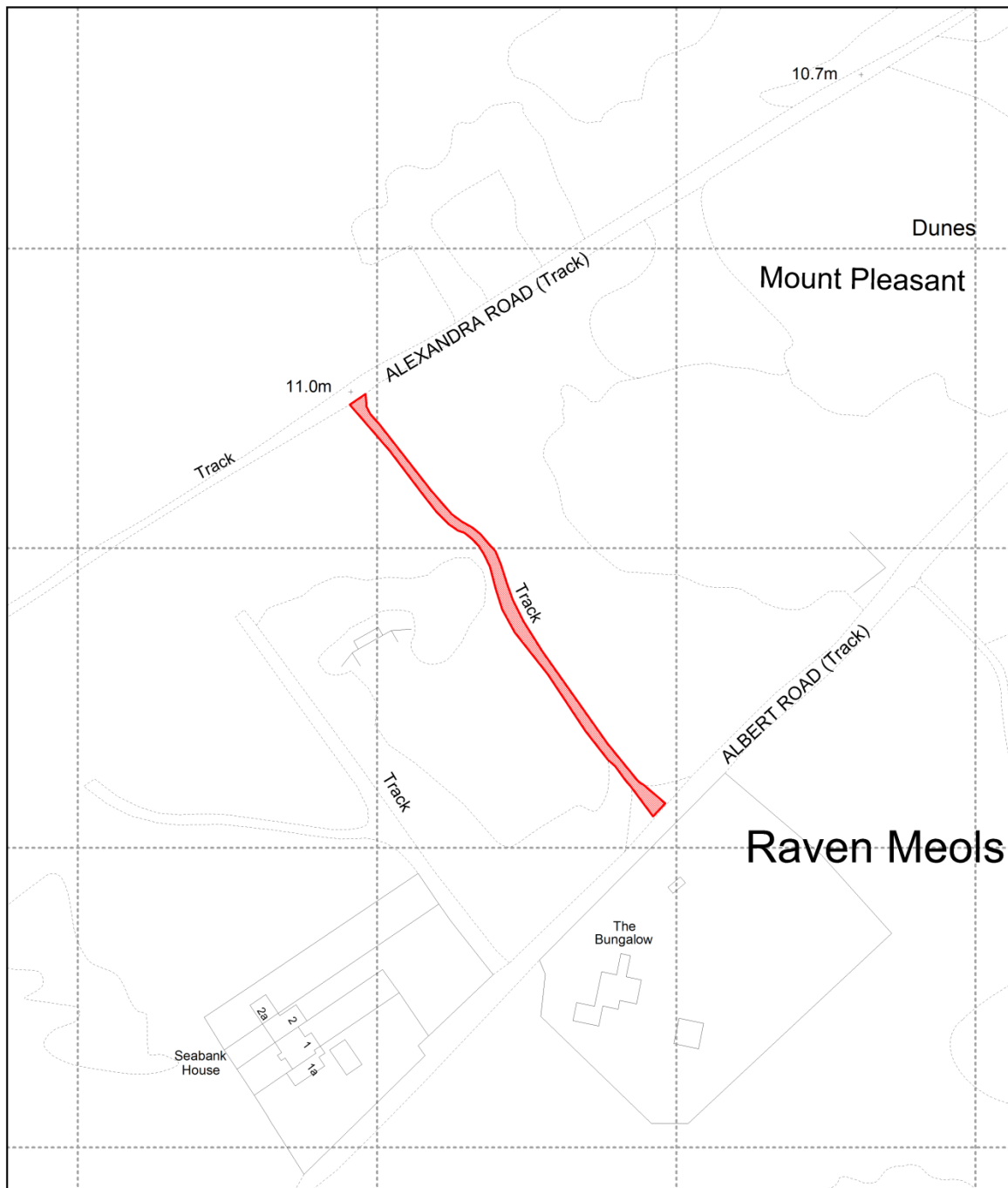


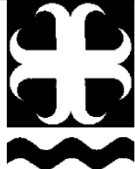

SEFTON M.B.C. 	<u>Public Path Creation Agreement</u> <u>Section 25 Highways Act 1980</u>			
	Albert Road Formby Footpath No.61			
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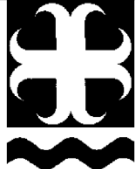

SEFTON M.B.C. 	<u>Public Path Creation Agreement</u> <u>Section 25 Highways Act 1980</u>			
Alexandra Road Formby Footpath No.62				
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 SEFTON M.B.C. HIGHWAYS DEVELOPMENT & DESIGN	Public Path Creation Agreement Section 25 Highways Act 1980			
	Albert Road to Alexandra Road Formby Footpath No.63			
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SEFTON M.B.C. 	Public Path Creation Agreement Section 25 Highways Act 1980			
Albert Road to Alexandra Road Formby Footpath No.64				
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Agenda Item 6

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 18 June 2018
Subject:	Heathfield Road Bus Stop, Ainsdale		
Report of:	Head of Locality Services - Commissioned	Wards Affected:	Ainsdale;
Portfolio:			
Is this a Key Decision:	N	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To report the results of the recent consultation exercise to consider the relocation of an existing bus stop on accessibility grounds, and to seek approval to progress the relocation of the bus stop near Heathfield Road / Georges Drive junction, Ainsdale.

Recommendation(s):

It is recommended that:-

- (i) The objection be noted;
- (ii) Authorise the progression of the relocation of the bus stop as detailed in paragraph 1.5 and shown in plan in Annex A
- (iii) The objector be advised accordingly.

Reasons for the Recommendation(s):

To provide a safe and accessible bus stop for bus users adjacent to the Heathfield Road / George Drive junction, Ainsdale.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

Agenda Item 6

What will it cost and how will it be financed?

(A) Revenue Costs

The cost of all implementation and administrative procedures for the relocation of the bus stop adjacent to the Heathfield Road / George Drive junction, Ainsdale amounting to approximately £10K will be funded from Merseytravel under an existing Section 278 Agreement.

(B) Capital Costs

Nil

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Will assist residents and other bus users
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Not applicable
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources has been consulted and notes the report indicates all costs associated with the relocation of the bus stop, amounting to £10,000, will be funded by Merseytravel. (FD 5127/18). As a result there are no direct financial implications for the Council.

Head of Regulation and Compliance has been consulted and has no comments on the report. (LD 4351/18)

(B) External Consultations

The proposed bus stop relocation has been consulted with local affected residents in January 2018 by post, with a 21 day objection period ending 11th February 2018.

Implementation Date for the Decision

Immediately following the Committee / Council meeting.

(Please delete as appropriate and remove this text)

Contact Officer:	Andrea Robinson
Telephone Number:	
Email Address:	andrea.robinson@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

Agenda Item 6

1.0 Introduction/Background

- 1.1 There is an existing bus stop at the junction of Heathfield Road / Georges Drive, Ainsdale which serves the residents of Ainsdale and provides public transport access to Formby, Southport town centre, Crossens and Southport & Formby Hospital.
- 1.2 This bus stop has been identified by a Merseytravel access audit, which was undertaken by their Senior Access Officer, as a bus stop which is not currently safe and accessible by less able bus passengers.
- 1.3 Currently there is an existing parking bay of approximately 48 metres in length fronting businesses, which typically allows for upto 8 parked vehicles. The bus stop is currently located within this parking layby, approximately 15 metres from the southern end of the layby (nearest George Drive). Informal parking surveys have taken place at this parking layby and it is not heavily used.
- 1.4 For users of the bus services that call at this stop, they currently have to potentially pass through parked vehicles using the parking bay to access or exit the bus from the carriageway level, which is not advisable or safe, particularly for partially sighted or vulnerable pedestrians.
- 1.5 To resolve this issue and to provide a safe step free accessible boarding point for bus users Merseytravel, working in partnership with Sefton Council, has proposed to build out the footway into the parking layby. This will provide a docking point for the bus and allow installation of bus access kerbs which will allow step free access onto and from the bus. In order to achieve this, a total loss of two parking spaces will be required. The plan included in Annex A shows the proposals.
- 1.5 Consultation information was issued on 11th January 2018 to a total of 18 no. affected properties, including all the shops adjacent to the parking layby (7 no.) and the flats above the shops (7 no.) and to the 4 no. properties on the opposite side of the road to the layby.
- 1.6 The Consultation Letter consisted of a plan showing details of the scheme and a letter explaining the purpose of the proposals and seeking their views. A three week period for consultation comments was allowed. The consultation material is included in Annex A to this report.
- 1.7 The local Ward Councillors were also given the opportunity to raise queries, comments and objections, and none were received.

2.0 Consultation results

- 2.1 Out of the 18 consultation letters delivered, a total of 1 response was returned by email.

3.0 Objections

- 3.1 One objection to the proposed relocation of the bus stop was received during the objection period which expired on 2nd February 2018.
- 3.2 A copy of the objection is shown as Annex B. The name and email address has been removed for anonymity.
- 3.3 There are several bus services which travel via Heathfield Road and the most frequent operates on a 12 minute timetable during the day, with around 60 buses a day on this route. Merseytravel has noted that this stop is not heavily used, as not every bus stops here, and those that do stop do so only for a short period of time. The latest passenger figures suggest that typically 27 buses a day use the stop and 9837 passengers use this stop annually. Therefore any disruption to those trying to exit Georges Drive at the same time a bus is using the bus stop would only be inconvenienced for a short period of time, and as such the objection should be over ruled.
- 3.4 Officers from Traffic Services have been consulted on the above proposals and are in full agreement with the design, and fully support the relocation of the bus stop at Heathfield Road / Georges Drive junction, Ainsdale.

4.0 Scheme Costs

- 4.1 The cost of implementing the works is funded wholly by Merseytravel through a Section 278 Agreement which is place with Merseytravel. The cost of the works is £10,,000 and will be undertaken by Sefton Council's Term Maintenance Contractor.

5.0 Proposals

- 5.1 Under the constitution of this Committee, Members can either:-
 - a) approve the scheme as proposed, or;
 - b) approve the scheme with minor amendments, or;
 - c) refer the scheme to the Cabinet Member Locality Services indicating the Committee's view on how the proposal should be progressed.
- 5.2 Given the current unsafe and inaccessible arrangement at this bus stop, it is recommended that Members over-rule the objection and approve the scheme as proposed.



Owner / Occupier
Heathfield Road
Ainsdale
Southport
PR8

Date: 11th January 2018
Our Ref: JT1028/AR

Dear Sir or Madam,

CONSULTATION FOR RELOCATION OF BUS STOP :- Heathfield Road, Ainsdale

The purpose of this letter is seeking your views on a proposal by Merseytravel to relocate the existing bus stop which is currently outside the businesses on Heathfield Road to a more accessible location close by. This stop has been identified by a Merseytravel access audit which was undertaken by the Access Officer in the area and any works to the bus stop will be funded by Merseytravel.

Currently there is an existing parking bay of approximately 48 metres in length fronting these businesses which typically allows for upto 8 parked vehicles. The bus stop is currently located within this parking layby, approximately 15 metres from the southern end of the layby (nearest George Drive). For users of the bus service that calls at this stop, they currently have to potentially pass through the parking bay to access or exit the bus from the carriageway level, which is not advisable or safe, particularly for partially sighted or vulnerable pedestrians. To resolve this issue and to provide a safe accessible boarding point for bus users it is proposed to build out the footway into the parking layby to provide a docking point for the bus and to provide bus access kerbs to allow step free access onto and from the bus. In order to achieve this, a total of two parking spaces will be required. The attached plan shows the proposals.

As well as consulting yourself, I have already consulted your local Ward Councillors, to seek their comments on the proposals.

I should be grateful if you would provide me with any comments on the above proposals by Friday 2nd February 2018, either by email to hdd.enquiries@sefton.gov.uk or by letter (to the address below).

Yours Faithfully,

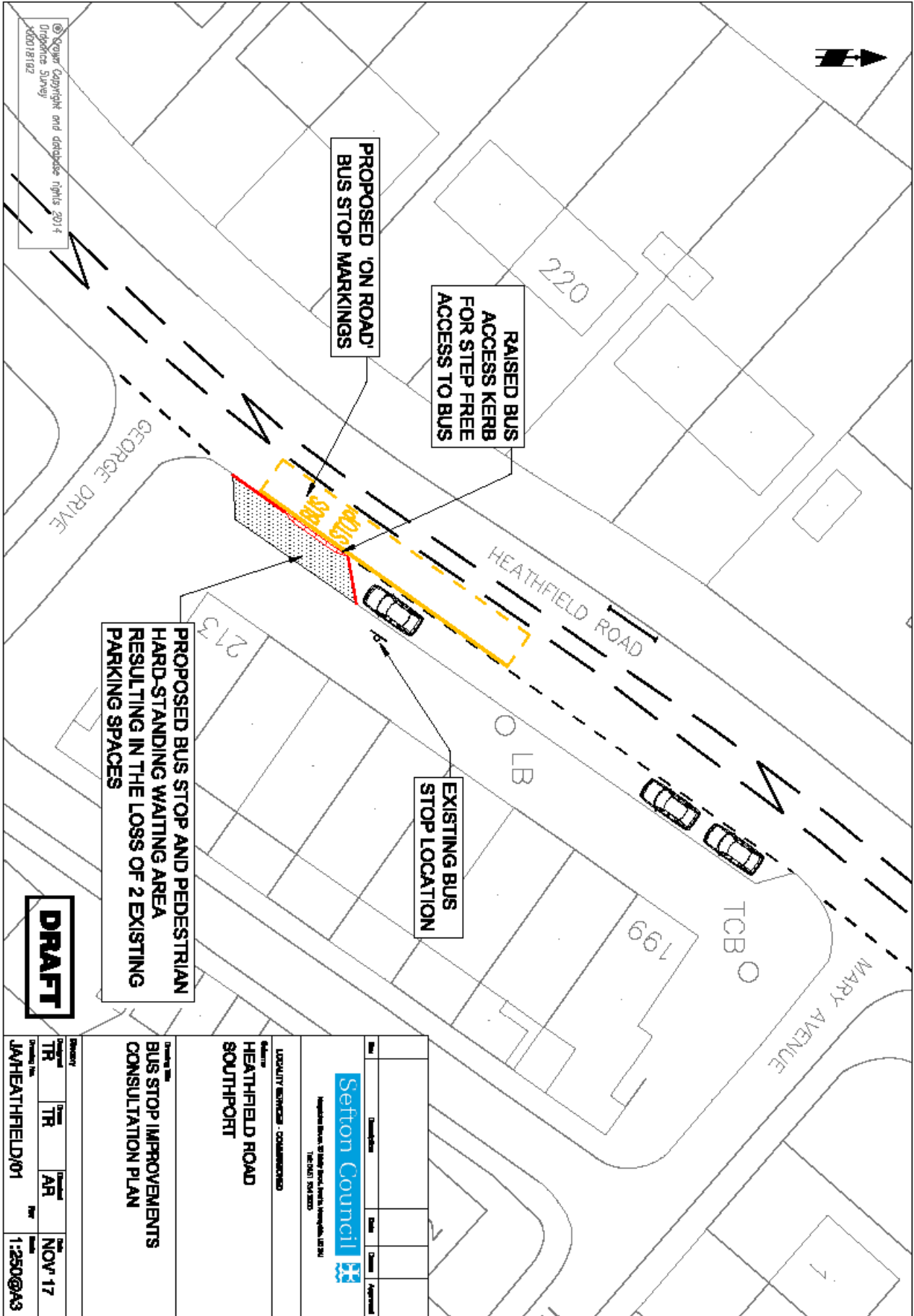
A handwritten signature in black ink that reads "A Robinson".

Mrs Andrea Robinson
Highway Development & Design



3rd Floor Magdalen House, 30 Trinity Road, Bootle, Merseyside. L20 3NJ





Received by Email on 15/01/2018

As I have received your letter according your proposal for new bus stop i would like to express my opinion about it.

I understand that the plan is to make bus stop safer for everybody however my concern is about other road users. I live nearby this bus stop and what i find difficult and unsafe is pulling out from George Drive onto Heathfield Road. it is very dangerous already as when bus pull over to bus stop drivers have limited vision. This is already causing lots of hazards and near accident situations.

Many times i am a witness of dangerous situations due limited vision by bus. I had couple myself.

In my opinion bus stop should be moved over somewhere safer. The accident hazard is not only dangerous for road users but for pedestrians and potentially bus costumers as well. Many people are crossing a road over there as well school kids.. By making bus stop so close to the George Drive it will be impossible to see oncoming cars. As well it might cause obstruction to the traffic and cars will have to overtake bus stopping there causing even more hazards.

I hope you will take my arguments into consideration.

Agenda Item 7

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 25 June 2018
Subject:	Renaming part of Brickwall Lane, Sefton		
Report of:	Head of Locality Services - Commissioned	Wards Affected:	Park;
Portfolio:			
Is this a Key Decision:	N	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To obtain approval 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.

Recommendation(s):

(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 s18 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 No DC1801 and subject to there being no objections during the statutory advertising period.

(2) If any objections are raised during the statutory advertising period, the matter would be referred to the Magistrates Court

Reasons for the Recommendation(s): The Council has the power to undertake street renaming under Section 18 of the Public Health Act 1925. Approval for street renaming falls under the remit of the Cabinet Member Locality Services within the Council Constitution to advertise the making of the Order and confirmation, subject to there being no objections during the statutory advertising period.

Alternative Options Considered and Rejected:

Agenda Item 7

What will it cost and how will it be financed?

(A) Revenue Costs: The Revenue Costs will be funded by Sefton Parish Council, as confirmed by Mr Duffy.

(B) Capital Costs: None

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
Legal Implications: As detailed in the report
Equality Implications: There are no equality implications

Contribution to the Council's Core Purpose:

Protect the most vulnerable: N/A
Facilitate confident and resilient communities: N/A
Commission, broker and provide core services: N/A
Place – leadership and influencer: N/A
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: N/A
Greater income for social investment: N/A
Cleaner Greener: N/A

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD5181/18.) and Head of Regulation and Compliance (LD4405/18.) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

An application to rename a street follows a legal process contained within s18 of the Public Health Act 1925. The statutory procedure includes for the advertising of the proposal to rename a street via a Street Notice displayed within the street in question for a period of 21 days. Where an object is raised, the matter has to be referred to the Magistrates Court for determination.

Implementation Date for the Decision

Contact Officer:	Jane Savage
Telephone Number:	0151 934 4569
Email Address:	jane.savage@sefton.gov.uk

Appendices:

The following appendices are attached to this report: DC Plan 1801.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

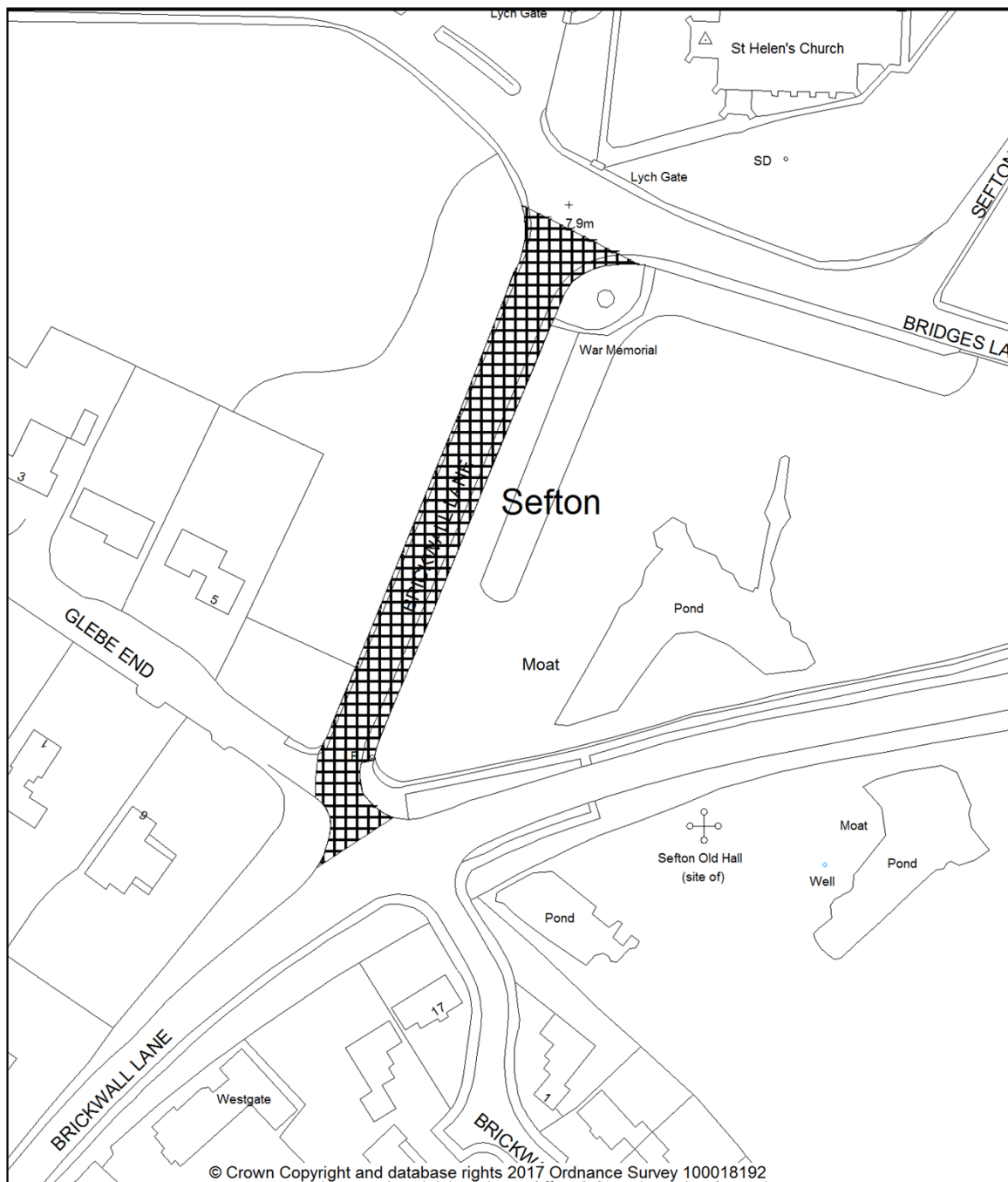
- 1.1 A request has been received from Sefton Parish Council. Originally, the renaming was to be in honour of the 90th birthday of her Majesty. However, time has moved on and the Parish Council wish to rename this stretch to coincide with the centenary of Armistice and the refurbishment of the War Memorial. The Parish Council wish to keep the historic link with the church as the focus of this central part of the village and civil parish.



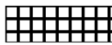
2.0 Conclusion

- 2.0 The report seeks approval to advertise the intention to rename part of Brickwall Lane, Sefton between Glebe End and the junction of Bridges Lane/Lunt Road, Sefton to Coachmans Lane as detailed within the report and shown upon plan number DC 1801.
- 2.2 The Highway Authority is required to advertise any proposal to rename a roadway within its Borough. Where objections are received, these will be heard by the Magistrates Court pursuant to s18 of the Public Health Act 1925.

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- 2.3 Subject to approval of this report, statutory notices will be displayed within the roadway in question for a period of 21 days, in order to ascertain any objections. Should an objection be raised, the matter will be referred to the Magistrates Court.



 SEFTON M.B.C. HIGHWAYS DEVELOPMENT CONTROL	<h3>Street Renaming</h3>			
	<h3>Part of Brickwall Lane from Glebe End to Bridges Lane/Lunt Road to Coachmans Lane, Sefton</h3>			
Renaming shown as: 				
Drawn By: JS	Scale: Not to scale	Date: 05/06/2018	Checked:	
Ward:		Os Sheet Name:		
<small>This map is reproduced from Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution. Sefton Council Licence number 100018192. (c) 2017.</small>			Plan: DC1801	

Agenda Item 8

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 25 June 2018
Subject:	Warrenhouse Road, Brighton-Le-Sands – Objection to proposed Traffic Regulation Order		
Report of:	Head of Locality Services - Commissioned	Wards Affected:	Blundellsands
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To report the receipt of an objection against a proposal to introduce waiting restrictions on various junctions in the Warrenhouse Road area of Brighton-Le-Sands.

Recommendations:

It is recommended that:-

- (i) The objections be noted;
- (ii) All 'No waiting at any time' waiting restrictions in the Warrenhouse Road area be progressed as originally advertised;
- (iii) The objectors be advised accordingly.

Reasons for the Recommendations:

The Council has the power to revoke a Traffic Regulation Order (Part IV of Schedule 9 to the Road Traffic Regulation Act 1984) as well as the power to make a new Traffic Regulation Order (Section 1 of that Act). Authorisation to advertise new Traffic Regulation Orders falls under the remit of Cabinet Member Locality Services.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

Agenda Item 8

What will it cost and how will it be financed?

(A) Revenue Costs

All costs associated with the introduction of the Traffic Regulation Orders, amounting to £1400 will be funded from the 2018/19 Traffic Management Revenue budget.

(B) Capital Costs

Nil

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
Equality Implications: There are no equality implications

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Will assist residents and other road users
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Not applicable
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources has been consulted and notes the report indicates all costs associated with the introduction of the Traffic Regulation Orders, amounting to £1400, will be funded from the 2018/19 Traffic Management Revenue budget. (FD 5138/18)

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Head of Regulation and Compliance has been consulted and has no comments on the report. (LD 4362/18)

(B) External Consultations

The proposed waiting restrictions have been advertised in the Crosby and Litherland Champion 22/02/2018, with a 21 day objection period ending 15 March 2018

Implementation Date for the Decision

Immediately following the Committee / Council meeting.

Contact Officer:	Colin Taylor
Telephone Number:	Tel: 0151 934 4189
Email Address:	colin.taylor@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

Agenda Item 8

1. Introduction/Background

- 1.1 The proposed waiting restrictions on Eastbourne Road have come about as part of an overall parking scheme in the Warrenhouse Road area of Brighton-Le-sands.
- 1.2 The Council's cleansing Services department have received a large number of complaints from residents in the area bounded by Oxford Road, Endsleigh Road, Warrenhouse Road and Holden Road regarding non collection of refuse and recycling in 2017. As a consequence officers from the Highway Safety team were asked to investigate the problem and arrive at a solution to the problem.
- 1.3 As a result, it was decided that parking at the junctions prevented the Cleansing Services vehicles from gaining access into the estate resulting in non collection of refuse and recycling.
- 1.4 It was decided to introduce At any time waiting restrictions at all junctions in the area. Due to the volume of on-street parking and the high density of housing it was decided that waiting restrictions extending 7m from each junction provided a compromise to residents rather than the standard 10m, but this action still provided access for large vehicles. This action was recently undertaken in the 'Dales' roads area close to St. Johns Road where similar problems were being experienced. This action has proved to be reasonably successful with the number of complaints being reduced greatly and vehicular access in now maintained.
- 1.5 These proposals were subsequently taken to Cabinet Member – Locality Services, seeking approval to formally advertise the proposals in the local Press.
- 1.6 On 1 February 2018, Cabinet Member – Locality Services approved the progression of a series of 'At any time' waiting restrictions at all junctions in Brighton-Le-Sands in an area bounded by Oxford Road, Endsleigh Road, Warrenhouse Road and Holden Road.
- 1.7 A plan showing the proposed waiting restrictions is attached as Annex A.

2.0 Objections

- 2.1 One objection was received prior to the expiry date of the objection period on 15 March 2018.
- 2.2 A copy of the objection is shown as Annex B, all identity has been removed for anonymity purposes.
- 2.3 The objection can be summarised as follows:-
 - Reducing parking spaces on any of the named roads will have a detrimental snowball effect.
 -

- If, as is being speculated, this has anything to do with our bin bags being collected – or not, as is regularly the case – then we believe this is a far from a suitable solution. There are very few cars here at 10am as everyone is at work. We see no reason why a bin lorry cannot get down here during the day.
-
- No reason why the bin bags cannot be taken to the end of the road and collected from there if this is such a big issue.

3.0 Discussion


- 3.1 Parking space in the area is recognised to be of a high premium, however, the parking that takes place on junctions causes both a road safety problem and vehicular access problems, particularly for large vehicles. In the light of the large volume of complaints about refuse and recycling collections during 2017 it was decided that something had to be done to alleviate the problem.
- 3.2 The refuse collection crew start their round in a different location, and for economic reasons it is not possible to return to this area to complete collections. Each collection round is route “optimised” by a web based refuse round company for maximum and optimum performance, although they have some flexibility on collection times they could be over three miles away when the round is complete. Given the costs of diesel and the fuel efficiency of the vehicles used this adds significant costs to the annual collection on this round.
- 3.3 The reason why bags cannot be taken to the end of the street is that this is very time consuming for the officers involved and can lead to spillages if the bags are overladen and split during this procedure.

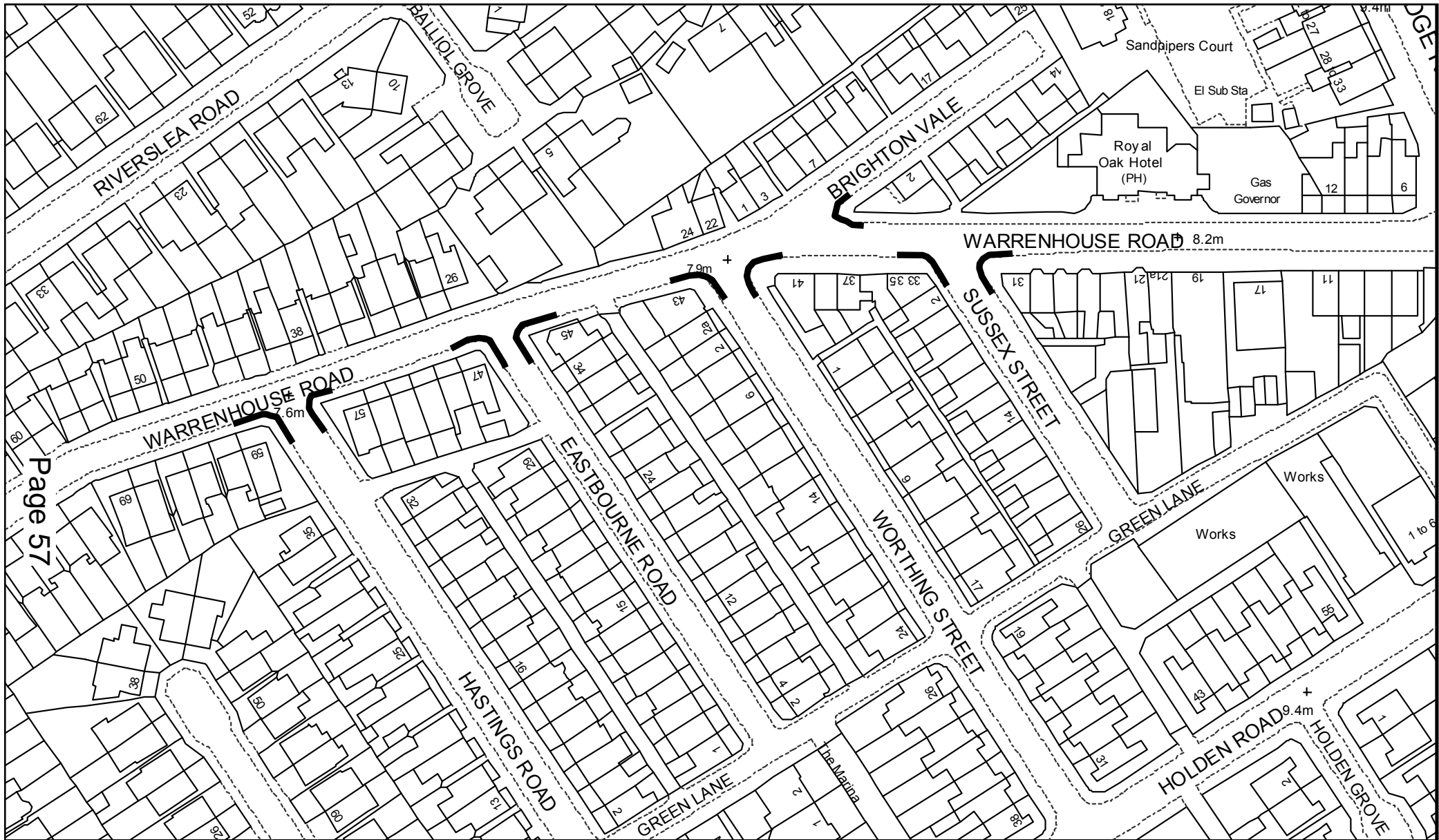
4.0 Proposals

- 4.1 Under the constitution of this Committee, Members can either:-
- a) approve the scheme as proposed, or;
 - b) approve the scheme with minor amendments, or;
 - c) refer the scheme to the Cabinet Member Locality Services indicating the Committee’s view on how the proposal should be progressed.
- 4.2 Given the significant problems with refuse and recycling collections, it is recommended that the proposed ‘No waiting at any time’ restrictions should be applied at all junctions as originally proposed as shown on the plan in Annex A.




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<p>METROPOLITAN BOROUGH OF SEFTON</p> <p>Jim Black</p> <p>Head of Locality Services - Commissioned</p>	<p>Warrenhouse Road Area, Waterloo</p> <p>Junction Protection</p>	<p>Drawn</p> <p>Scale</p> <p>Date</p>	<p>AG</p> <p>NTS</p> <p>NOV '17</p>	
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<p>METROPOLITAN BOROUGH OF SEFTON</p> <p>Jim Black</p> <p>Head of Locality Services - Commissioned</p>	<p>Warrenhouse Road Area</p> <p>Junction protection</p>	<p>Drawn</p> <p>Scale</p> <p>Date</p>	<p>AG</p> <p>NTS</p> <p>NOV '17</p>	
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Agenda Item 8

Good afternoon,

On behalf of the residents of Eastbourne Road, I have attached a copy of the letter we will be submitting to the office named within the public notices, objecting to the planned restricted road proposals in Brighton-Le-Sands. I have sent it to you to make sure it is seen, in case the letter is misplaced after being delivered or gets lost in the post before the March 15 deadline.

This has been signed by residents in the above road, however we are objecting to the proposals area-wide as we believe reducing parking spaces on any of the named roads will have a detrimental snowball effect.

If, as is being speculated, this has anything to do with our bin bags being collected – or not, as is regularly the case – then we believe this is a far from a suitable solution.

I have attached photographs showing how the road was this morning when I left for work at 10am – there are very few cars as everyone is at work. We see no reason why a bin lorry cannot get down here during the day. We also see no reason why the bin bags cannot be taken to the end of the road and collected from there if this is such a big issue.

We understand there may be an argument for restricting parking outside some non-residential properties on Warthouse Road, but are you as a council seriously suggesting that for the sake of 10 minutes every week when the bin bags are collected, you are happy to disrupt an entire community?

I have copied in our local MP as I fear this is a measure that may end up being proposed in other parts of Crosby – and will be equally disruptive. The number of cars on the roads is undoubtedly a problem these days – and I'm sure we all wish there was an obvious solution. But unless you can offer alternative and nearby places for residents to park their cars you are only making life tougher for hard-working people who have enough worries as it is – those same working people who voted you in as they felt their genuine needs would be looked after.

We would appreciate an acknowledgement of this email and direct consultation before any further developments.

Thanks,

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Agenda Item 9

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 18 June 2018
Subject:	Ford View, Litherland - Objections to Disabled Parking Place		
Report of:	Head of Locality Services - Commissioned	Wards Affected:	Ford
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To report the receipt of objections to a proposed Disabled Parking Place.

Recommendation(s):

It is recommended that:-

- (i) The objections be noted;
- (ii) The Disabled Parking Place be progressed as originally advertised;
- (iii) The objectors be advised accordingly.

Reasons for the Recommendation(s):

The Council has the power to revoke a Traffic Regulation Order (Part IV of Schedule 9 to the Road Traffic Regulation Act 1984) as well as the power to make a new Traffic Regulation Order (Section 1 of that Act). Authorisation to advertise new Traffic Regulation Orders falls under the remit of Cabinet Member Locality Services.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

Agenda Item 9

What will it cost and how will it be financed?

(A) Revenue Costs

All costs associated with the introduction of the Traffic Regulation Order, amounting to £1000 will be funded from the 2018/19 Traffic Management Revenue budget.

(B) Capital Costs

All costs associated with the conversion of the grass verge to a parking area, amounting to approximately £15000 will either be funded by One Vision Housing, or by Sefton MBC via the local Ward budget and Capital Programme. Further financial approvals will be sought at a later date if Sefton MBC has to fund the works.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
Legal Implications:
Equality Implications: There are no equality implications

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Will assist a resident with disabilities
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Not applicable
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 5147/18)) and Head of Regulation and Compliance (LD 4371/18) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

The proposed waiting restrictions have been advertised in the Bootle Champion on 15 February 2018, with a 21 day objection period ending on 8 March 2018.

Implementation Date for the Decision

Immediately following the Committee / Council meeting.

Contact Officer:	Steve Johnston
Telephone Number:	Tel: 0151 934 4258
Email Address:	steve.johnston@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

Agenda Item 9

1. Introduction/Background

- 1.1 On 18 October 2017, an application was made for the introduction of a Disabled Parking Place associated with 14 Ford View, Litherland.
- 1.2 As part of Sefton's procedures, the applicant supplied a completed application form, detailing his disability and vehicle details, copies of his blue badge, together with a medical form completed by his Consultant at Aintree Hospital.
- 1.3 These details were checked, and a number of parking surveys carried out to establish the level of parking within the applicant's mobility range, as stated by his Consultant.
- 1.4 The application satisfied all criteria for the provision of a Disabled Parking Space, and the parking surveys clarified that there were never any spare parking spaces available at peak times. A photo showing the parking situation at 17:00hrs is attached as Annex A.
- 1.5 As a consequence, the application was approved, and authorisation sought from Cabinet Member – Locality Services to advertise the proposed Traffic Regulation Order. The proposal was subsequently advertised in the Bootle Champion on 15 February 2018, with a 21 day objection period ending on 8 March 2018.
- 1.6 A letter of objection, signed by 15 residents of Ford View, was received within the Department on 5 March 2018.

2.0 Objection

- 2.1 A copy of the objection, with the names and addresses removed for anonymity, is attached as Annex B.
- 2.2 The objection is signed by 15 residents, who live in 10 of the houses within the cul-de-sac. For Members' information, there are 15 properties within the cul-de-sac.
- 2.3 As can be seen from the letter of objection, the residents are objecting for two main reasons:-
 - They claim that the applicant's disability is not severe enough to warrant a Disabled Parking Place.
 - The amount of on-street parking spaces is insufficient for all of the vehicle owners in the cul-de-sac, and that they are being discriminated against if we provide a dedicated parking space for the applicant.

3.0 Discussion

- 3.1 In response to the first part of the objection, it should be noted that before any application is approved by officers, documented proof must be supplied by the applicant as to the extent of their disability. In this case, a confidential medical

form and accompanying letter has been provided by his Consultant. These clearly outline the applicant's disability and gives a mobility range up to 10 metres.

- 3.2 In response to the second point of objection, by their own admission, the residents have confirmed that there is insufficient space within the cul-de-sac, and as a Local Authority, we are duty bound to assist disabled residents who have difficulty securing a parking space within their mobility range.
- 3.3 The letter of objection also mentions the large grass verge which runs on one side of Ford View. A plan showing the layout of the cul-de-sac is shown as Annex C. Whilst the carriageway and footway is owned and maintained by Sefton Council, the grass verge is owned and maintained by One Vision Housing (OVH).
- 3.4 As a result of the very strong feelings against the applicant and the proposed Disable Bay, Ward Members, officers from Sefton's Neighbourhoods Team and Highway Safety Team have met with officers from OVH to discuss whether the situation can be eased by the conversion of the grass verge into a parking area.
- 3.5 At the meeting, it was accepted that something needed to be done, with Ward Members suggesting that they would be willing to fund the work and subsequent adoption of the new parking area, with a contribution from the Capital Programme (Environmental improvements in residential areas). Officers from OVH suggested, however, that as the grass verge was in their ownership, the responsibility for the area, and costs for converting it to a parking area, should remain with OVH. As a result, it is intended that the matter would be taken to their Asset Management Board for a decision to be made. At the time of preparing this report, officers are still awaiting the outcome of OVH's Asset Management Board, so it is unclear as to who will fund the works. A verbal update will be given to L&R Committee Members during their meeting on 18 June 2018.

4.0 Proposal

- 4.1 Under the constitution of this Committee, Members can either:-
 - a) approve the scheme as proposed, or;
 - b) approve the scheme with minor amendments, or;
 - c) refer the scheme to the Cabinet Member Locality Services indicating the Committee's view on how the proposal should be progressed.
- 4.2 Having reviewed the applicant's supporting documentation and results of the parking surveys, it is considered that the objections should be over-ruled and the proposed Disabled Parking Place be progressed as originally advertised.
- 4.3 It is further proposed that officers from Sefton's Neighbourhoods Team and Highway Safety Team continue to liaise with Ward Members and OVH with a view to converting the grass verge into a parking area as soon as possible.





04/03/2018

Dear Mr or Mrs Marrin

I and the vast majority of the residents of Ford View HEREBY SERVE YOU NOTICE of our collective absolute objection to your notice served on A4 paper on a lamppost in Ford View, with the councils intention of agreeing to provide a parking restriction in favour of the resident of No [REDACTED] Ford View.

For many years we have asked Sefton Council for help in removing the grass verges in our small close to help with the chaotic parking problems we face as residents in Ford View. These problems have led to many arguments between neighbours and is a real concern which could well lead to anti-social behaviour in the future. The grass verges (and limited entry into Ford View cause double parking and problems for pedestrians having to walk on the road instead of on the pavement) have been sold off to one vision housing who do not wish to help and are simply not bothered. I have wrote many times to Cllr's Lappin and Moncur and Peter Dowd MP and all have shown no interest whatsoever in our problems because in the main it does not affect them. If they lived here they would be interested in solving the problem.

We have even asked the council for one permit for each resident to park one car each so others who don't live here cannot park. This has been rejected by Colin Taylor of the Traffic Management department of Sefton Council who in an email to the resident of No [REDACTED], stated that any parking restrictions in Ford View would create a knock on effect and is not possible. So with what Colin Taylor has told the resident at No [REDACTED] by email, it simply beggars belief that your department is going against his words and serving us notice of a parking restriction in favour of one resident. I have campaigned for the help of Sefton Council, One Vision Housing and people who govern for over 10 years now as a council tax payer to solve this very big problem in our very small street. No one is interested. So as neighbours we have accepted that help is not coming our way. We try to help each other the best we can accept the resident of No [REDACTED]

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Let me tell you about No [redacted]. Up until last year a disabled person lived there. A lovely man who used a wheelchair and understood our parking problems. He had many members of his family who came to visit him and he was always getting in and out of cars daily but he refused to put in for a parking place as he had respect for us all. The resident of No [redacted] now parks within 5 feet of his doorway 99% of the time. He walks freely unaided and when he has no space by his house he parks on Ford Lane and walks up Ford View like we all have to do. He doesn't use a wheelchair or walking stick. He may well hold a disabled permit badge but we have photographic evidence of the resident walking up from Ford Lane from his car carrying ladders and 6 bottles of 2 litres of water. This is something I would struggle to do and I am abled bodied. When the resident moved in my neighbour was unloading her car and heard the mother of the resident of No [redacted] say "The parking available here is awful, don't worry though we will apply for a disabled bay and that will guarantee you a space". That is totally selfish and disrespectful to all of us other residents who have had to cope years of parking problems before he arrived. Why is a space going to be made available to No [redacted] when he can do all the tasks that all the other residents do?. Maybe this should be looked at by yourselves who issue blue badges out or maybe the DWP who I'm sure would be most interested.

Residents at No [redacted] and No [redacted] are people who could apply for a disabled bay but don't as they understand the problems it would bring. The bay you propose to provide would take up the space of two cars in a small street crying out for parking space. The resident at No [redacted] has no problems as it is now as he uses his car for a few hours a few times a week but in daytime hours. This means when he returns he parks 5 foot away from his house every single day while all the other residents are using their cars for work and return after 5-6pm when No [redacted] is safely at home and we are left fighting over what is left. He has no need whatsoever to apply for this restriction. The parking problems never affect him just everyone else. Like the likes of myself who has to park in the middle of the road because there is nowhere else to park. If this bay goes ahead he will find bigger problems ahead for himself as residents will have no choice but to block him in.

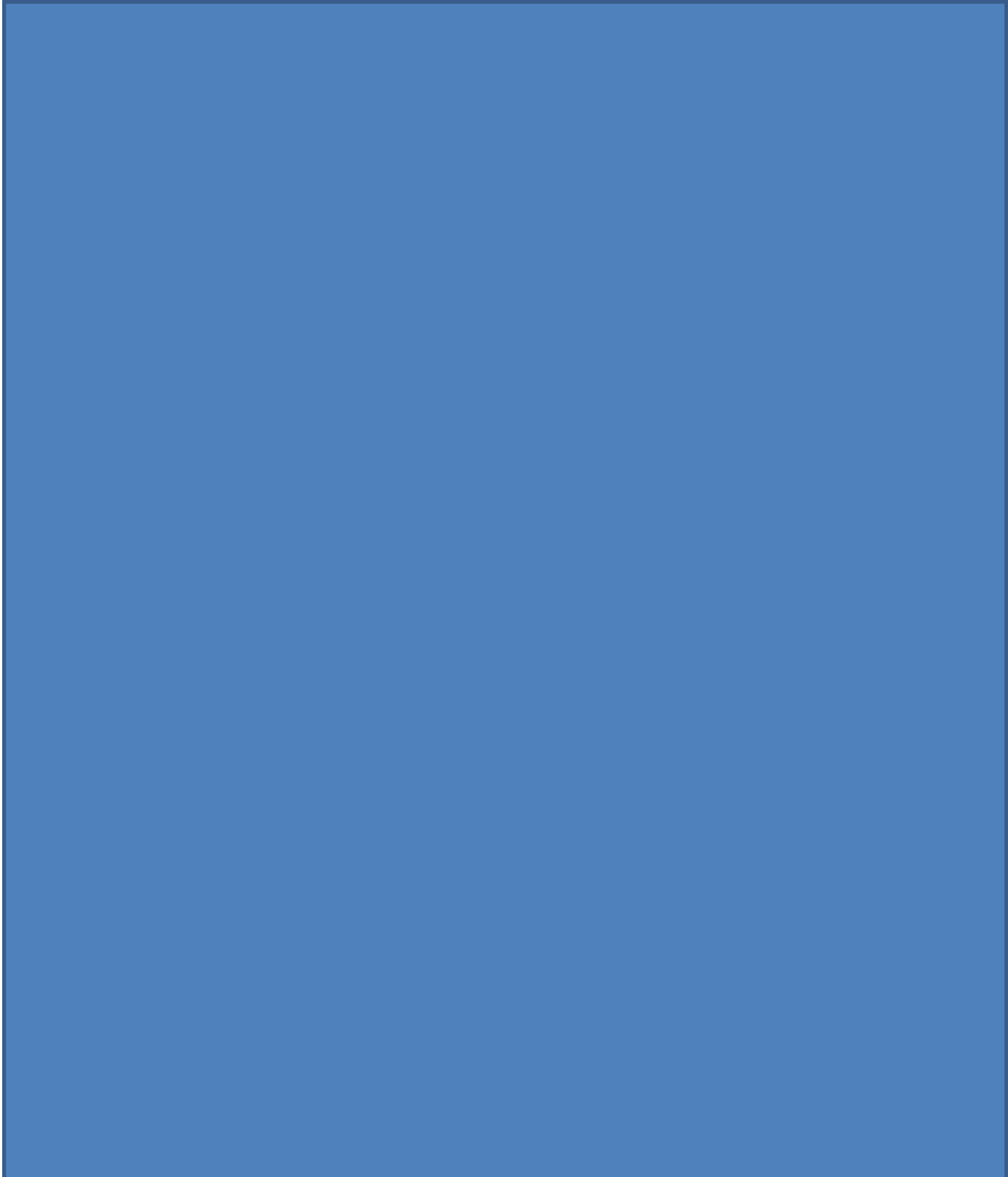
This parking restriction will not only go against the email of Sefton Councils Colin Taylor but will go against the needs of us residents in Ford View. This bay is simply not needed for a man very capable of walking to his home with heavy items. If Sefton council go ahead with this I personally after asking for help for years from yourselves, will take the view that the council are discriminating against me and my neighbours because we are not disabled. This application is just wrong. Myself and my neighbours are willing collectively to call the local press, take legal advice and even go to court to stop this happening. It is nothing short of a disgrace if this goes ahead and it will certainly cause a lot more problems especially for No [redacted] when he wants back his car down the street.

I am very hopefully you will contact me on [redacted] or better still arrange to meet me at Ford View so you can see the problems we have. We have the evidence of emails from Colin Taylor, Councillors and Peter Dowd MP available and the photographic evidence to prove No [redacted] has no problems parking or walking for that matter or carrying heavy items.

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Attached is the signatures of all the residents of Ford View who will suffer from this selfish application.

I await contact from you as a matter of urgency. Thankyou

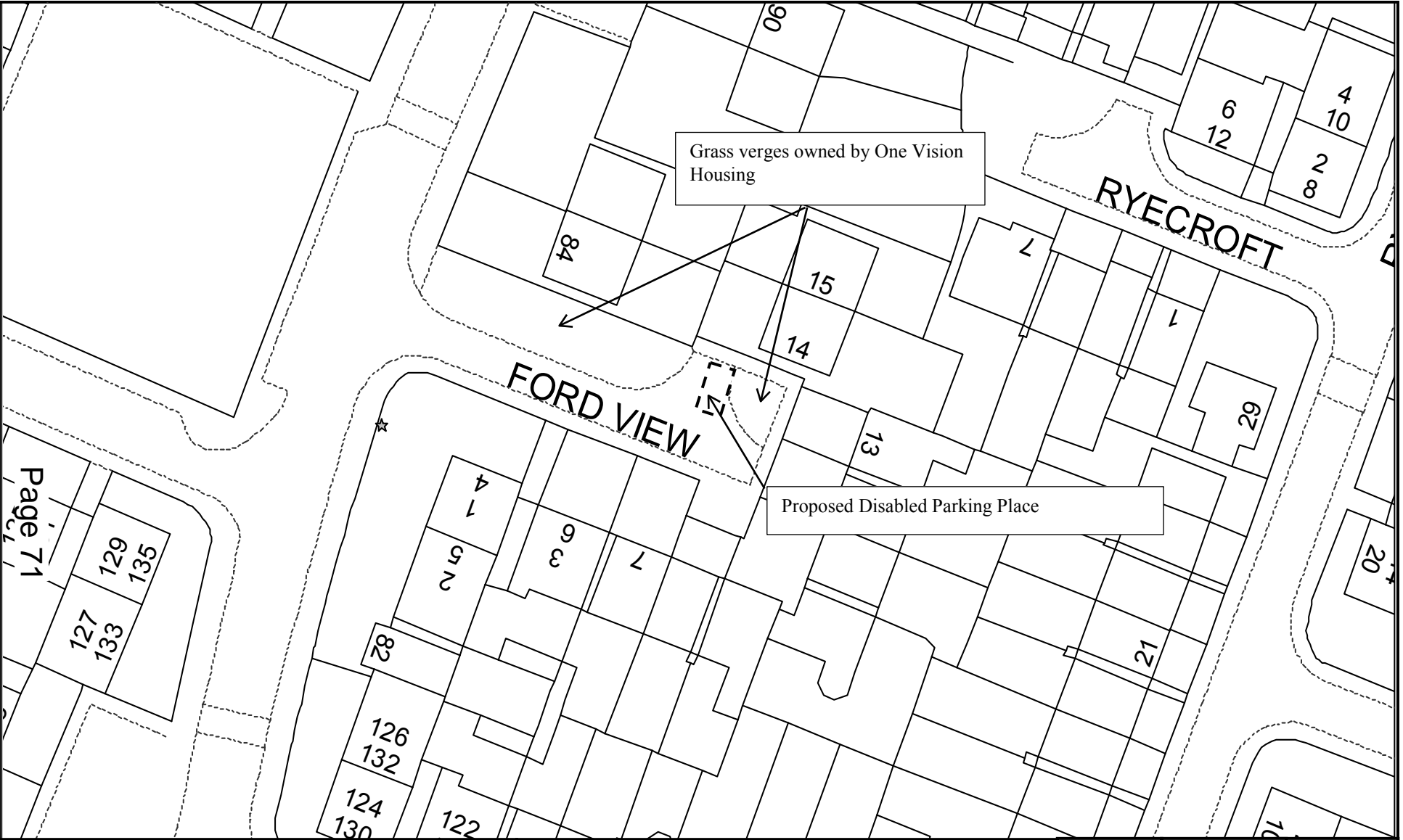


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Please find below bullet pointed a few of the many reasons we collectively and absolutely object to the disabled parking bay, furthermore we as residents should have been consulted on this application and have not been.

We do not accept a piece of paper posted on a lamp post as acceptable; it is not in a clear or visible location to all residents. Some residents leave for work when it is still dark outside and return home in the dark due to our working hours, thus meaning not everyone was aware of the notice. Therefore our views and objections have not been able to be put forward and have not and are not being taken into consideration.

- * The interests of the owners and occupiers of other properties within the street.
- * Residents have not been consulted or properly advised on the proposed disabled parking bay.
- * Disabled parking spaces could not be provided for all entitled applicants, therefore making it unfair to provide for some but not others.
- * The disabled bay would deny other residents from parking outside their property.
- * Impossible to park on both sides of the street.
- * Traffic flow.
- * Road safety.
- * Current parking situations and a grass verge of a large scale with metal bollards already pose difficulties for refuse collections to be made. (We pay for this service within our council tax).
- * Current parking situations and a grass verge of a large scale with metal bollards already pose difficulties for fire services to access the street in an emergency. (We pay for this service if ever needed within our council tax).
- * Insufficient parking for the number of residents
- * Parking is restricted for residents.
- * Narrow street – parking is mostly restricted to one side of the street.
- * The applicant has an able bodied person who can drop off and collect outside the house as and when needed and could also park the vehicle further down for them.



METROPOLITAN BOROUGH OF SEFTON

Jim Black

Head of Locality Services - Commissioned

Title
 Ford View, Litherland
 Proposed Disabled Parking Space

Drawn SJ
Scale NTS
Date May 2018



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Agenda Item 10

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 25 June 2018
Subject:	Gloucester Road, Bootle – Proposed Residents parking scheme		
Report of:	Head of Locality Services - Commissioned	Wards Affected:	Derby
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To report on the results of a consultation with residents and to recommend the progression of a residents parking scheme in Gloucester Road, Bootle between its junctions with Park Street and Oxford Road.

Recommendations:

It is recommended that subject to confirmation from Derby Ward Members regarding the funding for the scheme that Members:-

- (i) note the results of the consultation
- (ii) request Cabinet Member Locality Services to;
 - a) 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.
 - b) approve the revocation of the existing Traffic Regulation Orders, as described within the report;
- (iii) authorise the progression of the necessary Traffic Regulation Orders, including those of public consultation and advertising the Council's intention to implement the Order;
- (iv) in the event that no objections are received during the consultation process, referred to in (iii) above the Head of Regulation and Compliance be authorised to make the Order(s) and the Service Manager of Traffic and Transportation be authorised to implement the order and

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- (vi) In the event that objections are received during the consultation process the matter be referred back to this Committee for consideration.

Reasons for the Recommendations:

The Council has the power to revoke a Traffic Regulation Order (Part IV of Schedule 9 to the Road Traffic Regulation Act 1984) as well as the power to make a new Traffic Regulation Order (Section 1 of that Act). Authorisation to advertise new Traffic Regulation Orders falls under the remit of Cabinet Member Locality Services.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

All costs associated with the introduction of the Traffic Regulation Orders, amounting to £1500 will be funded from the 2018/19 delegated budget for Derby Ward.

(B) Capital Costs

Nil

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
Equality Implications: There are no equality implications

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Will assist residents and other road users
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Not applicable
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources has been consulted and notes the report indicates all costs associated with the introduction of the Traffic Regulation Orders, amounting to £1500, will be funded from the 2018/19 delegated budget for Derby Ward. (FD 5137/18.)

Head of Regulation and Compliance has been consulted and has no comments on the report. (LD 4361/18)

(B) External Consultations

None

Implementation Date for the Decision

Immediately following the Committee / Council meeting.

Contact Officer:	Colin Taylor
Telephone Number:	Tel: 0151 934 4189
Email Address:	colin.taylor@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

Agenda Item 10

1. Introduction/Background

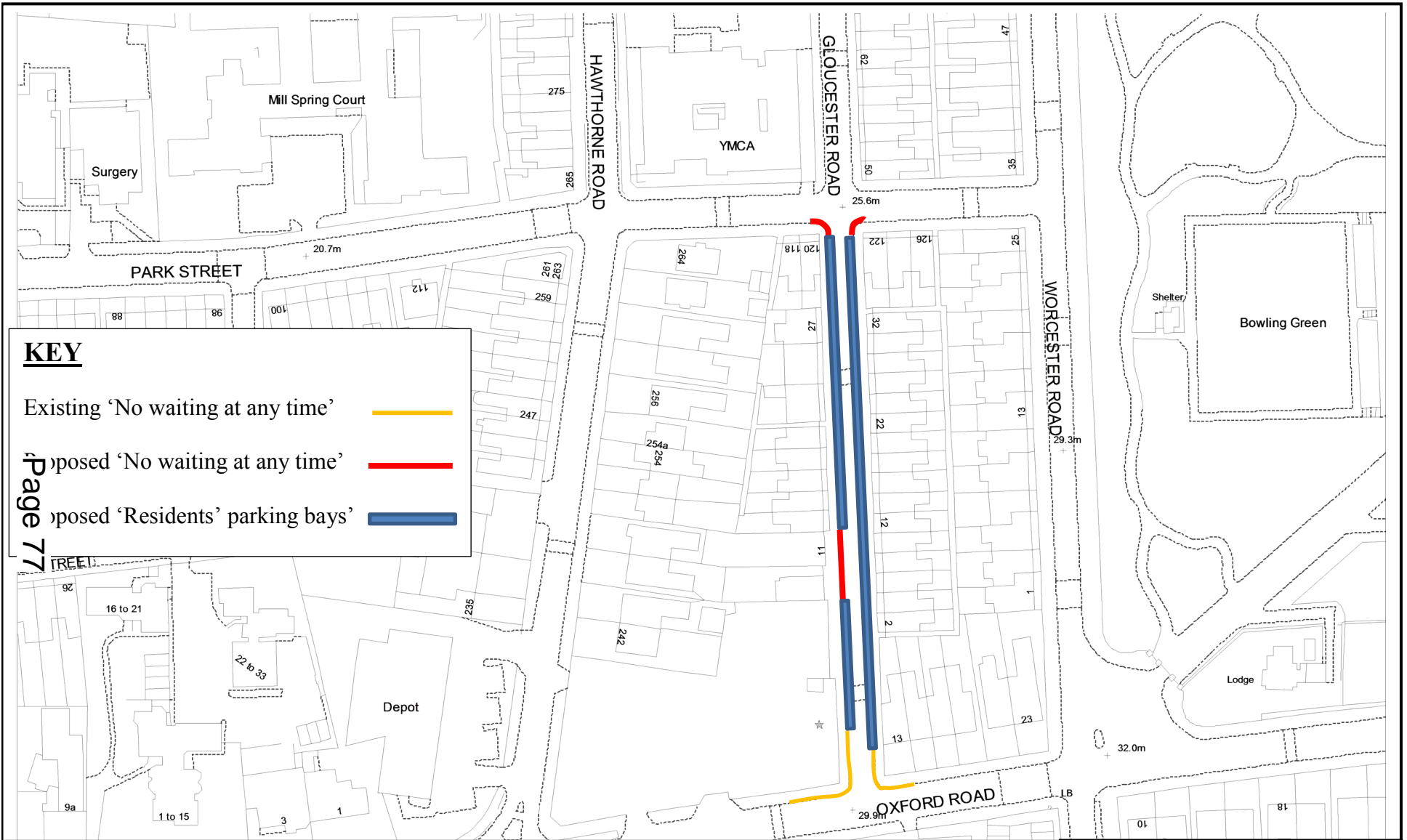
- 1.1 Following continued complaints of obstructive parking by shoppers and workers from the Strand shopping centre and the office area, Derby Ward Members requested that a consultation exercise be carried out with residents in Gloucester Road, Bootle between its junctions with Park Street and Oxford Road.
- 1.2 It was suggested that in order to prevent such parking, a residents parking scheme, in the form of a 'Permit Parking Area' (PPA) be introduced in the area, the cost of which would be funded from the Derby Ward delegated budget.
- 1.3 The introduction of a PPA, similar to the one recently implemented as a Planning Condition linked to the Housing Market Renewal Initiative adjacent to Hugh Baird College, would simply require the provision of zone entry signs at both ends at the junctions with Park Street and Oxford Road. No further bay markings or signs would be required in the area, thus reducing initial costs and future maintenance costs. The only additional lines would be the introduction of double yellow line restrictions at the junction with Park Street.
- 1.4A plan showing the proposed PPA is attached as Annex A.

2.0 Consultation

- 2.1 A total of 25 consultation packs were hand delivered to all properties within the proposed PPA, as indicated in Annex B.
- 2.2 17 questionnaires were returned by the deadline, giving a response rate of 68%. This is considered normal for this type of consultation.
- 2.3 Out of the 17 returned questionnaires, 16 were in favour of the scheme, and 1 was against.

3.0 Proposal


- 3.1 Given the majority of 94% of respondents are in favour of the introduction of a Residents parking scheme, it is recommended that the PPA scheme be implemented.
- 3.2 A plan showing the proposed PPA scheme is attached as Annex A.
- 3.3 It is therefore recommended that Licensing and Regulatory Committee support the introduction of a Permit Parking scheme in Gloucester Road, and request Cabinet Member Transportation to authorise the advertising of the legal Traffic Regulation Order.



KEY

- Existing 'No waiting at any time'
- Proposed 'No waiting at any time'
- Proposed 'Residents' parking bays'

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<p>METROPOLITAN BOROUGH OF SEFTON</p> <p>Jim Black</p> <p>Head of Locality Services - Commissioned</p>	<p>Title Gloucester Road, Bootle</p> <p>Proposed residents' parking scheme</p>	<p>Drawn <i>SJ</i></p> <p>Scale <i>NTS</i></p> <p>Date <i>Nov 2017</i></p>	
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PROPOSED RESIDENTS' PERMIT PARKING SCHEME GLOUCESTER ROAD, BOOTLE CONSULTATION

Following complaints from residents regarding lack of on-street parking for residents on Gloucester Road, Bootle, Derby Ward Councillors have agreed to fund the introduction of a Residents' Parking scheme in this area.

A plan showing the proposed Residents' Parking Bays is enclosed with this letter. If the majority of residents agree with the proposals, and the scheme is approved by Cabinet Member – Locality Services, each of the residents living in Gloucester Road, between Oxford Road and Park Street will be eligible to apply for Residents' permits for each vehicle which is registered at their address. In addition, they may also apply for one Visitor's permit per property. Each permit (Resident's or Visitor's) will be subject to a one-off £30 registration fee, i.e. if you have two vehicles and also want the Visitor's permit, you will be charged a total of £90 for the three permits. If you change your vehicle in the future, you will be charged another £30 registration fee to change the Resident's permit.

If the scheme is progressed, only vehicles displaying a valid parking permit will be allowed to park in these bays, between 9.00 a.m. and 5.00 p.m. Mon - Fri. Outside of these hours, any vehicle is permitted to park.

The purpose of this consultation is to seek your views on the proposals. Included with this letter is a plan showing the proposals and a questionnaire. Please take the time to fill in the questionnaire and return it in the pre-paid envelope provided, to reach us **no later than Friday 16 February 2018**.

The results of the consultation will be taken to the Licensing and Regulatory Committee where Councillors will review all of your comments or objections and decide whether the scheme is taken forward. The next meeting of the committee will be on 19 March 2018 at 6.30 p.m. at the Town Hall, Southport. You are welcome to come along to that meeting.

If you require any further information before completing your questionnaire please read the attached 'Frequently Asked Questions' sheet, or phone our Contact Centre on 0845 140 0845 and leave a message for Colin Taylor. Colin will phone you back as soon as possible. Please let Colin know if you require this information in large print, or any other format.

**Many Thanks,
Jim Black
Head of Locality Services - Commissioned**



Please recycle - if you do not want to keep this leaflet, return it with your questionnaire and we will recycle it for you

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Frequently Asked Questions

How much will the permits cost?

Each resident can apply for a Residents' permit for each vehicle which is registered at their address. In addition, they may also apply for one Visitor's permit per property. Each permit (Resident's or Visitor's) will be subject to a one-off £30 registration fee, i.e. if you have two vehicles and also want the Visitor's permit, you will be charged a total of £90 for the three permits. If you change your vehicle in the future, you will be charged another £30 registration fee to change the Resident's permit.

Do I have to pay for a new permit every year?

No – you will only have to pay once, when you initially apply for the permits. The only exception to this is if you change your vehicle and need a new permit with the new registration number on it.

Why should I pay to park in my own road?

Any vehicle can park on any public road provided it is legally taxed, tested and insured. What the residents' parking scheme does is prevent any vehicle from parking in your road unless it is displaying a permit. Effectively you are paying to prevent outsiders from taking up the parking spaces in your road.

Will the permit guarantee a parking space outside my own house?

No – all it will guarantee is to prevent outsiders taking up parking spaces in your road. You and your visitors will be able to park anywhere in the road, but generally most residents will tend to park outside their own houses.

Who will enforce the scheme?

Sefton's own parking attendants will regularly patrol each of the roads throughout the day, and issue tickets on any vehicle which does not display a valid permit.

What will be the hours of operation?

The scheme is aimed at preventing office workers from parking in your road during weekdays, so the scheme will operate Monday to Friday, 9:00 a.m. to 5:00 p.m. In the evenings and at weekends, vehicles may park without having to display a permit.

Will I be able to receive deliveries?

Yes – Any vehicle will be able to park and unload goods without having to display a permit.

This is just a way of the Council making money!

The £30 registration fee for each permit simply covers staff time in receiving applications, inputting your details onto our records, printing off the permit and posting the permit out to you. All other costs, such as this consultation, production of Committee reports, advertising the legal Order in the local Papers and provision of signs and carriageway markings are being funded by the Council in order to provide a service to residents. Sefton Council will make no money from this scheme.



Please recycle - if you do not want to keep this leaflet, return it with your questionnaire and we will recycle it for you

Agenda Item 11

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 25 June 2018
Subject:	Executive Hire Plate Exemption Policy		
Report of:	Head of Regulation and Compliance	Wards Affected:	
Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	N	Included in Forward Plan:	No
Exempt Confidential Report:	/ N		

Summary:

To suggest a policy for the taxi licensing service when considering applications for an exemption from displaying the external plate on a licensed vehicle. Applications for exemption from the requirement to display identification plates may only be considered where a set of specific requirements are met.

Recommendation(s):

- (1) Implement the policy ; or
- (2) Implement the policy with any suggested amendments

Reasons for the Recommendation(s):

The Council can give licensed private hire vehicle owners an exemption from displaying the external plate but there is currently no policy relating to the circumstances in which such exemptions should be issued. This suggested policy relates to the executive hire type operators and vehicles only where displaying a plate may deter customers and be detrimental to the operators business.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs - none

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Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): The cost of the service is wholly recovered from the ring fenced Taxi Licensing Trade Account (Revenue Budget BD12).
Legal Implications: The Local Government (Miscellaneous Provisions) Act 1976
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable:
Facilitate confident and resilient communities:
Commission, broker and provide core services:
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity: Reducing burdens on local businesses.
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 5184/18) and Head of Regulation and Compliance (LD.4408/18) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

The proposals have been discussed with representatives of the taxi licensing trade – further details are contained in the report.

Implementation Date for the Decision

Immediately following the Committee meeting

Contact Officer:	Mark Toohey
Telephone Number:	Tel: Ext 2274
Email Address:	mark.toohey@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

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1. Introduction

- 1.1 The objective of the policy is the provision of an exemption to allow 'executive vehicles' to operate without displaying external identification plates and the driver to undertake the work without wearing their identification badge.
- 1.2 The issuing of exemption notices to luxury type vehicles is dependent on a private hire operator presenting a business case supporting their application demonstrating why the exemption to display private hire plate and signage is required. The fact that a vehicle is considered luxury is not sufficient in itself to warrant an exemption.

2. Background

- 2.1 The displaying of the external identification plate on a licensed vehicle and the need for a driver to wear their badge is important in terms of public safety and reassurance. They indicate to the public that both the vehicle and the driver have been subjected to appropriate checks and hold a current licence.
- 2.2 There are however occasions when the requirement to display an external identification plate may have the opposite effect in terms of customer safety and could have commercial implications for the operating business. The display of Council licence plates externally may also deter some corporate customers from using the service and, in some circumstances, the identification of the vehicle as a licensed vehicle may allow "high risk" passengers to be more readily targeted putting both them and the driver at risk.
- 2.3 The Local Government (Miscellaneous Provisions) Act 1976 requires that private hire vehicles display an identification plate and drivers of those vehicles wear a driver's badge. The same legislation also allows any council to exempt vehicles from the need to display an identification plate and, where that exemption applies, the requirement to wear a private hire driver's badge.
- 2.4 It is not intended that all 'luxury' private hire vehicles licensed by Sefton Council should be exempt from the Council's requirement to display an external identification plate, however the Council recognises that there may be circumstances when it may be appropriate for vehicles offering a type of service to be considered suitable for such an exemption.
- 2.5 The Council does not seek to provide a definitive list of vehicles it considers to be suitable for the exemption as each application will be considered individually.
- 2.6 The policy provides guidance to potential applicants on the standards of vehicle comfort and equipment that the Council considers should be the minimum before the council would consider such an application. This policy should be read in conjunction with the Council's existing policies, conditions and specifications that

relate to private hire vehicles and establishes additional criteria that the council will take into account when determining applications for a private hire vehicle to be exempt from displaying the external identification plate.

3 The Policy

3.1 See attached draft policy.

4. Conclusion

4.1 There are a small number of Sefton licensed companies that carry out executive hire type work (traditionally referred to as chauffeur). The policy is only intended to cover this small service area and will only apply to companies that can show a legitimate need or use for the plate exemption. The vehicles will still be identifiable by a specific sticker/plate in the windscreen and rear window.

4.2 The taxi trade as a whole have been given the chance to comment on the policy with mixed results. The executive hire operators have welcomed the proposed policy change. The policy was recently discussed at the quarterly taxi trade meetings. Some members of the trade welcomed the policy so long as it only related to operators carrying out genuine executive hire type work and the Council regularly checks on this. Others did not agree and felt any plate exemption may be subject to abuse by those issued with them (as they may not actually be carrying out contract work at all).

4.3 Regular operator checks to ensure compliance will be conducted by the Taxi Licensing Unit should the policy be introduced.

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Executive Car Exemption Policy

Introduction

The objective of the policy is the provision of an exemption to allow 'executive vehicles' to operate without displaying external identification plates and the driver to undertake the work without wearing their identification badge.

The issuing of exemption notices to luxury type vehicles is dependent on a private hire operator presenting a business case supporting their application demonstrating why the exemption to display private hire plate and signage is required. The fact that a vehicle is considered luxury is not sufficient in itself to warrant an exemption.

It is not intended that all 'luxury' private hire vehicles licensed by Sefton Council should be exempt from the Council's requirement to display an external identification plate, however the Council recognises that there may be circumstances when it may be appropriate for vehicles offering a type of service to be considered suitable for such an exemption.

The Council does not seek to provide a definitive list of vehicles it considers to be suitable for the exemption as each application will be considered individually.

The policy provides guidance to potential applicants on the standards of vehicle comfort and equipment that the Council considers should be the minimum before the council would consider such an application. This policy should be read in conjunction with the Council's existing policies, conditions and specifications that relate to private hire vehicles and establishes additional criteria that the council will take into account when determining applications for a private hire vehicle to be exempt from displaying the external identification plate.

The Policy

1. Exemptions from displaying external identification plates may be in respect of individual vehicles only.
2. Each vehicle applied for will be inspected by an authorised officer
3. The following may be indicative (but not conclusive) that a vehicle is an Executive Hire Car;
 - a) Engine size of 2000cc or greater
 - b) Seating is of adequate dimension, comfort and permits direct access into and out of the vehicle without the need to move, remove or fold down any seats.
 - c) Evidence to show that the vehicle is a prestige or 'top of the range' vehicle as represented by the vehicle manufacturer

- d) Relevant considerations as to whether a vehicle is an executive hire type include but are not limited to cost, age, reputation, specification, appearance, perception and superior comfort levels
 - e) The vehicle has a minimum specification of climate control, all electric windows, central locking, suitable front and rear headrests for each passenger and additional legroom.
4. The vehicle will be in pristine condition with no visible defects, dents or blemishes to the external bodywork or internal trim and seating.
 5. The type of work undertaken is mainly 'executive' in nature. This means that the vehicle is used specifically to provide transport under a contract to a company or person(s), or by the type of clients who, for security or personal safety reasons, would not want the vehicle to be identifiable. Vehicles will only be used for bookings taken by an operator who has been issued with at least one plate exemption.
 6. Applications may only be made by a person holding a current private hire operator's licence issued by Sefton Council.
 7. Where an operator wishes to make an application for a vehicle to be exempt from displaying an external identification plate, they will be required to complete the appropriate application form along with any documentation that supports the application. Each applicant will be required to make a business case setting out the reasons why a vehicle may be exempted.
 8. The Council may require applicants to provide any additional documentation as reasonably necessary to allow the Council to make an informed decision. Where such documentation is not provided to the satisfaction of the Council, the application will be refused.
 9. Other than where to do so would conflict with the requirements of this policy, all vehicles granted an exemption notice must, in addition to the requirements of this policy, comply with the Council's Private Hire Vehicle Licence Conditions and Specifications.
 10. The exemption notice issued by the Council will be carried in the vehicle at all times and will be produced upon request to an authorised officer of the Council or any Police Officer. Any vehicle granted an exemption from displaying an external identification plate will be required to have the identification plate (normally displayed on the rear of the vehicle) affixed securely inside the boot in a visible location.
 11. Any vehicle granted an exemption from displaying the external identification plate will be still be required to display an internal licence card or sticker in the nearside top corner of the windscreen and in the top nearside of the rear window.

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12. When issued with an exemption notice, the vehicle will not be required to display any other signs. The operator will not display in, on or from the vehicle any advertisement or signage relating to the operating company or the vehicle's status as a private hire vehicle.
13. During the period of the exemption notice, the driver shall not be required to wear the private hire driver's identification badge but it must be available for immediate inspection by an authorised officer of the Council, any Police Officer, or client on request.
14. During the period of the exemption notice, the driver of the vehicle whilst engaged on executive hire work will be smartly dressed.
15. The operator shall not use the vehicle for private hire purposes other than for executive use (i.e. not for 'normal' airport journey's or daily private hire use) whilst the plate is removed.
16. The exemption will cease to have effect on selling or transferring the vehicle to another party. The person to whom the exemption is granted must inform the Council of the sale/transfer of ownership immediately and in writing, and provide details of the new owner.
17. The exemption notice must be returned to the Council along with the private hire vehicle identification plate unless being sold to another private hire operator licensed by the Council; in which case, only the exemption notice has to be returned.
18. A taximeter will not be installed in the vehicle.
19. Any applicant refused a vehicle plate exemption may appeal to the Environmental Health & Licensing Manager for reconsideration.

Agenda Item 12

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 25 June 2018
Subject:	Taxi Licensing Performance Report 2017/18		
Report of:	Head of Regulation and Compliance	Wards Affected:	
Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	N	Included in Forward Plan:	No
Exempt / Confidential Report:	N		

Summary:

To report the progress of the Taxi Licensing service during 2017/18.

Recommendation(s):

- (1) Note the contents of this report; and
- (2) Request that similar reports be brought on an annual basis.

Reasons for the Recommendation(s):

In order that the Licensing & Regulatory Committee can have an overview of the work carried out by the Taxi Licensing Service.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs

None

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
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The cost of the service is wholly recovered from the ring fenced Taxi Licensing Trade Account (Revenue Budget BD12).

Legal Implications:

Equality Implications:

There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable:

Facilitate confident and resilient communities:

Commission, broker and provide core services: Provide update on taxi licensing service provision.

Place – leadership and influencer:

Drivers of change and reform:

Facilitate sustainable economic prosperity:

Greater income for social investment:

Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 5185/18) has been consulted and notes the report indicates no direct financial implications for the Council. The Head of Regulation and Compliance (LD.4409/18.) has been consulted and any comments have been incorporated into the report.

(B) External Consultations

None

Implementation Date for the Decision

Immediately following the Committee meeting

Contact Officer:	Mark Toohey
Telephone Number:	Tel: Ext 2274
Email Address:	mark.toohey@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

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Background

- 1.1 The Taxi Licensing Service comprises two distinct service elements:
 - a) The licensing function, administered by Arvato through the Council's two One Stop Shops (OSS); and
 - b) The 'Enforcement' function provided by the Environmental Health and Licensing Section.
- 1.2 Policy is determined and reviewed by the Council's Licensing & Regulatory Committee and client feedback provided by an established trade consultation regime.
- 1.3 The primary role of taxi licensing is to ensure the safety of the travelling public by ensuring the drivers, operators and vehicles meet standards of safety and good conduct.

2. Licence Applications

- 2.1 For the period 1st April 2017 to 31st March 2018, a total of 9,107 driver and vehicle licence applications were dealt with. This figure is the total for all new, renewal or variations of licences for drivers and vehicles and represents an increase of approximately 43% from last year.
- 2.2 Licence applications year on year:

Month of	Total Number of Licence Applications	Total Number of Licence Applications	Total Number of Licence Applications	Change 2017/18 against 2016/17
	2015/16	2016/17	2017/18	
Apr	564	559	605	+46
May	518	504	662	+158
Jun	514	506	636	+130
Jul	566	504	637	+133
Aug	456	493	669	+176
Sep	575	530	705	+175
Oct	619	540	866	+326
Nov	626	525	899	+374
Dec	522	437	673	+236
Jan	644	548	826	+278
Feb	661	538	945	+407
Mar	664	693	984	+291
Total	6929	6377	9107	+2730

- 2.3 The 9107 licences processed can be broken down as follows;

Private Hire:	2017/18	2016/17
New driver licences	2211	1157
Renewal driver licences	1499	2548
New vehicle licences	1518	652
Renewal vehicle licences	2579	1418
Variations	596	(not recorded)

Hackney Carriage:

New driver licences	43	52
Renewal driver licences	157	131
New vehicle licences	0	0
Renewal vehicle licences	343	419
Variations	161	(not recorded)

2.4 The current number of live licences is as follows;

Private Hire Operators	98	88
Private Hire Drivers	4286	3425
Private Hire Vehicles	3747	3139
Hackney Carriage Drivers	340	354
Hackney Carriage Vehicles	271	271
Total number of live licences	8742	7277

Current licence numbers have increased by 1,465 since this time last year, an increase of around 17%.

3. Licence Appeals

- 3.1 Before the Council grants any driver licence, applicants have to demonstrate they are a 'fit and proper person' to hold that licence. The Council requires all drivers (new and renewals) to obtain an enhanced Disclosure and Barring Service (DBS) report which will contain information about any criminal records including motoring convictions.
- 3.2 If the applicants report breaches Council Policy, then the application will normally be refused. If this happens the applicant has a right of appeal to a Magistrates Court.
- 3.3 The first step in the appeal process is for the Council to review the original decision made during the application process at the One Stop Shop. This appeal is considered by a panel of officers who review the application data and hear representations from the applicants. The appeals panel have considered 85 cases from new applicants and allowed 26 applications whilst refusing 47 and 4 cases were successfully appealed in the Magistrates Court.
- 3.4 The panel is also convened to consider reports and allegations of misconduct by existing licence holders. In 2017/18 the panel considered 66 cases in which 12

Agenda Item 12

licences were allowed to remain in force, 9 were reinstated on appeal (after being revoked), 11 were suspended and 17 were revoked.

- 3.5 Typical reasons for refusing or revoking a licence include the possession or supply of drugs, theft, violence, offensive weapons, sexual offences and driving offences including drink & drug driving.

4. Hackney Carriage & Private Hire Vehicle Checks

- 4.1 Vehicle checks are an integral part of the Council's enforcement regime. The checks are carried out to ensure vehicles are safe. At the time of every vehicle licence application or renewal, a satisfactory test certificate from a Council approved testing station has to accompany the application. Once a licence is granted, vehicles are subject to ongoing checks throughout the duration of the licence period.

- 4.2 During the period 1st April 2017 to 31st March 2018, a total of 488 vehicle inspections were carried out.

- 4.3 The outcomes of the checks can be summarised as follows:

- a) Hackney Carriage On Street Inspections / Pre-Planned Inspections
- 60 vehicles inspected
 - 50% Fault Free – 24 vehicle defect notices issued, 2 stop notices issued.
- b) Private Hire On Street Inspections / Pre-Planned Inspections
- 428 vehicles inspected
 - 50% Fault Free – 181 vehicle defect notices issued, 44 stop notices issued.

- 4.4 Lighting, bodywork and tyres remain the most common faults.

5. Prosecutions

- 5.1 During the year the Council carries out targeted enforcement exercises to deter rogue drivers from illegally plying for hire. Offenders are typically 'non-Sefton' hackney carriage vehicles plying for hire within Sefton or private hire vehicles taking a fare without a pre-booking. In 2017/18 there were 8 prosecutions compared with 6 prosecutions the previous year.

6. The Knowledge Test

- 6.1 An integral part of the licence application process is the knowledge test. The test is designed to test a driver's knowledge of all current conditions contained in the Council's handbook. The tables below illustrate the knowledge test provision in the two One Stop Shops.

- 6.2 Knowledge Tests at the Bootle One Stop Shop

	Total Spaces	Booked Test	Actual Attendance	Attended and failed	Attended and passed	Bootle % pass rate attendees
TOTALS	1870	1613	1482	591	883	60%

6.3 Knowledge Tests at the Southport One Stop Shop

	Total Spaces	Booked Test	Actual Attendance	Attended and failed	Attended and passed	Southport % pass rate attendees
TOTALS	1020	654	576	194	381	66%

6.4 The figures show a 24% increase in the pass rate in the Bootle OSS and a 26% increase in Southport OSS during 2017/18 although the test was changed to the handbook test, (and no longer a geographic routes based test) on 1 July 2017.

7. Process handling in the One Stop Shops

7.1 Taxi licensing clients utilise the Council's facilities in one of two ways; either by appointment or by simply dropping in and waiting to be seen. The tables below illustrate service provision in the two One Stop Shops.

7.2 Customer Contact at Bootle One Stop Shop

Appts Offered	Appts Booked	Appts Kept	Drop Ins Seen	Drop Ins Not Seen	Total Taxi Interviews
401	395	246	14335	0	14581

7.3 Customer Contact at Southport One Stop Shop

Appts Offered	Appts Booked	Appts Kept	Drop Ins Seen	Drop Ins Not seen	Total Drop Ins
496	151	106	2112	0	2218

7.4 The statistics show that the greatest demand remains at the Bootle One Stop Shop. Drop-in totals have increased from 10,421 to 16,447.

8. Summary & the Year Ahead

8.1 The proactive approach adopted by the Taxi Licensing Unit is the key factor in ensuring the quality of hackney carriage and private hire vehicles and hence the safety of the travelling public. Joint operations with Merseyside Police and other local authorities will continue throughout the year.

8.2 The service will continue its 'plying for hire' exercises and will target vehicle defects by carrying out district vehicle checks.

8.3 The service faces challenges with the increasing number of applicants but has taken measures to ensure this does not impact on the taxi licensing or other services.

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- 8.4 Further reports will be presented to the Licensing & Regulatory Committee detailing any service enhancements as they take place.

Agenda Item 13

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 25 June 2018
Subject:	Local Licensing: Performance Report 2017/18		
Report of:	Head of Regulation and Compliance	Wards Affected:	(All Wards);
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To report the progress against the 2017/18 Local Licensing Service Plan.

Recommendations:

That Licensing and Regulatory Committee:

- i) Notes this report; and
- ii) Requests that similar reports be brought on an annual basis.

Reasons for the Recommendations:

In order that the Licensing & Regulatory Committee can have an overview of the work carried out by the Local Licensing Unit.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

Costs are met from within the existing Local Licensing Budget (BD11).

(B) Capital Costs

There are no financial costs associated with the proposals in this report

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Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Yes
Facilitate confident and resilient communities:
Commission, broker and provide core services: Yes
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources has been consulted and notes the report indicates no direct financial implications for the Council. (FD 5168/18).

Head of Regulation and Compliance has been consulted and any comments have been incorporated into the report. (LD 4392/18).

(B) External Consultations

None.

Implementation Date for the Decision

Immediately following the Committee meeting.

Contact Officer:	Kevin Coady
Telephone Number:	Tel: 0151 934 2946
Email Address:	kevin.coady@sefton.gov.uk

Appendices:

None.

Background Papers:

There are no background papers available for inspection.

1. Details of licensing applications accepted for process

- 1.1 During the period 1 April 2017 to 31 March 2018 1,062 applications were accepted for process under the Licensing Act 2003 ("the LA03"), this representing an 0.66% increase over the 1,055 applications received during the equivalent 12 month period for 2016/2017.
- 1.2 Under the Gambling Act 2005 ("the GA05"), 66 applications were accepted for process, this representing a 120% increase over the 30 applications received during the equivalent 12 month period for 2016/2017.
- 1.3 With respect to general licensing applications (pet shops, animal boarding, scrap metal dealers, personal treatment registrations etc.), 176 applications were received, this representing a 34.33% decrease over the 268 applications received during the equivalent 12 month period for 2016/2017.

2. Advertisement of certain LA03 applications

- 2.1 In order to ensure that Grant and Variation applications are brought to residents' / businesses' attention, since 25 April 2012 (via legislation introduced into the LA03 by The Police Reform and Social Responsibility Act 2011) the Licensing Unit has been required to advertise these types of applications on the Council website (this is in addition to the existing provisions which were retained whereby the applicant has to advertise the application in a newspaper and on the premises).
- 2.2 In respect of Sefton these Notices can be found via a dedicated page on the Council website via:

www.sefton.gov.uk/business/licensing-registration/entertainment,-alcohol-and-late-night-refreshment/licensing-act-public-notices.aspx.
- 2.3 During the relevant period there were 61 applications received which required such advertisement; these comprised of 46 Grant applications and 15 Variation applications, this representing a 4.69% decrease over the 64 applications received during the equivalent 12 month period for 2016/2017.

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3. Sefton's LA03 leafleting notification scheme

- 3.1 This scheme was formally adopted by Members at their Meeting on 6 June 2011. The scheme involves the Licensing Unit going over and above the advertising provisions of the LA03 by proactively informing those occupiers and owners of properties with curtilages abutting premises, who have made certain applications under the LA03, of the fact of that application.
- 3.2 During the period 1 April 2017 to 31 March 2018 there were 63 applications received which were caught by the scheme; these comprised 2 Review applications, 46 Grant applications and 15 Variation applications. This representing a 1.56% decrease over the 64 applications received during the equivalent 12 month period for 2016/2017.
- 3.3 As a consequence Licensing Officers sent out a total of 423 notifications to residents / businesses; the average being 6.7 notifications sent per application.
- 3.4 The Licensing Unit received no objections from residents / businesses as a result of this activity.

4. Reports submitted to Licensing Sub-Committee

- 4.1 During the relevant period 11 Reports were submitted by the Unit for consideration by the Licensing Sub-Committee, this representing a 8.33% decrease over the 12 Reports submitted during the equivalent 12 month period for 2016/2017.

5. Details of Reviews held

- 5.1 During the relevant period 2 review applications were received, this representing a 200% increase over the nil accepted during the equivalent 12 month period for 2016/2017.

6. Details of LA03 Licences surrendered

- 6.1 At their Meeting on 19 November 2012 Members RESOLVED that any future Performance Reports should "*provide details of surrendered Licences*".
- 6.2 During the period 1 April 2017 to 31 March 2018 25 Licences were surrendered, this representing a 24.24% decrease over the 33 Licences which were surrendered during the equivalent 12 month period for 2016/2017.

7. Programmed inspections

- 7.1 The guidance issued under Section 182 of the LA03 states that the "*2003 Act does not require inspections to take place save at the discretion of those charged with this role. Principles of risk assessment and targeted inspection (in line with the recommendations of the Hampton review) should prevail*".
- 7.2 The guidance issued under Section 25 of the GA05 states that local authorities "*should adopt a risk-based approach when determining the frequency at which gambling premises are to be inspected*".

- 7.3 In implementing both inspection regimes Sefton has adopted these recommended approaches.
- 7.4 The minimum number of inspections contained within the Departmental Plan for 2017/2018 for the Licensing Unit was 100 inspections.
- 7.5 The following number of inspections were undertaken between 1 April 2017 and 31 March 2018:

Inspection Regime	Number of inspections for year
Licensing Act 2003	55
Gambling Act 2005	6
LGMPA 1982	2

- 7.6 The inspection programme was not completed due to a Licensing Officer vacancy that was not filled until the latter part of the year.
- 7.7 During the inspections themselves, licensing officers carry out a proactive audit of the premise against its licensing conditions reviewing the suitability of the licence conditions against current use as well as reviewing any mandatory conditions imposed by the LA03 or the GA05 as applicable.
- 7.8 Officers also actively promote Council initiatives such as 'Knock Back' as well as the continued usage of the Council Door Supervisor Logbooks, the Designated Premise Supervisor delegation forms as well as publicising the Drink Less Enjoy More initiative.

8. Details of Service Requests received

- 8.1 During the relevant period the Unit received and dealt with 994 service requests. This representing a 29.60% decrease over the 1,412 service requests received during the equivalent 12 month period for 2016/2017. Of these 27 took the form of LA03 complaints, 1 concerned GA05 complaints and 3 concerned general licensing complaints.
- 8.2 With regard to the 'Knock Back' scheme the Unit dealt with 2 queries and/or requests for packs to be sent out; in addition 12 Doorman Logbooks were requested and dispatched.
- 8.3 Of the remaining service requests the following were requests to the section for guidance, advice or information: 655 under the LA03, 41 under the GA05, with 253 under general licensing.
- 8.4 All of the above matters have been attended to within the departmental timescales laid down for such matters.

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Report to:	Licensing and Regulatory Committee Council	Date of Meeting:	Monday 25 June 2018 Thursday 19 July 2018
Subject:	Final draft revised Statement of Licensing Policy – Licensing Act 2003		
Report of:	Head of Regulation and Compliance	Wards Affected:	(All Wards);
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To seek Members' comments on the final draft revised Statement of Licensing Policy and to then refer to Council for approval.

Recommendations:

That the Licensing and Regulatory Committee:

- i) Consider and agree the final draft of the revised Statement of Licensing Policy, attached at Annex 2; and,
- ii) Refer the agreed revised Statement of Licensing Policy to Council for approval.

That Council:

- i) Approve the revised Statement of Licensing Policy, attached at Annex 2.

Reasons for the Recommendations:

To enable the timely review of the Statement of Licensing Policy.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

There are no financial costs associated with the proposals in this report

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(B) Capital Costs

There are no financial costs associated with the proposals in this report

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Yes
Facilitate confident and resilient communities:
Commission, broker and provide core services: Yes
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources has been consulted and notes the report indicates no direct financial implications for the Council. (FD 5170/18).

Head of Regulation and Compliance has been consulted and any comments have been incorporated into the report. (LD 4394/18).

(B) External Consultations

Consultation exercise took place between 5 February 2018 and 2 April 2018

Implementation Date for the Decision

Immediately following the Committee meeting.

Contact Officer:	Kevin Coady
Telephone Number:	Tel: 0151 934 2946
Email Address:	kevin.coady@sefton.gov.uk

Appendices:

Annex 1 – Responses received to consultation exercise.
Annex 2 – Final draft revised Statement of Licensing Policy.

Background Papers:

There are no background papers available for inspection.

1. Background

- 1.1 Members will recall that Section 5 of the Licensing Act 2003 (“the LA03”) formally requires that the Licensing Authority has to prepare and publish a statement of its licensing policy (“the Policy”) every five years. During each five year period, the Licensing Authority must keep the Policy, in respect of that period, under review and make such revisions to it, at such times, as it considers appropriate.
- 1.2 The existing Policy has been kept under review since coming into force on 9 December 2013 and no revision has been deemed necessary to date. It will require reviewing in 2018 in order for a revised Policy to come into effect from 9 December 2018 (when the new five year cycle will commence).
- 1.3 Before determining its Policy, the Licensing Authority must consult the persons listed in Section 5(3) of the LA03. Those being:
 - The chief officer of police for the area;
 - The Director of Public Health;
 - The fire authority for the area;
 - Persons/bodies representative of local holders of premises licences;
 - Persons/bodies representative of local holders of club premises certificates;
 - Persons/bodies representative of local holders of personal licences; and,
 - Persons/bodies representative of businesses and residents in its area.
- 1.4 The views of the above have to be given appropriate weight when the Policy is being determined.
- 1.5 In addition to the above, the Authority must also have regard to Guidance issued under Section 182 of the LA03 by the Home Office.

2.0 Consultation process

- 2.1 The consultation took place between 5 February 2018 to 2 April 2018.

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2.2 The consultation consisted of:

- i) Publishing the draft revision, a list of the alterations made, a consultation response proforma and general information on the Sefton Council Website (www.sefton.gov.uk) and via Sefton Council's Consultation Finder (www.engagespace.co.uk/sefton);
- ii) News items placed on the Sefton Twitter account and the Sefton Facebook page;
- iii) Placing copies of the draft revision, and the list of the alterations made, in local libraries; and,
- iv) Through press releases to all local press agencies.

2.3 In addition to the general consultation/awareness raising referred to above specific consultations also took place where a letter, copy of the changes proposed and copy of revised Policy were forwarded for comment to:

Letter and copy of the Policy were sent to Merseyside Police; Merseyside Fire and Rescue; the local Health Body; Sefton Council Environmental Health & Licensing Section; Sefton Council Planning; Sefton Council Safeguarding Children's Unit; and Home Office Immigration Enforcement; British Beer & Pub Association; British Institute of Innkeepers; Federation of Licensed Victuallers Association; Association of Licensed Multiple Retailers; Association of Convenience Stores; the Wine and Spirit Trade Association; Committee of Registered Clubs Association; Chartered Institute of Environmental Health; Highfield Awarding Body for Compliance; Industry Qualifications; Laser Learning Awards; Pearson Education; Qualifications Network; Training Qualifications UK; the Scottish Qualifications Authority; Sefton Chamber of Commerce; the Southport BID Team; and to all Borough Councillors, Sefton Members of Parliament and Parish Council Clerks.

2.4 A full list of responses to the consultation exercise, together with the officer appraisal of those responses, is provided at Annex 1 to this report.

3.0 Further revisions made to Policy

3.1 As a result of the consultation, and changes to the S.182 Guidance, further amendments have been made to the Policy, these being additional to those outlined within the Report to Members on 8 January 2018, and these are indicated below.

3.2 Paragraph 1.8 Sefton population changed to 274,853 to reflect 2016 Census figures.

3.3 Paragraph 1.9 repeated first sentence deleted.

3.4 Following sentence added to second bullet point in paragraph 1.9:

Southport Business Improvement District, the Council, Merseyside Police, Pubwatch, Light for Life and Street Pastors have been successful in applying for Purple Flag status.

3.5 In paragraph 1.10 *Unitary Plan* changed to *Local Plan*.

3.6 Paragraph 1.13 the following added to the end:

Southport Business Improvement District funds two regulated Taxi Marshalls every Friday and Saturday and selected Bank Holidays and special events from midnight to 4am. The Marshalls being located at the Lord Street taxi rank.

3.7 Paragraph 3.2 altered to include “local pubwatches” between “local businesses” and “community representatives”, to now read:

To achieve these objectives the Authority will use a full range of measures including its planning, transport and crime and disorder policies and powers. The Authority will work in partnership with Merseyside Police, Merseyside Fire Authority, local businesses, local pubwatches, community representatives and local people in meeting these objectives.

3.8 Paragraph 3.3 first bullet point re-drafted to now read:

- *The layout of the local area and physical environment including crime and disorder hotspots, hotspots of ill health (particularly children) caused by alcohol, proximity to residential premises and proximity to areas where children may congregate;*

3.9 Paragraph 3.5 altered to include the following at the end of the bullet point:

- *Illegal sale of alcohol to those who are already drunk;*
- *Participation in any existing radio network scheme*

3.10 Paragraph 3.9 penultimate bullet point re-drafted to now read:

- *Measures to be taken to reduce drunkenness on the premises, e.g. the “Drink Less Enjoy More” scheme;*

3.11 Paragraph 4.1 health added to list top now read:

The Authority will ensure proper integration of this and other related policies and strategies, including its cultural, economic development, local crime prevention, health, planning, race equality, transport, tourism and town centre management strategies, through consultation, ongoing communication and reporting arrangements between the Licensing and Regulatory Committee, the Licensing Unit and other relevant bodies.

3.12 Paragraph 4.8 redrafted to now read:

The Authority also encourages Licencees to give consideration to the National Alcohol Harm Reduction Strategy and any Alcohol Harm Reduction Strategy that may be in force from Sefton Council, in particular the contribution they can make to reducing the harm caused by irresponsible consumption of alcohol.

3.13 9.0 Section heading changed to now read Cumulative Impact Assessment.

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3.14 Paragraph 9.1 to 9.6 re-drafted and replaced with below:

- 9.1 *A cumulative impact assessment (“CIA”) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.*
- 9.2 *Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes:*
- *local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;*
 - *statistics on local anti-social behaviour offences;*
 - *health-related statistics such as alcohol-related emergency attendances and hospital admissions;*
 - *environmental health complaints, particularly in relation to litter and noise;*
 - *complaints recorded by the local authority, which may include complaints raised by local residents or residents’ associations;*
 - *residents’ questionnaires;*
 - *evidence from local councillors; and*
 - *evidence obtained through local consultation.*
- 9.3 *The CIA must include a statement saying that the licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority’s duty to promote the licensing objectives.*
- 9.4 *The Act does not stipulate how the CIA should be used once published, because the requirements for determining applications for new licences or variations are the same in areas with a CIA as they are elsewhere. However, any CIA published by a licensing authority must be summarised in its statement of licensing policy. Under section 5(6D) a licensing authority must also have regard to any CIA it has published when determining or revising its statement of licensing policy.*
- 9.5 *This Authority has not published a CIA, however it should be noted that although the publication of a CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the Act.*
- 9.6 *Each decision in an area subject to a CIA would still need to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. It is also noted that the publication of a CIA*

would not remove a licensing authority's discretion to grant applications for new licences or applications to vary existing licences, where the authority considers this to be appropriate in the light of the individual circumstances of the case.

3.14 A copy of the Final Draft of the Policy is to be found within Annex 2.

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Ref	Respondent	Comments	Appraisal	Response
001	Hugh Evans CEO, Southport BID	<p>Could you include in the General Statement the following:</p> <p>A partnership comprising Southport Business Improvement District, Sefton Council, Merseyside Police, Pubwatch, Light for Life, and Street Pastors was successful in applying for Purple Flag status. The Purple Flag standard, launched in 2007, is an accreditation process similar to the Green Flag award for parks and the Blue Flag for beaches. It allows members of the public to quickly identify town and city centres that offer an entertaining, diverse, safe and enjoyable night out. The assessment criteria considered a number of factors including cleanliness and safety, movement and transport, the range of attractions, entertainment and events, high quality environment and evidence of strong partnership working.</p> <p>1.13. Could you include "Southport Business Improvement District funds two regulated Taxi Marshalls every Friday and Saturday and selected Bank Holidays and special events from midnight to 4am. The Marshalls are located at the Lord Street taxi rank."</p> <p>3.2 Could you add: "Southport Business Improvement District and Southport Pubwatch"?</p> <p>3.4 Applicants should also indicate that they will be seeking to join the local Pubwatch scheme.</p>	<p>Appropriate to include in Policy</p> <p>Appropriate in include in Policy</p> <p>Southport BID included in "local businesses" so not appropriate to amend. Appropriate to include "local pubwatches"</p> <p>Appropriate to include, however already mentioned in 3.5</p>	<p>Policy amended, sentence including mentioning attainment of Purple Flag in second bullet point.</p> <p>Policy amended, sentence included at end of Paragraph 1.13.</p> <p>Policy amended "Local "pubwatches" included within 3.2.</p> <p>No change</p>

Ref	Respondent	Comments	Appraisal	Response
		3.5 A willingness to join the town centre radio network.	Appropriate to include general statement: <i>Participation in any existing radio network scheme</i>	Policy amended.
002	Sgt Craig Carmichael Merseyside Police Central Licensing	No observations to make	N/A	N/A
003	Alan McGee Public Health Lead (Substance Use and Sexual History) Public Health Merton House Bootle	<p>Page 3 – 1.8 Sefton Population 274,853 based on 2016 census</p> <p>Page 3 – 1.9 sentence is repeated</p> <p>Page 3 – 1.10 Change ‘Unitary’ to Local Plan</p> <p>Page 4 – 1.18 can we add to ‘help both the public and industry professionals’ including representations from public health to</p> <p>Page 4 – 1.19 change to local strategies and position statements on alcohol are taken into account</p> <p>Page 7 – 3.2 change to ‘crime and disorder and health policies’</p> <p>Page 8 – 3.3 to include hot spots of ill health (particularly children) caused by alcohol</p> <p>Page 8 – 3.3 examples of local initiatives could also include ‘drink less enjoy more’</p> <p>Page 8 – 3.5 to include ‘illegal sale of alcohol to those who are already drunk’</p> <p>Page 10 – 3.9 could include drink less enjoy</p>	<p>Appropriate to change</p> <p>Appropriate to change</p> <p>Appropriate to change</p> <p>Not appropriate to change as wording has been agreed by the 9 local authorities in Cheshire/Merseyside</p> <p>See above</p> <p>Not appropriate to include</p> <p>Appropriate to change</p> <p>Covered under “other schemes”</p> <p>Appropriate to change</p> <p>Appropriate to change</p>	<p>Policy amended</p> <p>Policy amended</p> <p>Policy amended</p> <p>No change.</p> <p>No change.</p> <p>No change</p> <p>Policy amended</p> <p>No change</p> <p>Policy amended</p> <p>Policy amended</p>

Ref	Respondent	Comments	Appraisal	Response
		<p>more</p> <p>Page 11 – 4.1 crime prevention and health planning</p> <p>Page 12 – 4.7 Sefton does not have an alcohol harm reduction strategy</p> <p>Page 16 – 6.3 add evidence of negative impact on health</p> <p>Page 18 – 9.2 exceptional problems to health, disorder and nuisance.....</p> <p>Page 18 – 9.6 can this include ‘cumulative impact on health’ linked to the 4 objectives.</p>	<p>Appropriate to change</p> <p>Appropriate to change</p> <p>Public health not a licensing objective</p> <p>Appropriate to include as wording can be found in S182 Guidance</p> <p>Public health not a licensing objective</p>	<p>Policy amended</p> <p>Policy amended</p> <p>No change</p> <p>Policy amended</p> <p>No change</p>
004	<p>Philippa Borrowman Policy & Information Officer British Beer & Pub Association Brewer’s Hall Aldermanbury Square London</p>	<p>Responding to 1.14 to 1.17 of the changes to the Policy. States that the BBPA and its members support a number of initiatives which work to cut down on alcohol related harm whilst supporting a vibrant night time economy. Indicates that they have worked hard to promote best practice of operating well-run businesses and the partnership initiatives that support them, to help to tackle alcohol-related issues and improve safety.</p> <p>States it strongly supports policies and initiatives targeted at “the minority of those who misuse alcohol” and that they view this as the best way to reduce alcohol harm.</p> <p>Stated examples of current best practice in the industry that the BBPA and its members support, in particular the “Responsibility Deal” which has removed 1 billion units of alcohol from the market.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>

Ref	Respondent	Comments	Appraisal	Response
		<p>Indicated the number of partnerships they work with, including Pubwatch, Best bar None etc.</p> <p>With regard to Paragraph 1.16, would like further clarification on how this would be achieved and would be concerned with initiatives that sought to restrict the sale of particular beer brands.</p>	<p>N/A</p> <p>Paragraph is a statement of intent. Any initiatives would be brought in by the 9 Cheshire/Merseyside authorities in tandem, this after consultation with the industry. Not appropriate to outline in the Policy.</p>	<p>N/A</p> <p>No change</p>



SEFTON METROPOLITAN BOROUGH COUNCIL

LICENSING ACT 2003

LICENSING POLICY STATEMENT

Draft Version 2

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ANNEXES

The following annexes do not form part of the approved Statement of Licensing Policy but are included to assist applicants in meeting the requirements of the licensing process.

- Annex 1 - Map of Sefton
- Annex 2 - Contact details for responsible authorities
- Annex 3 - Crime and Disorder
- Annex 4 - Public Safety
- Annex 5 - Public Nuisance
- Annex 6 - Children

1.0 GENERAL STATEMENT

- 1.1 Sefton Metropolitan Borough Council (“the Council”) is the Licensing Authority (“the Authority”), under the Licensing Act 2003 (“the Act”), responsible for granting Premises Licences, Club Premises Certificates, Temporary Event Notices and Personal Licences in respect of the retail sale and/or supply of alcohol and the provision of Regulated Entertainment and Late Night Refreshment.
- 1.2 The Act requires that the Council publish a statement of licensing policy. Accordingly this policy statement has been prepared and published in compliance with the requirements of Section 5 of the Act and with regard to guidance issued under Section 182 of that Act. In drawing up this policy the Council has also had regard to the nature of the Borough and the needs and wishes of the communities it serves and has consulted with all the statutory consultees and other appropriate bodies.
- 1.3 This policy statement sets out the general approach to the making of licensing decisions. It does not prevent any individual from making any application, under the terms of the Act, and having that application considered on its individual merits. Nor does it override the right of any person to make representations on an application or to seek a review of a licence or certificate where the Act allows them to do so.
- 1.4 This policy statement will be subject to a periodic review every five years, between those periodic reviews it may also be subject to ongoing reviews, particularly where feedback indicates that the Licensing Objectives are not being met.
- 1.5 In carrying out its licensing functions the Authority will promote the Licensing Objectives which are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

See Section 3.0 for more information.

Sefton

- 1.6 Sefton is one of the six Metropolitan Boroughs that make up Merseyside. It lies in the northern part of the Liverpool City Region with which it shares close economic, social, cultural and transport links and stretches 22 miles north from Bootle to Southport. It also has important links to Preston and West Lancashire. Sefton adjoins the City of Liverpool to the south, the borough of Knowsley to the south-east, and the largely rural West Lancashire elsewhere. The location of Sefton is shown by the map provided at Annex 1.
- 1.7 Sefton is an area of great contrasts with beautiful coastlines, rural landscapes and industrial/commercial areas; working docklands, commuter towns and a busy seaside resort; areas of great affluence but also some of the most deprived

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communities in England and Wales. Sefton has a number of famous features that help make it distinctive. These include the resort of Southport, an outstanding natural coast, the home of the Grand National at Aintree, England's 'golf coast' including Royal Birkdale, and Antony Gormley's 'Iron Men' sculptures on Crosby beach with most of the Port of Liverpool being situated in the south of the Borough.

- 1.8 Sefton has a resident population of 274,853 (2016 census) and has a high proportion of retired people, widowed people and long term unemployed when compared with the rest of England and Wales.
- 1.9 The main centres of population are the urban and suburban areas of Bootle, Crosby, Maghull, Formby and Southport.
- Bootle is an area of mainly Victorian terraced properties, with busy working docklands and a mixture of retail and office developments at its centre. In recent years, much of the area was designated as part of the Merseyside 'Housing Market Renewal Area'. The initiative has begun to change the housing quality, type and tenure available, mainly through demolition of low-demand homes and clearance of low grade or vacant industrial sites and rebuilding of new homes.
 - Southport at the north of the Borough has a traditional, quality image, borne out of its Victorian and Edwardian architectural and landscape grandeur. This heritage has led to Southport being described as a 'classic resort'. This, coupled with family attractions and recent growth in 'eco-tourism', has enabled it to endure changing holiday patterns. There has been significant investment in the town centre and Seafront in recent years, but both its leisure and retail areas continue to need to be revitalised. Southport Business Improvement District, the Council, Merseyside Police, Pubwatch, Light for Life and Street Pastors have been successful in applying for Purple Flag status.
 - Formby, Crosby and Maghull are largely residential with a smaller number of commercial premises, there are therefore relatively few employment areas here. These are however distinctive settlements in their own right, and all function as commuter settlements for the Liverpool City Region.
- 1.10 The Local Plan for Sefton will allow development in town centre areas as long as it does not cause significant harm to amenity, would not result in grouping of similar uses which would harm the character of the area or harm residential amenity. Planners may use conditions to restrict opening hours.
- 1.11 There have been a number of studies in recent times relating to the night-time economy, particularly in relation to the "classic" resort status of Southport, these have helped shape Sefton's vision for developing a sustainable pattern of licensing, as expressed in 1.14 below.
- 1.12 Noise has been a problem in certain areas and from certain premises, with complaints about licensed premises tending to relate to poorly constructed or

poorly managed premises. Complaints are also received about noise and disturbance from people going to or leaving licensed premises, this is mainly in the areas of greatest concentration of licensed premises or from premises located in residential areas.

- 1.13 Trains and buses do not operate all night and whilst there are up to 2000 licensed taxis and private hire vehicles in the borough, problems can arise at times of high demand with insufficient transport readily available for the large numbers of potential customers. Southport Business Improvement District funds two regulated Taxi Marshalls every Friday and Saturday and selected Bank Holidays and special events from midnight to 4am. The Marshalls being located at the Lord Street taxi rank.

Statement of intent

- 1.14 Councils in Cheshire and Merseyside are planning to use licensing laws to reduce crime, anti-social behaviour and poor health caused by alcohol.
- 1.15 The drive aims to promote a 'healthier relationship' with alcohol in communities and improved wellbeing through the powers available in the Act.
- 1.16 Evidence shows the easy availability and affordability of cheap, strong alcohol contributes to the harm experienced by those most vulnerable. We aim to support the wellbeing of these local residents and communities by using the powers of the Act to limit access to this type of alcohol.
- 1.17 Nine areas in Cheshire and Merseyside are working together to support local communities to identify ways of reducing alcohol-related harm, while at the same time ensuring night time economies remain safe, vibrant and popular.
- 1.18 To achieve this we will employ a number of practical approaches and will help both the public and industry professionals gain access to the skills necessary to participate effectively in their part of the licensing process. We will:
- Work with national bodies to identify the latest advice and guidance and agree a consistent approach across Cheshire and Merseyside.
 - Identify best practice in licensing and look to extend successful local initiatives more widely where there is good evidence for reducing harm to vulnerable residents.
 - Engage and involve local retailers and communities.
 - Signpost the availability of evidence and provide guidance on using it in the licensing process.
- 1.19 This approach will be co-produced by the nine Local Authorities in Cheshire and Merseyside and will ensure local alcohol strategies are taken into account.

2.0 SCOPE

- 2.1 This Policy Statement covers the following 'licensable activities':

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SEFTON METROPOLITAN BOROUGH COUNCIL – LICENSING POLICY STATEMENT

- The licensing of individuals for the retail sale of alcohol (Personal Licence);
 - The licensing of premises for the retail sale of alcohol, provision of regulated entertainment or late night refreshment (Premises Licence);
 - The supply of alcohol or the provision of regulated entertainment to certain clubs (Club Premises Certificate);
 - The permitting of certain licensable activities on a temporary basis (Temporary Event Notice)
- 2.2 In this regard the policy covers new applications, renewals, transfers, variations and minor variations of Licences and also includes the review of Licences and Certificates, which could lead to revocation.
- 2.3 It should be noted that incomplete applications will be returned to the applicant and the period for determination will not commence until a valid application has been submitted.

Personal Licences

- 2.4 A Personal Licence is granted to an individual and authorises the supply of alcohol in accordance with a Premises Licence.
- 2.5 An applicant has to demonstrate that they have an appropriate licensing qualification, are aged over 18 years, do not have a relevant or foreign criminal conviction or have been required to pay an immigration penalty. In addition they must also demonstrate that they have the right to work within the United Kingdom.
- 2.6 The holder of a Personal Licence is required by the Act to report (as soon as reasonably practicable) to the Licensing Authority any change to their name or address. Similarly should they receive a conviction for any relevant criminal offence or foreign offence or have been required to pay an immigration penalty they must report this in writing (again as soon as reasonably practicable). On receipt of which the Licensing Authority has the discretion to suspend, for up to 6 months, or to revoke the Licence. In addition any Personal Licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the United Kingdom.
- 2.7 Further information on this type of Licence can be found on the Sefton Council website at www.sefton.gov.uk.

Premises Licences and Club Premises Certificates

- 2.8 A Premises Licence / Club Premises Certificate is required for any premises where it is intended that a licensable activity should take place.
- 2.9 The Act states that the following persons may apply for a Premises Licence in respect of any premises:

- A person who carries on, or proposes to carry on, a business which involves the use of the premises for the licensable activities to which the application relates;
 - Any person who makes the application pursuant to:
 - i) any statutory function discharged by that person which relates to those licensable activities, or
 - ii) any function discharged by that person by virtue of Her Majesty's prerogative,
 - iii) a recognised club,
 - iv) a charity,
 - v) the proprietor of an educational institution,
 - vi) a health service body,
 - vii) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital,
 - viii) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England,
 - ix) a chief officer of police of a police force in England and Wales,
 - x) a person of such other description as may be prescribed.
 - An individual may not apply for a premises licence if s/he is not aged 18 or over.
 - An individual who is resident in the United Kingdom may not apply for a Premises Licence authorising premises to be used for the sale of alcohol and/or late night refreshment unless the individual is entitled to work in the United Kingdom.
- 2.10 The grant of a Club Premises Certificate means that a club is entitled to certain benefits, which include the authority to supply alcohol to its members and sell it to guests without the need for any member or employee to hold a personal licence, and the absence of a requirement to specify a designated premises supervisor. There are also more limited rights of entry for the police and other authorised persons, as the premises are considered private and not generally open to the public.
- 2.11 Unless requested by the applicant, the Licence / Certificate will not be time limited. However any Premise Licence issued in respect of an application made on or after 6 April 2017 (and including the sale of alcohol and/or late night refreshment) will become invalid if the individual holder ceases to be entitled to work in the United Kingdom.
- 2.12 Further information on this type of Licence / Certificate can be found on the Sefton Council website at www.sefton.gov.uk.

Late Night Refreshment

- 2.13 The provision of late night refreshment is defined as the supply of hot food or hot drink on or from premises to members of the public between 11pm and 5am for

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consumption on or off the premises. Schedule 2 of the Act makes provision for exempt supplies of hot food or hot drink; these include supplies which can only be made from premises which are recognised clubs or hotels to persons admitted to those premises as a member of the club or as an overnight guest at the hotel, and supplies by means of a self service vending machine or which are free.

- 2.14 Changes made to Schedule 2 of the Act by the Deregulation Act 2015 provide a licensing authority with the discretionary powers to exempt the supply of late night refreshment from the licensing regime if it takes place:
- i) On or from premises which are wholly situated in a designated area;
 - ii) On or from premises which are of a designated description; or
 - iii) During a designated period (beginning no earlier than 11pm and ending no later than 5am).
- 2.15 The Authority has not yet exercised these powers; if it should then a list of any designated areas, designated descriptions or designated periods will be included as an Annex to this Policy.

Temporary Event Notices

- 2.16 The Act states that the organiser of a Temporary Event must give the Licensing Authority, the local authority exercising environmental health functions and the Police notice of the event.
- 2.17 The Act states that a “standard” Temporary Event Notice (“TEN”) may be served (up to) 10 working days prior to a permitted Temporary Event, whilst a “late” TEN may be served (up to) 5 working days prior to a permitted Temporary Event.
- 2.18 TENs are subject to certain limits, which are set by statute, further information on these can be found on the Sefton Council website at www.sefton.gov.uk.

3.0 LICENSING OBJECTIVES

- 3.1 In carrying out its licensing functions the Authority will promote the Licensing Objectives which are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
- 3.2 To achieve these objectives the Authority will use a full range of measures including its planning, transport and crime and disorder policies and powers. The Authority will work in partnership with Merseyside Police, Merseyside Fire Authority, local businesses, local pubwatches, community representatives and local people in meeting these objectives.
- 3.3 Applicants will be expected to undertake their own enquiries about the area in which their premises are situated to inform the content of their application and in

particular they will be expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- The layout of the local area and physical environment including crime and disorder hotspots, hotspots of ill health (particularly children) caused by alcohol, proximity to residential premises and proximity to areas where children may congregate;
- Any risk posed to the local area by the applicants' proposed licensable activities; and
- Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

3.4 Applicants will be expected to include positive proposals in their application on how they will manage any potential risks. For example, premises with close proximity to residential premises should consider smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

Prevention of Crime & Disorder

3.5 When making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the Crime and Disorder objective, applicants should consider the following matters in particular:

- The capability of the person in charge to ensure effective and responsible management of the premises;
- The training given to staff in crime prevention measures;
- Procedures for risk assessing promotions and events, such as 'happy hours' in relation to crime and disorder, and the plans to minimise such risks;
- Adoption of best practice in relation to safer clubbing etc;
- Physical security features installed in the premises (i.e. location and standard of CCTV equipment, toughened drinking glasses etc);
- Measures to prevent the supply of illegal drugs, including search and entry policies;
- Employment of SIA licensed door supervisors;
- Participation in an appropriate crime prevention scheme (e.g. 'pubwatch');
- Measures to be taken for the prevention of violence and disorder;
- The presence, or access to, sufficient transport facilities to ensure that customers can leave the premises safely and swiftly;
- Weapon detection and search facilities;
- Illegal sale of alcohol to those who are already drunk;
- Participation in any existing radio network scheme

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- 3.6 Annex 3 gives further guidance as to the type of measures applicants may wish to include in their Operating Schedules with regard to this objective.

Public Safety

- 3.7 When making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the Public Safety objective, applicants should consider the following matters in particular:

- The safe occupancy capacity of the premises, in particular having regard to floor area and means of escape;
- The age, design and layout of the premises, including the means of escape;
- The nature of the licensable activities provided, in particular the sale of alcohol;
- Hours of operation;
- Customer profile (age, disability etc);
- The necessary Health and Safety and Fire risk assessments for the premises, and other measures to reduce risk to public safety;
- The number of people employed or engaged to secure the safety of all persons attending the premises or event;
- Where appropriate, noise exposure controls, for both staff and public, which have been detailed in accordance with the appropriate legislation;
- Arrangements to ensure that litter, generated by activities at the premises, does not present a fire hazard;
- Implementation of appropriate crowd management measures

- 3.8 Annex 4 to this Policy gives some further guidance as to the type of measures applicants may wish to include in their Operating Schedules with regard to this objective.

Prevention of Public Nuisance

- 3.9 When making licence applications, in providing evidence within the Operating Schedule that suitable and sufficient measures will be in place to address the Public Nuisance objective, applicants should consider the following matters in particular:

- The type of activity, its frequency and the number and nature of customers likely to attend;
- Measures taken, or proposed, to prevent noise and/or vibration escaping from the premises given its location and proximity to residential and other noise sensitive premises. This would include music, plant noise and human voice, whether amplified or not;
- Measures taken to prevent the transmission of sound and/or vibration to adjoining properties;
- Measures taken, or proposed, for management and supervision of the premises and open areas to minimise unreasonable disturbance by customers and staff arriving or leaving the premises, including the delivery of goods and services;

- The proposed hours of operation for all, or parts, of the premises;
 - Measures taken to prevent cooking odours and other smells escaping from the premises;
 - Means of access to and egress from the premises, including customer entrances and exits on principal pedestrian routes;
 - Whether routes to and from the premises pass residential premises;
 - Whether the premises would result in increased refuse storage, disposal problems or additional litter in the vicinity of the premises, including measures taken to ensure the collection and disposal of litter and waste outside the premises;
 - Measures to be taken to reduce drunkenness on the premises, e.g. the “Drink Less Enjoy More” scheme;
 - If appropriate, a ‘wind down’ period between the end of the licensable activities and closure of the premises;
- 3.10 If sound leakage from the premises is identified by the applicant, or any responsible authority, the Authority will expect this to be addressed in practical ways, such as:
- Keeping doors and windows closed and providing adequate mechanical ventilation, or if necessary, air conditioning;
 - Reducing sound levels and installing a sound limiting device to prevent sound exceeding the appropriate level;
 - Installing soundproofing measures to contain sound and vibration
- 3.11 In premises where customers leave late at night, or early in the morning, the Authority will expect the applicant to have included, in the Operating Schedule, such practical steps as:
- Erecting prominent notices at the exits to the premises asking customers to leave quietly and not to slam car doors;
 - At appropriate time making loud speaker announcements to the same effect;
 - Instructing door staff to ask customers leaving the premises to do so quietly;
 - Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down;
 - Improving availability of licensed taxis or private hire vehicles to take customers from the premises;
 - Refusing entry to people known to regularly leave in a noisy manner;
 - The supervision of any queues so as to keep noise and disturbance to a minimum
- 3.12 Annex 5 to this Policy gives further guidance as to the type of measures applicants may wish to include in their Operating Schedules with regard to this objective.

Protection of Children from Harm

- 3.13 It is not possible to anticipate every issue of concern that could arise with regard to each individual premises in respect of children, however, when making licence applications, in providing evidence within the Operating Schedule that suitable and

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sufficient measures will be in place to address the protection of children from harm objective, applicants should, in particular, consider how they will prevent children from:

- Acquiring or consuming alcohol;
- Being exposed to drugs, drug taking or drug dealing;
- Being exposed to gambling;
- Being exposed to entertainment of an adult or sexual nature;
- Being exposed to incidents of violence or disorder;
- Being exposed to excessive noise.

3.14 With regard to the mandatory condition concerning age verification policies, the Authority recommends that the following documents should be used as proof of age:

- Passport;
- 'Photocard' Driving Licence; or,
- Any PASS (Proof of Age Standards Scheme) card (details from www.pass-scheme.org.uk).

3.15 The Authority will normally require persons working with children, in respect of premises holding under 18 regulated entertainment, to undergo an enhanced Criminal Records Bureau check before they are appointed.

3.16 In recent years there has been an increasing awareness of the problems in society generally connected with Child Sexual Exploitation. It is this Authority's opinion that Child Safeguarding is everyone's responsibility and that licensed premises should be vigilant in this regard particularly those premises which may be expected to attract under 18 year olds such as nightclubs, fast food outlets, cinemas screening children's films etc. Operators of licensed premises should have in place appropriate child safeguarding measures and should seek the advice of the Council's Safeguarding Children's Unit in this respect.

3.17 Annex 6 to this Policy gives further guidance as to the type of measures applicants may wish to include in their Operating Schedules with regard to this objective.

4.0 LINKS TO OTHER POLICIES

4.1 The Authority will ensure proper integration of this and other related policies and strategies, including its cultural, economic development, local crime prevention, health, planning, race equality, transport, tourism and town centre management strategies, through consultation, ongoing communication and reporting arrangements between the Licensing and Regulatory Committee, the Licensing Unit and other relevant bodies.

4.2 All licensing activities will be undertaken in compliance with the Authority's Race Equality Scheme which recognises its responsibilities under the Race Relations Act 1976.

- 4.3 This Policy Statement also recognises the Disability Discrimination Act 1995 as well as recognising that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 4.4 The Authority has a duty under Section 17 of the Crime and Disorder Act 1998 to promote the prevention of crime and disorder and it will also have regard to these duties when determining applications.
- 4.5 The Authority recognises the need and wider cultural benefits of encouraging and promoting a broad range of entertainment, particularly live music, dance and theatre and will seek to avoid measures that unnecessarily deter the provision of such entertainment. Working with the Sefton Cultural Strategy Group, the Authority will seek to monitor the impact of licensing on the provision of regulated entertainment, particularly live music, dance and theatre.
- 4.6 The Authority recognises the impact of irresponsible consumption of alcohol on crime, disorder and health and will expect Licensees to ensure that alcoholic drinks are packaged, presented and sold in a socially responsible way. In this context the Authority commends the use of the following: *“Home Office: Selling Alcohol Responsibly: Good Practice Examples from the Alcohol Retail and Hospitality Industries”* and *“Portman Group Code of Practice on Naming, Packaging and Promotion of Alcoholic Drinks”*.
- 4.7 The Authority also encourages Licensees to give consideration to the National Alcohol Harm Reduction Strategy and any Alcohol Harm Reduction Strategy that may be in force from Sefton Council, in particular the contribution they can make to reducing the harm caused by irresponsible consumption of alcohol.

5.0 THE LICENSING PROCESS

- 5.1 In determining a licence application the overriding principle adopted by the Authority will be that each application will be determined on its merits.
- 5.2 The decisions taken by the Authority will be focused on matters within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.
- 5.3 In addressing this matter, the Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of public living, working or engaged in normal activity in the area concerned.
- 5.4 Whilst recognising that licensing law is a key aspect in the general control of anti-social behaviour and forms part of the holistic management of the evening and night-time economy, in taking its decisions the Authority will take into account the fact that it is not the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the Licence, Certificate or Permission concerned.

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SEFTON METROPOLITAN BOROUGH COUNCIL – LICENSING POLICY STATEMENT

- 5.5 The Authority recognises that there should be a clear separation of the planning and licensing regimes and licensing applications should not be a re-run of the planning application. The Authority will therefore ensure that the two regimes are kept separate. The Planning Committee will be kept regularly apprised of the situation regarding licensed premises within the Borough to enable the Committee to have regard to such matters when taking decisions to avoid any unnecessary overlap.
- 5.6 There may be circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. The granting by the Licensing Committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control approval where appropriate.
- 5.7 Licensing decisions and functions may be taken or carried out by the Licensing Committee, or delegated, where appropriate, to sub-committees or officers. The principal of delegation will be to ensure that decisions and functions, particularly non-contentious applications and purely administrative functions are taken or carried out in a speedy, efficient and cost-effective way.
- 5.8 The delegation of decisions and functions will be as follows:

Matter to be Dealt With	Sub-Committee	Officers
Application for a personal licence	If a Police objection	If no objection made
Application for personal licence with unspent convictions	All cases	
Application for premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application for a provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a Police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a Police objection	All other cases
Application for interim authorities	If a Police objection	All other cases
Application to review premises licence / club premises certificate	All cases	

Decision on whether a complaint is irrelevant frivolous, vexatious etc		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a Police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Application for minor variation		All cases

5.9 Applicants for grants or variations of Premises Licences / Club Premises Certificates are required by the Act to copy details of their applications to the following “responsible authorities”, who may make representations about the application or ask the Authority to review a Premises Licence / Club Premises Certificate:

- The relevant licensing authority and any other licensing authority in whose area part of the premises is situated;
- The chief officer of police;
- The local fire authority;
- The local enforcement agency for the Health and Safety at Work Etc Act 1974 (the local authority or the Health and Safety Executive as appropriate to each particular premises);
- The local authority with responsibility for environmental health;
- The local planning authority;
- The body responsible for the protection of children from harm;
- The local weights and measures authority;
- The Home Office;
- The Primary Care Trust or Local Health Board, and,
- Any other licensing authority in whose area part of the premises are situated.

5.10 The appropriate points of contact for the abovementioned responsible authorities, i.e. the person to whom copies of applications should be sent, are listed in Annex 2.

5.11 The Authority will notify those residential and business properties with curtilages abutting those premises applying for a Premises Licence or a Club Premises Certificate, the Variation of a Premises Licence or Club Premises Certificate, or any premises subject to a review. Whilst this is not a statutory requirement, the Authority is of the belief that it is important to ensure that the community are fully aware of licensing applications made in their area and as such this will ensure that local people have a voice in licensing decisions. As part of our statutory requirements we will also advertise these applications on www.sefton.gov.uk.

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- 5.12 In respect of minor variations the overall test for Officers will be to decide whether or not the proposed minor variation would impact adversely on any of the four licensing objectives.

Hearings

- 5.13 A hearing will be arranged to deal with any application which cannot be dealt with under delegated powers or resolved by agreement between applicants and other parties and/or 'responsible authorities'.

Review of licences

- 5.14 Following the grant of a Premises Licence or Club Premises Certificate a 'responsible authority' or any other party may request the Authority to review the Licence/Certificate where problems associated with the four Licensing Objectives have occurred. Similarly the Authority itself may instigate a review of the licence in a similar manner.

- 5.15 The Authority considers that other parties and 'responsible authorities' will give licence holders sufficient warning of any concerns they may have with regard to problems identified at the premises and the need for improvement. The Authority therefore expects licence holders to respond to such warnings and implement the necessary remedial action. A failure to respond to such warning could lead to a decision to request a review of the licence.

- 5.16 In all cases where a representation for a review is made it must relate to a particular premises for which a Licence/Certificate is in force and must be relevant to the promotion of the four Licensing Objectives.

- 5.17 Requests for reviews may be rejected where, in the view of the Authority, the complaint is not relevant (to the Licensing Objectives), is vexatious, frivolous or repetitious.

- 5.18 Where a review has been accepted by the Authority and where a statement from a proposed witness is served on the Authority and all other relevant parties at least 14 days prior to the date notified for the hearing of a review, that witness statement shall be taken as fact unless written notice requiring the attendance of that witness is given to the party putting forward the witness, and to the Authority, at least five working days prior to any review hearing.

6.0 LICENSING HOURS

- 6.1 The Authority will not prescribe general licensing hours and in determining licensing hours the Authority will not limit opening hours without consideration of the circumstances and individual merits of each application.

- 6.2 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the Authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.

- 6.3 The Authority will consider in each case the evidence presented to it and in particular, where relevant and appropriate:
- a) Any evidence that longer hours may lead to public nuisance later at night, particularly where residents are affected;
 - b) Any evidence of policing difficulties late at night;
 - c) Any evidence of difficulties experienced in late night street cleaning;
 - d) Any evidence that premises licensed for longer hours are in fact closing, or likely to close, at the same hour so producing peaks of disturbance later at night;
 - e) Any evidence that those drinking longer are creating disorder later at night.
- 6.4 In general the Authority will seek to ensure that nuisance is minimised to local residents and will demand stricter conditions with regard to noise and nuisance control in areas of denser residential accommodation.
- 6.5 Shops, stores and supermarkets will generally be permitted to sell alcohol for consumption off the premises throughout the hours they intend to open unless there are good reasons, based on the licensing objectives, for restricting those hours. For example, a limitation may be appropriate following police representations in the case of some shops known to be a focus of disorder and disturbance because youths gather there.
- 6.6 Entertainment providers will be encouraged to provide a range of entertainment during their operating hours and to promote live music, dancing and theatre for the wider cultural benefit of the Community.

7.0 CHILDREN

- 7.1 The Authority can only attach conditions where an objection is upheld following a hearing. Licensing covers a wide variety of types of premises and activity. The Authority will not seek to limit access of children to any premises unless such access is specifically prohibited by the Act or it is otherwise considered necessary for the prevention of physical, moral or psychological harm. Each application and the circumstances obtaining to each application will be considered on its own merits.
- 7.2 The Authority would be most likely to take such action in relation to premises where there have been convictions for members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking; a known association with drug taking or dealing; a strong element of gambling on the premises; where entertainment of an adult or sexual nature is commonly provided; or where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- 7.3 Where it is considered necessary, for the prevention of physical, moral or psychological harm, to limit the access of children, the following options, or combination of options may be imposed:

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- Limitations on the hours when children may be present;
 - Limitations or the exclusion of the presence of children under certain ages when particular specified activities are taking place;
 - Limitations on the parts of premises to which children might be given access;
 - Age limitations (below 18);
 - Requirements for accompanying adults; and
 - Full exclusion of those people under 18 from the premises when any licensable activities are taking place.
- 7.4 The Authority will not impose conditions requiring the admission of children to any premises. The Authority believes that where no licensing restriction is necessary, the admission or otherwise of children to a premises should remain a matter for the discretion of the individual licensee or club.
- 7.5 The provision of entertainment to children will require the presence of sufficient adults to control the access, egress and safety of the children. Where regulated entertainment is provided for children, or large numbers of children may be expected, conditions may be imposed to require an appropriate ratio of adult staff to be present, to control access egress and safety of the children.
- 7.6 Where a licence relates to the exhibition of films, the Authority will expect that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification. In exceptional cases the Authority may vary the age-restriction applied to a film to be exhibited within its area.

8.0 LICENSING CONDITIONS

- 8.1 As indicated in Paragraph 7.1 above, the Authority can only attach conditions where an objection is upheld following a hearing. In these instances only those conditions considered appropriate to meet the Licensing Objectives will be imposed. The Authority will avoid the imposition of disproportionate and overburdensome conditions where there is no need for them.
- 8.2 The Authority will seek to avoid any duplication with other regulatory regimes. Licence conditions will not be imposed where other regulatory regimes provide sufficient protection to the public (for example, health and safety at work and fire safety legislation). However, the Authority will expect licencees to maintain compliance with those other regulatory regimes and would encourage licencees to adopt best practice wherever possible.
- 8.3 To ensure consistency the Authority will maintain pools of conditions, from which appropriate and proportionate conditions, tailored to the individual style and characteristics of the premises and events to which an application relates, may be drawn when necessary in particular circumstances. Conditions will, so far as possible, reflect local crime prevention strategies.
- 8.4 When considering whether an entertainment being provided constitutes 'the provision of regulated entertainment' each case will be treated on its own merits. There will inevitably be a degree of judgement as to whether the provision is

regulated or not and therefore organisers of events should check with the Authority if in doubt.

- 8.5 Further information on what constitutes ‘the provision of regulated entertainment’ (and in what circumstances) can be found via the Sefton Council Website at www.sefton.gov.uk.

9.0 CUMULATIVE IMPACT ASSESSMENT

- 9.1 A cumulative impact assessment (“CIA”) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.

- 9.2 Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- statistics on local anti-social behaviour offences;
- health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- environmental health complaints, particularly in relation to litter and noise;
- complaints recorded by the local authority, which may include complaints raised by local residents or residents’ associations;
- residents’ questionnaires;
- evidence from local councillors; and
- evidence obtained through local consultation.

- 9.3 The CIA must include a statement saying that the licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority’s duty to promote the licensing objectives.

- 9.4 The Act does not stipulate how the CIA should be used once published, because the requirements for determining applications for new licences or variations are the same in areas with a CIA as they are elsewhere. However, any CIA published by a licensing authority must be summarised in its statement of licensing policy. Under section 5(6D) a licensing authority must also have regard to any CIA it has published when determining or revising its statement of licensing policy.

- 9.5 This Authority has not published a CIA, however it should be noted that although the publication of a CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the Act.

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- 9.6 Each decision in an area subject to a CIA would still need to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. It is also noted that the publication of a CIA would not remove a licensing authority's discretion to grant applications for new licences or applications to vary existing licences, where the authority considers this to be appropriate in the light of the individual circumstances of the case.

10.0 ENFORCEMENT

- 10.1 Enforcement action will be taken in accordance with the Authority's Licensing Enforcement Policy, will follow the Hampton principles and will be targeted, proportionate and transparent. The inspection of premises will be undertaken, when necessary, on a risk assessment and targeted basis, ensuring that resources are concentrated on high risk and problem premises and activities and again these will recognize the Hampton principles.
- 10.2 The Authority has established protocols on enforcement issues with the local Police, to provide for a more efficient deployment of Local Authority staff and Police Officers who are commonly engaged in enforcing Licensing Law and the inspection of licensed premises. In particular, these protocols provide for the targeting of agreed problem and high-risk premises which require greater attention, while providing a lighter touch in respect of those low-risk premises that are well run.

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Report to:	Licensing and Regulatory Committee Council	Date of Meeting:	Monday 25 June 2018 Thursday 19 July 2018
Subject:	Final draft revised Statement of Gambling Licensing Policy – Gambling Act 2005		
Report of:	Head of Regulation and Compliance	Wards Affected:	(All Wards);
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To seek Members' comments on the final draft revised Statement of Gambling Licensing Policy and to then refer to Council for approval.

Recommendations:

That the Licensing and Regulatory Committee:

- i) Consider and agree the final draft of the revised Statement of Gambling Licensing Policy, attached at Annex 2; and,
- ii) Refer the agreed revised Statement of Gambling Licensing Policy to Council for approval.

That Council:

- i) Approve the revised Statement of Gambling Licensing Policy, attached at Annex 2.

Reasons for the Recommendations:

To enable the timely review of the Statement of Gambling Licensing Policy.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

There are no financial costs associated with the proposals in this report

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(B) Capital Costs

There are no financial costs associated with the proposals in this report

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Yes
Facilitate confident and resilient communities:
Commission, broker and provide core services: Yes
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources has been consulted and notes the report indicates no direct financial implications for the Council. (FD 5169 /18).

Head of Regulation and Compliance has been consulted and any comments have been incorporated into the report. (LD 4393/18).

(B) External Consultations

Consultation exercise took place between 5 February 2018 and 2 April 2018

Implementation Date for the Decision

Immediately following the Committee meeting.

Contact Officer:	Kevin Coady
Telephone Number:	Tel: 0151 934 2946
Email Address:	kevin.coady@sefton.gov.uk

Appendices:

Annex 1 – Responses received to consultation exercise.

Annex 2 – Final draft revised Statement of Gambling Licensing Policy.

Background Papers:

There are no background papers available for inspection.

1. Background

- 1.1 Members will recall that Section 349 of the Gambling Act 2005 (“the GA05”) requires that all licensing authorities prepare and publish a statement of the principles that they propose to apply in exercising their functions under the GA05 during the three-year period to which the policy applies. A licensing policy statement will last for a maximum of three years, but can be reviewed and revised by an authority at any time.
- 1.2 The existing Policy has been kept under review since coming into force on 31 January 2016, no revision has been deemed necessary to date. The Policy will require revising during 2018 in order for it to take effect from 31 January 2019 (when the new three year cycle will commence).
- 1.3 Section 349 (3) of the GA05 requires that the Licensing Authority consult the following on the Policy (or any subsequent revision):
 - The chief officer of police for the Authority's area;
 - One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area; and,
 - One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under this Act.
- 1.4 The views of the above have to be given appropriate weight when the Policy is being determined.
- 1.5 In addition to the above, the Authority must also have regard to Guidance issued under Section 25 of the GA05 by the Gambling Commission.

2.0 Consultation process

- 2.1 The consultation took place between 5 February 2018 to 2 April 2018.

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2.2 The consultation consisted of:

- i) Publishing the draft revision, a list of the alterations made, a consultation response proforma and general information on the Sefton Council Website (www.sefton.gov.uk) and via Sefton Council's Consultation Finder (www.engagespace.co.uk/sefton);
- ii) News items placed on the Sefton Twitter account and the Sefton Facebook page;
- iii) Placing copies of the draft revision, and the list of the alterations made, in local libraries; and,
- iv) Through press releases to all local press agencies.

2.3 In addition to the general consultation/awareness raising referred to above specific consultations also took place where a letter, copy of the changes proposed and copy of revised Policy were forwarded for comment to:

Merseyside Police, the Gambling Commission; local fire and rescue authority; Sefton Council Planning; Sefton Council Environmental Health & Licensing Section; Sefton Council Safeguarding Children's Unit; HM Revenue and Customs; National Casino Forum; British Amusement Catering Trade Association (BACTA); the Bingo Association; National Association of Bookmakers; Association of British Bookmakers Ltd (ABB); Hospice Lotteries Association; the Lotteries Council; the British Association of Leisure Parks; Piers and Attractions Limited (BALPPA); the Racecourse Association Limited; the British Beer and Pub Association; Gamcare, Sefton Chamber of Commerce; the Southport BID Team; all Borough Councillors; Sefton Members of Parliament and all Parish Council Clerks.

2.4 A full list of responses to the consultation exercise, together with the officer appraisal of those responses, is provided at Annex 1 to this report.

3.0 Further revisions made to Policy

3.1 As a result of the consultation further amendments have been made to the Policy, these being additional to those outlined within the Report to Members on 8 January 2018, and these are indicated below.

3.2 Paragraph 1.3, first sentence redrafted to now read:

The three licensing objectives which guide the way that the Licensing Authorities perform their functions and the way that gambling businesses carry on their activities, are:

3.3 Paragraph 1.12 Sefton population amended to 274,853 to reflect 2016 census.

3.4 Paragraph 1.13, the following added to the end of the second bullet point:

Southport Business Improvement District, the Council, Merseyside Police, Pubwatch, Light for Life and Street Pastors have been successful in applying for Purple Flag status.

3.5 Paragraph 1.14 *Unitary Plan* changed to *Local Plan*.

- 3.6 Paragraph 2.13, last two sentences removed; to now read:

Demand issues cannot be considered with regard to the location of premises but considerations in terms of the licensing objectives can (see Section 3.0). The Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. For example, the Authority would have regard to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families and children.

- 3.7 Paragraph 3.1, first sentence redrafted to now read:

In carrying out its licensing functions the Authority will be guided by the Gambling Licensing Objectives which are:

- 3.8 Paragraph 3.14, re-drafted to specify what types of premises should seek advice:

In recent years there has been an increasing awareness of the problems in society generally connected with Child Sexual Exploitation. It is this Authority's opinion that Child Safeguarding is everyone's responsibility and that gambling premises should be vigilant in this regard. Operators whose premises are allowed to admit under 18s should have in place appropriate child safeguarding measures and should seek the advice of the Council's Safeguarding Children's Unit in this respect.

- 3.9 A copy of the Final Draft of the Policy is to be found within Annex 2.

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Ref	Respondent	Comments	Appraisal	Response
001	Sgt Craig Carmichael Merseyside Police Central Licensing	No observations to make	N/A	N/A
002	Mr Richard Taylor, Gosschalks Solicitors. On behalf of the association of British Bookmakers	<p>Overall the ABB welcomes the light touch approach to the Gambling Licensing Policy.</p> <p>State that it is the Gambling Commission's role to "promote" the gambling licensing objectives rather than the Authority. Suggest that reference to "promote" be removed.</p> <p>Paragraph 2.13 should be redrafted as penultimate sentence suggests the Authority may pre-determine an area/areas where gambling premises should not be located.</p> <p>Paragraph 3.14 should be redrafted to indicate that only those premises allowing under 18s entrance need to seek CSE advice.</p>	<p>N/A</p> <p>Agree that appropriate to redraft</p> <p>Agree that this could be construed as unlawful as the Act requires the Authority to "aim to permit".</p> <p>Agree that it would not be appropriate for those premises who cannot allow under 18s entrance to seek such advice.</p>	<p>N/A</p> <p>Paragraphs 1.3 and 3.1 redrafted.</p> <p>Paragraph redrafted.</p> <p>Paragraph redrafted.</p>

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SEFTON METROPOLITAN BOROUGH COUNCIL

GAMBLING ACT 2005

STATEMENT OF GAMBLING LICENSING POLICY

Draft Version 2

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ANNEXES

The following annexes do not form part of the approved Statement of Gambling Licensing Policy but are included to assist applicants in meeting the requirements of the licensing process.

Annex 1 - Map of Sefton

Annex 2 - Responsible Authorities

Annex 3 - Gaming Machine Definition Tables

1.0 GENERAL STATEMENT

- 1.1 Sefton Metropolitan Borough Council (the Council) is the Licensing Authority (the Authority), under the Gambling Act 2005 (the Act), responsible for granting Premises Licences, issuing certain Permits and Provisional Statements, receiving and endorsing Temporary Use Notices, receiving Occasional Use Notices and registering Small Lotteries under the Act.
- 1.2 Section 349 of the Act requires that all Licensing Authorities prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during the period to which the policy applies.
- 1.3 The three licensing objectives which guide the way that the Licensing Authorities perform their functions and the way that gambling businesses carry on their activities, are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.

See Section 3.0 for more information.

- 1.4 In producing this policy statement, the Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.
- 1.5 The Act requires that the following parties are consulted by Licensing Authorities:
- The Chief Officer of Police
 - One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area
 - One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act

- 1.6 The list of the persons consulted by this Authority is as below:

Merseyside Police, the Gambling Commission; local fire and rescue authority; Sefton Council Planning; Sefton Council Environmental Health & Licensing Section; Sefton Council Safeguarding Children's Unit; HM Revenue and Customs; National Casino Forum; British Amusement Catering Trade Association (BACTA); the Bingo Association; National Association of Bookmakers; Association of British Bookmakers Ltd (ABB); Hospice Lotteries Association; the Lotteries Council; the British Association of Leisure Parks; Piers and Attractions Limited (BALPPA); the Racecourse Association Limited; the British Beer and Pub Association; Gamcare, Sefton Chamber of Commerce; the Southport BID Team; all Borough Councillors; Sefton Members of Parliament and all Parish Council Clerks.

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Residents' comments were also invited by:

- i) Publishing the draft revision, a list of the alterations made, a consultation response proforma and general information on the Sefton Council Website (www.sefton.gov.uk) and via Sefton Council's Consultation Finder (www.engagespace.co.uk/sefton).
- ii) News items on placed on the Sefton Twitter account and the Sefton Facebook page;
- iii) Placing copies of the draft revision, and the list of the alterations made, in local libraries; and,
- iv) Press releases to all local press agencies.

- 1.7 This policy statement sets out the general approach to the making of licensing decisions. It does not prevent any individual from making any application, under the terms of the Act, and having that application considered on its individual merits. Nor does it override the right of any person to make representations on an application nor to seek a review of a licence where the Act allows them to do so.
- 1.8 Unmet demand is not a criterion for a licensing authority in considering an application for a Premises Licence under the Act. As a result each application will be considered on its merits without regard to demand.
- 1.9 This policy statement will be subject to a periodic review every three years. Between those periodic reviews it may also be subject to ongoing reviews, particularly where feedback indicates that the Licensing Objectives are not being met.

Sefton

- 1.10 Sefton is one of the six Metropolitan Boroughs that make up Merseyside. It lies in the northern part of the Liverpool City Region with which it shares close economic, social, cultural and transport links and stretches 22 miles north from Bootle to Southport. It also has important links to Preston and West Lancashire. Sefton adjoins the City of Liverpool to the south, the borough of Knowsley to the south-east, and the largely rural West Lancashire elsewhere. The location of Sefton is shown by the map provided at Annex 1.
- 1.11 Sefton is an area of great contrasts with beautiful coastlines, rural landscapes and industrial/commercial areas; working docklands, commuter towns and a busy seaside resort; areas of great affluence but also some of the most deprived communities in England and Wales. Sefton has a number of famous features that help make it distinctive. These include the resort of Southport, an outstanding natural coast, the home of the Grand National at Aintree, England's 'golf coast' including Royal Birkdale, and Antony Gormley's 'Iron Men' sculptures on Crosby beach with most of the Port of Liverpool being situated in the south of the Borough.
- 1.12 Sefton has a resident population of 274,853 (2016 census) and has a high proportion of retired people, widowed people and long term unemployed when compared with the rest of England and Wales.

- 1.13 The main centres of population are the urban and suburban areas of Bootle, Crosby, Maghull, Formby and Southport.
- Bootle is an area of mainly Victorian terraced properties, with busy working docklands and a mixture of retail and office developments at its centre. In recent years, much of the area was designated as part of the Merseyside ‘Housing Market Renewal Area’. The initiative has begun to change the housing quality, type and tenure available, mainly through demolition of low-demand homes and clearance of low grade or vacant industrial sites and rebuilding of new homes.
 - Southport at the north of the Borough has a traditional, quality image, borne out of its Victorian and Edwardian architectural and landscape grandeur. This heritage has led to Southport being described as a ‘classic resort’. This, coupled with family attractions and recent growth in ‘eco-tourism’, has enabled it to endure changing holiday patterns. There has been significant investment in the town centre and Seafront in recent years, but both its leisure and retail areas continue to need to be revitalised. Southport Business Improvement District, the Council, Merseyside Police, Pubwatch, Light for Life and Street Pastors have been successful in applying for Purple Flag status.
 - Formby, Crosby and Maghull are largely residential with a smaller number of commercial premises, there are therefore relatively few employment areas here. These are however distinctive settlements in their own right, and all function as commuter settlements for the Liverpool City Region.
- 1.14 The Local Plan for Sefton will allow development in town centre areas as long as it does not cause significant harm to amenity, would not result in grouping of similar uses which would harm the character of the area or harm residential amenity. Planners may use conditions to restrict opening hours.

2.0 SCOPE

- 2.1 Licensing authorities are required to undertake various regulatory functions in relation to a number of gambling activities. They are required to:
- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*.
 - Issue *Provisional Statements*.
 - Regulate *members’ clubs and miners’ welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits.
 - Issue *Club Machine Permits to Commercial Clubs*.
 - Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*.
 - Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines.
 - Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines.

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- Register *small society lotteries* below prescribed thresholds.
- Issue *Prize Gaming Permits*.
- Receive and Endorse *Temporary Use Notices*.
- Receive *Occasional Use Notices*.
- Provide information to the Gambling Commission regarding details of licences issued (see Section 7.0 regarding 'information protocols').
- Maintain registers of the permits and licences that are issued under these functions.

2.2 It should be noted that local licensing authorities are not involved in licensing remote gambling at all. This falls to the Commission via Operating Licences.

Premises Licence

2.3 A Premises Licence is required for any premises where it is intended to provide gambling facilities.

2.4 The types of Licence available are as follows:

- Casino Premises Licence
- Bingo Premises Licence
- Adult Gaming Centre Premises Licence (enabling the provision of category B3, B4, C and D machines)
- Family Entertainment Centre Premises Licence (enabling the provision of category C and D machines)
- Betting Premises Licence (enabling the provision of facilities for betting, by making or accepting bets or by acting as a betting intermediary)

2.5 An application for a Premises Licence may only be made by persons (which includes companies or partnerships):

- Who have the right to occupy the premises;
- Who have an Operating Licence which allows him/her to carry out the proposed activity, or have applied for an Operating Licence (except in the circumstances outlined in Paragraph 2.9, the Premises Licence may only be issued once the Operating Licence has been issued by the Commission); and

2.6 An applicant for a Premises Licence must be over the age of 18.

2.7 The Authority is aware that, as per Section 153, in making decisions about Premises Licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the licensing authority's statement of policy.

- 2.8 In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, in effect those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. The Authority will therefore seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. The Authority will not consider whether a licence application is likely to be awarded planning or building consent, in its consideration of it. However, the Authority will listen to, and consider carefully, any concerns about conditions that can not be met by Licence Holders due to planning restrictions, should such a situation arise.
- 2.9 Except in the case of Tracks (where the occupier may not be the person offering gambling), Premises Licences will only be issued to people with the relevant Operating Licences issued by the Commission.

Definition of “premises”

- 2.10 Premises is defined in the Act as “any place”. Different Premises Licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one Premises Licence, provided they are for different parts of the building and the different parts can be reasonably regarded as being different premises. Whether different parts of a building can be properly regarded as being separate premises will always be a question of fact in the circumstances. However, the Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
- 2.11 The Authority takes particular note of the Gambling Commission’s Guidance with regard to applications for multiple licences for a building, or those for a specific part of the building to be licensed. The Guidance indicates that the premises should be configured so that children are prohibited from participating in gambling, such that they are not invited to participate in, have accidental access to, or can closely observe gambling. Additionally entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- 2.12 When considering applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed), the Authority will consider, as per the Guidance, whether taken as a whole, the co-location of the licensed premises with other facilities may have the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

Location

- 2.13 Demand issues cannot be considered with regard to the location of premises but considerations in terms of the licensing objectives can (see Section 3.0). The Authority will pay particular attention to the protection of children and vulnerable persons from

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being harmed or exploited by gambling, as well as issues of crime and disorder. For example, the Authority would have regard to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families and children.

Premises “ready for gambling”

- 2.14 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.
- 2.15 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 2.16 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:
- Firstly, whether the premises ought to be permitted to be used for gambling; and
 - Secondly, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 2.17 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

Betting tracks

- 2.18 Tracks are different from other premises in that they may be subject to one or more Premises Licences, provided that each Licence relates to a specified area of the track.
- 2.19 The Authority will have particular regard to the protection of children and vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 2.20 The Authority would expect Premises Licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. Children and young persons will be permitted to enter track areas on days when dog-racing and/or horse racing takes place, including areas where facilities for betting are provided, however, they must be prevented from entering areas where gaming machines (other than category D machines – see Annex 3 for Gaming Machine definitions) are provided.
- 2.21 The Authority notes that the Commission considers that it is disproportionate and unnecessary to insist that betting rules are displayed at each distinct betting location and that the rules should be made available at suitable central locations. We further note that the Commission indicates that the track premises licence holder should

make the necessary arrangements to ensure that betting rules are accessible to all customers, regardless of which area of the track they are in.

- 2.22 It is sometimes difficult to define the precise location of betting areas on tracks and the Authority notes that the precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track.

Bingo premises

- 2.23 It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than category D machines. Where category C machines, or above, are available in the premises to which children are admitted, applicants will ensure that:

- All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- Only adults are admitted to this area where the machines are located;
- Access to the area where the machines are located is supervised;
- The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and
- At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

- 2.24 Appropriate licence conditions, covering the above issues, may be imposed by the Authority.

- 2.25 In imposing any additional licence conditions the Authority will consider any Guidance issued by the Commission relating to the suitability and layout of bingo premises.

- 2.26 Further information on this type of Licence can be found on the Sefton Council website at www.sefton.gov.uk.

Self Service Betting Terminals

- 2.27 The Authority will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and (as per the Commission's Guidance) the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of Self Service Betting Terminals an operator wants to offer.

Permits

- 2.28 Permits are required when premises provide a gambling facility but either the stakes and/or prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises.

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2.29 The types of Permit available are as follows:

- Family Entertainment Centre Gaming Machine Permit
- Club Gaming Permit
- Club Machine Permit
- Licensed Premises Gaming Machine Permit
- Prize Gaming Permit

Family Entertainment Centre Gaming Machine Permit

2.30 The Act states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Commission's Guidance indicates that in its policy statement a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for these type of permits.

2.31 The principles that this Authority intends to adopt will require the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

2.32 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:

- CRB checks for staff
- Appropriate measures / training for staff as regards suspected truant school children on the premises
- Measures / training covering how staff would deal with unsupervised very young children being on the premises
- Children causing perceived problems on / around the premises.

2.33 In addition to the above, the Authority will also expect, as per Commission Guidance, that:

- Applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- The applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- Staff are trained to have a full understanding of the maximum stakes and prizes.

Club Gaming and Club Machine Permits

2.34 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations.

A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

- 2.35 The Act states that Members clubs must have at least 25 members and be established and conducted “wholly or mainly” for purposes other than gaming, unless the gaming is restricted to bridge and whist. A members’ club must be permanent in nature, not be established to make commercial profit and be controlled by its members equally; there is no need for a club to have an alcohol licence. Examples include working men’s clubs, branches of Royal British Legion and clubs with political affiliations.
- 2.36 The Commission Guidance states that licensing authorities may only refuse an application on the grounds that:
- a) the applicant does not fulfil the requirements for a members’ or commercial club or miners’ welfare institute and therefore is not entitled to receive the type of permit for which it has applied
 - b) the applicant’s premises are used wholly or mainly by children and/or young persons
 - c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
 - d) a permit held by the applicant has been cancelled in the previous ten years
 - e) an objection has been lodged by the Commission or the police.
- 2.37 There is also a ‘fast-track’ procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which the Authority can refuse a permit are reduced; those grounds being:
- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
 - (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.
- 2.38 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

Licensed Premises Gaming Machine Permit

- 2.39 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the Authority.
- 2.40 The Authority can remove the automatic authorisation in respect of any particular premises if:

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- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- Gaming has taken place on the premises that breaches a condition of section 282 (for example, the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines);
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises

2.41 Should a premises wish to have more than two machines, then it will need to apply for a Licensed Premises Gaming Machine Permit and the Authority will need to consider that application based upon the licensing objectives, any guidance issued by the Commission, and “any other matters that are considered relevant to the application”. This Authority considers that “any other matters” will be decided upon on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm and we will expect the applicant to satisfy that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Authority may include that the adult only gaming machines will be within sight of the bar (or within the sight of staff who will monitor that the machines are not being used by those under 18). As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare or indeed training for staff under the GamCare Certification scheme (details available via www.gamcare.org.uk).

Prize Gaming Permit

2.42 The Act states that a Licensing Authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit.

2.43 This Authority has prepared a Statement of Principles, which is that the applicant should set out the types of gaming that s/he is intending to offer and that the applicant should be able to demonstrate:

- That they understand the limits to stakes and prizes that are set out in Regulations; and,
- That the gaming offered is within the law.

2.44 In making its decision on an application for this Permit the Authority does not need to have regard to the licensing objectives but must have regard to any Commission Guidance.

2.45 It should be noted that there are conditions in the Act by which the Permit holder must comply, but that the Authority cannot attach conditions. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with;
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;

- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling

Travelling fairs

- 2.46 Where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the Authority will need to determine whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 2.47 The Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 2.48 The 27-day statutory maximum for the land being used as a fair is per calendar year, and it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Authority will work with its neighbouring authorities to ensure that land that crosses our boundaries is monitored so that the statutory limits are not exceeded.
- 2.49 Further information on Permits can be found on the Sefton Council website at www.sefton.gov.uk.

Provisional Statements

- 2.50 Section 204 of the Act provides for a person to make an application to the Authority for a Provisional Statement in respect of premises that s/he:
- Expects to be constructed;
 - Expects to be altered; or
 - Expects to acquire a right to occupy.
- 2.51 Developers may wish to apply for Provisional Statements before they enter into a contract to buy or lease property or land to judge whether or not a development is worth taking forward in light of the need to obtain a Premises Licence. It is also possible for an application for a Provisional Statement to be made for premises that already have a Premises Licence (either for a different type of gambling or for the same type).
- 2.52 Applicants for Premises Licences must fulfill certain criteria (see Para 2.5). These restrictions do not apply in relation to an application for a Provisional Statement.
- 2.53 Further information on Provisional Statements can be found on the Sefton Council website at www.sefton.gov.uk.

Temporary Use Notices

- 2.54 These allow the use of premises for gambling where there is no Premises Licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice

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(TUN) would include hotels, conference centres, and sporting venues. A TUN may only be granted to a person or company holding a relevant Operating Licence (for example, the holder of a Betting Operating Licence could apply to provide betting facilities at a snooker tournament).

- 2.55 Regulations state that the only activities permitted under a TUN are the provision of facilities for any form of equal chance gaming where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner (this does not include providing such facilities in circumstances where any person participating in the gaming does so by means of a gaming machine).
- 2.56 The same set of premises may not be the subject of a TUN for more than 21 days in any 12-month period, but may be the subject of several Notices provided that the total does not exceed 21 days.
- 2.57 Further information on TUNs can be found on the Sefton Council website at www.sefton.gov.uk.

Occasional Use Notices

- 2.58 The Authority has very little discretion as regards these Notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. However, the Authority will need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the Notice. Provided that the Notice will not result in betting facilities being available for more than eight days in a calendar year, there is no provision for counter-notices or objections to be submitted.
- 2.59 Further information on Occasional Use Notices can be found on the Sefton Council website at www.sefton.gov.uk.

Small Lotteries

- 2.60 These are lotteries operated by non-commercial societies, as defined in Section 19, which states that a society is non-commercial if it is established and conducted:
- For charitable purposes;
 - For the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or
 - For any other non-commercial purpose other than private gain.
- 2.61 If the lottery has proceeds which exceed £20,000 for a single draw or aggregated proceeds that exceed £250,000 in a calendar year then they must be licensed with the Commission.
- 2.62 The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a licensing authority. The licensing authority with which a small society lottery is required to register must be in the area where their principal office is located. If the Authority believes that a society's principal office is situated in another area, it will inform the society and the other relevant authority as soon as possible.

2.63 Further information on Small Lotteries can be found on the Sefton Council website at www.sefton.gov.uk.

3.0 GAMBLING LICENSING OBJECTIVES

3.1 In carrying out its licensing functions the Authority will be guided by the Gambling Licensing Objectives which are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.2 The Authority, in exercising its functions under the Act, shall also have regard to the Guidance issued by the Commission.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

3.3 The Authority is aware that the Commission will be taking a leading role in preventing gambling from being a source of crime and that it will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling. The Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Therefore, if an area has known high levels of organised crime then the Authority will consider whether or not gambling premises are suitable for that location and whether conditions may be suitable such as the provision of Door Supervisors.

3.4 Except in the circumstances outlined in Paragraph 2.9, anyone applying to the Authority for a Premises Licence will have to hold an Operating Licence from the Commission before a licence can be issued. Therefore, the Authority will not generally be concerned with the suitability of an applicant and where concerns about a person's suitability arise the Authority will bring those concerns to the attention of the Commission.

3.5 Issues of disorder should only be dealt with under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance and it can be shown that gambling is the source of that disorder. This Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

Ensuring that gambling is conducted in a fair and open way

3.6 Generally, the Commission do not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be a matter for either the management of the gambling business (and therefore relevant to the Operating Licence), or will be in relation to the suitability and actions of an

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individual (and therefore relevant to the Personal Licence), both of these options falling under the purview of the Commission.

- 3.7 Where the Authority has concerns that gambling at any premises is not being conducted in a fair and open way those concerns will be brought to the attention of the Commission.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

- 3.8 The Authority has noted the Commission Guidance which states that “the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments. The objective refers to protecting children from being ‘harmed or exploited by gambling’. That means preventing them from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children, excepting Category D gaming machines”.

- 3.9 The Authority will also make itself aware of the Codes of Practice that the Commission issues as regards to this licensing objective, in relation to specific premises such as casinos.

- 3.10 There is no definition offered with regard to the term “vulnerable persons”, therefore the Authority will consider this objective on a case-by-case basis. In seeking to protect vulnerable persons the Authority will include people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling, perhaps due to a mental impairment, alcohol or drugs.

- 3.11 Applicants shall have regard to the need to protect children and vulnerable persons from harm, or being exploited by gambling, and there should be sufficient measures to ensure that under 18 year olds do not have access to adult only gaming machine areas.

- 3.12 Appropriate licence conditions may therefore be imposed by the Authority and they may cover issues such as:

- Proof of age schemes;
- CCTV;
- Door supervisors;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of entry;
- Notices / signage;
- Specific opening hours;
- Self barring schemes;

- The provision of information leaflets / helpline numbers for organisations such as GamCare as well as training for staff under the GamCare Certification scheme; details available via www.gamcare.org.uk/.

3.13 This list is not mandatory, nor exhaustive; further details on Conditions can be found at Section 6.0.

3.14 In recent years there has been an increasing awareness of the problems in society generally connected with Child Sexual Exploitation. It is this Authority's opinion that Child Safeguarding is everyone's responsibility and that gambling premises should be vigilant in this regard. Operators whose premises are allowed to admit under 18s should have in place appropriate child safeguarding measures and should seek the advice of the Council's Safeguarding Children's Unit in this respect.

3.15 The Authority will always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable persons will balance its considerations against the overall principle of aiming to permit the use of premises for gambling.

4.0 CASINO LICENCES

4.1 The Authority has not passed a 'no casino' resolution under Section 166 of the Act, but it is aware that it has the power to do so. Should the Authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution.

5.0 THE LICENSING PROCESS

5.1 In determining a licence or permit application the overriding principle adopted by the Authority will be that each application will be determined on its merits.

Interested Parties

5.2 Interested parties may make representations about Premises Licence applications, or apply for a review of an existing Licence.

5.3 These parties are defined within the Act as follows:

"a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person –

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)"

5.4 The Authority is required by regulations to state the principles it will apply in exercising its powers under the Act to determine whether a person is an interested party or not.

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5.5 The principles are that each case will be decided upon its merits. This Authority will not apply a rigid rule to its decision making. It will however consider the following:

- The size of the premises
- The nature of the premises
- The distance of the premises from the location of the person making the representation
- The potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and
- The circumstances of the complainant. This is not the personal characteristics of the complainant but the interests of the complainant, which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that “sufficiently close to be likely to be affected” could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) residential hostel for vulnerable adults.
- The ‘catchment’ area of the premises (i.e. how far people travel to visit); and
- Whether the person making the representation has business interests in that catchment area that might be affected.

5.6 Interested parties can be persons who are democratically elected such as councillors and MP’s. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

Responsible authorities

5.7 Section 157 of the Act details the necessary “responsible authorities”, which are:

- The Gambling Commission;
- The chief officer of police;
- The local fire authority;
- The local planning authority;
- An authority which has functions in relation to pollution to the environment or harm to human health;
- The body responsible for the protection of children from harm;
- Any other licensing authority in whose area part of the premises are situated; and,
- HM Revenue & Customs

5.8 In exercising the Authority’s powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the Authority about the protection of children from harm, the following principles have been applied:

- The need for the body to be responsible for an area covering the whole of the licensing authority’s area; and,
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

5.9 Therefore, in accordance with the Commission’s Guidance, this Authority designates Sefton Council’s Safeguarding Children’s Unit for this purpose.

5.10 The appropriate points of contact for the abovementioned responsible authorities, i.e. the person to whom copies of applications should be sent, are listed within Annex 2.

Delegation of decisions and functions

5.11 Licensing decisions and functions may be taken or carried out by the Licensing Committee, or delegated, where appropriate, to sub-committees or officers. The principal of delegation will be to ensure that decisions and functions, particularly non-contentious applications and purely administrative functions, are taken or carried out in a speedy, efficient and cost-effective way.

5.12 The delegation of decisions and functions will be as follows:

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Three year licensing policy	✓		
Policy not to permit casinos	✓		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission or responsible authority	Where no representations received from the Commission or responsible authority
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		✓	
Application for club gaming/ club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn

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SEFTON METROPOLITAN BOROUGH COUNCIL – STATEMENT OF GAMBLING LICENSING POLICY

Cancellation of club gaming/ club machine permits		✓	
Applications for other permits			✓
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give a counter notice to a temporary use notice		✓	

- 5.13 Where there is licensing authority discretion as to the level of fee that may be set, the level of fee will be decided by the Licensing and Regulatory Committee.

Hearings

- 5.14 A hearing will be arranged to deal with any application that cannot be dealt with under delegated powers or resolved by agreement between applicants and ‘interested parties’ and/or ‘responsible authorities’. Hearings will be held at the earliest possible date having regard to the regulations published under the Act and the laws of natural justice. The Licensing Sub-Committee will conduct a quasi-judicial consideration of the application, objections and representations.
- 5.15 Conditions may be attached to Licences where relevant representations are received. Any condition attached to a Licence will be related to one or more of the Licensing Objectives, and conditions will not relate to matters that are the subject of other legislation.

Review of licences

- 5.16 Requests for a review of a Premises Licence can be made by interested parties or responsible authorities. However, it is for the Authority to decide whether or not the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below (as well as to consideration as to whether the request is considered to be frivolous or vexatious):
- i) It is in accordance with any relevant code of practice issued by the Commission;
 - ii) It is in accordance with any relevant guidance issued by the Commission;
 - iii) It is reasonably consistent with the licensing objectives; and,
 - iv) It is in accordance with this policy statement
- 5.17 The Authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate.

Local risk assessments

- 5.18 The Commission’s Licence Conditions and Codes of Practice (LCCP) (issued in February 2015) requires operators to consider local risks in their applications.
- 5.19 As part of the application process licensees are required to submit a local risk

assessment when applying for a new Premise Licence. An updated risk assessment must also be submitted:

- When applying for a variation of a Premise Licence
- To take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks.

5.20 This Authority will require a licensee to share their risk assessment with it. The risk assessment will set out the measures the licensee has in place to address specific issues where concerns exist over new or existing risks. By adopting this proactive approach the Authority and licensees should be able to reduce the occasions on which a premises review is required.

Local Area Profiles

5.21 Whilst this Authority does not currently have a Local Area Profile, as referenced in the Commission's Guidance, nonetheless its clear priority is to ensure that children and vulnerable persons are not harmed by gambling. To this end the Authority will expect applicants to research and understand the local environment in which they wish to operate and to demonstrate that they have effective and robust measures in place to promote this licensing objective and mitigate any risks related to it.

5.22 It should be noted that the Authority may develop a Local Area Profile setting out the local issues, local data, local risks and the expectations that it has of operators who either currently offer gambling facilities or wish to do so in the future. Should it do so it will be included as an Annex to this Statement.

5.23 In the absence of a Local Area Profile when considering applications for Premise Licences, permits and other permissions, and when determining whether to review a Licence, the Authority will still consider each application on its merits and relevant considerations are likely to include the type of gambling proposed and the proximity of gambling premises to schools and vulnerable adult centres, or to residential areas where there may be a high concentration of families with children.

6.0 LICENSING CONDITIONS

Mandatory conditions

6.1 Mandatory conditions may be attached to Premises Licences by the Secretary of State under Section 167 of the Act. They can be attached generally to all Premises Licences, or may be attached to all Premises Licences of a particular type, or to a particular type of Premises Licences under certain specified circumstances.

6.2 The Secretary of State considers that mandatory conditions are most appropriate where there are basic minimum requirements to which all Premises Licence holders, or holders of a particular type of Licence, should adhere.

6.3 Once mandatory conditions are attached they can only be removed by further

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Secretary of State regulations. The Authority has no discretion to decide not to include them, or to modify them.

Default conditions

- 6.4 The Secretary of State considers the use of default conditions are most appropriate where a general industry or sector wide approach is desirable in order to assist national consistency, but where licensing authorities ought to be able to respond to local circumstances by altering those conditions if necessary.
- 6.5 Section 169 of the Act gives licensing authorities the ability to exclude from Premises Licences any default conditions that have been imposed under section 168. However, as default conditions are considered to be the industry norm, and while licensing authorities are free to limit or remove them where appropriate, this Authority will only extend them with reference to the Commission Codes of Practice and Guidance, the Licensing Objectives and this Policy Statement.
- 6.6 There are conditions that the Authority cannot attach to Premises Licences, which are:
- Any condition on the Premises Licence which makes it impossible to comply with an Operating Licence condition;
 - Conditions relating to gaming machine categories, numbers, or method of operation;
 - Conditions which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and,
 - Conditions in relation to stakes, fees, winning or prizes
- 6.7 Any conditions attached to Premises Licences will be proportionate and will be:
- Relevant to the need to ensure that the premises are suitable to meet the licensing objectives and are suitable to provide facilities for gambling;
 - Directly related to the premises and the type of licence applied for;
 - Fairly and reasonably related to the scale and type of premises; and
 - Reasonable in all other respects.
- 6.8 Decisions upon individual conditions will be made on a case-by-case basis. The Authority will expect the applicant to offer his/her own suggestions as to the way in which the Gambling Licensing Objectives can be met effectively. The Authority may, however, exclude a condition and substitute it with one that is either more or less restrictive. In this instance the Authority will give clear and regulatory reasons for so doing.
- 6.9 The Authority will consider specific measures that may be required for buildings subject to multiple Premises Licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Commission's Guidance.

- 6.10 The Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted that:
- All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - Only adults are admitted to the area where these machines are located;
 - Access to the area where the machines are located is supervised;
 - The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 6.11 These considerations will apply to premises, including buildings, where multiple Premises Licences are applicable.

Door Supervisors

- 6.12 The Commission advises in its Guidance that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example, by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.
- 6.13 Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether or not these supervisors need to be licensed by the Security Industry Authority will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance).

7.0 INFORMATION PROTOCOLS

- 7.1 Authorities are required to include in their Policy Statements the principles to be applied by them in exercising the functions under Sections 29 and 30 of the Act, with respect to the exchange of information between them and the Commission, and the functions under Section 350 of the Act with the respect to the exchange of information between them and the other persons listed in Schedule 6 to the Act.
- 7.2 The principle that this Authority applies is that it will act in accordance with the provisions of the Act in its exchange of information, which includes the provision that the Data Protection Act 1998, will not be contravened. The Authority will also have regard to any Guidance issued by the Commission to local authorities on this matter as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.
- 7.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

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8.0 ENFORCEMENT PROTOCOLS

- 8.1 Licensing Authorities are required by regulation under the Act to state the principles to be applied in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under Section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 8.2 This Authority's principles are that it will be guided by the Commission's Guidance and it will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;
 - Transparent: regulators should be open, and keep regulations simple and user friendly; and
 - Targeted: regulation should be focused on the problem, and minimise side effects.
- 8.3 As per the Commission's Guidance this Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 8.4 The Authority has, again as recommended by the Commission's Guidance, adopted a risk-based inspection programme.
- 8.5 The main enforcement and compliance role for this Authority in terms of the Act will be to ensure compliance with the Premises Licences and other permissions that it authorises. The Commission will be the enforcement body for the Operator and Personal Licences and it should also be noted that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Authority but will be notified to the Commission.
- 8.6 This Authority embraces the Department for Business Innovation and Skills' "Regulators Code" which came into force on 6th April 2014, and it's standards have been integrated into our regulatory culture and processes. The Authority supports the principals of better regulation to promote efficient and effective approaches to regulatory inspection and enforcement that improve regulatory outcomes without imposing unnecessary burdens on business.

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Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 25 June 2018
Subject:	Determinations made under the Licensing Act 2003 and the Gambling Act 2005: period covering 24 February 2018 to 25 May 2018		
Report of:	Head of Regulation and Compliance	Wards Affected:	(All Wards);
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To update Members regarding those applications, made under the Licensing Act 2003 and 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 update Members as and when necessary.

Reasons for the Recommendation(s):

The Openness of Local Government Bodies Regulations 2014 requires that a written record of delegated decisions that would otherwise be made by a committee be published to the Council's website. The publication of this report satisfies that requirement for the delegated decisions made in relation to the administration of the Licensing Act 2003 and the Gambling Act 2005.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

There are no financial costs associated with the proposals in this report

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(B) Capital Costs

There are no financial costs associated with the proposals in this report

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: None
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Yes
Facilitate confident and resilient communities:
Commission, broker and provide core services: Yes
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources has been consulted and notes the report indicates no direct financial implications for the Council. (FD 5163/18).

Head of Regulation and Compliance has been consulted and any comments have been incorporated into the report. (LD 4387/18).

(B) External Consultations

None.

Implementation Date for the Decision

Immediately following the Committee meeting.

Contact Officer:	Kevin Coady
Telephone Number:	Tel: 0151 934 2946
Email Address:	kevin.coady@sefton.gov.uk

Appendices:

Annex 1: Numbers determined – Licensing Act 2003

Annex 2: Numbers determined – Gambling Act 2005

Background Papers:

There are no background papers available for inspection.

1. Background

- 1.1 Members will recall that the Statement of Licensing Policy (issued under the Licensing Act 2003) and the Statement of Gambling Licensing Policy (issued under the Gambling Act 2005) both follow 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.
- 1.2 In effect this means that where there are no relevant representations to applications 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.
- 1.3 The Openness of Local Government Bodies Regulations 2014 requires that a written record of delegated decisions that would otherwise be made by a committee be published to the Council's website. The publication of this report satisfies that requirement for the delegated decisions made in relation to the administration of the Licensing Act 2003 and the Gambling Act 2005.

2. Numbers determined – Licensing Act 2003

- 2.1 During the period 24 February 2018 to 25 May 2018 the following number of applications have been determined under this Act:

• Applications made under Premise Licences	85
• Applications made under Personal Licences	30
• Notification of Temporary Event Notices	82
• Notification of Late Temporary Event Notices	42

- 2.2. Details of determinations made under Premise Licences are attached within Annex 1 to this Report.

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3. Numbers determined – Gambling Act 2005

3.1 During the period 24 February 2018 to 25 May 2018 the following number of applications have been determined under this Act:

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

3.2. Details of the above determinations are attached within Annex 2 to this Report.

Annex 1

name	address2	address3	action	closeddate
The Bottle Room	657 Lord Street	Southport	Grant	26/02/2018
Casa Italia	517 Lord Street	Southport	Grant	27/02/2018
Nandos	Unit 10A Aintree Racecourse Retail Park	Ormskirk Road, Aintree	Variation of DPS	27/02/2018
Pizzeria Positano	1-3 Avondale Road	Southport	Variation of DPS	28/02/2018
Albert Hotel	63 London Street	Southport	Transfer	02/03/2018
The Fire Pit	28 West Street	Southport	Transfer	02/03/2018
Veronica's	86-88 Lord Street	Southport	Variation of DPS	05/03/2018
The Mons	36-38 Breeze Hill	Bootle	Variation of DPS	05/03/2018
Somerfield	117 Fylde Road	Southport	Variation of DPS	06/03/2018
Alt Park Hotel	Northway	Maghull	Minor Variation	07/03/2018
The Beer Den	65/67A Duke Street	Southport	Grant	07/03/2018
	663 Lord Street	Southport	Grant	08/03/2018
Page 171 by Carvery	537-553 Liverpool Road	Ainsdale	Variation of DPS	08/03/2018
the Potting Shed	137-141 Lord Street	Southport	Variation	09/03/2018
Argain Booze	2 Liverpool Avenue	Ainsdale	Variation of DPS	13/03/2018
McDonalds Restaurants	280-282 Stanley Road	Bootle	Minor Variation	13/03/2018
Somerfield	Station Road	Ainsdale	Minor Variation	13/03/2018
Savers	59-60 New Strand Medway	Bootle	Variation of DPS	14/03/2018
Hightown Hotel	School Road	Hightown	Transfer	16/03/2018
Jubilee Inn	41A Hatton Hill Road	Litherland	Transfer	16/03/2018
The Metro	3 Portland Street	Southport	Transfer	16/03/2018
Old Ship Inn	43 Eastbank Street	Southport	Transfer	16/03/2018
Running Horses	25 Bells Lane	Lydiate	Transfer	16/03/2018
The Shrimper	Fylde Road	Southport	Transfer	16/03/2018
The Thatch and Thistle	147 Norwood Road	Southport	Transfer	16/03/2018
Victoria Hotel	27 Bath Street	Waterloo	Transfer	16/03/2018
Cheshire Lines	81 King Street	Southport	Transfer	19/03/2018
Savers	9-11 Marble Place	Southport	Variation of DPS	19/03/2018

The Alexandra	194-196 Marsh Lane	Bootle	Transfer	20/03/2018
The Pines	3 Hillside Road	Birkdale	Variation of DPS	21/03/2018
Meols Hall - Tithe Barn Complex	Botanic Road	Southport	Change of Name and/or Address	22/03/2018
The Old Bank Inn	43 South Road	Waterloo	Variation of DPS	23/03/2018
Southport Holiday Centre	Shore Road	Ainsdale	Variation of DPS	23/03/2018
Biedrona UK	97b Eastbank Street	Southport	Licence Holder Transfer & Variation of DPS	26/03/2018
The Bakehouse	Halsall Lane	Formby	Grant	27/03/2018
Convenience Store	Unit 5, 215 Knowsley Road	Bootle	Grant	27/03/2018
Smithies News	3 Hoghton Street	Southport	Change of Name and/or Address	28/03/2018
Weld Blundell Arms	Scaffold Lane	Ince Blundell	Variation of DPS	28/03/2018
Pontins (Southport) Holiday Centre Leisure Complex	Shore Road	Ainsdale	Variation of DPS	29/03/2018
ipersaver	418/422 Hawthorne Road	Bootle	Variation	03/04/2018
e Bakehouse	Halsall Lane	Formby	Variation of DPS	04/04/2018
-operative	142a Cambridge Road	Southport	Variation of DPS	04/04/2018
ankie & Benny's	Ormskirk Road	Aintree	Variation of DPS	04/04/2018
Prezzo	Halsall Lane	Formby	Transfer	04/04/2018
Prezzo	128 Lord Street	Southport	Transfer	04/04/2018
Ainsdale Sports Club	772A Liverpool Road	Ainsdale	Grant	05/04/2018
Havin Turkish Restaurant	11-15 Coronation Walk	Southport	Transfer	05/04/2018
Broadbents & Boothroyds	295-307 Lord Street	Southport	Change of Name and/or Address	09/04/2018
Pudding & Pie	39-43 Wayfarers Arcade	Southport	Change of Name and/or Address	09/04/2018
Coronation Hotel	12 King Street	Southport	Variation of DPS	10/04/2018
Freshways	162 Rufford Road	Southport	Licence Holder Transfer & Variation of DPS	10/04/2018
Southport Tavern	63 London Street	Southport	Variation of DPS	11/04/2018
Discount Booze	193 Linacre Road	Litherland	Variation of DPS	12/04/2018
Shell Derby Road	100 Derby Road	Bootle	Minor Variation	12/04/2018
Pontins (Southport) Holiday Centre Leisure Complex	Shore Road	Ainsdale	Variation of DPS	13/04/2018

Southport Holiday Centre	Shore Road	Ainsdale	Variation of DPS	13/04/2018
Morrisons Filling Station	Winter Gardens Lord Street	Southport	Variation of DPS	16/04/2018
Southport Tavern	63 London Street	Southport	Minor Variation	16/04/2018
Champs	3-5 South Road	Waterloo	Variation of DPS	20/04/2018
Co-Operative Food	37-39 Queens Road	Formby	Variation of DPS	20/04/2018
Co-Operative Food	117 Fylde Road	Southport	Change of Name and/or Address	20/04/2018
Iceland Frozen Foods Plc	70-76 South Road	Waterloo	Variation of DPS	20/04/2018
Co-Operative Food	Brighton Road	Waterloo	Change of Name and/or Address	23/04/2018
Co-Operative Food	1 Station Road	Ainsdale	Change of Name and/or Address	23/04/2018
Hightown Hotel	School Road	Hightown	Variation of DPS	23/04/2018
McColls	81-85 Queens Road	Southport	Variation of DPS	23/04/2018
Ainsdale Sports Club	772 Liverpool Road	Ainsdale	Variation of DPS	24/04/2018
Legendary Lancashire Heroes	59 College Road	Crosby	Licence Holder Transfer & Variation of DPS	24/04/2018
egendary Lancashire Heroes	82 Shakespeare Street	Southport	Licence Holder Transfer & Variation of DPS	24/04/2018
wn Gardens Cafeteria	110A Lord Street	Southport	Licence Holder Transfer & Variation of DPS	27/04/2018
own Hotel	304 Liverpool Road	Birkdale	Change of Name and/or Address	30/04/2018
Cooksons Bridge Public House	Gorse Lane	Litherland	Variation of DPS	01/05/2018
Monroe's	8 Coronation Walk	Southport	Variation of DPS	01/05/2018
Signature Living	Daniel House - 14th Floor & 14th Floor Mezzanine Levels	Trinity Road, Bootle	Licence Holder Transfer & Variation of DPS	01/05/2018
Leo's Bar	46 Nevill Street	Southport	Transfer	04/05/2018
Tesco Stores	42-46 Eastbank Street	Southport	Variation of DPS	04/05/2018
Co-Operative Food	117 Fylde Road	Southport	Minor Variation	09/05/2018
Eataly Limited	100 St Johns Road	Waterloo	Grant	09/05/2018
	9 West Street	Southport	Transfer	11/05/2018
Word of Mouth Cafe Bar	27 Hesketh Drive	Southport	Change of Name and/or Address	14/05/2018
	66 Coronation Road	Crosby	Grant	17/05/2018
Marlborough Hotel	21 Crosby Road South	Waterloo	Grant	17/05/2018

Spar	1-3 High Park Place	Southport	Change of Name and/or Address	18/05/2018
Heron Foods	Unit 16 Parkside	Bootle Strand Shopping Centre	Grant	21/05/2018
Alt Park Hotel	Northway	Maghull	Variation of DPS	24/05/2018

Annex 2

name	address2	address3	action	closeddate	activity
Addison Arms	Podium Level Units 1-3 Triad Buildings	Stanley Road, Bootle	Change of Name and/or Address	01/03/2018	Licensed Premises Gaming Permit
Cheshire Lines Inn	81 King Street	Southport	Grant	02/03/2018	Licensed Premises Automatic Gaming
Hightown Hotel	School Road	Hightown	Grant	02/03/2018	Licensed Premises Automatic Gaming
Jubilee Inn	41A Hatton Hill Road	Litherland	Grant	02/03/2018	Licensed Premises Automatic Gaming
Old Ship Inn	43 Eastbank Street	Southport	Grant	02/03/2018	Licensed Premises Automatic Gaming
Running Horses	25 Bells Lane	Lydiate	Grant	02/03/2018	Licensed Premises Automatic Gaming
The Shrimper	Fylde Road	Southport	Grant	02/03/2018	Licensed Premises Automatic Gaming
Thatch And Thistle	147 Norwood Road	Southport	Grant	02/03/2018	Licensed Premises Automatic Gaming
Victoria Hotel	27 Bath Street	Waterloo	Grant	02/03/2018	Licensed Premises Automatic Gaming
The Alexandra	194-196 Marsh Lane	Bootle	Grant	09/03/2018	Licensed Premises Automatic Gaming
Hoghton Arms	2 Hoghton Street	Southport	Grant	16/04/2018	Licensed Premises Automatic Gaming
Netherton & Sefton Royal British Legion	Fleetwoods Lane	Netherton	Grant (Fast Track)	02/05/2018	Club Machine Permit

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