

LICENSING AND REGULATORY COMMITTEE

**MEETING HELD AT THE REMOTE MEETING
ON 7 SEPTEMBER 2020**

PRESENT: Councillor John Kelly (in the Chair)

Councillors Brenda O'Brien, Bradshaw, Carragher,
Dodd, Friel, Halsall, Keith, Morris, Anne Thompson
and Lynne Thompson

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gannon, McGinnity, Mike O'Brien, and Tweed.

2. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

3. MINUTES OF THE MEETING HELD ON 23 MARCH 2020

RESOLVED:

That the Minutes of the meeting held on 23 March 2020 be confirmed as a correct record.

4. A59 NORTHWAY - RECEIPT OF PETITION

The Committee considered the report of the Head of Highways and Public Protection regarding the receipt of an on-line Petition requesting the provision of pedestrian crossing facilities at the junction of A59 Northway and Kenyons Lane.

Prior to consideration of the report, the Committee received a petition by Mr David Carroll in objection to the proposal.

Councillor Friel proposed an additional recommendation that funding be sought from the Liverpool City Region, ward funding (S106), or any alternative funding source to shorten the timescale of implementation of safety measures.

RESOLVED: That

(1) the contents of the petition be noted;

- (2) the proposal to include the upgrade of the junction in future programmes be noted;
- (3) funding be sought from the Liverpool City Region, ward funding (S106) or any alternative funding source to shorten the timescale for the implementation of the safety measures; and
- (4) the lead petitioner be informed of the decision.

5. PUBLIC PATH DEDICATION – MEADWAY, MAGHULL

The Committee considered the report of the Head of Highways and Public Protection which sought authority to dedicate a section of Meadway as a Public Bridleway and to modify the Definitive Map and Statement of Public Rights of Way accordingly.

RESOLVED: That

The Chief Legal and Democratic Officer be authorised in conjunction with the Head of Highways and Public Protection to:

- (1) dedicate a section of Meadway Lane as public bridleway pursuant to Section 1 of the Localism Act 2011 as shown on plan DC2093, to be known as Maghull Bridleway No.34; and
- (2) make the Legal Event Modification Orders under the provisions of Section 53 of the Wildlife and Countryside Act 1981 to record the additional way as shown on plan DC2094 on the Definitive Rights of Way Map and Statement.

6. WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53, APPLICATION TO MODIFY THE DEFINITIVE MAP AND STATEMENT TO INCLUDE VARIOUS PUBLIC RIGHTS OF WAY ON AND AROUND ST LUKE'S CHURCH ROAD, FORMBY.

The Committee considered the report of the Head of Highways and Public Protection seeking determination of an application for a Definitive Map Modification Order, under Section 53(5) of The Wildlife and Countryside Act 1981 relating to several routes in Formby and seeking authority to make Modification Orders, if the evidence shows that public rights of way exist or that the Definitive Map and Statement needs modifying.

Prior to consideration of the report, the Committee received a petition by Mr McComb in objection to the proposal.

RESOLVED: That

- (1) the resolutions of the Highways Committee dated 6th March 1995 and the Transportation (General Purposes) Sub-Committee dated 12th of

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February 1996 be re-affirmed and the making of Modification Orders by the Chief Legal and Democratic Officer to make Orders to add the following ways to the definitive rights of way map and statement for the following areas be authorised:

1. Albert Road, A-B on TSU/DC/ROW/0160/50 – Byway open to all traffic,
2. Alexandra Road, A-B on TSU/DC/ROW/0160/51 – Byway open to all traffic,
3. St. Luke's Church Road, Bushby's Lane to Alexandra Road, A-B on TSU/DC/ROW/0160/52 – Byway open to all traffic,
4. St. Luke's Church Road, Alexandra Road to Range Lane, A-B on TSU/DC/ROW/0160/53 – Byway open to all traffic,
5. St. Luke's Church Road, Range Lane to Altcar Footpath 5, A-B on TSU/DC/ROW/0160/54 – Public Footpath,
6. Cambridge Road, A-B on TSU/DC/ROW/0160/55 – Byway open to all traffic,
7. Range Lane, A-B on TSU/DC/ROW/0160/56 – Byway open to all traffic,
8. Two tracks connecting Albert Road to Alexandra Road, A-B on TSU/DC/ROW/0160/57 and TSU/DC/ROW/0160/58 – Public Footpaths,
9. Extension of Albert Road to Shore, A-B on TSU/DC/ROW/0160/59 – Public Footpath,
10. Track extending seaward from Range Lane, A-B on TSU/DC/ROW/160/43 – Public Footpath;

and it be noted that they were confirmed unopposed;

- (2) the evidence and the law to determine the status of the claimed public rights of way at Beechwood Drive, as shown in drawing DC2054, that was not part of the previous Formby Civic Society applications be noted and the Chief Legal and Democratic Officer be authorised to make a Definitive Map Modification Order under Section 53 (2) and 53 (3) (b) and (c)(i) of the Wildlife and Countryside Act, 1981, to modify the Definitive Map and Statement by adding/upgrading/amending the route that is considered to be a public right of way;

and it be noted that this was confirmed unopposed; and

- (3) the Chief Legal and Democratic Officer be authorised to give notice of the Authority's decisions on the application to the applicant and the landowners as required; and it be noted that this was confirmed unopposed.

**7. PROPOSED ZEBRA CROSSING - PARK LANE WEST,
NETHERTON, BOOTLE**

The Committee considered the report of the Head of Highways and Public Protection that informed of the results of a public consultation on a proposal to introduce a zebra crossing on Park Lane West.

RESOLVED

That the introduction of a zebra crossing on Park Lane West, as detailed in the report be approved.

8. STATUTORY TAXI & PRIVATE HIRE VEHICLE STANDARDS

The Committee considered the report of the Head of Highways and Public Protection that informed of the recently published 'Statutory Taxi & Private Hire Vehicle Standards' issued by the Department for Transport (DfT).

RESOLVED That:

- (1) the Statutory Taxi & Private Hire Vehicle Standards' issued by the Department for Transport (DfT) be noted; and
- (2) it be agreed that further reports detailing changes to conditions to comply with the statutory standards, be submitted for consideration at future meetings of the Licensing and Regulatory Committee.

9. TAXI LICENSING PERFORMANCE REPORT 2019/20

The Committee considered the report of the Head of Highways and Public Protection on the progress of the Taxi Licensing service during 2019/20.

RESOLVED That:

- (1) the report be noted; and
- (2) it be agreed that further reports providing an update on the Taxi Licensing Service, be submitted for consideration by the Licensing and Regulatory Committee on an annual basis.

10. LOCAL LICENSING: PERFORMANCE REPORT 2019/20

The Committee considered the report of the Head of Highways and Public Protection on the progress against the 2019/20 Local Licensing Service Plan.

RESOLVED That:

- (1) the report be noted; and
- (2) it be agreed that further reports updating on the progress of the Licensing Service Plan, be submitted for consideration by the Licensing and Regulatory Committee on an annual basis.

11. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005: PERIOD COVERING 29 FEBRUARY 2020 TO 7 AUGUST 2020

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The Committee considered the report of the Head of Highways and Public Protection 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 29 February 2020 to 7 August 2020 the Head of Highways and Public Protection had received and determined the following numbers of applications:

Under the Licensing Act 2003:

- 76 Applications made under Premise Licences
- 32 Applications made under Personal Licences
- 19 Notifications of Temporary Event Notices
- 12 Notifications of Late Temporary Event Notices

Under the Gambling Act 2005:

- 1 application made under Gambling Premise Licences
- 1 notification for Licensed Premises Automatic Gaming

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.