

LICENSING AND REGULATORY COMMITTEE

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON 11 MARCH 2013**

PRESENT: Councillor Kerrigan (in the Chair)

Councillors Ball, Blackburn, Carr, Dorgan,
Gustafson, Keith, Kermode, Mahon, Preece,
Rimmer, Robertson and Roche

34. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bradshaw and Robinson.

35. DECLARATIONS OF INTEREST

No declarations of pecuniary interest were made.

36. MINUTES

RESOLVED:

That the Minutes of the meeting held on 19 November 2012 be confirmed as a correct record.

37. REVISED STATEMENT OF LICENSING POLICY

The Committee considered the report of the Director of Built Environment on the Revised Statement of Licensing Policy which was attached as Annex A to the report.

Mr D Packard, Head of Environment, presented the report and answered questions thereon.

Arising from discussion, the Council's policy relating to street traders and pedlars was raised.

Mr Packard indicated that the Revised Statement of Licensing Policy related to the sale of alcohol and other licensing activity which fell within the remit of the Licensing Act 2003 and not street traders and pedlars, but suggested that the Committee could request a report on street traders and pedlars for consideration at a future meeting.

RESOLVED: That

- (1) the draft revised Statement of Licensing Policy shown at Annex A of the report and the actions being taken to progress the revision of the Statement of Licensing Policy be noted and endorsed; and
- (2) the Director of Built Environment be requested to submit a report on licensing controls relating to street traders and pedlars, to a future meeting.

38. LOCAL LICENSING FEES AND CHARGES 2013/2014

The Committee considered the report of the Director of Built Environment on proposed changes to fees and charges for Local Licensing Services in 2013/2014.

The report indicated that the majority of fees applicable to local licensing matters were set by Central Government and where increases were proposed as detailed in the annex to the report, the increase was in line with inflation and Local Government Regulation (formally known as LACORS) guidance.

Mr D Packard, Head of Environment presented the report and answered questions thereon. Mr Packard explained that in respect of the fee for Sex Establishment Licences, the Council could only charge a “reasonable” fee in setting them to cover costs and was not permitted to make a profit from them; the process fee for the renewal of a Sex Establishment Licence had historically always included a portion to cover the costs of holding a Hearing to consider the matter where objections had been received; and that as no objections had been received for a number of years and therefore no Hearings had been necessary, the fees had therefore been adjusted for 2013–2014 to take account of this.

RESOLVED:

That the proposed fees and charges for 2013/14 listed in the Annex to the report be noted and endorsed.

39. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005: PERIOD COVERING 20 OCTOBER 2012 TO 8 FEBRUARY 2013

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

The report indicated that Sefton Council’s Statement of Licensing Policy (issued under the Licensing Act 2003) and the Statement of Gambling

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

The report indicated that during the period 20 October 2012 to 8 February 2013, the Director of Built Environment had received and determined the following numbers of applications:

Under the Licensing Act 2003:

• Premises Licences	99
• Personal Licences	56
• Temporary Event Notices	97
• Notification of Late Temporary Event Notices	17

Under the Gambling Act 2005:

• Gambling Premise Licences	4
• Licensed Premises Automatic Gaming	9

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.

40. TAXI LICENSING FEES 2013/14

The Committee considered the report of the Director of Built Environment on a proposal to freeze the fees and charges for Taxi Licensing Services in 2013/14.

Mr D Packard, Head of Environment presented the report and answered questions thereon.

RESOLVED:

That the retention of fees and charges for Taxi Licensing Services, at the 2012/2013 level, for 2013/2014 be approved.

41. APPOINTMENT OF A CONSULTANT TO CARRY OUT THE

HACKNEY CARRIAGE UNMET DEMAND SURVEY

Further to Minute No. 22 of 24 September 2012, the Committee considered the report of the Director of Built Environment on the appointment of a consultant to carry out a Hackney Carriage Unmet Demand Survey in 2013/14.

Mr D Packard, Head of Environment, presented the report and answered questions thereon.

Arising from discussion, Members asked why the Transport Authority had not been invited to tender for this contract in view of their low costs and detailed knowledge of the area. Mr Packard indicated that one of the key criteria was that the company undertaking the survey needed to be completely independent and impartial, and as such it was unlikely that the local Transport Authority could be deemed to be so.

RESOLVED: That

- (1) the decision of the Director of Built Environment to appoint 'Halcrow Limited' as a consultant for the Hackney Carriage Unmet Demand Survey in Sefton was endorsed; and
- (2) The Transport Authority be invited to tender for a future Hackney Carriage Unmet Demand Survey if it is found to fulfil the independence criteria for conducting such a survey.

42. TAXI LICENSING: 'DROP OFF' FACILITY AT BOOTLE ONE STOP SHOP - AN UPDATE

The Committee considered the report of the Director of Built Environment on the development of the 'Drop Off' facility for Taxi Customers at Bootle One Stop Shop.

RESOLVED: That

- (1) the report be noted; and
- (2) the Director of Built Environment be requested to submit a further report on the development and use of the One Stop Shop Taxi Licensing 'drop off' facility in October 2013.

43. REVIEW OF CALENDAR OF LICENSING AND REGULATORY COMMITTEE MEETINGS

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The Committee considered the report of the Director of Corporate Commissioning which sought Members' views on reducing the frequency of meetings of the Licensing and Regulatory Committee.

The report indicated that one of the budget options the Cabinet had approved for consultation was to reduce the number of meetings and it was recommended that the number of meetings of the Licensing and Regulatory Committee be reduced from 6 to 4 meetings per year.

The Committee Administrator advised that any urgent matters which could not wait until the next meeting of the Licensing and Regulatory Committee could be dealt with by the Licensing and Regulatory Urgent Referrals Committee.

Arising from discussion, Members reflected that meetings were often cancelled due to lack of business, for example, the last meeting scheduled to take place on 14 January 2013. As such, given the option for convening Licensing and Regulatory Urgent Referral Committee meetings for consideration of any matters which could not wait until the next full Licensing and Regulatory Committee meeting, they could see no real reason not to reduce the number of meetings from 6 to 4 per year.

RESOLVED:

That the proposal to reduce the number of meetings of the Licensing and Regulatory Committee from 6 to 4 meetings per year be endorsed.