

LICENSING AND REGULATORY COMMITTEE

**MEETING HELD AS REMOTE MEETING
ON MONDAY 11TH JANUARY, 2021**

PRESENT: Councillor John Kelly (in the Chair)

Councillors O'Brien, Carragher, Dodd, Friel,
Gannon, Halsall, Keith, McGinnity, Morris, Spencer,
Anne Thompson, Lynne Thompson and Tweed

12. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Bradshaw.

13. DECLARATIONS OF INTEREST

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

14. MINUTES

The Committee considered the Minutes of the Meeting held on 7 September 2020.

Mr Stephen Birch, Transport Planning and Highway Development Officer proposed an amendment to Minute No. 6, relating to the Wildlife and Countryside Act 1981, Section 53, Application to Modify the Definitive Map and Statement to include various Public Rights of Way on or around St Luke's Church Road, Formby.

He indicated that the recommendations in the previous minute stated that the recommendations had been "confirmed unopposed". However, unfortunately "confirmed unopposed" had a specific legal meaning when it came to Definitive Map Modification Orders, and there was a risk that the minutes could be interpreted as meaning that the Order had been made and confirmed unopposed, which was not the case and the minutes referred only to the fact that the recommendation had been agreed by the Committee unopposed.

To avoid the risk of misinterpretation of the minutes and provide clarity on the Committee's decision, Mr Birch therefore requested that the Committee approve the following amended resolution in relation to Minute No. 6 of the meeting held on 7 September 2020:

- the decision to approve part (i) of the resolution being, to reaffirm the earlier resolution and make the Order, was unanimously approved by the members of the Committee;

LICENSING AND REGULATORY COMMITTEE- MONDAY 11TH
JANUARY, 2021

- part (ii), to make an Order for the Beechwood Drive link was approved unanimously; and
- part (iii), to authorise the Chief Legal and Democratic Officer to give notice of the Authority's decisions on the application to the applicant and the landowners, was approved unanimously.

RESOLVED: That

(1) in respect of Minute No. 6:

- the decision to approve part (i) of the resolution being, to reaffirm the earlier resolution and make the Order, be unanimously approved by the members of the Committee;
- part (ii), to make an Order for the Beechwood Drive link be approved unanimously; and
- part (iii), to authorise the Chief Legal and Democratic Officer to give notice of the Authority's decisions on the application to the applicant and the landowners, be approved unanimously; and

(2) subject to the amendment to Minute No. 6 indicated in (1) above, the Minutes of the meeting held on 7 September 2020 be confirmed as a correct record.

15. FORMER COUNCILLOR DOREEN KERRIGAN

The Chair informed the Committee about the passing of former Councillor Doreen Kerrigan, on 26 December 2020.

Doreen had served as a Councillor for Linacre Ward from 1996 to 2016 and had been Chair on the Licensing and Regulatory Committee from 2012 to 2016.

Councillor Kerrigan was held in high and fond regard by Members and Officers alike and would be greatly missed by everyone who knew her.

Councillor Friel also paid tribute.

The Committee observed a minute's silence in memory of Doreen Kerrigan.

16. A59, NORTHWAY, MAGHULL, JUNCTION WITH DAMFIELD LANE - JUNCTION IMPROVEMENTS

The Committee considered the report of the Head of Highways and Public Protection which sought approval for the implementation of the new traffic signal installation at the junction of A59, Northway with Damfield Lane and minor modifications to the junction of the A59 with Kenyon's Lane.

RESOLVED: That

The Head of Highway and Public Protection be authorised to implement the following modifications to the highway;

- (1) introduction of traffic signals at the junction of A59, Northway and the junction with Damfield Lane; and;
- (2) introduction of some enabling works at the junction of A59, Northway and the junction with Kenyon's Lane to facilitate future improvements.

17. PROMENADE AND WEST STREET CROSSINGS, SOUTHPORT

The Committee considered the report of the Head of Highways and Public Protection which sought approval for the implementation of the proposed improvements at the Promenade and West Street as part of the Scarisbrick Avenue improvement scheme.

RESOLVED: That

The Head of Highways and Public Protection be authorised to implement the following modifications to the highway:

- (1) replacement of pedestrian crossing facility on the Promenade; and;
- (2) extension of table crossing and footway build out on West Street, including removal of one pay and display parking bay and minor relocation of taxi rank.

18. DISCLOSURE AND BARRING SERVICE UPDATE

The Committee considered the report of the Head of Highways and Public Protection which sought to amend the current conditions to include the requirement for all licence applicants to subscribe to the DBS Update service and to give consent to access by Council officers.

RESOLVED: That

- (1) the introduction of a condition for the compulsory subscription to the DBS update service (as required by the new national statutory standards) be approved ; and
- (2) the amended condition for all new and renewal drivers to commence from 1 March 2021.

19. TAXI LICENSING FEES - 2021/22

The Committee considered the report of the Head of Highways and Public Protection which sought the approval of Members of no increase to the fees and charges for Taxi Licensing services in 2021/2022.

RESOLVED:

That the proposed fees and charges for 2021/2022 be approved.

20. DRAFT REVISED STATEMENT OF GAMBLING LICENSING POLICY – GAMBLING ACT 2005

The Committee considered the report of the Head of Highways and Public Protection which sought Member's comments on the draft Statement of Gambling Licensing Policy and advised Members of the proposals for consultation on the draft document.

RESOLVED: That

- (1) members consideration and comments upon the draft Statement of Gambling Licensing Policy within the Annex be noted; and
- (2) the actions being taken to progress the revision of the Statement of Gambling Licensing Policy be noted and endorsed.

21. LOCAL LICENSING – FEES AND CHARGES 2021/2022

The Committee considered the report of the Head of Highways and Public Protection which sought the approval of Members for the fees and charges for Local Licensing Services in 2021/2022.

RESOLVED:

That the proposed fees and charges for 2021/2022 as listed in the Annex to the report be endorsed and approved.

22. DETERMINATIONS MADE UNDER THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005: PERIOD COVERING 8 AUGUST 2020 TO 3 DECEMBER 2020

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

LICENSING AND REGULATORY COMMITTEE- MONDAY 11TH
JANUARY, 2021

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 8 August 2020 to 3 December 2020 the Head of Highways and Public Protection had received and determined the following numbers of applications:

Under the Licensing Act 2003:

- 81 Applications made under Premise Licences
- 36 Applications made under Personal Licences
- 20 Notification of Temporary Event Notices
- 14 Notification of Late Temporary Event Notices

Under the Gambling Act 2005:

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

RESOLVED:

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