

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Monday, 18 January 2016 in the Council Chamber, Runcorn Town Hall

Present: Councillors K. Loftus (Chairman), Fry, P. Hignett, Howard, A. Lowe, McDermott, Nelson, G. Stockton and Wall

Apologies for Absence: Councillors Wallace and Lea

Absence declared on Council business: None

Officers present: K. Cleary, J. Tully and S. Rimmer

Also in attendance: Inspector Stewart Sheer Cheshire Police

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

REG29 CREAMFIELDS EVENT 2015

The Committee considered a report from the responsible authorities on issues arising from the carry out of the Creamfields Event in August 2015.

Members were advised that the purpose of the report was to present the facts from the viewpoint of the responsible authorities who have now dealt with several events.

It was noted that a report on the Event had been received from Cheshire Police. Halton Borough Council Environmental Health – Noise Control and Health and Safety Department produced a report after the Committee agenda was published and this report was circulated to Members and would form part of the minutes.

Inspector Stewart Sheer attended the meeting and summarised the views of Cheshire Police in providing the planning and operation of the Creamfields Event 2015.

Mr Rimmer, from Halton Borough Council, was present to deal with matters relating to traffic.

Members asked detailed questions of Inspector

Sheer and Mr Rimmer.

A representative of Halton Borough Council Environmental Health – Noise Control and Health and Safety did not attend but provided a written update on the 2015 event.

RESOLVED: That the reports from the responsible authorities be noted.

REG30 PART II OF LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Committee was advised that a number of Acts of Parliament provide for functions to be exercised by local authorities. Some Acts provide that functions will be exercisable automatically and some functions may only be exercised after going through adoption processes.

The Council had adopted certain functions many years ago but full records of the adoption process no longer existed. The report addressed the position relating to private hire and hackney carriage licensing which were adopted by the Council in 1976.

It was appropriate for the Council to take steps to adopt (to the extent that it was not already in force) Part II of the Local Government (Miscellaneous Provisions) Act 1976. The detailed procedural requirements were set out in the agenda. The effect of going through this process would be to generate a full record of the adoption process.

These proposals did not involve any change to existing Council policies.

RESOLVED: That the Council be requested to pass a resolution in the following terms:

“The Council intends to pass a resolution at a future meeting (the “Adoption resolution”).

- 1) to adopt the extent that they are not already in force in the Borough the provisions of Part II of Local Government (Miscellaneous Provisions) Act 1976 (the “1976 Act”), (other than section 45), to apply to the whole of the area of the Council on and after the appointed day stated in that resolution;
- 2) the Operational Director Legal and Democratic Services be directed to publish and serve notice as

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required by section 45 of the 1976 Act which shall include a draft Adoption Resolution in the following terms:

“[introductory text to be determined when appropriate]

RESOLVED:

- 1) To the extent that they are not already in force the provisions of Part II of Local Government (Miscellaneous Provisions) Act 1976 1976 Act, (other than section 45), are to apply to the whole area of the Council on and after the appointed day;
- 2) The appointed day for the purposes of this resolution shall be [] (being not before the expiration of the period of one month beginning with the day on which this resolution is passed).
- 3) All powers, duties and provisions in the Council's Constitution relating to Part II of the Local Government (Miscellaneous Provisions) Act 1976 and all existing policies, practices and conditions relating thereto shall continue to apply on and after the appointed day”; and
- 4) following compliance with item (2) of this resolution that matter be reported back to the Council for the Adoption Resolution to be considered”.

REG31 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1982 SECTION 3 AND SCHEDULE 4 - STREET
TRADING

The Committee was advised that a number of Acts of Parliament provide for functions to be exercised by local authorities. Some Acts provide that functions will be exercisable automatically and some functions may only be exercised after going through adoption processes.

The Council had adopted certain functions many years ago but full records of the adoption process no longer exist. The report addressed the position relating to street trading which were adopted by the Council in 1982.

It was appropriate for the Council to take steps to adopt (to the extent that it is not already in force) Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 – Street Trading.

These proposals did not involve any change to existing Council policies.

RESOLVED that the Council be requested to pass a resolution in the following terms:

- 1) “the Operational Director Legal and Democratic Services be authorised to prepare and publish notice of intent to pass a Designation Resolution as required under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982;
- 2) the draft Designation Resolution be in the following terms:

“[Introductory text to be determined when appropriate]”

RESOLVED:

- 1) To the extent that they are not already so designated for the purposes of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 the streets listed in the Schedule to this resolution shall be designated on and after the designation day as prohibited streets or consent streets as indicated in the Schedule;
- 2) The designation day for the purposes of this resolution shall be [] (being not before the expiration of the period of one month beginning with the day on which this resolution is passed);
- 3) All powers, duties and provisions in the Council’s Constitution relating to the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and all policies, practices and conditions relating thereto shall continue to apply on and after the designation day.

Schedule

Part 1 – Prohibited Streets

The following is a list of prohibited streets within the Borough of Halton.

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Halton Borough Council – Street Trading List of Prohibited Streets Widnes	Dundalk Road Everite Road Fiddlers Ferry Road Greenoaks Way Hale Park Hale Road Halebank Road Halegate Road Halton View Road Heath Road Highfield Road Hough Green Road Kingsway Leigh Avenue Liverpool Road Lowerhouse Lane Lowerhouse Lane East Lugsdale Road Lunts Heath Road Marshgate Milton Road Moor Lane	Moor Lane South Moorfield Road Norlands Lane Peelhouse Lane Prescot Road Queensway St Mary's Road St Michael's Road Speke Road Terrace Road Town Lane Victoria Avenue Victoria Road Warrington Road Waterloo Road Widnes Road Watkinson Way Wilmere Lane Windfield Way
Albert Road Barrows Green Lane Bechers Birchfield Road Bradley Way Chorleys Lane Cronton Lane Dans Road Deacon Road Derby Road Ditchfield Road Ditton Road Dundalk Road Everite Road Fiddlers Ferry Road Ditchfield Road Ditton Road		

Halton Borough Council – Street Trading List of Prohibited Streets Runcorn	Granville Street Greenhouse Farm Road Greenway Road Hallwood Link Road Halton Brook Avenue Halton Brow *Halton Lea Shopping Centre *East Lane *Eastway *Northway *Southway *West Lane *West Way * Second Avenue * Third Avenue	Newton Lane Northwich Road Norton Lane Norton View Old Quay Street Palacefields Avenue Park Road Picow Farm Road Princess Street Pump Lane Regent Street Richard Close Runcorn Road Russell Road Sandy Lane Sandy Lane, Preston Brook South Parade
Alcock Street Ascot Avenue Astmoor Road Astmoor Spine Road Balfour Street Banks Lane Barkers Hollow Road Barnfield Avenue Boston Avenue Bridge Street		

Bridgewater Street	* Fourth Avenue	Southgate
Brookvale Avenue North	Halton Lodge Avenue	Approach Rd
Bus Station	Halton Station Road	Southwood Avenue
Calvers	Heath Road	Spur Road
Camelot Way	Heath Road	Stockham Lane
Castlefields Avenue East	South High Street	Stockham Lane
Castlefields Avenue North	Higher Lane	Approach Road
Castlefields Avenue South	Highlands Road	Stockham Lane
Cavendish Farm Road	Hilltop Road	Car Park
Chester Road	Irwell Lane	Stonelea
Church Street	Keckwick Lane	Summer Lane
Clifton Lane	King Street	The Croft
Clifton Road	King Arthur's Walk	Vicar Street
Coppice Close	Lambickle Lane	Victoria Road
Coronation Rd,	Latham Avenue	Warrington Road
Preston Brook	Leaside	Westfield Road
Cross Road	Loch Street	Weston Road
Daresbury By-Pass	Lowlands Road	Windmill Hill
Delph Lane	Lydiat Lane	Avenue North
Devonshire Square	Main Street	Windmill Hill
Expressway	Meadway	Avenue South
Festival Way	Mersey Road	Windmill Hill
Gorsey Well Lane	Motorway M56	Avenue East
Grangemoor	Moughland Lane	Windmill Hill
Grangeway	Murdishaw Avenue	Avenue West
		Windmill Lane
		Wood Lane

Part 2 - Consent Streets

All streets within the Borough of Halton which are not designated as prohibited streets are designated as consent streets except streets owned or maintained by relevant corporations.”

- 3) the matter be reported back to the Council to consider any representations relating to the proposed Designation Resolution and to consider passing the Designation Resolution.”

REG32 LEGAL SERVICES LICENSING FUNCTIONS

The Committee received a report which updated members on the changes made to the Legal Services Licensing in Tables.

It was noted that at the Committee meeting on 18 September 2006 Members were advised of a document relating to the various licence/permits/consents dealt with by Legal services and resolved that the information as outlined be published on the Council's website.

It was further noted that this document was updated and presented to Members on a regular basis generally each year and had now been further updated to reflect more recent changes.

The amended version of Legal Services Licensing in Tables was presented to Members for consideration and would be published on the Council's website.

Members were invited to identify areas of interest from the report to be included in future training.

RESOLVED: that the report be noted.

Meeting ended at 7.20 p.m.