

Wards Affected:

All Wards

ITEM 1**DELEGATED DECISION****21 FEBRUARY 2017****CHILDRENS WORK PERMITS; PERFORMANCE LICENSING AND CHAPERONES APPROVALS POLICY**

Responsible Cabinet Member: Councillor Legg (Cabinet member for Public Realm)

Report Sponsor: Tom Blackburne-Maze (Service Director Public Realm)

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Executive Summary:

Milton Keynes Council has no adopted policy in respect of its licensing remit for permits and licences for children who work part time or who take part in licensable performances or for the approval of adults who supervise children taking part in such performances. Following updated legislation in 2014 it is appropriate to now produce a policy to ensure our standards and processes are clear and in line with relevant guidance and accepted good practice. Following a consultation process a final draft document has been produced with the endorsement of Regulatory Committee.

1. Recommendation(s)

1.1 That the Children's Work Permits; Performance Licensing and Chaperones Approvals Policy be adopted

2. Issues

2.1 Although there is no legal requirement under the relevant legislation for the Council to have a policy it is good practice to do so as it provides published guidance on our procedures and standards. A policy can provide guidance where legal requirements are unclear and assist consistent decision making.

2.2 A draft policy was circulated for consultation to Councillors; relevant internal and external agencies with a safeguarding role; existing local licence holders; and other interested bodies during a three month consultation between July and September of last year.

2.3 The consultation resulted in a number of responses. All responses were given due consideration and changes were made to the policy document if considered appropriate.

2.4 In December 2016 a final draft of the policy was considered by the Regulatory Committee of the Council and endorsed for adoption subject to agreement between chairs and vice chairs on the wording of one paragraph and other minor amendments following a last minute received response.

2.5 A final version of the revised policy is now presented at the **Annex** for adoption. This version includes the changes made at the time of the original

drafting; the changes made as a result of the consultation, and the changes required by the Regulatory Committee.

3. Options

- (a) Consider the revised document at the **Annex** and adopt it as Council policy.
- (b) Require further alterations or consideration to be given and a revised document to be prepared for adoption at a later date.

In light of the consultation and scrutiny this document has received the preferred option is (a).

4. Implications

4.1 Policy

The revised policy strengthens and clarifies our approach to the licensing of young people who work part time and who take part in licensable performances as well as the adults who supervise them. It supports the corporate policy of safeguarding by protecting young people as well as improving performance by having clear standards in place

4.2 Resources and Risk

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

The policy places no additional financial cost on the Council in terms of implementation or operational practices as it reflects our current working standards. Adoption of the policy can therefore be met within existing budgetary provision

4.3 Carbon and Energy Management

None.

4.4 Legal

The provisions of the Council's Policy show how the Council will use its powers under the relevant legislation and apply the various tests within those enactments. A robust Policy is good evidence of a fair and transparent process should decisions made by the Council be appealed. The scheme of delegation is drafted to ensure that the working practices of decision making are delegated correctly and reflect the legal and constitutional requirements.

4.5 Other Implications

N	Equalities/Diversity	N	Sustainability	Y	Human Rights
N	E-Government	Y	Stakeholders	Y	Crime and Disorder

Background Papers: Children's and Young Persons Acts 1933 and 1963 (section 37 refers)
Children (Protection at Work) Regulations 1998.
Regulatory Committee December 2016 Item 6
[Regulatory Committee 6 December 2016](#)

Annex: Draft Policy