

Licensing and Regulatory Committee Annual Report 2021/2022

This is my first annual report as Chair of the Licensing and Regulatory Committees.

I would like to thank all the members of the Committees and Sub-Committees for their support, assistance and patience in dealing with some difficult and complex issues. I would also like to thank officers from Democratic Services, Legal and Licensing and Regulatory Services.

The work of each of the Committees during 2021/22 is summarised below, together with an indication of the areas the Regulatory Committee would be focussing on in 2022/23.

Councillor Keith McLean
Chair

Licensing Committee

(a) Licensing and Gambling Policies

The Council's Licensing and Gambling Policies were updated to take account of the name change of the child protection authority (now MK Together).

(b) Fee Levels

The authority reviewed the fee levels it charges under the Gambling Act 2005 to ensure they remained reasonable in line with the legislation and guidance available.

(c) Coronavirus

Again as a result of Coronavirus, the Licensing team have dealt with a considerable number of queries for advice and numerous visits to premises had been undertaken to check on compliance and closure, where required.

(d) Licensing Sub-Committee

The Sub-Committee sat eleven times in the last year to consider the following applications:

- (i) 2 x Summary Reviews of Premises Licences.
- (ii) 3 x Reviews of Premises Licences.
- (ii) 4 x New Premises Licences.
- (iii) 1 x Variation to a Premises Licence.
- (iii) 1 x Objection to a Designated Premises Supervisor.

of which four licences were suspended, four were granted with conditions, one was granted without conditions, one was revoked, and one was upheld - application refused.

Regulatory Committee

Licensing Element of Regulatory Services

(a) Regulatory Fees

A review of all non-statutory Regulatory fees was undertaken for implementation in April 2022. This included those relating to animal licensing fees and charges.

The new fees have been calculated to ensure better cost recovery having due regard to case law.

(b) Safety Advisory Groups

The Committee endorsed the updated processes in respect of Safety Advisory Groups for public events and events on Council land.

The Licensing team was allocated the administration of applications for use of Council owned land for public events. This would allow for a more effective provision of event management advice to event organisers. Little use of these powers was made for events over the last twelve months due to COVID related restrictions.

(c) Coronavirus

The day to day work of Licensing has been severely impacted by the Coronavirus restrictions on businesses. However, project work to identify unregistered skin piercers continues, with 35 new activities being registered despite lockdown restrictions on businesses.

A programme of inspections has been completed for all street traders.

(b) Regulatory Sub-Committee

The Sub-Committee did not consider any applications this year.

(c) Regulatory Services 2020/21 Plan

The day to day work of the Regulatory Team will continue, but the following items will be woven into the work as projects.

(i) Statement of Gambling Policy

To complete a statutory review by the end of the year.

(ii) Street Trading Policy

To review the existing Council's Street Trading Policy in respect of permanent mobile traders without planning permission and vans operating as roundsman incorrectly.

(iii) Skin Piercing Policy

To produce a Policy on skin piercing activities to supplement existing legislation.

Update: This matter has not been progressed.

(iv) Licensed Gambling and Club Gaming Premises

To undertake inspection on all licensed gambling and club gaming premises.

Gambling premises have been inspected but Club Gaming premises have not yet been visited.

Taxi Licensing

Introduction

2021/22 has proven to be another challenging year for the licensed taxi and private hire trade in Milton Keynes due to the Covid-19 pandemic and subsequent government restrictions and lockdowns. In response to this the Council provided a £250 cash grant to all vehicle proprietors in March 2021. This was followed up with a further £750 grant in October 2021. The Regulatory Committee hopes that these grants go some way to helping the licensed trade during a very difficult time.

Regulatory Committee Outcomes

1. In November 2021, the Committee approved further safeguarding and equality training for Taxi and Private Hire licence holders. Training will be provided by officers in-house' which will improve the safeguarding and equality knowledge and skills of licence holders. This additional training will commence in April 2022.
2. The Committee approved a 2% rise in taxi licensing fees and charges which included a £44 fee for safeguarding and equality training.
3. The Committee noted that MOT certificates would now be accepted 31 days prior to the licence expiry date rather than 14 days.
4. The Committee noted that taxi licensing had reviewed 923 MOTs and taken 149 actions (16.1%) from January to October 2021.

5. The Committee noted that taxi licensing had inspected 1085 vehicles and identified 387 licensing breaches (46.5%) and 38 mechanical breaches (3.5%) from June to October 2021.

Taxi Engagement

Once again due to the Covid-19 pandemic the Chair, Vice-Chairs and Council officers did not formally meet with the Milton Keynes Taxi Association and Private Hire Operators in 2021/22. It is hoped that in 2022/23 Members / Council officers and the Taxi / Private Hire trade will resume formal meetings to discuss the following issues:

- (i) an electric vehicle strategy (zero emissions) for all licensed vehicles by 2030;
- (ii) improving access to Station Square and reducing congestion for buses, licensed vehicles and private vehicles;
- (iii) the Hackney Carriage vehicle limit;
- (iv) compliance with Council policy and conditions;
- (v) improving signage on private hire vehicles; and
- (vi) scheduled events at MK Stadium.

Village Greens

Voluntary Registration of Village Greens on Council Owned Land

On 27 March 2018, a Delegated Decision was made to voluntarily register six Village Greens on Council owned land. Of those six Village Greens, four have now been registered. Three were registered immediately in 2018, with one being registered following on from a relevant 'trigger' event.

Village Green Registered following Trigger Event

Land off Tweed Drive, West Bletchley (UCS107)

This Village Green was registered on 23 March 2020 when the Neighbourhood Plan was made.

Village Greens yet to be Registered

- Springfield Boulevard site 1, Play Area and buffer (UCS 075)

This Village Green has not yet been registered because the relevant 'trigger' has not taken place, i.e. full planning permission for the development has not yet been granted.

- Land off Ashfield, Stantonbury (UCS 100)

This Village Green has not yet been registered. The relevant 'trigger', the Stantonbury Neighbourhood Plan, has recently been adopted and as such work has been undertaken to register this location as a Village Green. In the process of undertaking this a small section of land on the site has been found not to fall under the ownership of the Council, which would not be able to be registered. Legal advice has been sought in this regard and it is the intention to register the estimated 98% of the site that does belong to the Council as a Village Green in the coming months.