

Briefing Note



3 November 2021

LICENSING AND BUSINESS TEAM UPDATE 2021

James Sloan (Senior Licensing Officer)

Tel : 01908 252801 / Email : james.sloan@milton-keynes.gov.uk

1. Purpose

- 1.1 To update members of the Regulatory and Licensing Committees on work activities undertaken by the Licensing team during 2020/21 and a view of activities to be undertaken in 2022/23.

2. Background

- 2.1 Covid had an understandably significant effect on the businesses in Milton Keynes and impacted on the way the team was able to support them. Licensing have been involved in a number of projects over the last 18 months with this in mind including four inspection programmes and three 'reopening' inspection operations. These included checks to ensure businesses were closed, then open in line with permitted restrictions. We also issued written guidance in partnership with Public and Environmental Health and worked closely with large venues on specific events to aid reopening. We also agreed that statutory adverts for certain applications could be advertised online when newspaper circulation ceased locally.

- 2.2 For context, the timeline of Covid-19 and restrictions were as follows:

Mar 2020	Jun 2020	Jul 2020	Aug 2020	Sept 2020	Nov 2020	Jan 2021	Apr 2021	May 2021	Jun 2021
National Lockdown	Some easing	Pubs reopen in restricted measures	Further easing allowing some outside activity	Three tiers introduced	National Lockdown	National Lockdown	Outdoor venues reopen	Some larger outdoor venues open to audiences	Most restriction end

3. Updates

3.1 Alcohol Licensed Premises

The Licensing Act 2003 is the primary legislation which governs the supply of alcohol, sale of hot food after 11.00 pm and regulated entertainment. The hospitality sector was, of course, severely impacted by Covid and, over the last 18 months, 44 licences (out of 700) have been surrendered or lapsed. This is double what would normally be expected. However, this calendar year we

have now received 60 new applications and so this is evidence that the sector is investing.

One trend that has emerged is applications for off sale of alcohol by delivery from retailers and small businesses operating from home or warehouse units be it online sales or otherwise. There have been 18 applications in this regard this year and it is also clear that on sale businesses are also expanding deliveries of alcohol as part of their business plan.

The events industry was severely impacted by Covid and, as a result of this, we anticipate receiving one third of the Temporary Event Notices (TEN's) we would normally expect to deal with in a calendar year (200 as opposed to 600). As the post-Covid economy takes shape it is anticipated that the summer of 2022 will see more events taking place as public gatherings become more commonplace again.

3.2 Gambling Act 2005

The Local Authority currently has 33 premises licensed for Gambling (such as Betting Shops etc) and 120 premises permitted to have gaming machines as an ancillary to their core business (for example public houses). The number of licensed premises has fallen by 10% over the last 18 months - this is not unexpected following legislative change introduced on gaming machines and the maximum stake permitted (it was reduced to £2).

In September, a temporary change was agreed by application in respect of the Casino contract to assist their post-Covid business recovery. This will result in a reduction of funding to the Council for a limited time, but the vulnerable gamblers work that the Council supports is unaffected.

3.3 Safety Certification at Stadium MK

In September, the Local Authority were subject to an external audit by the Sports Ground Safety Authority (SGSA) in terms of our overview of the safety certificate at the Stadium. This is the permission that allows spectators to view events. The Local Authority has received a score of 97 out of 100. The Council have been highlighted as having a high level of commitment to ensuring safety at public events, a high level of governance around the safety process and the professionalism of the lead officers. The SGSA have stated their preference for additional resources to be employed within the team to ensure resilience at this level is maintained. For information, the Stadium will be hosting several concerts in May next year and several matches in the UEFA Women's Euros 2022 in July which will require the deployment of significant resources from within the Council, including Highways, Transport and Environmental Health as well as the Licensing team.

There was 80+ events held at Arena MK and the Stadium during lockdown. The Stadium was able to take advantage of its integral hotel and events space facilities to create a secure environment to allow a number of indoor sporting events to take place including a number of televised snooker and darts tournaments. As we moved out of lockdown restrictions, these events were opened to members of the public with Licensing Officers visiting to provide advice and ensuring guidance and regulations were adhered to.

3.4 Safety Advisory Group (SAG)

The Licensing team oversee the general Safety Advisory group for the Council as well as the licensing of the Council's land for events.

Since January 2021, there have been 63 event notifications. This includes an unusually high number of running race related events (26), often for small number of competitors. These made up most of the early year events, but organisers continued to send in notifications and there have been 11 events on Parks Trust land, which typically attract a larger audience.

For perspective, during the whole of 2019 we dealt with 91 notifications including 23 large scale events.

3.5 Inspections and Business Advice

Licensing undertook a number of inspections associated with Covid compliance in licensed and other premises earlier this year including complaint investigation and requests for advice and guidance. Some officers were seconded to work on Covid business advice and compliance for twelve months from March 2020.

Between January and March 2021, we undertook 350 inspections to pubs, restaurants, off licences and other premises under Covid requirements.

Premises were generally compliant, and/or responsive to becoming compliant. A limited number of enforcement notices were, however, deemed necessary covering use of covered structures in outdoor locations, spacing of customers, and permitted hours.

All premises licence fees were deferred to assist the licensed trade financially.

Street traders were one of the few businesses permitted to trade throughout the lock downs. However, many street traders suffered a loss of business due to the reduction of people attending commercial/industrial areas for work, reducing custom considerably. Consequently, the Authority made the decision to accept renewal and application payments to be made in instalments.

4. Recovery - Next Steps

4.1 Licensing intends to undertake the following work programme in the next six months:

- all gambling premises to be inspected;
- all Street traders to be inspected;
- any licensed premises granted a new or varied licence to be inspected within three months of grant;
- Skin Piercing guidance/policy document is to be formulated and brought to the Committee for adoption. This continues to be a sector that expands, and we have registered 50 premises / individuals since March;
- the Gambling Policy Statutory Review will be completed;
- street trading policy update and consultation on new prohibited streets will be completed; and
- the development of a pre-application chargeable services to support smaller businesses in terms of making applications will be completed.