

**AMENDMENTS TO MILTON KEYNES COUNCIL STREET TRADING POLICY AND DEREGULATION OF CITY SQUARE**

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**Executive Summary:**

This report proposes minor amendments to the Milton Keynes Street Trading Policy and to consult on the request of deregulating City Square in Central Milton Keynes.

**1. Recommendation**

- 1.1 That Cabinet be recommend to adopt the amendments to the Street Trading Policy.
- 1.2 That a consultation be undertaken on the deregulation of City Square, the results of which are reported to the next available meeting of the Committee.

**2. Issues**

- 2.1 The Street Trading Policy requires it to be reviewed every 3 years, but a review could be triggered at any time by a change in legislation or other relevant factors. The Policy can be changed without consultation when changes are minor. Following the Policy's enactment on the 1 April 2017, it was identified that it should be amended as a result of the following:
  - (a) Subsequent to the Council's response to a query from Cripps, representing Hermes Investment Management (see **Annex A**), it was determined that clarification should be given in the Policy that the 60 metre boundary of designated streets does not apply to any internal shopping mall (i.e. Centre:MK), permanent structures with covered areas (i.e. INTU) and the outdoor walkways within the shops jurisdiction. This will apply to all premises of this type within the Borough. Paragraph 2.4 of Policy has been amended.
  - (b) That it is a mandatory requirement that the street trading consent permit summary is displayed within the food mobile when trading, where it can be easily read by members of the public. (See **Annex B** for example notice). This requirement has been added at Policy Appendix A section 22.
  - (c) An expansion of the mandatory minimum food hygiene rating requirement at Clause 10.2 (e) of Policy.
  - (d) An expansion of the Market exemption definition at Clauses 24.4 and 24.5 of Policy.

- (e) An expansion of the Community event exemption definition at Clause 2.3.1 of Policy.

2.2 The Council has received a request from Cripps/Hermes Investment Management to consider deregulating City Square, so that the 60 metre Prohibited Boundary of Saxon Gate and Silbury Boulevard does not apply. This change will require a formal consultation process to be initiated. A plan of the area and the request are attached at **Annex C**.

### 3. Options

3.1 The Committee:

- (a) considers the changes to the Policy, as detailed in **Annex D**, (highlighted bold text) and refers to Cabinet for adoption;.
- (b) require further alterations for consideration at a future Regulatory Committee meeting; or
- (c) makes further amendments for incorporation into the Policy before referral to Cabinet.

3.2 The Committee considers approving a consultation on deregulating City Square, or decides that there should be no change.

### 4. Implications

4.1 Policy

The Committee can determine the local street trading arrangements as they see fit.

4.2 Implementation

Any amendment to the Policy made by the Regulatory Committee and ratified by Cabinet will be publicised on the Council's website at least 28 days prior to commencement, unless a later date is specified.

4.3 Resources and Risk

The costs associated with the administrative and publicity of these proposals will be taken from the Licensing revenue budget where sufficient funds are available.

The total fees in relation to the Public Notice requirements would incur a cost to the Council of approximately £1,200.

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

4.4 Carbon and Energy Management

The trader is required to incorporate recyclables and energy efficient processes as part of their trading routine in order to reduce potential environmental impact.

#### 4.5 Legal

- (a) The Policy should require endorsement from the Committee.
- (b) The Local Government (Miscellaneous Provisions) Act 1982, Schedule 4 – Street Trading, sets out the administrative arrangements for the designation of highways, streets, forecourts, etc. as ‘Prohibited’ and ‘Consent’ Streets.

In relation to deregulating City Square, a draft resolution will be sent out for consultation to Parish and Town Councils, Ward Members, known street traders and the general public via a Public Notice in the local newspaper. The matter will be brought back to the Regulatory Committee for confirmation with or without amendment depending on responses received. A further Public Notice will then be placed for 2 consecutive weeks, detailing the confirmed resolution of the committee with arrangements being effective from that date.

#### 4.6 Other Implications

None

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

Background Papers: Milton Keynes Council Street Trading Policy 2017 - 2020