

Licensing and Regulatory Committee Annual Report

This is my second 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.

Following concerns raised at a Licensing Sub-Committee, I will, in consultation with the Cabinet member for Community Safety, be reviewing Policy with regard to alcohol deliveries and, in particular, goods that are ordered via apps and delivered by robots or collected from premises.

I would also like to thank Jane Crighton in her professional way she has produced all the relevant reports, often at short notice, and ensured we got the work of the Committees done correctly.

The work of each of the Committees during 2020/21 is summarised below, together with an indication of the areas the Regulatory Committee would be focussing on in 2021/22.

Councillor Mick Legg
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

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 nine times in the last year to consider the following applications:

- (i) 2 x Review of a Premises Licence
- (ii) 3 x New Premises Licence
- (iii) 2 x Variation to a Premises Licence
- (iv) 1 x Determination of a Licensing Condition

- (v) 1 x Determination of a Personal Licence

Seven were granted with conditions, one was refused, and one applicant surrendered the licence.

Regulatory Committee

Licensing Element of Regulatory Services

- (a) Regulatory Fees

A review of all non-statutory Regulatory fees was undertaken for implementation in April 2021.

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.

- (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 had been completed for all street traders.

- (b) Regulatory Sub-Committee

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

- (i) a new street trading consent; and
- (ii) a street trading consent renewal

- (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.
- (iv) Licensed Gambling and Club Gaming Premises
To undertake inspection on all licensed gambling and club gaming premises.

Taxi Licensing

Due to the Covid-19 pandemic, it has been an extremely challenging year for the Taxi and Private Hire trade in Milton Keynes. The trade has seen a reduction in its income of up to 55% with some drivers having to leave to find alternative work. As a result, both the Regulatory Committee and Cabinet Member reviewed the Council's licensing policy, procedures and conditions to ensure that it was doing everything possible to support the local trade and keep the public safe.

- (a) Regulatory Committee Decisions
 - (i) As part of the Council's Covid-19 prevention strategy, the Regulatory Committee supported officers in contacting all license holders to provide support and guidance during a very difficult time. This support included two re-useable (washable) face masks and two rear-door external stickers. The stickers provided visual advice to drivers and customers on hand washing, opening windows, using anti-viral wipes, sitting in the back seat, and wearing face coverings. In addition, all license holders and Operators were contacted and encouraged to attend the CMK Library for lateral flow testing.
 - (ii) The Regulatory Committee supported the outsourcing of vehicle testing (via local MOT garages) in order to provide an annual saving of £122 for each vehicle license holder and to support local businesses. This change now forms part of Council policy.
 - (iii) The Regulatory Committee supported the recommendations of the Department for Transport (DfT) to improve public safety, safeguard children and vulnerable adults, and help create national standards across the industry. These recommendations now form part of Council policy.

- (iv) The Regulatory Committee supported the removal of the 6-year vehicle age limit for existing/former license holders. This decision allows former/existing MK vehicle license holders to license a vehicle if it is less than 10 years old.
- (v) The Regulatory Committee supported the repairing of the Taxi Totem light at Station Square, so the public was clearly aware of where the hackney carriage rank was situated.
- (vi) The Regulatory Committee supported an alteration to the Station Square car park area. A new Bolt-Down Island was installed to prevent all vehicles (including private hire vehicles) from illegally turning right out of the car park area. The illegal right turns caused the car park to 'grid-lock' during busy periods.

(b) Taxi Engagement

Due to the Covid-19 pandemic the Chair, Vice-Chairs and council officers did not formally meet with the Milton Keynes Taxi Association (MKTA) and Private Hire Operators in 2020. However, the Taxi Licensing Lead officer did speak regularly with the MKTA and Operators, who then informed the Cabinet Member/Chair/Vice Chairs, in regard to the Council's response to the pandemic, taxi fees, vehicle age policy, Department for Transport recommendations and the removal of in-house vehicle testing. It is hoped that in 2021/22, when lock down restrictions are eased, that Members/council officers and the taxi/PH trade can resume formal meetings to discuss the above and additional issues such as:

- (i) A strategy to have all licensed vehicles electrically powered (zero emissions) by 2030.
- (ii) Improving access to Station Square and reducing congestion for buses, licensed vehicles (HC/PH) and private vehicles.
- (iii) The Hackney Carriage vehicle limit.

Village Greens

(a) Voluntary Registration of Village Greens on Council Owned Land

On 27 March 2018, a Delegated Decision ([Delegated Decision - 27 March 2018](#)) 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, and three were subject to trigger events.

The three subject to trigger events were:

- (i) Springfield Boulevard site 1, Play Area and buffer (UCS 075) which is a site allocated for housing in Plan:MK, to be registered once the full planning permission for the development is granted;

- (ii) Land off Ashfield, Stantonbury (UCS 100) to be registered once the Neighbourhood Plan is made; and
- (iii) Land off Tweed Drive, West Bletchley (UCS107) to be registered once the Neighbourhood Plan is made.

(b) Village Green recently Registered

Land off Tweed Drive, West Bletchley (UCS107): this Village Green was registered on 23 March 2020 when the Neighbourhood Plan was made.

(c) Village Greens yet to be Registered

- (i) 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 development allocated in Plan:MK has not yet been granted.
- (ii) Land off Ashfield, Stantonbury (UCS 100): this Village Green has not yet been registered because the relevant 'trigger' has not taken place i.e. Stantonbury Neighbourhood Plan has not yet been made.