

Minutes of the meeting of the REGULATORY COMMITTEE held on WEDNESDAY
12 DECEMBER 2018 at 6.37 pm

Present: Councillor Morris (Chair)
Councillors Alexander, Akter, Buckley, Darlington, Exon, Geaney,
Legg, Miles, Minns, Patey-Smith and Wallis.

Officers: K Hulatt (Acting Head of Legal), N Allen (Head of Regulatory
Services), J Agar (Senior Practitioner – Taxi Licensing), S Bailey
(Strategic Lead - Parking and Taxis), S Teesdale (Licensing and
Business Manager), K Evans (Senior Enforcement Officer), E Fisher
(Senior Licensing Practitioner) and T Milner (Committee Manager)

Apologies: Councillors Carr and McDonald

Also Present: 6 members of the public

RC22 MINUTES

RESOLVED -

That the Minutes of the meeting held on 12 September 2018 be
approved and signed by the Chair as a correct record.

RC23 DISCLOSURES OF INTEREST

None disclosed.

RC24 PETITION

The Committee received a petition on behalf of Milton Keynes
Private Hire Independent Association's Drivers in respect of Private
Hire companies bullying drivers and imposing on drivers that they
collect a 20 pence hidden charge on top of the normal fee without
prior notice to customers.

The Committee instructed Council Officers to investigate the
concerns raised in the petition and to report back its findings to the
Regulatory Committee by 13 March 2019.

**RC25 AMENDMENT TO HACKNEY CARRIAGE AND PRIVATE HIRE
VEHICLE LICENSING POLICY**

The Committee considered the Amendment to Hackney Carriage
and Private Hire Vehicle Licensing Policy.

The Committee heard from the Senior Practitioner (Taxi Licensing)
who indicated that the Council had revised its Taxi Licensing Policy

2018 to provide improved clarity by splitting the original Policy into two documents, thereby providing a revised Policy for Cabinet and a Taxi Licensing Conditions and Procedure for the Regulatory Committee.

The Committee heard that the new Policy had one main change, namely in that an applicant would now be required to produce a foreign criminal record if they had lived in another county within the last 10 years, as opposed to the previous Policy requirement of living in another country in the last 20 years. The changes were in line with the Home Office legislative guidelines and were still of a higher standard than neighbouring local authorities.

RESOLVED -

1. That the revised Taxi Licensing Conditions and Procedures be approved.
2. That the revised Taxi Licensing Policy be recommended to Cabinet for approval.

RC26

REVIEW OF TAXI LICENSING FEES AND CHARGES 2019

The Committee considered a proposed table of Taxi Licensing Fees and Charges for 2019 - 2020 as set out in a report by the Senior Practitioner (Taxi Licensing).

The Committee heard from the Senior Practitioner (Taxi Licensing), who stated that the fees had been increased by 2.5% as recommended by Finance with some additional minor increases.

The Committee was reminded that the proposed fees could be refused by them. However, the Strategic Lead - Parking and Taxis commented that it was good practice to increase the fees by small amounts on a regular basis as large one-off increases are often more difficult to implement and justify.

The Committee heard from one member of the public during consideration of the item.

RESOLVED -

1. That the fees be approved for advertisement in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976.
2. That the Head of Service, in liaison with the Chair and Vice-Chairs of the Committee, to consider any objections should they arise. If there are no objections, or the objections are dismissed, then the fees, as set out in the Committee report, be adopted and to take effect on 1 April 2019. If an objection(s) is upheld then the Head of Service, Chair and Vice-Chairs be requested to amend the fees which will take effect on 1 April 2019.

RC27

REVIEW OF STREET TRADING ARRANGEMENTS IN HANSLOPE

The Committee considered the Review of Street Trading Arrangements in Hanslope.

The Committee heard from the Senior Licensing Practitioner, that all of the appropriate legislative requirements had been followed and published in respect of de-regulating the Council's current arrangements which were in place. No comments had been received by the Council in respect of the proposed changes, and only upon the appropriate Public Notices being placed in the Press, could the applicant look to commence trading his mobile business on the proposed site, potentially from March 2019.

Councillor Morris indicated that she was Chair at the Licensing Sub-Committee that heard the original proposal, and that the new proposed business area would not be acceptable long-term due to a housing development being built in the vicinity in the near future, which would require further changes by the applicant to the trading application.

Committee members expressed that they had no issues with the revised arrangements, including 2 Committee members who had also sat on the Sub-Committee meeting, and made a site visit in respect of the original application.

The Chair, on behalf of the Committee thanked the applicant for attending the meeting.

The Chair also indicated that as a consequence of the potential changes, the Sub-Committee could be convening more often in the future to see more of this type of application.

RESOLVED -

That the amended street trading arrangements in Hanslope be changed with the following wording as indicated in Annex C: 'To prohibit street trading to the off road parking area on Gold Street/Long Street Road opposite the premises known as the Watts Arms, and to allow street trading with consent to the off road areas at the premises known as the Watts Arms.', be approved and published in line with legislative requirements, to be effective from 1 March 2019.

RC28

AMENDMENTS TO MILTON KEYNES COUNCIL STREET TRADING POLICY

The Committee considered Amendments to Milton Keynes Council Street Trading Policy.

The Committee heard from the Senior Enforcement Officer, who indicated that the proposed changes were to mainly reflect trading arrangements during the main school hours, which equated to the normal opening times for any particular school, whilst students were

being educated including lunch break periods. The amendments also related to healthy eating concerns, linked particularly to childhood obesity issues.

It was reported that the results of the consultation will be reported to a future Committee meeting for consideration of implementation of the changes Borough wide.

The Chair indicated that the revised Policy would impact trading changes within a 250m distance from a school, but if trading was outside of the 250m distance, mobile traders including Ice Cream vehicles could operate safely from the school location.

The Chair, on behalf of the Committee expressed her thanks to the Senior Enforcement Officer and the team for all the work put in on revising the Policy.

RESOLVED -

1. That the Committee endorse a draft proposal to prohibit street trading involving sale of food within 250 metres of any school's entrances and / or exits, during main school hours and 30 minutes after normal school closing time, and that officers be requested to undertake a consultation and publish the required Public Notices.
2. That Cabinet be recommended to adopt the proposed minor amendments to the Street Trading Policy.

RC29

TAXI LICENSING AUDIT

The Committee considered the Taxi Licensing Audit.

The Committee heard from the Senior Practitioner (Taxi Licensing), who expressed that his thanks be extended to A Ward (Senior Practitioner) for the excellent work and efforts undertaken with the Audit, has since left the Council. The Audit has been approved and was seen as excellent news for the Taxi Licensing Team. The risks highlighted as a consequence of previous mistakes undertaken, were now less likely to occur as a consequence of the excellent work and measures put in place by A Ward (Senior Practitioner).

The Chair indicated that she had requested this report be provided to the Committee, particularly taking into account the past issues experienced, and concurred with the Senior Practitioner (Taxi Licensing), that it was excellent news about the big turnaround of improvements undertaken in the Taxi Licensing area.

The Chair, on behalf of the Committee also requested that her thanks and appreciation be extended to all the Officers involved and Taxi Licensing Team for all the hard work undertaken and concurred with the Senior Practitioner (Taxi Licensing) comments, particularly in respect of the excellent work undertaken by A Ward (Senior Practitioner).

RESOLVED -

That the report be noted.

RC30

DATE OF THE NEXT MEETING

That the next meeting of the Committee be held on Wednesday 13 March 2019 at 6.35 pm or after the conclusion of the Licensing Committee, whichever is the later.

THE CHAIR CLOSED THE MEETING AT 7.21 PM