



Minutes of the meeting of the REGULATORY COMMITTEE held on WEDNESDAY 11 SEPTEMBER 2019 at 7.24 pm

Present: Councillors Alexander, Carr, Cryer-Whitehead, Legg, Marlow, Miles, Trendall and Williams

Officers: T Aldworth (Deputy Chief Executive), N Allen (Head of Regulatory Services), P Cummins (Head of Legal), E Fisher (Senior Practitioner), S Teesdale (Licensing and Business Manager), A Ward (Licensing Officer) and J Crighton (Committee Manager)

Also Present: Councillor Bowyer and three members of the public

Apologies: Councillors Akter, Exon, Green, D Hopkins, Lancaster, Small and Wallis

RC04 MINUTES

RESOLVED -

That the Minutes of the meeting of the Regulatory Committee held on 13 March 2019, the special meeting held on 15 May 2019 and the meetings of the Regulatory Sub-Committees held on 8 March 2019 and 6 August 2019 be approved and signed by the Chair as correct records.

RC05 DECLARATIONS OF INTEREST

None disclosed.

RC06 SAFETY CERTIFICATION PROCEDURES - STADIUM MK

The Committee considered a report from the Senior Practitioner in respect of the Safety Certification Procedures at Stadium MK.

The Committee noted that the current processes and procedures used for Safety Certification had been updated in the last twelve

months to consider the safety of all persons present at football matches.

It was noted that the Stadium's Safety Certificate covered the Stadium itself and the outer concourse at a distance of 10 metres, but not the public highway. The wider issues of potential problems caused by at events at Stadium MK, for example, traffic management and pedestrian safety, had been highlighted by the Senior Practitioner to the Safety Advisory Group, which gave advice to event organisers when planning for large events.

The Senior Practitioner reported that some stadiums were considering having safer standing areas in the future. At present, there were no plans at Stadium MK to move to safer standing as this would mean changing to rail seating which would cause a safety issue.

The Senior Practitioner informed the Committee that The Sports Ground Safety Authority, which recently undertook an audit of the Council's Policies and Procedures for the Stadium MK, had recommended that the Council adopt the revised policies and procedures.

RESOLVED -

That the revised Policy and Procedure for overseeing safety certification and the allied Inspection Protocol be approved

RC07

REVIEW OF FEES AND CHARGES FOR REGULATORY SERVICES

The Committee considered a report from the Licensing Officer in respect of the review of fees and charges for Regulatory services.

It was reported that, following a Supreme Court hearing, it was necessary for all Councils to review how they calculate their charges.

The Committee noted that the Regulatory team had undertaken a review last year which had resulted in fees and charges increasing by 3% to cover staffing costs and an increase in overheads. In addition, a new fee had been introduced in respect of Borough-wide Mobile Street Trading Operator Licences.

RESOLVED -

1. That the proposed fees and charges, outlined in the Annex to the report, be endorsed and recommended to Council for adoption and to take effect from 1 April 2020.

2. That a review of fees and charges be held annually and a report be presented to the Regulatory Committee in September 2020.

RC08

STREET TRADING POLICY AMENDMENT

The Committee received a report from the Licensing Officer in respect of a Street Trading Policy Amendment.

It was reported that all public streets in Milton Keynes had been adopted by the Council as either prohibited or consent streets. Therefore if an operator wished to trade from a consent street the operator had to apply to the Council for a license. There was no right of appeal against the refusal of an application.

The Senior Practitioner informed the Committee that the Council's current Street Trading Policy presumed that all mobile street traders would be individuals with one vehicle, so under the Council's current policy, if an applicant had more than one vehicle he /she would have to have his / her suitability checked, hold a licence and pay an administration fee for each vehicle.

The Committee noted that the Licensing team had recently investigated an operator who had been trading without permitted consent. The Team had been satisfied that the operator had not intentionally traded without consent and had sought to bring the operator into compliance. The operator, who had more than one vehicle, had raised the issue that the required licences would cost in the region of £40,800.

Following the concern raised by the operator, the Licensing Team had reviewed the Policy and suggested that an operator should only have his / her suitability checked once, and the Policy should be amended to create a Borough-wide Mobile Street Trading Operator Licence which would apply to operators who held more than three vehicles and so creating opportunity for a discount.

It was reported that further suggested amendments had also been made to the Policy which were highlighted in the Annex to the report.

During consideration of this item, a member of the public requested that a prohibition on Newport Road, Hanslope, be removed in order for him to trade.

The Senior Practitioner informed the Committee that a legal process would need to commence in order to remove the prohibition. The process would require a consultation involving Parish Councils and

Ward members, and a site notice to be displayed, together with a notice in the newspaper.

RESOLVED -

1. That the draft policy, including the highlighted amendments, be recommended to Cabinet for adoption.
2. That, following a request from a member of the public on the Street Trading Policy, the Committee considered that the prohibition on street trading on Newport Road, Hanslope, could potentially be rescinded / amended so as to re-designate the part of the road where the Village Hall was as a consent street.
3. That the Senior Practitioner commence the required legislative process and consultation without delay and provide a report to a future meeting of the Committee or relevant Sub-Committee as to whether to pass a resolution to rescind and / or re-designate the street, or not.

RC09

UPDATE ON LICENSING OVERSIGHT AT STADIUM MK

The Committee received a report from the Senior Practitioner which provided an update on the Licensing oversight at Stadium MK.

The Committee was informed that a large amount of Safety Certification was based on preventing a tragedy at a large event or stadium.

RESOLVED -

That the report be noted.

RC10

DATE OF NEXT MEETING

It was noted that the next meeting of the Regulatory Committee would be held on Wednesday 11 December 2019 at 6.35 pm or on the conclusion of the Licensing Committee, whichever was the later.

THE CHAIR CLOSED THE MEETING AT 8.00 PM