

Licensing Committee
28 June 2022

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the LICENSING COMMITTEE held on Tuesday 28 June 2022 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, AL8 6AE

PRESENT: Councillors P.Smith (Chairman)
J.Cragg (Vice-Chairman)
D.Jones, S.McNamara, L.Musk, S.Tunstall and
P.Zukowskyj

OFFICIALS PRESENT: Licensing Team Leader (K.Payne)
Public Health Consultant (D.Thrale)
Hackney Carriage Officer (J.Vaughan)
Regulatory Support Officer (C.Bridges)
Senior Litigation Lawyer (R.Simpson)
Governance Services Manager (A.Marston)

1. MINUTES

The Minutes of the meeting held on 31 March 2022 were agreed as a correct record.

2. DECLARATIONS OF INTERESTS BY MEMBERS

Councillor P.Zukowskyj declared a non-pecuniary interest in items on the Agenda as appropriate as a Member of Hertfordshire County Council.

3. NEW STREET TRADING CONSENT RESOLUTION

Officers gave an overview of the submitted report which outlined various considered options for a new permanent street trading consent to replace the existing one in Stonehills.

The existing site in Stonehills has had street trading since 1983 but due to the pedestrianisation works in the area the vendor has been moved to a temporary location on the corner between Stonehills and Howardsgate, under a temporary licence granted by Hertfordshire County Council.

Proposed new locations have been discussed with Hertfordshire County Council (HCC) Highways, as well as other departments across the council including parking services, environmental health, hackney carriages, planning and estates.

As the existing site is no longer suitable, the options available to the committee were:

- Remove the consent from that site
[This would prevent single traders from using that site at all including one-day events.]
- Add conditions to existing consent so it is only used with permissions from the council

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- Leave the site as an open street trading site.
[Policy states that when sites become vacant the council must advertise it for a new trader.]

Discussion with the committee covered the following topics with officers providing clarification:

- Consultation at this point had been with other council departments and HCC Highways; ward councillors will be included as part of wider consultation if resolution is passed: consultation results will then come back to this committee for final decision.
- The locations considered at this point were primarily from a road safety point of view as the locations were put forward by HCC Highways. Many of the options have flats above; the location of nearby flats to the current temporary location has resulted in noise complaints. The committee are mindful of the mix of residential and commercial, knowing that more residential development in the town centres will increase these issues.
- Other locations (for example Wigmores South and Church Road) were ruled out an earlier stage due to width restrictions and the proximity of other rate-paying traders.
- Concerns were raised regarding the safety of the site by the bus station as the area is very quiet at night once the buses stop running and the Howard Centre is closed. Officers confirmed that the police will be able to voice any safety concerns during consultation. The site was agreed to be the best overall taking into account these considerations.

At the conclusion of the discussions, the committee agreed

(UNANIMOUS)

- For the site at the rear of Bebos to go out to consultation
- For the existing site on Stonehills to be retained with conditions for one-off events with permission from the council.

4. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for Agenda item 8 (Minute 5 refer) on the grounds that they involved the likely disclosure of confidential or exempt information as defined in Section 100A(3) and Part 1 of Schedule 12A of the said Act (as amended).

In resolving to exclude the public in respect of the exempt information, it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

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5. REVIEW OF APPLICATION FOR PRIVATE HIRE OPERATORS LICENCE

Officers presented the exempt report of the Head of Public Health and Protection on the determination of the application of an Operator's Licence.

The applicant was not in attendance.

Following consideration of the evidence presented, the Committee

RESOLVED

To not grant the licence.

(Note: A more detailed record of the Committee's decision is contained in the exempt Minute 5)

Meeting ended at 9.40 pm
AM