

Licensing Committee  
25 November 2021

## WELWYN HATFIELD COUNCIL

Minutes of a meeting of the LICENSING COMMITTEE held on Thursday 25 November 2021 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, AL8 6AE

PRESENT: Councillors P.Smith (Chair)  
B.Fitzsimon (Vice-Chair)  
  
A.Dennis, G.Hayes, S.McNamara, P.Zukowskyj

OFFICIALS: Licensing Technical Officer (N.Tupling)  
PRESENT: Hackney Carriage Officer (J.Vaughan)  
Regulatory Support Officer (C.Bridges)  
Democratic Services Assistant (V.Mistry)  
Governance Service Manager (A.Marston)

---

### 5. SUBSTITUTION OF MEMBERS

The following substitutions of Committee Members had been made in accordance with Council Procedure Rules:-

Councillor S.McNamara for J.Cragg.

### 6. APOLOGIES

Apologies for absence were received from Councillors J.Cragg and S.Tunstall.

### 7. MINUTES

The Minutes of the meeting held on 12 July 2021 were agreed as a correct record and noted by the Chairman.

### 8. 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.

### 9. ADOPTION OF THE WELWYN HATFIELD COUNCIL STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

Report of the Corporate Director (Public Protection, Planning and Governance) on the Council's Statement of Principles under the Gambling Act 2005.

Licensing Committee  
25 November 2021

The report recommended adoption of the Council's Statement of Principles (Gambling Act 2005) for a 3-year period commencing 31 January 2022, as required by section 349 of the Gambling Act 2005. Once adopted the statement of principles would form part of the decision-making process for Council Members and Officers when they are determining applications for premises licences and permits. The statement of principles would also be used by the Courts should they be asked to consider an appeal against a committee decision. The statement of principles followed the prescribed statutory format and was the subject of a consultation exercise. The draft statement of principles was approved for consultation release by the Licensing Committee on 21 July 2021.

In connection with the Gambling Act 2005 (Gambling Act or the Act) the Council was obliged to have regard to promoting the statutory licensing objectives contained in the Act, firstly preventing gambling being a source of crime and disorder, being associated with crime and disorder or being used to support crime; secondly ensuring that gambling is conducted in a fair and open way and thirdly protecting children and other vulnerable persons from being harmed or exploited by gambling.

The policy was publicly consulted upon between 27 July and 25 October 2021 and received no responses.

The following points were raised and discussed:

- Members noted that there were minimal changes from the previous policy and were happy to approve the new document.

**RESOLVED:**  
**(unanimous)**

The Licensing Committee approved the Welwyn Hatfield Borough Council statement of principles at Appendix 1 and its adoption for the next three years, commencing 31 January 2022.

#### 10. PRIVATE HIRE OPERATOR POLICY

Report of the Corporate Director (Public Protection, Planning and Governance) on the Private Hire Operator Policy.

The Statutory Taxi and Private Hire Vehicle Standards (the Standards) include national guidance in relation to Private Hire Operators. The Hackney Carriage team had reviewed and amended the current Operator application pack, procedure and standard conditions, to include changes which incorporate the recommended guidance given by the Department for Transport (DfT).

On 21 July 2020 the Department for Transport issued the national Statutory Taxi and Private Hire vehicles standards which for the first time put the safeguarding of children and vulnerable people right at the heart of the taxi licensing system.

Licensing Committee  
25 November 2021

A consultation for the proposed changes took place in June 2021.

The following points were raised and discussed:

- Members thought the policy was robust and well thought out.
- Members noted that a lot of work had gone into putting the new policy together and consulting the public.

RESOLVED:

**(unanimous)**

- (1) For the committee to note the revised guidance from the Department for Transport, the results of the consultation exercise and the proposed revised operator application pack shown in appendix 4.
- (2) For the committee to consider and agree that the revised operator application pack, procedure and standard conditions for private hire operators is adopted and comes into effect on 1 December 2021.

11. 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 10 (Minute 12 refers) on the grounds that it involves the likely disclosure of confidential or exempt information as defined in Section 100A(3) and Paragraphs 5 (privileged and legal advice) and 6 (statutory notice or order) Part 1 of Schedule 12A of the said Act (as amended).

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

12. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982  
AVAILABLE STREET TRADING PITCH - BURROWFIELDS, WELWYN  
GARDEN CITY, AL7 4SR APPLICATION FOR A STREET TRADING LICENCE

Exempt report of the Corporate Director (Public Protection, Planning and Governance) on an application for the available street trading pitch at Burrowfields, Welwyn Garden City, AL7 4SR.

**(Note:** A more detailed record of the Committee's discussion is contained in the exempt Minute 12a).

Meeting ended 7.48pm  
VM