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1 September 2017

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To: Members of the Committee: Councillor Bill Davidson, Councillor Sarah Dingley, Councillor Jean Green, Councillor Fiona Hill, Councillor Tony Hunter, Councillor Ben Lewis and Councillor Gerald Morris

You are invited to attend a

MEETING OF THE ROYSTON AND DISTRICT COMMITTEE

to be held in the

**ROOM 11, ROYSTON TOWN HALL, MELBOURN STREET,
ROYSTON**

On

WEDNESDAY, 13TH SEPTEMBER, 2017 AT 7.30 PM

Yours sincerely,



David Miley
Democratic Services Manager

Agenda **Part I**

Item	Page
1. APOLOGIES FOR ABSENCE	
2. MINUTES - 13 JULY 2017 To take as read and approve as a true record the minutes of the meeting of this Committee held on the 13 July 2017.	(Pages 1 - 6)
3. NOTIFICATION OF OTHER BUSINESS Members should notify the Chairman of other business which they wish to be discussed by the Committee at the end of the business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chairman will decide whether any item(s) raised will be considered.	
4. CHAIRMAN'S ANNOUNCEMENTS Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest which requires they leave the room under Paragraph 7.4 of the Code of Conduct, can speak on the item, but must leave the room before the debate and vote.	
5. PUBLIC PARTICIPATION To receive petitions and presentations from members of the public including: 1. Royston Swimming Club	
6. HIGHWAYS ISSUES The Chairman to lead a discussion regarding any issues raised, including current and proposed highways schemes.	
7. ROYSTON TOWN WIDE PARKING REVIEW REPORT OF THE STRATEGIC PLANNING & PROJECTS MANAGER	(Pages 7 - 18)
To seek Members' agreement on the way forward for the Royston town wide parking review; to summarise the findings from the initial investigations carried out on issues previously raised by Members; and to seek the Committee's views on schemes listed at Appendix A to the report.	

8. **CONSULTATION IN RELATION TO THE PROPOSED STREET TRADING POLICY 2018-2025** (Pages 19 - 50)
REPORT OF THE LICENSING MANAGER

To comment upon the proposed Street Trading Policy for the Council, particularly in relation to any matters specific to Royston.

9. **GRANTS AND COMMUNITY UPDATE** (Pages 51 - 60)
REPORT OF THE COMMUNITIES OFFICER

To update the Committee on the activities and actions of the Communities Officer, to advise on the current expenditure and balances of the delegated budgets and to consider applications for grant funding.

10. **WARD MATTERS AND OUTSIDE ORGANISATIONS - MEMBERS' REPORTS**
To receive any oral reports from Members regarding Ward matters and Outside Organisations.

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Agenda Item 2

NORTH HERTFORDSHIRE DISTRICT COUNCIL

ROYSTON AND DISTRICT COMMITTEE

MEETING HELD IN THE ROOM 11, ROYSTON TOWN HALL, MELBOURN STREET,
ROYSTON ON THURSDAY, 13TH JULY, 2017 AT 7.30 PM

MINUTES

Present: *Councillors Councillor Tony Hunter (Chairman), Councillor Bill Davidson (Vice-Chairman), Sarah Dingley, Jean Green, Fiona Hill and Gerald Morris*

In Attendance:

Rebecca Coates (Community Safety Manager), Asha Pomroy (ASB Officer), Ashley Hawkins (Communities Officer), Ian Gourlay (Committee and Member Services Manager) and Amelia McInally (Committee and Member Services Officer)

Also Present:

At the commencement of the meeting 8 members of the public including Chief Inspector Julie Wheatley (Hertfordshire Constabulary)..

4 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ben Lewis

5 MINUTES - 1 MARCH 2017

RESOLVED: That the Minutes of the Royston and District Committee meeting held on 1 March 2017, be approved as a true record of the proceedings and be signed by the Chairman, subject to the date change from 30 November 2017 to 30 November 2016 in Minute 53, Grants and Community Update under the heading Budgets.

6 MINUTES - 18 MARCH 2017

RESOLVED: That the Minutes of the Royston and District Committee meeting held on 18 May 2017 be approved as a true record of the proceedings and be signed by the Chairman.

7 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

8 CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman welcomed those present, particularly Chief Inspector Julie Wheatley (Hertfordshire Constabulary), and speakers for Public Participation;
- (2) The Chairman advised that, in accordance with Council Policy, the meeting would be audio recorded; and
- (3) The Chairman drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

9 PUBLIC PARTICIPATION - CREATIVE ROYSTON (Royston Arts Festival)

Councillor Sarah Dingley declared a declarable interest, she informed the Committee that she was the Vice Chair of Creative Royston. She advised that she would remain for the presentation but would leave the room and take no part in the debate or vote.

Carl Filby thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation regarding the grant funding application for Creative Royston (Royston Arts Festival). He informed the Committee that he had been the Secretary for Creative Royston for a number of years. He thanked the Committee for their financial support in 2016 and explained that this had assisted with the distribution costs for the Royston Festival Programme. He further explained that this year's increased request, whilst partly due to no further funding application being allowed until 2019, there was also a void in their projected budget of £1,650 due to an unfulfilled projected sponsorship. He informed the Committee that the funding being requested would cover the whole of the distribution costs of the existing programme to the 16,500 households in Royston and the surrounding area. Whilst he projected that the expenditure for 2017 was anticipated to be very similar to their total expenditure in 2016, they had managed to obtain better value by reducing the costs of printing the Festival Programme whilst not affecting the quality. He added that the savings on programme production costs would allow expenditure on other events being held during the 2017 Town Centre Festival, that they wouldn't otherwise have been able to support.

The Secretary of Creative Royston told the Committee that they had involved local schools in an Art Competition. The winning entrant's work would be put on display in Royston Library and then finally exhibited at the Royston Art's Autumn Exhibition where sealed bids would be invited to win the original artwork. The proceeds would then be donated to the local Home Start Charity.

In answer to a question by a Member, The Secretary of Creative Royston informed the Committee they did receive funding from several other sources.

The Chairman thanked Carl Filby for his presentation.

10 PUBLIC PARTICIPATION - CORVUS CORNIX BASKETBALL CLUB

Di Charles thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation regarding the grant funding application for Corvus Cornix Basketball Club. She informed the Committee that she was the Secretary of Corvus Cornix Basketball Club, which was now 47 years old, and she herself had been there from the beginning. She explained, having catered in the past for all age groups from National Championships for Women to Local Championships for Boys, the club was now concentrating on catering for young players, mainly teenage boys and girls. She further explained that Corvus Cornix Basketball Club currently had 80 Members, the numbers were holding well and were in fact increasing. In the past they had run a series of Sunday afternoon matches, inviting young players from Clubs in other areas. Corvus Cornix had planned to do similar this year, having already booked 4 Sunday sessions in the coming year at Royston Leisure Centre. She explained that along with expensive cost to hire out the venue, there would be additional charges for both referees and equipment. She notified the Committee that there was an annual subscription payable by all of their members, with an additional charge for each individual training session. She stated that the young members had helped to subsidise themselves by organising a fundraising match, with the money raised they had purchased their own kit.

The Chairman thanked Di Charles for her presentation

11 PUBLIC PARTICIPATION - ROTARY CLUB OF ROYSTON

Graeme Dargie, The President of the Rotary Club of Royston, thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation regarding the grant funding application for the Rotary Club of Royston. He explained that the Club was a Community Service Organisation, and one of their main undertakings was to aid Schools in group activities. He described the event named "Your Speech", which they held in November, involving 8 First Schools in Royston and the surrounding area villages, and 3 Middle Schools. He further explained that this gave the pupils a chance to showcase their presentation and speaking skills, which gave them the experience of appearing on a public platform, being a member of a team enabling the formulation of ideas on topical subjects and a sense of discipline. The Rotary Club provided constructive feedback and an assessment of their performance. He further informed the Committee that the club also worked with sixth form students by assisting them to produce C.V.s, they also held mock interviews for them, in preparation for the student's embarkation into the working world. He informed the Committee that in June each year The Rotary Club organised a fun day out for approximately 100 disabled and disadvantaged children, providing an array of events and activities, lunch and souvenirs for the children.

Mr Dargie informed the Committee of the two main annual events for which the Rotary Club were seeking funding:-

(i) Technology Tournament

This event was held in February for approximately 100 students from Middle and Upper Schools whereby the students were provided with materials and a construction task within a given time limit. The students work would be judged, prizes and certificates would then be awarded. The Tournament had given students both experience in Technology and Design, and Team-building. This occasion had proved a great success in previous years.

(ii) Youth Makes Music

This occasion had been held in the past and would again be held in March at one of Cambridge's most prestigious music venues. The concert covered a whole range of musical talent and gave children the opportunity to perform to both their parents and teachers in a first class professional auditorium.

The Chairman thanked Graeme Dargie for his presentation.

12 PUBLIC PARTICIPATION - ROYSTON COMMUNITY TRANSPORT

The Chairman, Councillor Tony Hunter, declared a declarable interest and he informed the Committee that he was Royston Community Transport's representative for North Hertfordshire. He advised that he would remain for the presentation but take no part in the debate or vote.

David Wherrell thanked the Chairman for the opportunity to address the Committee and gave both a verbal and Power Point presentation regarding the grant funding application for Royston Community Transport. He explained that the funding was required for a Peugeot Boxer Mini Bus which had been donated to Royston Community Transport by a Carer Company from Devon approximately 18 months ago. He communicated that at present, whilst the bus was not yet fit for purpose, the refurbishment costs would be worthwhile, although the vehicle was not new, it had only clocked 40,000 miles. He explained that the bus had originally been made for wheelchair users, so it had already a tail lift, but only three passenger seats. It required four additional seats which would bring the maximum seating to seven, still allowing the bus to be driven with an ordinary car licence. He informed the Committee that because of the irregular size and height of the vehicle, a specialist company had been allocated in Bassingbourn to carry out the repair work.

He communicated to the Committee that Royston Community Transport had received a number of new contracts and this bus would be an extremely useful and very important addition to their fleet.

The Chairman thanked David Wherrell for his presentation.

13 HIGHWAYS ISSUES

The Chairman informed the Committee that there had been a meeting with Royston Councillors prior to the Royston and District Committee meeting that evening to discuss County Councillor's Highway Locality Budgets and Integrated Works Programme. He pointed out that because this was a standing item, it would be an ideal opportunity to formulate a list of matters that would go out with future minutes in order that Councillors were aware of what may be programmed for the future.

14 GRANTS AND COMMUNITY UPDATE

The Communities Officer presented the Report of the Strategic Director of Finance, Policy and Governance entitled Grants and Community Update and drew the attention of Members to the current level of unallocated funds in the Development Budget (£10,700).

The Communities Officer explained to Members that the grant funding application for Royston Community Transport, requesting £3,000, exceeded the amount that could be recommended by an officer. He explained he was only able to recommend £1,500 however, Members had discretion if they wished to approve the full amount. He asked Members to note that if the Committee approved all of the grant funding applications, that there would be left an unallocated balance of £5,000 and not £6,500.

RESOLVED:

- (1) That the budgetary expenditure, balances and carry forwards from the Development and Visioning Budgets be noted;
- (2) That all grants be allocated from the 2017/18 financial year;
- (3) That the actions taken by the Community Development Officer to promote greater community capacity and well-being for Royston and District be endorsed.

REASON FOR DECISION: To keep Members of the Committee apprised of the latest developments in community activities in the Royston and District area.

15 GRANT APPLICATION - CREATIVE ROYSTON (Royston Arts Festival)

As Councillor Sarah Dingley had declared a declarable interest, at that point she left the room and took no part in the debate or vote.

RESOLVED: That grant funding of £1,500 be awarded to Creative Royston (Royston Arts Festival) from the 2017/18 Discretionary Budget as funding to assist with publicity costs & distribution costs for the Royston Festival 2017.

REASON FOR DECISION: To improve services provided by local organisations and groups which are accessed by the Community.

16 GRANT APPLICATION - CORVUS CORNIX BASKETBALL TEAM

RESOLVED: That grant funding of £200 be awarded to Corvus Cornix from the 2017/18 Discretionary Budget as funding towards the cost for running a series of training sessions and competitive matches for the club.

REASON FOR DECISION: To promote greater community capacity and well-being for Royston.

17 GRANT APPLICATION - ROTARY CLUB OF ROYSTON

RESOLVED: That grant funding of £1,000 be awarded to Rotary Club of Royston from the 2017/18 Discretionary Budget as funding towards the costs of running their two main annual events held in February and March respectively.

REASON FOR DECISION: To improve services provided by local organisations and groups which are accessed by the Community.

18 GRANT APPLICATION - ROYSTON COMMUNITY TRANSPORT

As the Chairman, Councillor Tony Hunter had declared a declarable interest, he took no part in the debate or vote.

The Communities Officer had advised that he was only able to recommend grant funding of £1,500, but the Baldock and District Committee had discretion to approve the full amount that had been requested.

RESOLVED: That grant funding of £3,000 be awarded to Royston Community Transport from the 2017/18 Discretionary Budget as funding support for repairs and modifications to a minibus.

REASON FOR DECISION: To improve services provided by local organisations and groups which are accessed by the Community.

19 REVIEW OF THE DESIGNATED PUBLIC PLACE ORDER (DPPO) IN ROYSTON

The Community Safety Manager provided the Committee with an overview of the overall effectiveness of the existing DPPO currently in Royston. She explained that this was to enable the Committee to comment on the proposed revocation of the Order. She referred to the report, and confirmed that there had been no recorded evidence to indicate that the DPPO power had been used to deal with any alcohol related offences since November 2007 when it was introduced. She further asked the Committee to note that alcohol related offences in the DPPO area had significantly decreased since 2004.

Chief Inspector Julie Wheatley advised Members that both Police and the Council were using other effective methods for crime and disorder management to reduce and remedy alcohol related offences.

The Community Safety Manager informed the Members that the final decision would be made as to whether the DPPO would be revoked at the end of the public consultation process. She explained that the views of the Area Committee played a very important part within that decision making process. Both Chief Inspector Wheatley and the Community Safety Manager, in response to a comment made by a Member, confirmed that the DPPO could be misleading in terms of the powers that it held. They clarified that there was no alcohol free zone as such, and an offence was only committed when an individual over the age of 18 that was causing nuisance or anti-social behaviour failed to comply when an authorised person, such as a police officer requested that they refrain from drinking.

In response to questions from Members, Chief Inspector Wheatley confirmed that there had been no recorded evidence to indicate the DPPO had been used and enforced. She assured the Committee that, if the DPPO was revoked, there would be other powers that would be available and used for enforcement to manage alcohol related offences. The Community Safety Manager further reported that if the situation changed they would review local crime and disorder management accordingly.

RESOLVED: That the review of the Designated Public Place Order (DPPO) in Royston be noted, and the recommendation that the Order is revoked be supported.

REASON FOR DECISION: To allow the Royston and District Committee to comment on the proposed revocation of the Royston DPPO.

20 WARD MATTERS AND OUTSIDE ORGANISATIONS - MEMBERS' REPORTS

Cllr Davidson gave an update on the Coombes Community Centre. He reported it was running well, but there was, unfortunately, still a shortage of volunteers. He informed the Committee that renovation works to their building, including a new air conditioning system, had been completed. In response to a statement made by a Member, Cllr Davidson agreed to push forward legal matters that were still outstanding between the Community Centre and NHDC.

Cllr Green reported there was continued good membership in Town Twinning, seven members had remained from the previous year and new associates were being given one year's free membership. She further reported that children would be visiting during the summer holidays from Spain. She informed the Committee that Town Twinning members were going to Germany in October 2017 but would, for ease, be travelling by plane instead of coach. She told Members that they were expecting Spanish visitors in September for the Royston Art Festival.

The Chairman, Cllr Hunter, reported on Royston First. He informed the Committee that he had attended one of their meetings and their recent Annual General Meeting. He also reported that they continued to follow many existing projects which had been running for quite a period of time. He communicated that they assisted both the Area Committee and County Councillors, by continuing to provide the "free after three" parking scheme, and policing extras that they were putting into the system. They were also looking at a number of other projects to assess their ability to aid in both the Town Centre and the Industrial Estate. These matters would be reported at a later date.

The meeting closed at 8.26 pm

Chairman

ROYSTON AND DISTRICT COMMITTEE 13 SEPTEMBER 2017

*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No.
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TITLE OF REPORT: ROYSTON TOWN WIDE PARKING REVIEW

REPORT OF THE STRATEGIC PLANNING AND PROJECTS MANAGER

EXECUTIVE MEMBER: CLLR RAY SHAKESPEARE-SMITH POLICY, TRANSPORT AND GREEN ISSUES

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

This report seeks Members' agreement on the way forward for the Royston town wide parking review. It summarises the findings from the initial investigations carried out on issues previously raised by members and seeks the Committee's views on schemes listed at Appendix A.

2. RECOMMENDATIONS

- 2.1 The Area Committee agrees the schemes listed in Table 1 at Appendix A for progressing the Royston town wide parking review.
- 2.2 The Area Committee agrees the schemes prioritised in Table 2 at paragraph 8.9
- 2.3 That officers contact the relevant Hertfordshire County Council Highway Liaison Officer to discuss with the County Councillors for Royston to give consideration to joint funding any road safety schemes from their Herts Locality Budgets that may form part of the schemes listed in Table 1 at Appendix A.
- 2.4 That Members support the use of the existing funding to provide the necessary expertise until appropriate staff resources are put in place.
- 2.5 That the Area Committee receives regular updates on progress with the Royston town wide parking review from officers.

3. REASONS FOR RECOMMENDATIONS

- 3.1 In order to progress the Royston town wide parking review project towards implementation as detailed in Section 8.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Section 8 of the report lists possible options to be considered as part of the town wide parking review and provides members with the opportunity to discuss and prioritise parking schemes to be taken forward.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 The Executive Member for Policy, Transport & Green Issues has been consulted throughout the process to date. There has been ongoing correspondence with local members over various parking issues. Two workshops have been held with local members, County Councillors, members of the Royston Town Council, the Town Centre Manager representing Royston First, and representatives from Hertfordshire Highways and the local Police. These workshops considered various parking issues that had been raised by members of the public, local councillors, the Town Council and Royston First.
- 5.2 Ward members, the Area Committee and the Town Council will be kept informed on the proposals as they progress.
- 5.3 As part of the process there will be liaison and consultation with local residents, Hertfordshire County Council (HCC) as the Highway Authority, the local Police and other stakeholders as required.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 The Council's adopted Parking Strategy (updated 2012) proposes reviews of parking management in each of the towns on an area wide basis. The approach taken to date is to consider area wide parking reviews across the towns where possible rather than street by street.
- 7.2 The provision of Controlled Parking Zones (CPZs) has been focussed on removing non-residential car parking in residential areas, normally long stay and mainly associated with commuters, employees and town centre users. The CPZs implemented in Royston to date have been successful in achieving the removal of non-residential parking but experience over the last few years has shown that:
- Non-residential parking problems migrate, not always to the most likely areas.
 - Controlled Parking Zones are expensive and income from permits does not always cover the cost of implementing and managing the zones.
 - There are other ways of dealing with non-residential parking that may be as effective in terms of removing non-residential parking but not being as costly to implement and manage as CPZs.
 - A careful balance needs to be struck between providing and restricting parking, and that it is not always possible to satisfy all users of the public highway. The intention of implementing parking controls is not to create clear streets but to prevent anti-social parking and ensure residents and

local businesses have the ability to park close to where they live and work as far as is possible.

- Consideration could be given to the sale of a limited number of permits to non-residents where the take up of permits in certain CPZs is low and there is spare on-street capacity. The intention would not be to undermine the principle of supporting residents and/or local businesses in preference to longer stay non-residential or local business parking. The sale of non-resident permits could help subsidise the cost of resident permits. Such investigation would include pre-consultation with local residents and businesses in the areas under consideration.

7.3 It is recognised that it is difficult in some cases to convince residents of currently unaffected areas to consider parking controls, however the area wide approach seeks to pre-empt the effects of displacement parking whilst allowing the Council to operate in a more efficient manner. Provision of measures to provide for parking on-street may involve a combination of Controlled Parking Zones (CPZs) such as permit parking areas and other type of parking restrictions, such as one hour restrictions (e.g. single yellow lines/and or parking bays) and/or no waiting at any time (e.g. double yellow lines at junctions).

7.4 NHDC's agency agreement with HCC permits the management of on-street parking and the creation of Traffic Regulation Orders (TROs) to manage parking as the Council considers appropriate. It is important to note that HCC are responsible for highway safety issues.

7.5 There has been a delay in the progression of the review due to transport officers being off on long-term sick, the resignation of the Principal Transport Policy Officer in March and remaining resources associated with parking matters, that of the Strategic Planning & Projects Manager, being involved with the preparation and submission of the Local Plan, which is a key strategic priority. Efforts have been made to recruit to the transport post, which have been unsuccessful. This is not unusual as in the past recruitment to this post has been challenging. Measures are being put in place to seek agency staff and/or consultants to assist with the backlog of outstanding parking schemes across the District and to progress with the Royston parking review, whilst appropriate in house resources are being sought.

8. RELEVANT CONSIDERATIONS

8.1 At the workshops, mentioned in paragraph 5.1 above it was agreed to focus initial investigations on the following areas:

- The York Way Industrial Area and Rock Road/North Close Residential Area
- The Gower Road, Serby Avenue, Queens Road and Mill Road CPZ (known as Zone B)
- The Princes Mews and Briary Lane Residential Area
- Eastfield Road off Newmarket Road, and other various highway safety matters
- The Town Centre

8.2 Detailed on-site surveys and resident surveys have been undertaken of the above areas with the exception of the town centre in order to understand the current parking issues and are summarised in Table 1 at Appendix A.

8.3 It is suggested that the Royston review be progressed in two phases. Phase 1 will include progression with those schemes identified in Table 1 at Appendix A, subject to

available funding (see paragraphs 8.6 to 8.9 below) and Phase 2 will concentrate on the parking and traffic management issues identified within the Royston town centre.

- 8.4 It is suggested that the town centre parking issues be considered separately following the outcomes from the Parking Strategy Review to be completed later this financial year. Part of the Parking Strategy review will be giving consideration to the management of on and off street parking within each of the four town centres, taking into consideration their economic vitality.
- 8.5 The progression of Phase 2 will also require discussion with Local and County Councillors, the Town Centre Manager, the Town Council, the Police, HCC, local businesses and other key stakeholders. As discussed above it is suggested that this forms a separate project to be agreed with the Executive Member and reported to the Committee next financial year following completion of the Parking Strategy Review. Funding would need to be considered accordingly as part of the agreed outcomes of the Parking Strategy Review and would be taken forward as part of the Council's budget setting process.
- 8.6 With regard to funding, the Council allocates £65k annually for the implementation of Area Wide Parking Reviews. The Council also has part of the existing funding within an earmarked reserve (circa £222k). It has been agreed with the Executive Member that part of this fund is used to provide the required expertise in progressing the Royston parking review and other outstanding work until such time as appropriate resources can be put in place, given that the Strategic Planning & Projects Manager will be actively involved in progressing the Local Plan through examination over the next 6 months. This budget is not only to be used to fund external resources but also to fund the costs associated with the preparation and implementation of the various parking schemes. Hence the budget needs to be carefully managed.
- 8.7 Some of the schemes as listed in Appendix A may include safety issues which as stated above are the responsibility of HCC. However HCC officers are aware of the review being undertaken and are of the view that such issues could be included as part of the schemes in the review and may be advanced sooner than having to go through the process required to progress schemes through their Integrated Works Programme. It would also mean that a parking scheme would be implemented as a complete package. Such schemes could be jointly funded from the relevant County Councillors Herts Locality Budgets (HLBs). It is therefore being requested that funding is sought through the relevant Royston County Councillors Herts Locality budgets to be put towards some of the schemes identified in Appendix A.
- 8.8 At the time of writing this report, officers are in the process of seeking an estimate for undertaking the Royston Review, and dependent on the cost, may result in some of the schemes as listed and to be agreed by the Committee not being able to proceed due to funds having to be carefully managed across all Council-wide identified outstanding parking projects. It is therefore requested that in such an event the schemes, listed in Table 1 at Appendix A are prioritised by Members in terms of delivery. If this were to be the case, and in order to ensure timely progression of the Review, a decision to proceed would be taken by the Executive Member in consultation with the Chair of Royston committee and relevant County Councillors (who may wish to progress some of the schemes independently on safety grounds). Local members would be advised accordingly.
- 8.9 Listed in Table 2 below are officer recommendations as to a suggested priority list of the schemes to be taken forward from Table 1 at Appendix A, subject to available funding.

Table 2: Suggested Priority of Schemes subject to available funding

Priority	Proposed Schemes
Priority 1	<p>Scheme Ref 1 - York Way Industrial & Rock Road Residential Area</p> <p>Scheme Ref 2 - Review of certain restrictions in CPZ Zone B (Gower Road, Queens Road & Mill Road Area)</p> <p>Scheme Ref 3a - Princes Mews</p>
Priority 2	Scheme Ref 3b - Briary Lane Area
Priority 3	<p>Scheme Ref 4 - Parking Restrictions to be considered in Eastfield Road off Newmarket Road.</p> <p>Scheme Ref 5 - Highway Safety Schemes to be considered at Icknield Walk and Layston Park</p>

- 8.10 Members need to be made aware that previous experience has shown that not all the schemes may gain full support and could result in the schemes not proceeding, proceeding in part or in full. It is also to be noted that once initial pre-consultation has been undertaken officers will be able to identify a clearer picture of the full scope of schemes to be taken forward. The timescales for these will vary and could take up to 2 years to complete. Pre-consultation work with residents and other stakeholders are important aspects which take the most time. Lessons learnt from the other town wide parking reviews have demonstrated that this initial work is necessary. This is to ensure that officers/consultants are proceeding with the most appropriate restrictions when they come to start the formal Traffic Regulation Order process that meet Member and public expectations and can be delivered in the most cost efficient manner.

9. LEGAL IMPLICATIONS

- 9.1 There are no legal implications arising from this report.
- 9.2 NHDC's agency agreement with HCC permits the management of on-street parking and creation of Traffic Regulation Orders (TROs) to manage parking as the Council considers appropriate. The Committee will be advised of any TROs required to deliver the Area Review at the appropriate time.

10. FINANCIAL IMPLICATIONS

- 10.1 The cost of undertaking the Royston town wide review is to be funded from existing budgets. Some £55k remains within the 2017/18 budget, and there is circa £222k in an earmarked reserve that has been set up specifically for TRO work. Efforts will be made to streamline processes and link in with other forms of funding such as County Councillor HLBs where appropriate to deliver schemes.
- 10.2 There is also salary saving available from the Transport Officer Post that could be used towards funding agency/consultants to assist with progressing the backlog of work.

11. RISK IMPLICATIONS

- 11.1 There is a requirement to progress the Royston town wide parking review to meet resident and Member expectations in delivering parking schemes and introducing new initiatives to fulfil the requirements of the NHDC adopted Parking Strategy.

11.2 A key risk is that the priorities are not set and the process is delayed, given the Strategic Planning & Projects Manager commitment to progressing the Local Plan through examination. The programme for delivering all schemes listed in Table 1 at Appendix A is planned to be a minimum of 2 years.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are not considered to be any direct equality issues arising from this report. The parking review seeks to address the requirements of the community. The consultations will highlight any adverse impacts of those who exhibit a protected characteristic and addressed where appropriate. Any risks and opportunities identified will also be subject to assessment for impact on those that share a protected characteristic.

13. SOCIAL VALUE IMPLICATIONS

13.1 It is not yet clear what the value of any consultancy works are likely to be. They could be below £50,000 and if that was the case then the “go local” policy would be applied. It is likely that local knowledge would be advantage in carrying out the work involved.

14. HUMAN RESOURCE IMPLICATIONS

14.1 The ongoing work on this project will be subject to having a full staff compliment in place. In the short term until an appropriate officer is recruited to the post and in order to ensure that the Royston Review is progressed, the use of consultants and /or HCC’s consultancy service will be contracted where budget allows.

14.2 The Council will need to consider the resource implications of administration and enforcement as schemes progress and consult staff on any proposed changes to working patterns.

15. APPENDICES

15.1 Appendix A – Table 1: Royston Area Parking Review List of Potential Schemes.

16. CONTACT OFFICERS

16.1 Louise Symes, Strategic Planning & Projects Manager
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Contributors

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17. BACKGROUND PAPERS

- 17.1 NHDC Adopted Parking Strategy updated 2012
<https://www.north-herts.gov.uk/home/parking/parking-strategy>

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TABLE 1: ROYSTON AREA PARKING REVIEW LIST OF POTENTIAL SCHEMES

Scheme Ref No	Location	Summary of Issues	Officer Comments
1	<p>York Way Industrial & Rock Road Residential Area</p> <p>Following residential streets to be included in scheme:</p> <ul style="list-style-type: none"> • Minster Road • Willowside Way • Rock Road • Orchard Way • Phillips Ave • North close • Weston Ave • Rose Walk • Western section of Old North Road between Orchard Road and York Way. <p>Commercial Streets to be included :</p> <ul style="list-style-type: none"> • York Way • Newark Close • Beverly close • Greenfield • Orchard Road 	<p><u>Residential Streets:</u></p> <p>Non resident (commuter) parking issues on corner of junctions and along streets causing safety issues and difficulty for resident parking</p> <p>Investigations have confirmed that particularly in North Close. It is non-resident parking, mainly commuter parking causing the issue.</p> <p><u>Commercial Streets:</u></p> <p>Further investigation required with Royston BID regarding appropriate restrictions along commercial streets in terms of employee parking – note: it is important not to impede economic activity.</p> <p>Junction protection required in Newark Close and consideration of appropriate restrictions in York Way and Greenfield</p> <p>Various restrictions in Orchard Road to be reviewed and outstanding anomalies addressed.</p>	<p>Agreed at previous member workshops that this area should be looked at holistically. As implementing restrictions in one street may displace into others.</p> <p>Pre-consultation will need to be carried out with residents to assess appropriate restrictions, be it resident permit and/or other type of parking restrictions. In order for a resident permit parking scheme to proceed, this would require at least 50% support by the residents as per current policy in the adopted Parking Strategy (Policy 19).</p> <p>Following further investigations, pre-consultation will need to be carried out with commercial business and Royston First to consider appropriate restrictions. One option may be to consider the sale of permits to commercial businesses and possibly commuters as part of any residential permit scheme if pursued within the adjoining residential streets. Such sale of non-resident permits would be subject to available capacity on street. (Policy 25 of the adopted Parking Strategy)</p>
2	<p>Review of certain restrictions in CPZ Zone B (Gower Road, Queens Road & Mill Road Area)</p>	<p>A number of issues/requests have been raised regarding this zone and includes:</p> <p>i) Reviewing the timing of the current permit parking restrictions in:</p> <ul style="list-style-type: none"> • Mill Road/Queens Road area, to include an additional hour in the afternoon to control commuter parking • Gower Road to extend the permit parking to beyond 5pm again to address non-resident parking 	<p>Pre-consultation will need to be carried out with all residents within Zone B for each of these issues raised.</p> <p>In terms of those streets to be included within the Zone, as stated above, this would require at least 50% support of the residents within these streets to proceed with an amendment to the current TRO. It is noted that residents in Titchmarsh Close have previously approached the Committee requesting to be included in Zone B and this was put on hold awaiting the parking review.</p>

Scheme Ref No	Location	Summary of Issues	Officer Comments
		<p>ii) Extending the Zone to include the following streets:</p> <ul style="list-style-type: none"> • Titchmarsh Close, Major Haddock Close, Leete Place and Evans Close (all located off Gower Road) • Green Street and Gage Close (located off Morton Street) • Kingsway and Ermine Close (Located off Serby Ave) <p>The request for inclusion of these roads into Zone B is as a result of complaints from residents of possible overflow parking from neighbouring permit streets (i.e. residents not wishing to purchase a permit) and non-resident parking.</p> <p>iii) Including some residential properties located in Kneesworth Street without off street parking to be eligible to purchase permits within the Zone.</p> <p>iv) Reviewing the current on-street restrictions in roads where bays do not allow for free flow of traffic causing possible access issues for waste and emergency vehicle, such as in:</p> <ul style="list-style-type: none"> • Stamford Ave • Morton Street • Victoria Crescent • Serby Ave 	HCC as the Highway Authority would need to be involved in terms of reviewing the layout of the parking bays in the streets listed to ensure the free flow of traffic.
3a	Princes Mews	<p>Parking in Princes Mews and on corners causing safety issues and difficulty for resident parking. This is perceived to be a mix of commuter, town centre employee and town centre visitor parking.</p> <p>Requests have also been made by residents living in Baldock Street without off street parking to be included the area if considered for resident permit parking.</p>	
3b	Briary Lane Area	Non resident parking issues along top end of Briary Lane and into Heath Ave. This is also perceived to be a mix of commuter, town centre employee and town centre visitor parking.	

Scheme Ref No	Location	Summary of Issues	Officer Comments
		Requests have also been made by residents living in Baldock Street without off street parking to be included the area if considered for resident permit parking.	Pre-consultation will need to be carried out with residents to assess appropriate restrictions, be it resident permit and/or other type of parking restrictions. As stated above, in order for a resident permit parking scheme to proceed, this would require at least 50% support by the residents. If a resident permit scheme were to be progressed then it would be considered appropriate to extend Zone A which currently adjoins the area.
4	Parking Restrictions to be considered in Eastfield Road off Newmarket Road.	Non-resident parking issues in street. On-site investigations indicate that there are some parking issues along the first section of the road from the junction with Newmarket Road.	<p>If it is agreed to proceed with a scheme then it is suggested that pre-consultation is carried out proposing similar limited waiting restrictions as in Hollies Close and Tall Trees (i.e. No waiting Mon-Sat 10:00-11:00 and 14:00-15:00).</p> <p>Officer site investigations have indicated that the following roads previously raised do not have significant parking issues and suggest that these are not considered as part of the review.</p> <ul style="list-style-type: none"> • Newmarket Road from Priory Lane up to Poplar Drive • Priory Close, • Studlands Rise • Green Drift
5	Junction safety restrictions to be considered in Ickniel Walk off Newmarket Road and Layston Park off London Road	Complaints received regarding inconsiderate parking at junctions and around corners causing safety hazards.	These schemes are classified as Highway Safety Schemes and could be included as part of the overall review in terms of efficiency and funding would be sought from the relevant County Councillors.

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ROYSTON & DISTRICT COMMITTEE 13 SEPTEMBER 2017

PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No.
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TITLE OF REPORT: CONSULTATION IN RELATION TO THE PROPOSED STREET TRADING POLICY 2018-2025

REPORT OF THE LICENSING MANAGER
EXECUTIVE MEMBER: HOUSING AND ENVIRONMENTAL HEALTH
COUNCIL PRIORITY: PROSPER AND PROTECT

1. EXECUTIVE SUMMARY

1.1 The purpose of this report is to provide members of the Royston Committee with an opportunity to comment on the proposed Street Trading Policy, in particular in relation to any matters specific to Royston.

2. RECOMMENDATIONS

2.1 That the Royston Committee notes the report and provides any comments it wishes to be considered as part of the consultation process.

3. REASONS FOR RECOMMENDATIONS

3.1 A thorough discussion as to the suitability of the proposed Street Trading Policy, particularly with input from the Area Committees as well as the public consultation, will enable a fully informed decision to be made by the Council.

3.2 To ensure that the Policy remains appropriate and strikes a balance between proportionate regulation and ease of access to applicants.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 There are no alternative options to consider as the Policy needs to be periodically reviewed to ensure it remains fit for purpose.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 The Council will be undertaking a public consultation regarding the adoption of a policy concerning trading in publicly accessible places

5.2 The consultation will take place between 1 September and 31 October 2017. The consultation will invite the following to comment on the Policy:

- All existing street trading permit holders;
- Hertfordshire Constabulary
- NHDC Councillors
- NHDC Legal Services
- All existing consent holders

5.3 The Executive Member for Housing and Environmental Health is aware of the public consultation and will be kept fully informed of all consultation responses.

5.4 Upon completion of the public consultation, officers will prepare a report to be considered by the Licensing and Appeals Committee detailing all consultation responses and the proposed policy (including any amendments as a result of the consultation).

5.5 The Licensing and Appeals Committee have the option of making any amendments before recommending a final policy to Cabinet, who have the authority to adopt policy on behalf of the Council.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 The Local Government (Miscellaneous Provisions) Act 1982 (Section 3 and Schedule 4) provides the legal framework for the control of street trading in England and Wales. The legislative framework, however, is not an automatic entitlement and councils must formally adopt the legislation if they wish to regulate street trading in their areas.

7.2 On 26 April 2005, the Council resolved to make all streets within the conurbations of Baldock, Hitchin, Letchworth Garden City and Royston consent streets, with the exception of any streets designated as prohibited streets. It further resolved to make arterial roads within the District of North Hertfordshire consent streets but with trading limited to lay-bys only. The resolution also stated that no street within the District shall be a licence street.

7.3 Street trading is defined as *“the selling or exposing or offering for sale of any article, including a living thing, in a street.”*

7.4 Streets are further defined as *“any road, footway, beach, or other area to which the public have access without payment or any service area as defined by section 329 of the Highways Act 1990.”* It is important to note that there is no reference to land ownership and so street trading legislation would also apply to privately-owned areas such as supermarket car parks, business parks, etc.

7.5 The main purpose of this legislation is to establish an appropriate licensing regime which prevents undue nuisance, interference or inconvenience to the public brought about by street trading. This legislation provides local authorities with the power (but no duty) to designate specific areas within their administrative boundaries as either:

- (i) Prohibited Streets
those which are not open to street traders;

- (ii) Consent Streets
where street trading is prohibited without local authority consent;
 - (iii) Licence Streets
where trading is prohibited without a local authority licence
- 7.6 Local authorities can place conditions on any Consent or Licence. The Act also creates offences associated with trading in Consent or Licence Streets without the necessary authority: the person guilty of such an offence may be liable, on summary conviction, to a fine of up to £1000.
- 7.7 There are a number of exemptions provided in the Act that are not to be considered street trading:
- (i) trading as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1871:
 - (ii) a market trader operating at a Charter or licensed market venue;
 - (iii) trading at a Charter Fair;
 - (iv) trading as a news vendor selling only newspapers and /or periodicals:
 - (v) trading at a petrol filling station;
 - (vi) trading carried on in a street linked to an adjoining shop where the street trading is an extension of the shop's ordinary business;
 - (vii) trading as a roundsman;
 - (viii) where permission has been granted from the Highway Authority pursuant to Section 115 of the Highways Act 1980 to trade from an object or structure placed in, on, or over the highway;
 - (ix) charitable street collections authorised by the Police, Factories, etc (Miscellaneous Provisions) Act 1916.
- 7.8 The granting of permissions for the placing of tables and chairs outside of a business providing refreshment, or the placing of advertising boards outside of any business, is provided for by section 115 of the Highways Act 1980.
- 7.9 The licensing powers provided by section 115 of the Highways Act 1980 are available to both District and County Councils in two-tier authority areas. As the legislation is designed to ensure that highways are kept free of obstructions and nuisance, the Council is of the opinion that Hertfordshire Highways, acting as the Highway Authority on behalf of Hertfordshire County Council, is best placed to administer this function.
- 7.10 The Council will not, therefore, issue any permission pursuant to section 115 of the Highways Act 1980. All applications for tables and chairs, or advertising structures, on the highway should be directed to Hertfordshire Highways.

8. RELEVANT CONSIDERATIONS

Current policy

- 8.1 The existing policy has worked well since its adoption in 2012 therefore only minor amendments have been proposed.

Policy duration

- 8.2 It is proposed to extend the policy duration from 5 years to 7 years to reduce the administrative burden of reviewing the policy unnecessarily early.

Arterial road lay-bys

- 8.3 Hertfordshire County Council have revised their guidance on the acceptable layout of lay-bys on arterial roads that are suitable for lay-by trading. To assist applicants, this guidance is attached to the Policy as Appendix G and only lay-bys conforming to that guidance will be issued Consents.

Annual Consents

- 8.4 To reduce the administrative burden, it is proposed to replace the issuing of quarterly Consents with annual Consents subject to each quarterly payment being received in advance of each new quarter. Non payment of a quarterly fee would automatically revoke the Consent.

Council Land Consent

- 8.5 Currently, any applicant wishing to use Council owned land for an event has to make two applications; one application for a land licence and another application for street trading permission (if the land is publicly accessible land). To ease this burden for applicants, the application for a land licence will encompass the street trading request thereby removing the need for a separate street trading application.

Revocation

- 8.6 Some clarification on the revocation process has been added to make this process more transparent for existing and potential consent holders.

Streets where applications are ordinarily refused

- 8.7 Whilst the Council has the opportunity to designate streets as prohibited streets, thereby preventing street trading from taking place, this removes flexibility to consider each application on its own merits. For example, trading in a street may be wholly inappropriate ordinarily but may be acceptable when the road was temporarily closed to traffic for town centre events.
- 8.8 To alleviate this issue, the existing policy contained a list of streets where applications would ordinarily be refused (Appendix F of the Policy). It is proposed to continue with this aspect of the Policy therefore the Area Committee should give consideration to any streets it believes should be contained within Appendix F of the Policy.

Operational issues or clarification

- 8.9 Highlighted in red throughout the Policy are minor amendments clarifying various operational issues that have arisen in relation to the existing policy or where the existing policy was silent or ambiguous on certain matters.

9. LEGAL IMPLICATIONS

- 9.1 There is no legal requirement for a policy; it is not a statutory policy such as that required under the Licensing Act 2003 and Gambling Act 2005.
- 9.2 A policy would ensure a transparent and consistent approach to licensing that would reduce the opportunity for challenge through the Courts.
- 9.3 Area committees in their terms of reference may “consider the policies and actions of the Cabinet as to their appropriateness to the needs and aspirations of local communities” and “provide local input into centrally determined specifications for all services”
- 9.4 The policy will be considered by the Licensing and Appeals Committee who “consider all Licensing matters with the exception of statements of licensing policy under the Licensing Act 2003 and the Gambling Act 2005 and those matters delegated to the Licensing Sub- Committee and officers”. Responsibility for adopting the Policy lies with Cabinet who “prepare and agree to implement policies and strategies other than reserved to Council”.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no financial implications as existing case law provides for local authorities to recover the full cost of any licensing process through licensing fees.
- 10.2 Licensing authorities cannot charge more than it reasonably costs to administer and enforce the legislation.

11. RISK IMPLICATIONS

- 11.1 There are no direct risk implications associated with this report as it’s purpose is to consult the Area Committee as part of a wider public consultation

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 There are no specific equalities implications associated with this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 This Policy will not place any new human resource implications on the Council as it will be implemented using existing resources

15. APPENDICES

- 15.1 Appendix A - Proposed new policy.

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

- 17.1 [Existing Street Trading Policy](#)



North Hertfordshire District Council

Street Trading Policy

Date: 2 January 2018

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1.0 INTRODUCTION

1.1 The Policy

1.1.1 This document states North Hertfordshire District Council's policy on Street Trading as defined by the Local Government (Miscellaneous Provisions) Act 1982 (Section 3 and Schedule 4).

1.2 The Objectives of this Policy

1.2.1 This Policy has been adopted with view to securing the following objectives:

- (i) to enhance the towns centres of Baldock, Hitchin, Letchworth Garden City, and Royston;
- (ii) to protect public health through the control of street trading within the District of North Hertfordshire;
- (iii) to ensure that traders operate within the law and act fairly in their dealings with the public; and
- (iv) to prevent nuisance, unsafe practices and anti social behaviour.

1.3 The Law

1.3.1 The Local Government (Miscellaneous Provisions) Act 1982 (Section 3 and Schedule 4) provides the legal framework for the control of street trading in England and Wales. The legislative framework, however, is not an automatic entitlement and councils must formally adopt the legislation if they wish to regulate street trading in their areas.

1.3.2 On 26 April 2005, the Council resolved to make all streets within the conurbations of Baldock, Hitchin, Letchworth Garden City and Royston consent streets, with the exception of any streets designated as prohibited streets. It further resolved to make arterial roads within the District of North Hertfordshire consent streets but with trading limited to lay-bys only. The resolution also stated that no street within the District shall be a licence street.

1.3.3 Street trading is defined as "*the selling or exposing or offering for sale of any article, including a living thing, in a street.*"

1.3.4 Streets are further defined as "*any road, footway, beach, or other area to which the public have access without payment or any service area as defined by section 329 of the Highways Act 1990.*" It is important to note that there is no reference to land ownership and so street trading legislation would also apply to privately-owned areas such as supermarket car parks, business parks, etc.

1.3.5 The main purpose of this legislation is to establish an appropriate licensing regime which prevents undue nuisance, interference or inconvenience to the public brought about by street trading. This legislation provides local

authorities with the power (but no duty) to designate specific areas within their administrative boundaries as either:

- (i) Prohibited Streets
those which are not open to street traders;
- (ii) Consent Streets
where street trading is prohibited without local authority consent;
- (iii) Licence Streets
where trading is prohibited without a local authority licence

1.3.6 Local authorities can place conditions on any Consent or Licence. The Act also creates offences associated with trading in Consent or Licence Streets without the necessary authority: the person guilty of such an offence may be liable, on conviction, to a fine of up to £1000.

1.3.7 There are a number of exemptions provided in the Act that are not to be considered street trading:

- (i) trading as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1871;
- (ii) a market trader operating at a Charter or licensed market venue;
- (iii) trading at a Charter Fair;
- (iv) trading as a news vendor selling only newspapers and /or periodicals;
- (v) trading at a petrol filling station;
- (vi) trading carried on in a street linked to an adjoining shop where the street trading is an extension of the shop's ordinary business;
- (vii) trading as a roundsman;
- (viii) where permission has been granted from the Highway Authority pursuant to Section 115 of the Highways Act 1980 to trade from an object or structure placed in, on, or over the highway;
- (ix) charitable street collections authorised by the Police, Factories, etc (Miscellaneous Provisions) Act 1916.

1.3.8 The granting of permissions for the placing of tables and chairs outside of a business providing refreshment, or the placing of advertising boards outside of any business, is provided for by section 115 of the Highways Act 1980.

1.3.9 The licensing powers provided by section 115 of the Highways Act 1980 are available to both District and County Councils in two-tier authority areas. As the legislation is designed to ensure that highways

are kept free of obstructions and nuisance, the Council is of the opinion that Hertfordshire Highways, acting as the Highway Authority on behalf of Hertfordshire County Council, is best placed to administer this function.

- 1.3.10 The Council will not, therefore, issue any permission pursuant to section 115 of the Highways Act 1980. All applications for tables and chairs, or advertising structures, on the highway should be directed to Hertfordshire Highways.

1.4 Policy Duration

- 1.4.1 This Policy will take effect from **2 January 2018** for a maximum period of **seven years**.
- 1.4.2 Prior to the end of the five year period, a full consultation will be undertaken with a view to publishing a new Policy to take effect no later than **2 January 2025**.
- 1.4.3 The Policy will be kept under constant review to ensure that it meets the policy objectives. Additionally, it will be amended as and when necessary to reflect changes in best practice, legislation and case law.

2.0 DESIGNATION OF STREETS FOR THE PURPOSES OF STREET TRADING

2.1 Prohibited Streets

- 2.1.1 It has been decided to maximise the opportunity for street trading within the four towns and, therefore, no prohibited streets are designated within North Hertfordshire.

2.2 Consent Streets

- 2.2.1 All streets, with reference to the wide statutory definition in paragraph 1.3.4 above, within the main conurbations of North Hertfordshire have been collectively determined to be Consent Streets for the purpose of the Local Government (Miscellaneous Provisions) Act 1982.
- 2.2.2 Maps showing the boundaries of each town as regards Consent Street status are attached in **Appendices A to D**.
- 2.2.3 Furthermore, the following arterial roads have also been designated as Consent Streets however, street trading is likely to be restricted to lay-bys **conforming to the layout in Appendix G** only:
- (i) A10, A505, A507, A602, A600
- 2.2.4 The Council will continually monitor the impact of street trading on its consent streets with a view to promoting the objectives of this policy. Whilst it is the Council's intention not to designate any prohibited streets, it is acknowledged there will be areas that are less suitable for trading than others.

2.2.5 To address this issue, the Council will include within this policy a schedule of streets, or parts of streets, where consent permit applications will ordinarily be refused, save for exceptional circumstances. This schedule is attached as **Appendix F**. The schedule will be subject to amendment, as circumstances dictate, in accordance with the provisions of section 7 of this Policy. An applicant seeking consent to trade on a street identified as one where permission will ordinarily be refused should contact the licensing team to discuss the proposed application and the reasons why the street will ordinarily be deemed unsuitable for trading.

2.3 Undesignated Streets

2.3.1 All streets not explicitly included within the list of consent streets in paragraph 2.2 above, for example those within the rural villages, have not been designated as either prohibited streets, consent streets or licence streets.

2.3.2 The regulation of street trading and, therefore, this Policy does not apply to undesignated streets.

3.0 APPLICATIONS FOR A STREET TRADING CONSENT

3.1 Advice for New Applicants

3.1.1 New applicants are advised to contact the Council at their earliest opportunity, preferably before an application is made. This allows the authorised officers to provide advice, as well as clarifying any areas of uncertainty.

3.1.2 The Council can also provide advice in relation to other legal requirements of a new consent holder, for example, planning permission or building control approval.

3.2 Applications

3.2.1 All applications must be made on the Council's prescribed application form.

3.2.2 Each application must be accompanied by the prescribed application fee. An application will not be considered as duly made until the prescribed application fee has been received.

3.2.3 The following will also be required to be submitted with the application:

- (i) Where the proposed street activity is from a fixed position, a copy of a map of at least 1:1250 scale. The map should clearly identify the proposed site position by marking the site boundary with a red line.
- (ii) Confirmation that adequate levels of third party and public liability insurance is, or will be, in place during street trading activity.
- (iii) In the case of privately-owned land, confirmation of the landowner's consent to trade on the land.

3.3 Processing of an Application

- 3.3.1 On receipt of the application form an acknowledgment will be sent to the applicant.
- 3.3.2 An officer may visit the applicant and inspect the vehicle, barrow, cart, van, portable stall or other vehicle or premises which the applicant intends to trade from.
- 3.3.3 The application will either be:
- (i) granted and a trading consent will be issued with conditions attached; or
 - (ii) refused and the fee will be refunded, less an administrative charge as appropriate, to the applicant.
- 3.3.4 The Council may have regard to the number, nature and type of traders already trading within a consent area when determining an application.
- 3.3.5 Before a Street Trading Consent is granted or renewed the Council will carry out a consultation process with various persons and groups as deemed appropriate to the application. In particular, the following organisations or persons will be consulted:
- (i) Hertfordshire Highways
(acting as the highway authority on behalf of the County Council);
 - (ii) Hertfordshire Constabulary;
 - (iii) The Council's Environmental Health Commercial Team
(with respect to food hygiene matters); and
 - (iv) In respect of privately-owned land, the landowner
 - (v) Where the Council deem appropriate, occupiers of adjoining land.

Written observations from the above organisations and occupiers of adjacent properties may be taken into consideration when determining an application.

- 3.3.6 There is no right of appeal against a variation of a condition, or refusal to grant or renew a Street Trading Consent.

3.4 Key Considerations

- 3.4.1 The Council will normally grant a street trading consent unless, in its opinion:
- (i) a significant effect on road safety would arise either from the siting of the trading activity itself, or from customers visiting or leaving the site; or
 - (ii) where there are concerns over the recorded level of personal injury accidents in the locality where the street trading activity will be sited; or

- (iii) there would be a significant loss of amenity caused by traffic, noise, rubbish, potential for the harbourage of vermin, odour or fumes; or
- (iv) there is already adequate like provision in the immediate vicinity of the site to be used for street trading purposes; or
- (v) there is a conflict with Traffic Orders such as waiting restrictions; or
- (vi) the site or pitch obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger when in use for street trading purposes; or
- (vii) the trading unit obstructs the safe passage of users of the footway or carriageway; or
- (viii) the pitch interferes with sight lines for any road users, for example at road junctions, or pedestrian crossing facilities; or
- (ix) the site does not allow the consent holder, staff and/or customers to park in a safe manner; or
- (x) the street trading activity is carried out after dusk and the site is not adequately lit to allow safe access and egress from the site for both customers and staff.

3.4.2 **The Council will normally refuse an application for a street trading consent where the applicant has previously had a Consent revoked.**

3.5 Consents

3.5.1 Consents may be issued for a period of up to twelve consecutive months, quarterly or weekly.

3.5.2 All Consents that have not been renewed by their expiry date will automatically cease to exist and trading must cease until such time as a new Consent has been granted.

3.5.3 **To enable maximum flexibility for an applicant, any consent issued for lay-by trading will authorise the provision of trading from anywhere within the identified lay-by as opposed to a specific location therein.**

3.5.4 **The issuing of a Consent only authorises trading in accordance with the requirements The Local Government (Miscellaneous Provisions) Act 1982 (Section 3 and Schedule 4). The consent holder must ensure that they comply with any other statutory provisions relating to their business.**

3.5.5 The Council acknowledges that overly burdensome regulation and cost will discourage town centre community and cultural activity, particularly the requirement for each individual trader to obtain their own Consent. In order to encourage town centre activity, the Council have developed multiple user Consents that will simplify this process (see sections 3.6, 3.7 and 3.8).

3.6 Town Centre Consents

- 3.6.1 The Council will issue Town Centre Consents that cover areas of land that are suitable for street trading use. Each Town Centre Consent will be accompanied by a plan clearly identifying those areas covered by the Consent. This will remove the need for each individual trader to obtain a Consent and should encourage town centre activity.
- 3.6.2 The Consents can be issued for a maximum period of twelve months and will **ordinarily be issued to** a named individual. Where the application is made by an organisation, they must nominate a named individual who will be responsible for managing the use of the consent.
- 3.6.3 The consent holder will be responsible for ensuring compliance with the conditions attached to the Consent at all times whilst the consent is being used to facilitate street trading.
- 3.6.4 The consent holder, or in the case of organisations the individual nominated to manage the use of the consent, will be able to allow his/her Consent to be used by commercial or not-for-profit organisations, however, no charge can be made for the use of the Consent by not-for-profit organisations.
- 3.6.5 Any person or organisation may apply for a Town Centre Consent, however, in order for a Consent to be granted the Council will require proof of the landowner's permission for street trading to take place on their land.
- 3.6.6 The consent holder will be required to keep records of all traders that use the Town Centre Consent including: date, trading location, name and company name (where appropriate), address, vehicle registration and contact telephone number.
- 3.6.7 The consent holder will be required to keep records of all traders that are refused use of the Town Centre Consent including, date, name and company name (where appropriate), address, contact number and reason for refusal.
- 3.6.8 In determining whether or not to allow an individual or organisation the use of a Town Centre Consent, the consent holder, or in the case of organisations the individual nominated to manage the use of the Consent, must make the determination in accordance with the principles contained within paragraph 3.4 above.
- 3.6.9 Town Centre Consents do not provide exclusive control over trading in the designated area. Traders are still able to apply direct to the Council for an individual consent for that area under paragraph 3.5 above.

3.7 Special Events / Markets Consent

- 3.7.1 In order to remove the requirement for each individual trader to obtain their own consent, the Council will issue Special Events / Markets Consents that facilitate multi-user street trading for markets or community events.
- 3.7.2 The consents will be issued for the duration of a specified event only and will **ordinarily** be to a named individual. Where the application is made by an

organisation they must nominate a named individual who will be responsible for managing the use of the Consent.

- 3.7.3 The consent holder will be responsible for ensuring compliance with the conditions attached to the Consent at all times whilst the Consent is being used to facilitate street trading.
- 3.7.4 The consent holder, or in the case of organisations the individual nominated to manage the use of the Consent, will be able to allow his/her Consent to be used by commercial or not-for-profit organisations, however, no charge can be made for the use of the consent by not-for-profit organisations.
- 3.7.5 Any person or organisation may apply for a Special Events / Markets Consent, however, in order for a Consent to be granted the Council will require proof of the landowner's permission for street trading to take place on their land.
- 3.7.6 The consent holder will be required to keep records of all traders that use the Special Events / Markets Consent including: date, trading location, name and company name (where appropriate), address, vehicle registration and contact telephone number.
- 3.7.7 Special Events / Markets Consents do not provide exclusive control over trading in the designated area. Traders are still able to apply direct to the Council for an individual consent for that area under paragraph 3.5 above.

3.8 Council Land Consents

- 3.8.1 In order to remove the requirement for each individual trader to obtain their own consent, the Council will issue Council Land Consents that facilitate multi-user street trading on Council owned land.
- 3.8.2 The consents will be issued for the duration of a specified event only and will **ordinarily** be to a named individual. Where the application is made by an organisation they must nominate a named individual who will be responsible for managing the use of the consent.
- 3.8.3 The consent holder will be responsible for ensuring compliance with the conditions attached to the consent at all times whilst the consent is being used to facilitate street trading.
- 3.8.4 The consent holder, or in the case of organisations the individual nominated to manage the use of the consent, will be able to allow his/her consent to be used by commercial or not-for-profit organisations, however, no charge can be made for the use of the consent by not-for-profit organisations.
- 3.8.5 The consent holder will be required to keep records of all traders that use the Council Land Consent including: date, trading location, name and company name (where appropriate), address, vehicle registration and contact telephone number.
- 3.8.6 Any person or organisation may apply for a Council Land Consent, however, in order for a Consent to be granted the Council will require the applicant to obtain a land licence through the Council's Safety Advisory Group.

- 3.8.7 No separate application will be required for a Council Land Consent provided an application for a land licence has been made. The issuing of a land licence by the Council encompasses a Council Land Consent for the purposes of street trading.
- 3.8.8 Council Land Consents do not provide exclusive control over trading in the designated area. Traders are still able to apply direct to the Council for an individual consent for that area under paragraph 3.5 above.

3.9 Annual Consents with Quarterly Payments

- 3.9.1 The Council acknowledge that the cost of an annual Consent can sometimes prove prohibitive to new and small street trading businesses, particularly food and drink vendors in lay-bys.
- 3.9.2 To assist such commercial activity the Council will offer the grant of a twelve month Consent, subject to quarterly fee payments in advance.
- 3.9.3 Each Consent will be issued for a **twelve** calendar month period upon the payment of the **initial** quarterly fee. Provided that the subsequent quarterly fees are paid prior to the **due date, the Consent will remain until such time as the total consent period** has reached twelve consecutive calendar months.
- 3.9.4 Once a consent period of twelve consecutive calendar months has been reached, a renewal application will be required which will be subject to the normal consultation process.
- 3.9.5 If the requirements of section 3.9.3 above are not complied with, the annual Consent will automatically cease to have effect, save for exceptional circumstances at the Council's discretion, and no further trading in connection with that Consent will be permitted until such time as a new Consent has been granted.

4.0 CONSENT CONDITIONS

- 4.1 Any Street Trading Consent issued by the Council will be subject to the consent conditions detailed in **Appendix E** of this Policy.
- 4.2 In response to changing circumstances, the Council may wish to add, alter or amend the conditions on a trading Consent. Any amendments or variations to Consents or conditions that are requested by consent holders must be made in writing. An administration fee will be charged to the consent holder for any amendments or variations made.
- 4.3 **The Licensing Manager is authorised to add, alter or amend the conditions added to a Consent based on the individual circumstances of each application.**
- 4.4 There is no right of appeal against the Council's decision to refuse to grant, amend, vary **or revoke** a Consent.
- 4.5 In the event of a breach of any of the conditions attached to a Consent, the Head of Housing and Public Protection **(or any other officer to whom this authority has been delegated)** may revoke the consent forthwith. In the event

of a revocation, the Council will not be liable to pay any compensation arising from the revocation nor will the Consent Holder be entitled to a refund of any of the Consent fee.

- 4.6 Prior to the revocation of a Consent, the facts relating to the proposed revocation will be set out by the Council and sent to the consent holder. The consent holder may then submit written representation stating any mitigating circumstances and/or reasoning why the Consent should not be revoked. Any representation submitted by the consent holder will be considered as part of the decision whether or not to revoke the Consent.

5.0 ENFORCEMENT

- 5.1 It is recognised that well-directed enforcement activity by the Council benefits not only the public but also responsible members of the trade.
- 5.2 In pursuing its objectives of detailed in this Policy, the Council will operate a proportionate enforcement regime in accordance with the Council's Housing and Public Protection Statement of Enforcement Policy and Practice.
- 5.3 The responsibility for the overall supervision of street trading lies with the Head of Housing and Public Protection.

6.0 DEPARTURE FROM POLICY

- 6.1 In exercising its discretion in carrying out its regulatory functions, North Hertfordshire District Council will have regard to this Policy document and the principles set out therein.
- 6.2 Notwithstanding the existence of this Policy, each application will be considered on its own merits based on the licensing principles detailed in this Policy.
- 6.3 Substantial departure from Policy
Where it is necessary for the Council to depart substantially from this Policy, clear and compelling reasons for doing so will be given. The Head of Housing and Public Protection may authorise a departure from the Policy in accordance with this section if he/she considers it necessary in the specific circumstances and will advise Councillors via the Members Information Service (MIS).
- 6.4 Minor departure from Policy
Where an applicant is able to demonstrate that a minor departure from this Policy, based on the individual circumstances of that application, would still ensure that the policy objectives are achieved, the Licensing Manager may authorise a Consent to be issued.

7.0 AMENDMENTS TO THIS POLICY

- 7.1 Any significant amendment to this Policy will only be implemented after further consultation with existing consent holders, relevant stakeholders and the public. All such amendments to this Policy will be undertaken in accordance with the Council's Constitution. For the purpose of this section, any significant amendment is defined as one that is likely to have:

- (i) a significant financial effect on licence holders; or
- (ii) a significant procedural effect on licence holders; or
- (iii) a significant effect on the community.

7.2 Any minor amendment to this Policy may be authorised by the **Executive Member** for Housing and Environmental Health and undertaken in accordance with the Council's Constitution. For the purpose of this section, any minor amendment is defined as one that does not fall within the scope of a significant amendment defined in paragraph 7.1.

8.0 FEES AND CHARGES

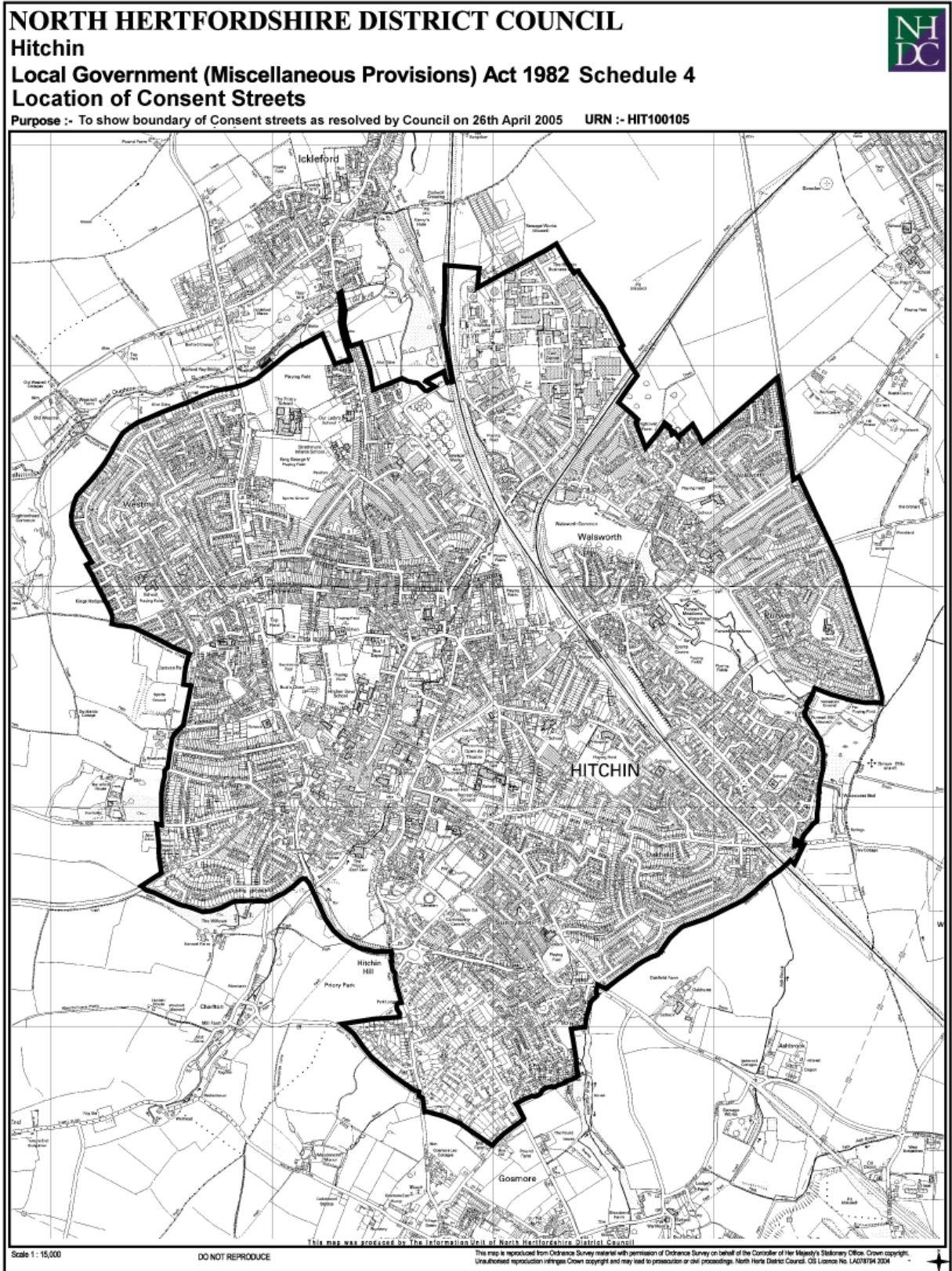
- 8.1 The fees charged by the Council for Consents to trade should cover the reasonable cost of administering and enforcing the service.
- 8.2 The fees will be reviewed at least on an annual basis and published on the Council's website. **The Head of Housing and Public Protection is authorised to set street trading fees on behalf of the Council.**
- 8.3 Should the consent holder wish to vary the Consent at any time during the life of the Consent, an administration fee will be charged. This includes the transfer of a Consent.
- 8.4 Where a trading consent is surrendered during the life of the Consent no refund will be made by the Council
- 8.5 At its absolute discretion the Council may charge different fees for consents that are for different durations or locations, such as a pro rata rate for occasional consents or concessionary consents in certain circumstances.
- 8.6 Not-for-profit organisations will be exempt from application fees.

9.0 DEFINITIONS

TERM	DEFINITION
Authorised Officer	an officer of the Council authorised by it to act in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982.
Consent	a consent to trade on a street granted by the Council, pursuant to Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
Consent Holder	the person or company to whom the consent to trade has been granted by the Council.
Consent Street	means a street in which street trading is prohibited without the consent of the Council
Council	means North Hertfordshire District Council
Head of Housing and Public Protection	the current post holder (or the Head of Service of the appropriate Service Area following any Subsequent restructure), or any nominated Deputy authorised by the Council's Scheme of Delegation
Executive Member for Housing and Environmental Health	the Elected Member responsible for Housing and Public Protection (or the appropriate Service Area following any subsequent restructure), who is a member of Cabinet
Street	includes: any road, footway, beach or other area to which the public have access without payment; and A service area as defined in section 329 of the Highways Act 1980, and also includes any part of a street.
Street Trading	the selling or exposing or offering for sale of any article (including a living thing) in a street.

APPENDIX A

**CONSENT STREET MAP
HITCHIN**



APPENDIX B

**CONSENT STREET MAP
LETCWORTH GARDEN CITY**

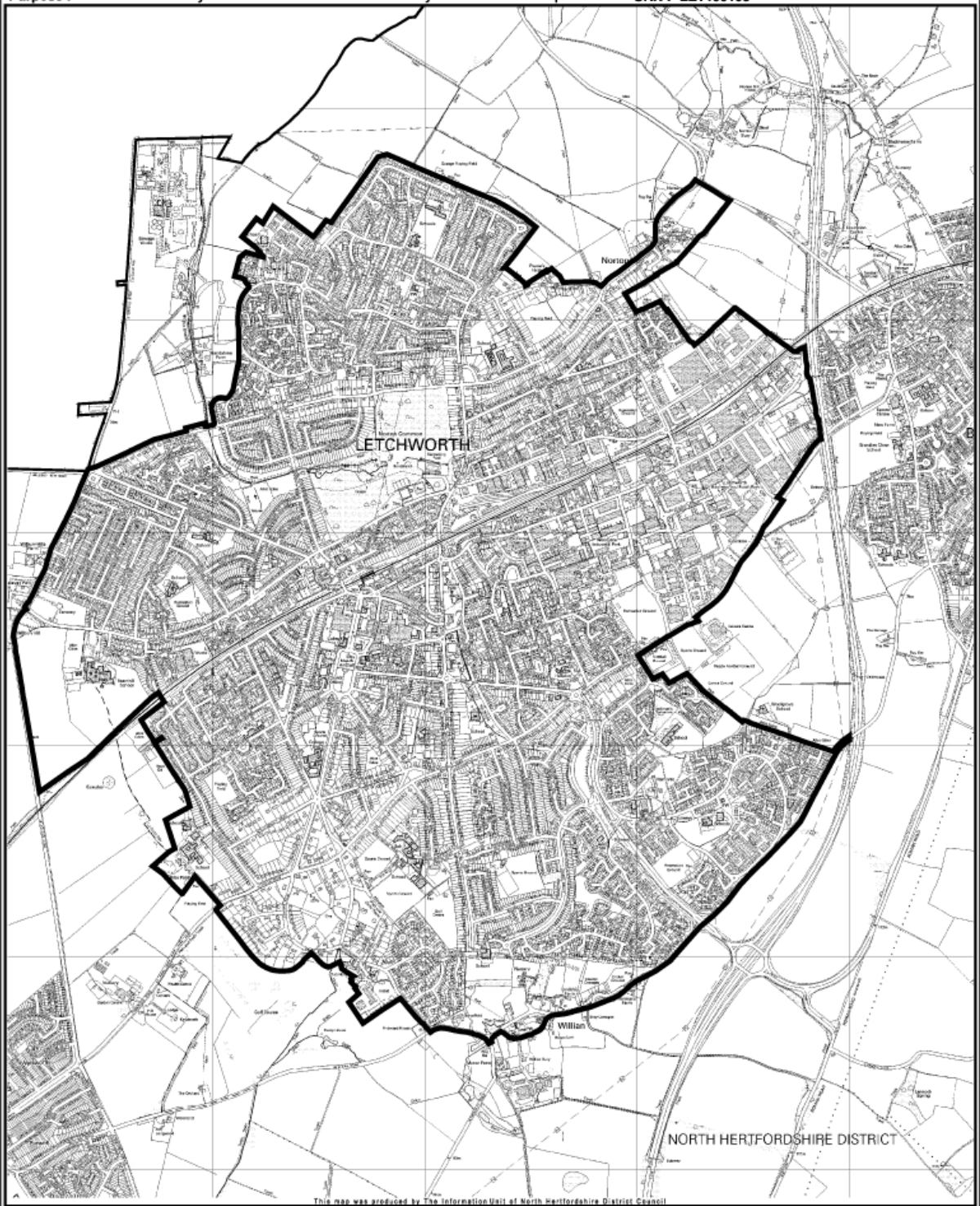
NORTH HERTFORDSHIRE DISTRICT COUNCIL

Letchworth Garden City

Local Government (Miscellaneous Provisions) Act 1982 Schedule 4

Location of Consent Streets

Purpose :- To show boundary of Consent streets as resolved by Council on 26th April 2005 URN :- LET100105



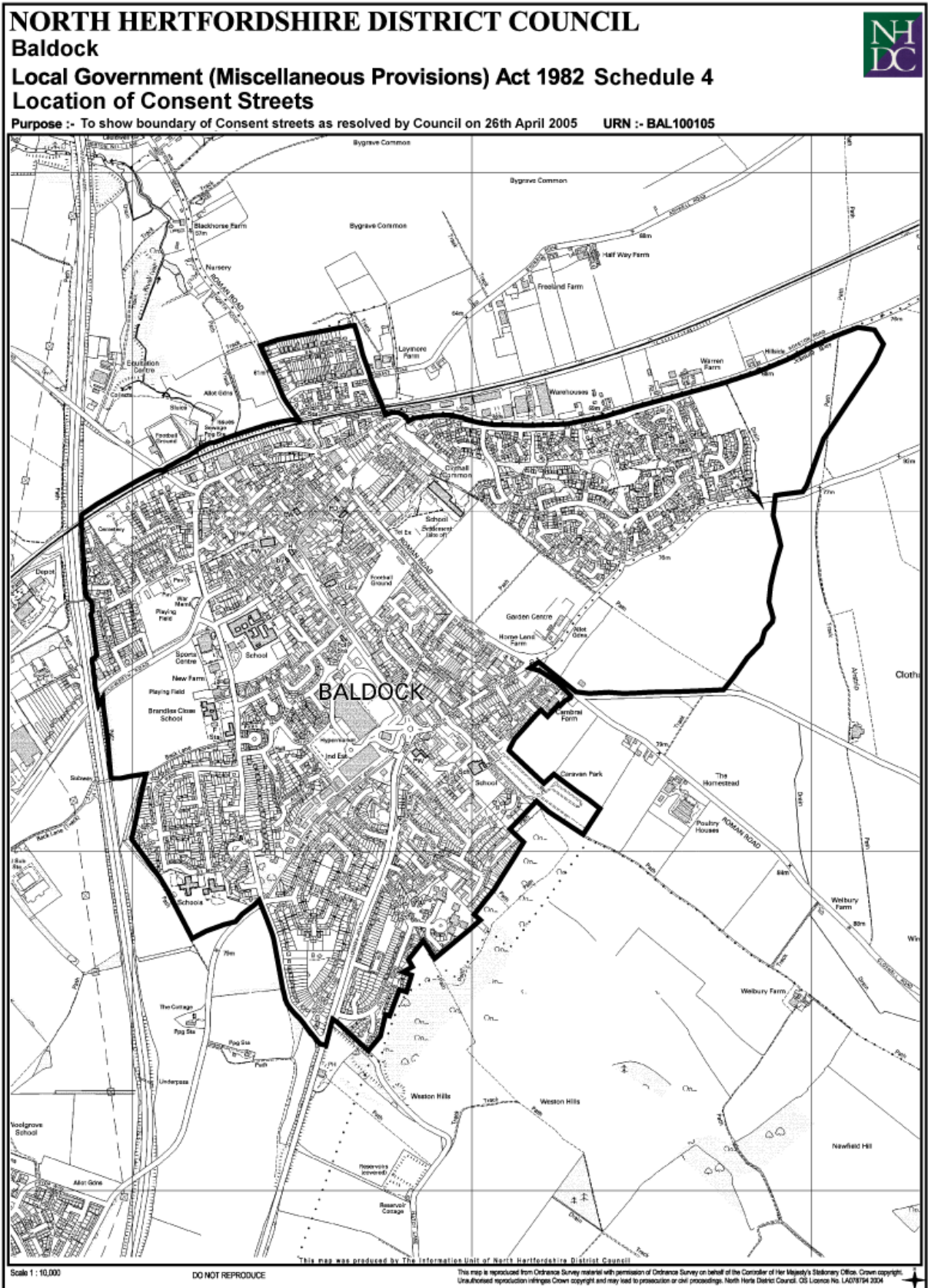
Scale 1 : 17,000

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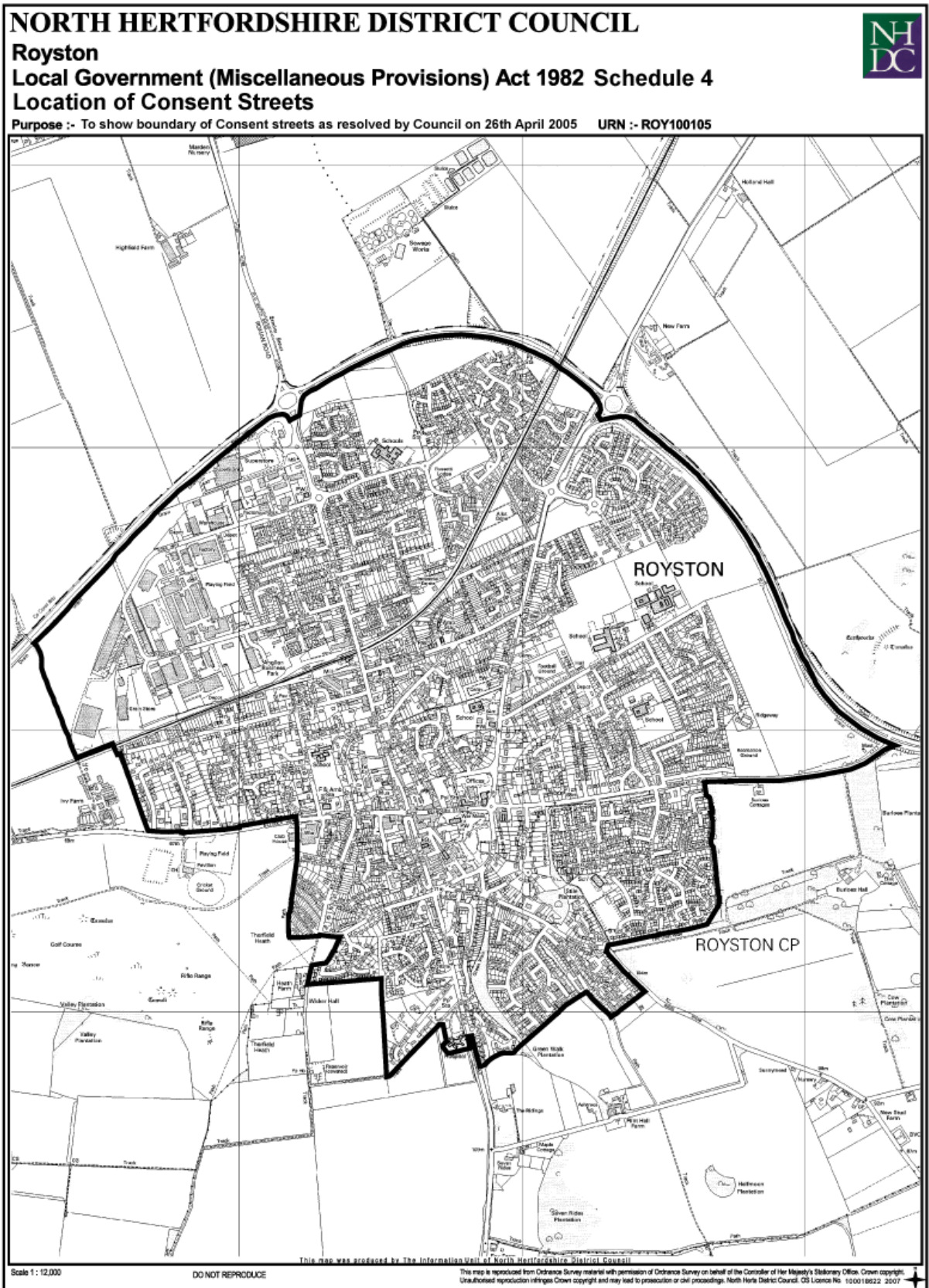
APPENDIX C

**CONSENT STREET MAP
BALDOCK**



APPENDIX D

**CONSENT STREET MAP
ROYSTON**



APPENDIX E

STANDARD CONDITIONS APPLICABLE TO STREET TRADING CONSENTS

General

These Standard Conditions will apply to all consent unless disapplied or varied by the Head of Housing and Public Protection.

Standard Conditions

1. The Consent granted by the Council is personal to the Consent Holder.
2. The Consent may only be transferred to another person or body with the prior written consent of the Head of Housing and Public Protection.
3. Any van, vehicle, barrow, cart or stall must be maintained in a neat, tidy and safe condition.
4. The Consent Holder shall not use the street for any trading purpose other than the purpose as permitted by the Consent and then only at the specified location during the permitted hours.
5. Unless specified otherwise in the Consent, the van, vehicle, barrow, cart or stall, including any permitted temporary furniture and advertising, shall be removed from the Consent site, **including the street in which the consent site is located**, at the end of each day's trading.
6. Any temporary furniture (for example, tables and chairs at food vending vans) or temporary advertising material (such as 'A' boards or other signage) will only be permitted at, or in the vicinity of, the van, vehicle, barrow, cart or stall if specified on the Consent.
7. The Consent Holder shall ensure that no advertisements relating to the activities permitted by the Consent are placed or affixed to any structures on the highway or highway land (including street furniture, road signs and grass verges). Any advertisement on private land must have permission from the landowner, proof of which must be provided to the Council in writing prior to the advertising being positioned.
8. The Consent Holder shall not cause any obstruction of the street or cause danger to any persons using it and shall not do anything, or permit anything to be done, which, in the opinion of an Authorised Officer of the Council, may be deemed a nuisance or annoyance or danger to any member of the public.
9. The Consent Holder shall not seek to attract attention or custom by shouting or making undue noise or by permitting the playing of music, music re-producing or sound amplification apparatus or any musical instruments, radio or television sets whilst trading under this Consent, other than as specified in the Consent.
10. The Consent Holder shall maintain the area in the vicinity of any van, vehicle, barrow, cart or stall specified within the Consent in a clean and tidy condition at

all times.

11. The Environmental Protection Act 1990 places a duty of care on individuals and businesses to dispose of waste originating from their trade in a certain manner. The Consent Holder shall ensure that refuse originating from their trade is disposed of by a licensed waste carrier and shall leave the site clear of refuse at the completion of each day's trading. No water or waste material shall be discharged on to the highway or any adjacent property.
12. The Council may remove and store or dispose of any furniture, equipment, advertisement or other structure placed on the street by the Consent Holder, or any person acting on behalf of the Consent Holder, that is not authorised by the Consent or has not been authorised in writing by the Council. The Council shall not be responsible to the Consent Holder for the safe keeping of any furniture, equipment, advertisement or other structure and may levy reasonable charges for the removal, storage and/or disposal thereof.
13. A copy of the Consent must be carried by the Consent Holder, or any person acting on behalf of the Consent Holder, at all times whilst trading and must be produced on demand when required by a Police Officer or an Authorised Officer of the Council.
14. The Consent Holder shall display a suitable sign stating his or her name and trade. The sign must be approved in writing by an Authorised Officer of the Council.
15. The Consent Holder and his/her employees or assistants shall wear suitable clothes appertaining to the trading undertaken and maintain a professional appearance at all times.
16. The Consent Holder shall notify the Head of Housing and Public Protection in writing at Council Offices, P O Box 480, M33 0DE of any criminal convictions or other legal proceedings arising out of the use or enjoyment of the Consent.
17. The Consent Holder shall carry public liability insurance of not less than £10 million, evidence of which shall be supplied to the Council prior to the grant of the Consent.
18. The Consent Holder must take adequate precautions to prevent the risk of fire at the van, vehicle, barrow, cart or stall. All hot food vendors are required to comply with current fire safety legislation. Where gas cylinders are used, an annual gas safety certificate is required to ensure the safety of all gas cooking and heating equipment.
19. A serviceable fire blanket and foam fire extinguisher shall be provided at all vans, vehicles, barrows, carts or stalls selling hot food.
20. All hot food vans, vehicles, barrows, carts or stalls are required to carry a basic first aid kit. The Consent Holder and hot food vendors should know how to give first aid to treat victims of cuts and burns. All hot food vans, vehicles, barrows, carts or stalls should have access to a minimum of one mobile telephone that must be serviceable at all times whilst trading.

21. In the case of food vending vans, vehicles, barrows, carts, or stalls, at least one person involved in the preparation and sale of food must hold a current Level 2 food safety certificate accredited by the Chartered Institute of Environmental Health, or an equivalent qualification, and must be present at the site during all trading hours.
22. With the exception of Town Centre Consents, Special Events / Markets Consents and Council Land Consents, the Consent Holder must be the principal trader and have day to day control of the van, vehicle, barrow, cart or stall. The Consent Holder may employ any other person to assist in operating the van, vehicle, barrow, cart or stall and shall notify the Council of the name and address of such persons. Anyone who operates a van, vehicle, barrow, cart or stall other than the Consent Holder must be authorised in writing by the Council. An administrative fee will be payable for such authorisations.
23. The Consent Holder shall permit the Council, or any other statutory body, to have access to the area designated within a Consent at any time without notice for any purpose whatsoever including, but not limited to, carrying out works to the highway or private land, or inspecting the same, or otherwise.
24. The Council may revoke the Consent at any time.
25. The Consent Holder will return the Consent to the Council immediately upon revocation or surrender.
26. In the event of the Consent being surrendered or revoked before the expiry date, no refunds will be given.
27. Upon the termination or revocation of the Consent, the consent holder shall immediately remove the vehicle, barrow, cart, stall or any other associated equipment from the consent site and ensure the consent site is free from any associated litter or other deposits..
28. Any consent holder wishing to sell hot food or drink after 23:00hrs must also hold a valid premises licence issued under the Licensing Act 2003 authorising the sale of late night refreshment at the consent site.
29. The Council may at any time vary these Conditions without notice.

Additional Conditions for Static Pitches

1. Any van, vehicle, barrow, cart or stall shall only be positioned within the designated area as outlined on the plan attached to the Consent.
2. Nothing contained herein shall be construed as the grant or purported grant by the Council of any tenancy protected by the Landlord and Tenant Act 1954, or any permission under the Town and Country Planning Act 1990, or any statutory modification or re-enactment thereof for the time being in force.

Additional Conditions for Town Centre Consents

1. The Consent Holder will be responsible for ensuring compliance with all consent conditions at all times when the consent is in use.
2. The Consent Holder may make a reasonable charge for the use of a Town Centre Consent by organisations, businesses or individuals using the Consent for commercial purposes.
3. The Consent Holder may not make any charge for the use of a Town Centre Consent by organisations or individuals using the Consent for registered charitable or not-for-profit purposes.
4. The Consent Holder must keep records of each stallholder that uses the Town Centre Consent, to include:
 - date of use;
 - location of stall and/or pitch number;
 - name and company/organisation name;
 - trader's home address;
 - trader's vehicle registration; and
 - trader's contact telephone number
5. The Consent Holder must keep records of each stallholder that is refused use of the Town Centre Consent, to include:
 - date of proposed use;
 - location of proposed stall;
 - name and company/organisation name;
 - trader's home address;
 - trader's contact telephone number; and
 - reason for refusal
6. In determining whether or not to allow an individual or organisation the use of a Town Centre Consent, the Consent Holder must make his/her determination in accordance with the principles contained within paragraph 3.4 of the Street Trading Policy.

Additional Conditions for Special Events / Markets Consents

1. The Consent Holder will be responsible for ensuring compliance with all consent conditions at all times when the consent is in use.
2. The Consent Holder may make a reasonable charge for the use of a Special Event / Market Consent by organisations, businesses or individuals using the Consent for commercial purposes.
3. The Consent Holder may not make any charge for the use of a Special Event / Market Consent by organisations or individuals using the Consent for registered charitable or not-for-profit purposes.
4. The Consent Holder must keep records of each stallholder that uses the Special Event / Market Consent, to include:

- date of use;
- location of stall and/or pitch number;
- name and company/organisation name;
- trader's home address;
- trader's vehicle registration; and
- trader's contact telephone number

Additional Conditions for Council Land Consents

1. The Consent Holder will be responsible for ensuring compliance with all consent conditions at all times when the consent is in use.
2. The Consent Holder may make a reasonable charge for the use of a Council Land Consent by organisations, businesses or individuals using the Consent for commercial purposes.
3. The Consent Holder may not make any charge for the use of a Council Land Consent by organisations or individuals using the Consent for registered charitable or not-for-profit purposes.
4. The Consent Holder must keep records of each stallholder that uses the Council Land Consent, to include:
 - date of use;
 - location of stall and/or pitch number;
 - name and company/organisation name;
 - trader's home address;
 - trader's vehicle registration; and
 - trader's contact telephone number

APPENDIX F

SCHEDULE OF STREETS, OR PARTS OF STREETS, WHERE CONSENT PERMIT APPLICATIONS WILL ORDINARILY BE REFUSED

1.0 Baldock

- (i) Old slip road off South Road at the roundabout with London Road

2.0 Hitchin

None

3.0 Letchworth Garden City

- (i) Arena Parade
- (ii) Gernon Road
- (iii) Station Road
- (iv) A505 (Letchworth Gate) from the junction with the A1 (Junction 9) to the junction with the A505 (Pixmore Way / Baldock Road roundabout)
- (v) Norton Way South between the junctions with Gernon Road and Station Road
- (vi) Rushby Mead between the junctions with Birdshill and Hillshott

4.0 Royston

None

5.0 Arterial Roads

- (i) All arterial roads with the exception of designated lay-bys **with raised kerbing separating the lay-by from the carriageway (see Appendix G).**

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ROYSTON & DISTRICT COMMITTEE 13 SEPTEMBER 2017

*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No. 9
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TITLE OF REPORT: GRANTS & COMMUNITY UPDATE

REPORT OF THE COMMUNITIES MANAGER
EXECUTIVE MEMBER FOR COMMUNITY ENGAGEMENT AND RURAL AFFAIRS
PRIORITY: ATTRACTIVE AND THRIVING / PROSPER AND PROTECT / RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

- 1.1 To advise the Committee on the current expenditure and balances of the Area Committee budgets.
- 1.2 To bring to the Committee's attention details of recent requests received for Area Committee Grant Funding, made by community groups and local organisations, which conform to the Authority's Grants Policy approved by Cabinet on June 14th 2016.
- 1.3 To advise the Committee of the activities and schemes with which the Community Officer has been involved.
- 1.4 To bring to the Committee's attention some important community based activities that will take place during the next few months.

2. RECOMMENDATIONS

- 2.1 That the Committee considers grant award of £1,000 to Royston Swimming Club to help towards the costs of equipment including a lap top computer, a banner for the club, resistance bands and a sports equipment trolley for storing all equipment at Royston Leisure Centre as detailed in 8.1.1.
- 2.2 That the Committee endorses the actions taken by the Community Officer to promote greater community capacity and well-being for Royston.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure the Committee is kept informed of the work of the Community Officer.
- 3.2 This report is intended to inform Members of the financial resources available to the Committee. It draws attention to the current budgetary situation by assisting in the effective financial management of the Area Committee's budget. This ensures that all actions are performed in line with the Authority's Financial Regulations, the Council's Constitution, and the guidance of the existing Grants policy as agreed by Cabinet in June 2016.

3.3 The awarding of financial assistance to voluntary organisations and the use of discretionary spending allows the Committee to further the aims of the Corporate Plan.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 There are no alternative options being proposed other than those detailed within the text of this report. However in the course of debate at committee, Members may wish to comment and offer additional views on any of the items included within this report.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 Consultation with Members has occurred in connection with the allocation of funds for Community Projects.

5.2 Consultation with the respective officers and external bodies/groups has taken place with regard to funding proposals for Area Committee Funds.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 Members are asked to note the information detailed in Appendix 1 Royston Area Committee Budget Spread sheet, which relates to the Area Committee budget balances for 2017/18.

7.2 There was no carry forward from the 2016/17 financial year.

7.2 At the July 2017 meeting the Royston & District Area Committee awarded £5,700 leaving £5,000 to allocate in the remaining 3 meetings.

8. RELEVANT CONSIDERATIONS

8.1 Update on Community Engagement & Grant Request

8.1.1 Royston Swimming Club

Royston Swimming Club is seeking funding support of £1,000 against an overall cost of £1,170 to assist with equipment costs for the club including a laptop computer for booking swimmers in, a club banner to be used at events across Hertfordshire, resistance bands and a sports equipment trolley for storing all equipment at Royston Leisure Centre. Up to 130 young people between the ages of 9 and 16 are members of Royston Swimming Club. This is the first time that the group has applied for funding from the Royston Committee.

8.1.2 Creative Royston

The Royston Communities Officer (CO) is assisting the Creative Royston with plans for this year's Royston Festival which will be held on Friday 22nd to Sunday 24th September.

Support has included assistance with licensing issues, parking, waste management, landowner consent, first aid provision and support with drafting the event management plans as required by the North Herts Safety Advisory Group.

The Royston CO will also provide marshal support to the Carnival event at Priory Memorial Gardens on Saturday 23rd September.

8.1.4 Pathway at end of Green Drift

The Royston CO continues to liaise with Moody Homes and Herts Right of Way Team on the pathway at the end of Green Drift.

Moody Homes have agreed to bring the pathway up to the required specification for it to be adopted as a Public Right of Way. It is hoped that the required works will be completed by the end of October.

8.1.5 S106 Matters

The Royston CO and CM continue to work with local groups to secure funding for projects. This includes the Therfield Pavilion Project, a number of initiatives at Royston Heath with the Conservators and a disabled access lift for Coombes Community Centre.

8.1.6 Coombes Community Association

The Royston CO continues to sit on the Coombes Community Association. The Coombes Community Centre have recently completed the refurbishment of the first floor bar area which now consists of a large and small meeting room area. Whilst the rooms are being used, the club has yet to secure a regular booking for the space.

8.2 **Highways Matters**

This section is included within the community update report for each committee cycle to facilitate debate and enable appropriate feedback on any of the proposed or listed Highways related schemes.

Any new proposals or revised schemes will be forwarded to the respective Herts County Councillor for consideration who will in turn report back and advise the Committee accordingly.

9. **LEGAL IMPLICATIONS**

9.1 The Terms of Reference in relation to Area Committees confirm that they may establish and maintain relationships with outside bodies/voluntary organisations which include discretionary grant aid/financial support but excluding grants for district-wide activities. The Committee has delegated powers, as a body, to allocate discretionary budgets and devolved budgets within the terms determined by the Council and outlined in the current Grant Policy agreed by Cabinet in June 2016.

9.2 Section 1 of the Localism Act 2011 provides a General Power of Competence which gives local authorities the powers to do anything:-

- An individual may generally do
- Anywhere in the UK or elsewhere
- For a commercial purpose or otherwise, for a charge or without a charge
- Without the need to demonstrate that it will benefit the authority, its area or person's resident or present in its area.

9.3 Section 137 Local Government Act 1972 provides specific authority for the Council to incur expenditure on anything which is in the interests of and will bring direct benefit to its area. This includes a charity or other body operating for public service.

10. FINANCIAL IMPLICATIONS

- 10.1 All Area Committees saw a 55% decrease in funding in the 2016/17 financial year. There are 4 meetings in the 2017/18 Committee cycle and members must ensure that sufficient funding is available for all meetings. The Royston Committee had an original budget of £10,700 for the 2017/18 financial year. £5,700 was allocated at the July meeting leaving £5,000 for the committee to allocate.

11. RISK IMPLICATIONS

- 11.1 There are no relevant risk entries that have been recorded on Covalent, the Council's performance and risk system. Individual events should have their own risk assessments in place to mitigate any health and safety issues. Whenever a request for grant funding for equipment is received, the recipient of the funding will be advised to obtain insurance for the item to avoid a repeat request for funding in the event of the equipment being stolen or damaged. There are no pertinent risk implications for the Authority associated with any items within this report.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 All projects that are assigned area committee funding are assessed to ensure that they do not negatively impact on any part of the local community. The only deviation to this is where a minority or marginalised group may specifically receive funding or allocation of resources to address a particular area of need or 'gap' in provision.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and "go local" policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 There are no pertinent Human Resource implications associated with any items within this report.

15. APPENDICES

- 15.1 Appendix 1 - 2017/18 financial year budget sheet.
- 15.2 Appendix 2 – Grant Form – Royston Swimming Club.

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

- 17.1 Review of Policies and Procedures for Financial Assistance to Voluntary and Community Organisations, November 2002.
- 17.2 Review of Grant Policy Cabinet June 2016.

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ROYSTON AREA COMMITTEE BUDGET 2017/18

SUMMARY/ TOTALS	Funding	Allocated	Spent	Outstanding	Unallocated Budget					
DEVELOPMENT BUDGET 2017/18	£10,700	£5,700	£5,700	£0	£5,000					
Total	£10,700	£5,700	£5,700	£0	£5,000					

DEVELOPMENT BUDGETS										
	Funding			Project	Allocated	Date	Spent	Outstanding	Unallocated Amount	Comments
Base Budget 2017/18	£10,700			Creative Royston	£1,500	14/07/17	£1,500			
				Corvus Cornix Basketball	£200	14/07/17	£200			
				Rotary Club of Royston	£1,000	14/07/17	£1,000			
				Royston Community Transport	£3,000	14/07/17	£3,000			
Total	£10,700				£5,700		£5,700	£0	£5,000	

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

AREA COMMITTEE DEVELOPMENT GRANT APPROVAL FORM

1. Committee: **Royston Area Committee**2. Date: **13/09/2017**3. Summary of application: **Support with equipment costs for the club**Name of organisation: **Royston Swimming Club**Sum requested: **£1000**Total project cost: **£1170**

Brief details:

Rosyton Swimming Club is seeking funding support to assist with equipment costs essential for the success of the organisation. The group requires a laptop computer to assist with swim bookings, a banner to promote the club at events across Hertfordshire, resistance bands and a sports equipment trolley for storing all equipment at Royston Leisure Centre.

Matched / linked funding: **£170**Funder: **Club funds**Matched /linked funding : **£0**
or DRR

Funder:

Matched / linked funding: **£0**

Funder:

Comments from Development Officer:

Royston Swimming Club (RSC) has been operating for a number of years and currently has around 130 members. RSC is a swimming club that takes all children wishing to swim for fitness and or at a range of competitive levels. The club has achieved some great team and individual successes over the past few years (with some RSC swimmers now achieving Regional and National age group rankings). The club is an inclusive club which has some older members including retired individuals who swim for keep fit and health reasons and they would like to increase the clubs appeal to a wider group of members within the Royston area. They specialise in competitive swimming but also have members who are keen open water and tri athletes. The application is criteria compliant. This is the first time that the club has applied for funding from the Royston & District Area Committee. The applicant is providing £170 match funding. Under the new funding criteria, the Committee can award up to 70% of the overall project cost. This would equate to £819. The officer recommendation is therefore for £819.

This organisation receives no Rate Support or other formal benefits from NHDC.

This organisation has not received an NHDC grant in the last five years.

Total awards: £0.

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