

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 10 January 2017 at 10.00 am.

Present:

Chairman: Councillor B W Butcher

Councillors: M I Cosin  
P S Le Chevalier  
S J Jones  
D P Murphy

Officers: Contentious and Regulatory Lawyer  
Licensing Team Leader  
Democratic Support Officer

21 APOLOGIES

An apology for absence was received from Councillor B Gardner.

22 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillor M I Cosin was appointed as a substitute for Councillor B Gardner.

23 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

24 MINUTES

The Minutes of the meeting of the Committee held on 1 November 2016 were approved as a correct record and signed by the Chairman.

25 CHAIRMAN'S ANNOUNCEMENT

The Chairman advised that agenda item No 7 had been withdrawn by the applicant and would not be considered at the meeting.

26 HIGHWAYS ACT 1980 - SECTION 115E - HOPE AND LANE, 92A HIGH STREET, DEAL

The Committee considered the report of the Licensing Team Leader on an application by Mr Sean Humphreys of Hope and Lane, 92A High Street, Deal CT14

6EG. The original application was for the placement of 5 tables and 10 chairs, 3 tables and 6 chairs at the side of the premises (in St George's Passage) and 2 tables and 4 chairs at the front of the premises. The furniture would be placed between 08:30hrs to 17:00hrs every day.

Following consultation, 3 representations were received and the comments passed to the applicant. As a result the applicant amended the application and requested to seek permission to site 3 tables and 6 chairs in St George's Passage only and removed the request for 2 tables and 4 chairs at the front of the premises. PC S Noddings, on behalf of Kent Police, subsequently withdrew his representation following the amendment. The two remaining representations received from Deal Town Council and Councillor B Gardner were amended. Both objected to the siting of furniture in St George's Passage stating that the furniture would be an obstruction to pedestrians in what was a busy part of the High Street.

The applicant advised that St Georges Passage was to the side of the premises, off the main high street, and was a wider pedestrianised area being approximately 3.8 metres wide and with bollards at one end.

In accordance with the approved procedure the Contentious and Regulatory Lawyer and the Committee withdrew to consider the application and representations and upon returning it was

RESOLVED: That having regard to Section 115E of the Highways Act 1980, the application by Mr S Humphreys of Hope and Lane, 92A High Street, Deal CT14 6EG for the siting of 3 tables and 6 chairs in St George's Passage (as amended), between 08:30 hrs to 17:00 hrs every day be approved subject to:

- (a) A minimum of 1.2 metres of pavement for pedestrians must be maintained at all times beyond the seating area in St George's Passage;
- (b) A maximum of 2 chairs to be placed at each table.

The meeting ended at 10.30 am.