

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 16 July 2019 at 10.00 am.

Present:

Chairman: Councillor D P Murphy

Councillors: S H Beer (as substitute for Councillor P M Brivio)
J Rose
C D Zosseder (as substitute for Councillor S J Jones)

Officers: Contentious and Regulatory Lawyer
Licensing Team Leader
Licensing Enforcement Officer
Democratic Services Officer

8 APOLOGIES

There were apologies for absence received from Councillors P M Brivio, S J Jones and R S Walkden.

9 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillors K Mills and C D Zosseder were appointed as substitutes for Councillors P M Brivio and S J Jones respectively.

10 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

11 MINUTES

The Minutes of the meetings of the Committee held on 16 April and 18 June 2019 were deferred.

12 HIGHWAYS ACT 1980 - SECTION 115E - POMEGRANATE, 94 HIGH STREET, DEAL

The Committee considered the report of the Licensing Team Leader on an application by Sarah Fisher of Pomegranate, 94 High Street, Deal. The application was for a Street Furniture permit to allow the placement of 3 tables and 6 chairs at the premises. These would be placed at the side of the premises and not at the front, as stated in the report. The applicant was seeking permission to site the furniture between 09:00 hrs to 21:00 hrs every Tuesday to Saturday inclusive.

One representation was received in respect of the application from Deal Town Council who objected to the restricted pathway access should the application be approved. The passageway was 3.3m wide in total and bollards located at either end still allowing wheelchair access. With the furniture in situ there would be 3.5ft of pathway available for pedestrians, wheelchair users and pushchairs. Members were advised that there was no statutory definition that defined a legal distance to remain available on the public highway although they should consider allowing sufficient room for wheelchairs, pushchairs and pedestrians passing.

The adjacent premises to Pomegranate, Hope and Lane, had a Street Furniture permit to site 5 tables and 10 chairs in St George's Passage. Should the application be granted the applicant offered to stagger the tables and chairs with Hope and Lane's to prevent any potential obstructions. The applicant advised that there would be two chairs to a table, as shown on the plan provided with the application.

RESOLVED: That having regard to Section 115E of the Highways Act 1980, the application by S Fisher of Pomegranate, 94 High Street, Deal for the siting of 3 tables and 6 chairs between 09:00 hrs to 21:00 hrs Tuesday – Saturday inclusive in St George's Passage (amended) be GRANTED.

13 EXCLUSION OF THE PRESS AND PUBLIC

This item was withdrawn.

14 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

This item was withdrawn.

The meeting ended at 10.35 am.