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Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 19 April 2022 at 10.00 am.

Present:

Chairman: Councillor N J Collor

Councillors: O C de R Richardson  
P M Brivio  
S J Jones  
R S Walkden

Officers: Regulatory Lawyer  
Licensing Enforcement Officer  
Technical Support Officer - Licensing  
Democratic Services Officer

Also Present: M Swigon (Minute No.43)  
P Ambrose (Minute No.43)  
S Cox (Minute No.44)  
D Thompson (Minute No.44)  
L Royden (Minute No.44)

## 39 APOLOGIES

There were no apologies for absence received from Members.

## 40 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

## 41 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

## 42 MINUTES

The Minutes of the meeting held on 8 February 2022 were approved as a correct record for signing by the Chairman.

## 43 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES

The Licensing Enforcement Officer presented the Licensing Manager's report to the Committee, correcting an error at page 17 of Appendix B to '8 years if age'.. An application from Mr Marek Swigon had been received for the grant of a Private Hire Vehicle Licence for a Citroen Picasso, registration GU14 NXK. It was a four-passenger seat vehicle to be used for private hire within the district and beyond. The vehicle fell outside of the current vehicle age policy, having been registered in March 2014.

The Committee withdrew to examine the vehicle accompanied by Mr Swigon and his supporting person and vehicle operator of Elvington Cars, Mr Paul Ambrose. Upon returning Mr Swigon advised he had carried out the necessary work to the vehicle as per the advisories on the last MOT. He would be employed by Mr

Ambrose for Elvington Cars and hoped to start his own taxi business after a year of being under Mr Ambrose's umbrella of coaching and supervision. Mr Swigon explained there was a need for taxis in the village of Elvington, with the bus taking an hour to get into Dover and there being a shortage of transportation in the village for shorter journeys to Aylesham and the train station.

Mr Ambrose provided further information as to how long he had known the applicant, their working history and the opportunity he could offer Mr Swigon if his application for a licence on his Citroen Picasso as a Private Hire vehicle was granted.

In accordance with the approved procedure, the Committee and the Regulatory Lawyer withdrew from the meeting to consider its decision.

**RESOLVED:** That, notwithstanding the Council's current policy guidelines, Mr M Swigon be granted a Private Hire Vehicle Licence for Citroen Picasso, registration GU14 NXX, for a period of 1 year.

44

HIGHWAYS ACT 1980 - SECTION 115E - THE BAR, 152 HIGH STREET, DEAL

The Licensing Enforcement Officer presented the Licensing Manager's report to the Committee regarding an application by Sarah Cox of The Bar, 152 High Street, Deal for a Street Furniture permit for the placement of 3 tables and 6 chairs on the pavement outside the premises between 14:00 hrs to 20:00 hrs every day.

One representation was received from Mr Peter Greensmith, who objected to the application on the grounds that the noise created by people standing outside the premises was unbearable, he had to clear cigarette butts from the pavement, the alleyway (near to his property) was used for urinating and people sat on his window ledge.

The applicant, Sarah Cox was present at the meeting and was supported by the owner of the premises, Darren Thompson and Louis Royden, the premises manager. Mr Thompson had owned the premises for the last six years and during the Covid pandemic, had renovated the premises. Upon reopening, regular customers had requested tables and chairs at the front of the premises to enjoy the benefits of the late afternoon, early summer evenings. The proposed tables allowed 1.8 metre of pavement remaining for mobility scooters/wheelchairs to pass and bar staff had a clear view (through the glazed frontage) to the outside to monitor the placing of chairs to avoid any obstructions.

Members considered the objection made by Mr Greensmith and were advised by the Licensing Enforcement Officer that following a similar complaint to this objection in July 2021 (raised by Mr Greensmith), he visited Mr Thompson and no further complaints had since been received. The applicant advised they had a cleaning regime at the end of each evening and any cigarette butts were removed and pavements were swept. The applicant further stated that since the tables and chairs would be brought in at 20:00 hrs every day, an extra check could be undertaken.

**RESOLVED:** That, having regard to Section 115E of the Highways Act 1980, the application by Sarah Cox of The Bar, 152 High Street, Deal for the siting of 3 tables and 6 chairs between 14:00 hrs to 20:00 hrs every day on the pavement outside the premises, positioned as set out in the plan, be GRANTED and that the area be cleaned and all furniture taken inside at the end of each day.

The meeting ended at 10.47 am.