

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 18 October 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: Principal Lawyer - Litigation and Regulatory
Licensing Manager
Licensing Enforcement Officer
Licensing Officer
Licensing Officer
Litigation Lawyer
Litigation Assistant
Democratic Services Officer

Also Present: Mr S Saber (Minute No.19)
Mr H Richardson (Minute No.20)
Applicant and Supporting Person (Minute No.22)
Applicant and Supporting Person (Minute No.23)

15 APOLOGIES

There were no apologies for absence.

16 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute members appointed.

17 DECLARATIONS OF INTEREST

Councillor O C de R Richardson declared an Other Significant Interest (OSI) in Minute No.20 by reason that his son was the applicant and would leave the meeting for consideration of the item.

18 MINUTES

The Minutes of the meetings held on 24 May 2022 and 19 July 2022 were approved as a correct record for signing by the Chairman.

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

[REDACTED]

[REDACTED]



20 HIGHWAYS ACT 1980 - SECTION 115E - THE ELEPHANT AND HIND, 18-19 MARKET SQUARE, DOVER

The Committee considered the report of the Licensing Manager on an application by Harry Richardson to allow the placement of 13 tables, 28 chairs and 12 benches outside The Elephant and Hind, 18-19 Market Square, Dover. The furniture would consist of 6 long tables and benches, 4 bistro tables and chairs and 2 round tables and chairs and would be placed between 12 noon to 12 midnight every day.

The applicant, who currently had a licence for 6 tables and 12 benches between 10am and 10.30pm every day (with the furniture to be removed each day), was seeking for this to be superseded.

In respect of the application one representation was received from Dover Town Council regarding the proposed layout and that the plan did not allow for the required 2-metres of clear footway due to this being a busy location. The applicant was willing to move the 3 planters that were in his ownership at the perimeter of the space to allow for the 2-metres clear pedestrian footway.

Concerns from Members included the safety aspect of moving the planters as they provided a safety barrier between the seated customers and the traffic that was permitted to access the precinct. Members who were familiar with the pedestrianised precinct were aware that at times the precinct was heavily used by vehicles. Mr Richardson advised he would use the existing barriers (as shown in photographs in the report) as an alternative barrier as they would be visible to drivers although it was accepted these would not stop a car. Mr Richardson further

added that patrons were not permitted to wander in and out of the premises' boundary and that security were on duty to manage this.

The Committee withdrew to consider the application and upon returning the Principal Lawyer – Litigation and Regulatory advised that the Committee had considered the submission by Dover Town Council and that it accepted that the area was busy and required a minimum of 2-metre-wide clear footway. It was also observed by the Committee that the 6 tables and 12 benches under the current licence utilised the available space.

RESOVLED: That having regard to Section 115E of the Highways Act 1980 the application by Harry Richardson of The Elephant and Hind 18-19 Market Square for the siting of 13 tables 28 chairs and 12 benches between 12 noon and 12 midnight every day be REFUSED.

(Councillor O C de R Richardson declared an Other Significant Interest (OSI) in Minute No.20 by reason that his son was the applicant and left the meeting for consideration of the item.)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

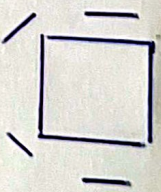
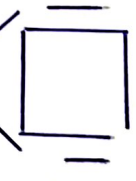
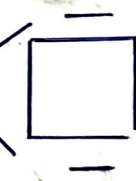
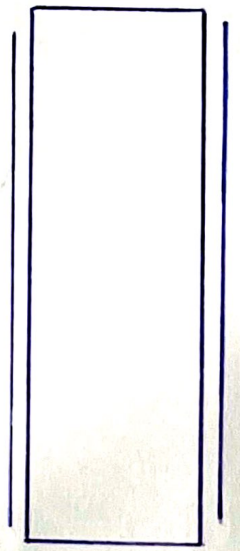
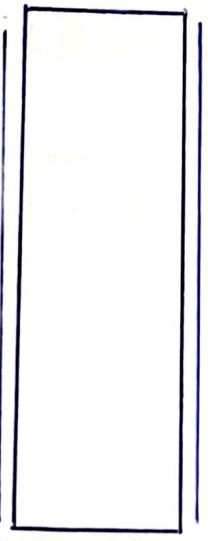
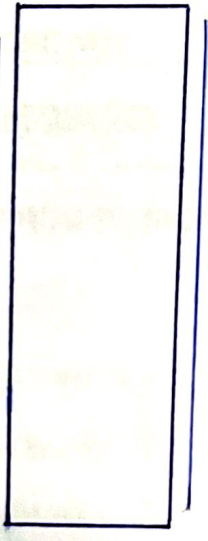
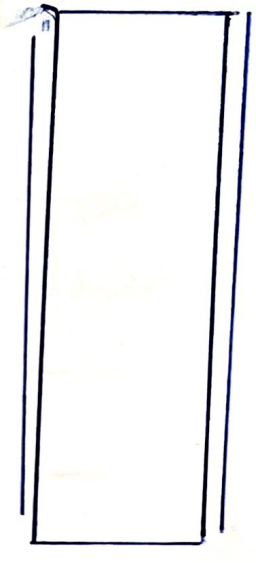
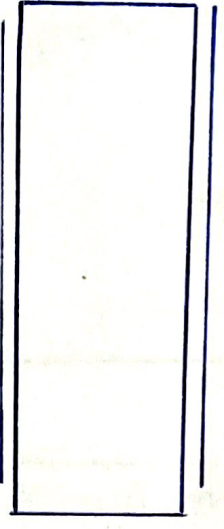
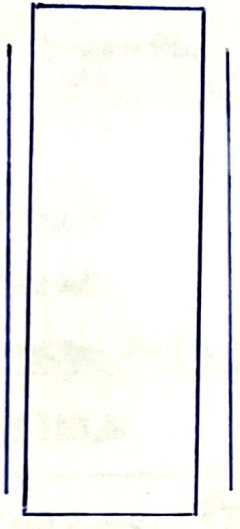
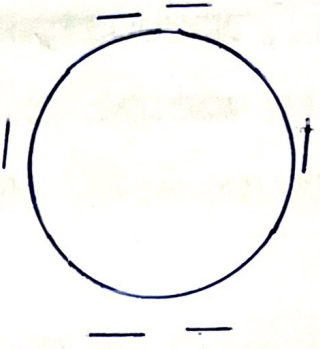
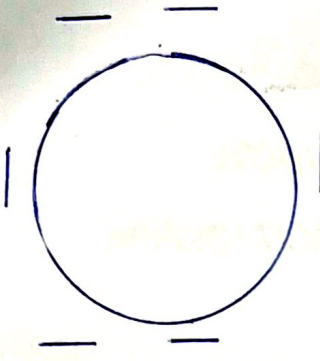
[REDACTED]

[REDACTED]

[REDACTED]

The meeting ended at 12.52 pm.

Gaol Lane



Cannon St.

The Elephant and Hind

Kings Street