

**At a meeting of the REGULATORY COMMITTEE held in the CIVIC CENTRE on MONDAY, 2<sup>ND</sup> MARCH, 2009 at 2.00 p.m.**

**Present:-**

Councillor Old in the Chair

Councillors Errington, Francis, P. Gibson, Gofton, G. Hall, Paul Maddison, D. Richardson, Trueman, J. W. Walton and A. Wilson.

**Declarations of Interest**

Councillor P. Gibson declared a personal and prejudicial interest in item 7 as the applicant was a personal friend and left the meeting during the consideration of the matter.

**Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Gofton, Peter Maddison T. Martin, J. B. Scott and Whalen.

**Minutes of the Last Ordinary Meeting of the Committee held on 2<sup>nd</sup> February, 2009 – Part I**

1. RESOLVED that the minutes of the last ordinary meeting of the Committee held on 2<sup>nd</sup> February, 2009 – Part I (copy circulated) be confirmed and signed as a correct record.

**Minutes of the Meeting of the Sunderland Stadium of Light Safety Advisory Group held on 12<sup>th</sup> December, 2008**

Mr. Ken Scott, Development Manager, in response to an enquiry from Councillor Paul Maddison, confirmed that an appointment had now been made to the post of Deputy Safety Officer at the Football Club.

2. RESOLVED that the minutes of the Sunderland Stadium of Light Safety Advisory Group held on 12<sup>th</sup> December, 2008 be received and noted.

## **Sunderland Stadium of Light – Restriction on General Safety Certificate**

The Director of Development and Regeneration submitted a report (copy circulated) on a recommendation that a limit be imposed upon the number of tickets made available by Sunderland Association Football Club to the visiting fans of Manchester United on Saturday, 11<sup>th</sup> April, 2009.

(For copy report – see original minutes).

3. RESOLVED that:-

- i) approval be given to the setting of a limit of 1,800 visiting fans for the fixture with Manchester United on Saturday, 11<sup>th</sup> April, 2009 on the grounds of authorising the Club to take all necessary precautions for the reasonable safety of spectators at this game as per Condition 4;
- ii) the Director of Development and Regeneration be authorised to follow such procedure and issue such notice needed to obtain compliance with the proposed restriction.

## **Local Government (Miscellaneous Provisions) Act 1982 – Application for Grant of Consent to Trade in a Designated Area – Hay Street**

The Director of Community and Cultural Services submitted a report (copy circulated) on an application received from Mrs. Barbra Cooper for grant of consent to trade in a designated area in respect of a site situated on Hay Street (East Side) 3 metres south of the access to Hay Street Industrial Estate.

(For copy report – see original minutes).

Mr. Tom Terrett, Trading Standards and Licensing Manager, presented the report advising that the application was to trade any day upon which a football game was to be played at the Stadium of Light. The proposed hours of trading were five hours before kick off and one hour after the end of the game.

The application had indicated that the site was proposed to be used for the sale of hot food.

Members were advised that consent to trade at this site was initially granted to another trader by the Committee at its meeting on 29<sup>th</sup> September, 2008. However, the trader had contacted the Council stating that she did not want to renew her consent to trade.

Mrs. Cooper was present and spoke in support of her application. Consideration having been given to the matter, it was:-

4. RESOLVED that approval be given to the application received from Mrs. B. Cooper for the grant of consent to trade in respect of a site situated on Hay Street (East Side) 3 metres south of the access to Hay Street Industrial Estate upon any day a football match is held at the Stadium of Light for 5 hours prior to kick off and one hour after the end of the game.

**Local Government (Miscellaneous Provisions) Act 1982: Application for Consent to Trade in a Designated Area – At Junction of Stadium Way/ Millennium Way, Sheepfolds, Sunderland**

The Director of Community and Cultural Services submitted a report (copy circulated) on an application received from Mr. Colin Noble for the grant of consent to trade in a designated area in respect of the above site for the sale of general food.

(For copy report – see original minutes).

Mr. Tom Terrett, Trading Standards and Licensing Manager, presented the report and introduced Mr. Paul Robinson, representing the Director of Development and Regeneration, who presented his objections to the application as detailed in paragraph 7.1 of the report.

Mr. Noble was present and spoke in support of his application, addressing questions and comments from Members.

Consideration was given to matter and Members noted that Mr. Noble had traded at the site for over ten years without giving any cause for concern to the Police, Development and Regeneration or other bodies. Members also expressed concern that if Mr. Robinson was right Mr. Noble was paying rent to a landowner who may not be in a legal position to allow him to trade from it. Members wanted evidence to justify the contention the site was on adopted highway.

In the course of discussions Members heard that Mr. Noble may, after all, be interested in one of the two alternative sites proposed by Mr. Robinson. It was therefore moved by Councillor Trueman and duly seconded that consideration of the matter be deferred pending investigations into the suitability of alternative sites and that in the meantime Mr. Noble be allowed to continue to trade from the current site. It was:-

5. RESOLVED accordingly.

**Local Government (Access to Information) (Variation) Order 2006**

6. RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during consideration of the remaining business as it was considered likely to include the disclosure of exempt information relating to an individual and the financial or business affairs of a particular person (including the authority holding that information). (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1 and 3).

(Signed) S. OLD,  
Chairman

**Note:**

The above minutes comprise only those relating to items during which the meeting was open to members of the public.

Additional minutes in respect of further items are included in Part II.