

At a meeting of the REGULATORY COMMITTEE held in the CIVIC CENTRE on MONDAY, 23rd JULY, 2012 at 2.00 p.m.

Present:-

Councillor Wilson in the Chair

Councillors Emerson, Errington, Farthing, P. Gibson, Macknight, D. Smith, Thompson, and Wiper.

Declarations of Interest

Item 8 Street Collection Permits in the Vicinity of the Stadium of Light

Councillors Errington and Thompson declared interests in the item as they had links to organisations involved in the draw. Both Councillors left the room and took no part in any discussion or decision thereon.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Bonallie, Bell, Dixon, Mordey, Richardson and Waller.

Minutes of the Last Meeting of the Committee held on 25th June, 2012 Part I

1 RESOLVED that the minutes of the last Ordinary meeting of the Committee held on 25th June, 2012 Part I (copy circulated) be confirmed and signed as a correct record.

Sunderland Stadium of Light – Renewal of Safety Certificate for Season 2012/2013

The Deputy Chief Executive submitted a report (copy circulated) which sought approval of the application by Sunderland Association Football Club for the renewal of the General Safety Certificate for season 2012/2013.

(For copy report – see original minutes).

2. RESOLVED that:-

- (i) approval be given to the grant of a General Safety Certificate for the Sunderland Stadium of Light for the season 2012/2013 for capacities of 48,900 (non segregated match) and 48,656 (segregated match) on the same terms as in the current Safety Certificate; and
- (ii) no increase be made in the fee payable for the Certificate.

Local Government (Miscellaneous Provisions) Act 1982 – Application for the Grant of Consent to Trade in a Designated Area – Forecourt Situated On Hay Street, Sunderland – Ms Gemma Muncaster

The Executive Director of City Services submitted a report (copy circulated) in respect of the above matter.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager presented the report advising Members that the Committee had previously granted consent to trade at the location. The consent had expired on 30 January, 2012 and was not renewed by the previous applicant. No objections had been made to the application. Consideration having been given to the report it was:-

3. RESOLVED that approval be given to the application for the grant of consent to trade in a designated area (forecourt situated on Hay Street, Sunderland) received from Ms Gemma Muncaster on any day a football match is played at the Stadium of Light three hours before Kick Off and upto one hour at the end of the game for the sale of hot food and hot and cold Drinks.

Local Government (Miscellaneous Provisions) Act 1982 – Application for the Grant of Consent to Trade in a Designated Area – On the Footpath to the South East of Hay Street, with the Junction of Millennium Way, Sunderland – Mr Duncan Francis

The Executive Director of City Services submitted a report (copy circulated) in respect of the above matter

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager presented the report and advised that the matter had been referred to the Committee as objections had been received to the application both from the Council's Network Operations Section and Northumbria Police. Mr Paul Robinson of Network Operations was present and highlighted the objections from his Section, as detailed in paragraph 7.1 of the report, which centred on the potential for the application to exacerbate pedestrian / vehicular conflict in the Sheepfolds area on match days.

Mr Terrett advised that the Police objection referred to days upon which high risk matches were played at the Stadium of Light as they made use of barriers pre and post match in the area so restricting access.

Mr Francis advised that he did not intend to trade on the day of high risk matches, as on such days the extended road closures did not make it economically viable. He contended that the proposed site was large enough not to cause an obstruction to the highway and circulated photographic evidence comparing his proposed site with one diametrically opposite from which a hot food trailer already operated. Mr Francis agreed that the surrounding area was busy however his favoured site was a 'little island of calm' tucked away from the flow of pedestrians travelling up and down Millennium Way, Stadium Way and Hay Street. Members who were aware of the situation on match days concurred with this point. Councillor Emmerson advised that he used the site favoured by Mr. Francis as a meeting point simply because it was quiet and away from the main pedestrian flow.

Mrs Francis added that crowds were unlikely to build up at the trailer because it would only sell sweets and soft drinks, with all sales being £1. As a result transactions would be simple and there would be no one milling around waiting for food to be cooked and served. Consideration having been given to the application it was:-

4 RESOLVED that approval be given to the application for the grant of consent to trade in a designated area (footpath to the southeast side of Hay Street with the junction of Millennium Way, Sunderland) received from Mr Duncan Francis on days a football match is played at the Stadium of Light (with the exception of games designated as 'high risk' by Northumbria Police) three hours before Kick Off and upto one hour at the end of the game for the sale of sweets, soft drinks, candy floss, chocolate and water.

Local Government (Miscellaneous Provisions) Act 1982 – Application for the Grant of Consent to Trade in a Designated Area – Bandstand, Roker Park, Roker Park Road, Sunderland – Sunderland City Council Culture and Tourism Section

The Executive Director of City Services submitted a report (copy circulated) in respect of the above matter.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager presented the report advising Members that the application related to the period 27 September 2012 to 12 November 2012. No objections had been received to the application, however as the requested period was greater than one month, a Committee decision was required. Consideration having been given to the report it was:-

5. RESOLVED that approval be given to the application

Street Collection Permits within the Vicinity of the Sunderland Stadium of Light

The Executive Director of City Services submitted a report (copy circulated) which requested that the Chairman of the Regulatory Committee carry out the draw for the allocation of street collections within the vicinity of Sunderland Stadium of Light for the season 2012/13.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager, presented the report informing the Committee of a request from the SAFC Foundation to hold street collections at the following five fixtures:-

25 th August	v	Reading
15 th September	v	Liverpool
8 th December	v	Chelsea
30 th March	v	Manchester United
12 th May	v	Southampton

Discussion ensued on the Club's request and it was granted accordingly. The Committee also agreed to a request from Northumbria Police not to grant permits for matches against Newcastle Utd and Middlesbrough. In addition members acceded to a request from a school for children with special needs that if they were successful in the draw, they were allocated a fixture either early or late in the season.

Mr Terrett drew members' attention to paragraph 4.7 of the report in respect of six applications made by Fulwell Juniors each one on behalf of one of the club's age groups. The Committee were asked to consider if the club should be allowed six entries into the draw or one. In this regard the Chairman welcomed and introduced Mr. George Tilley, the Chairman of Fulwell Juniors, who was present to speak in support of his application. Mr Tilley stated that Fulwell had been successful in the draw 6 years previously but had been unsuccessful since. He believed that in effect SAFC Foundation had been allowed multiple entries having been granted 5 permits for games of their choice and if the policy was to be seen as fair and transparent then it should be open for other organisations to submit multiple entries.

Mr Terrett advised the Committee that if Members were minded to allow only a single entry from Fulwell Juniors it was suggested that the Policy for the processing of applications for street collection permits within the vicinity of the Stadium of Light on match days as detailed in paragraph 3.2 be amended to allow organisations (including those submitted under individual team names) a single entry only into future draws.

Members were of the opinion that organisations should not be allowed to submit multiple entries but that the SAFC Foundation were a special case as they were the land owners. Councillor Gibson stated that single entries meant that each charity got an equal chance.

Mr Tilley advised that organisations had managed to circumvent the policy in the past. He was aware of one organisation that was successful in the draw for its boy's team one year, submitting an entry for its girl's team the next year. He also contended that as the SAFC Foundation were a registered charity, and the land owner, they could collect inside the stadium at any game they wished.

Members having agreed that only single entries from organisations should be permitted and to amend their policy in respect of future draws the Chairman then carried out the draw for the 13 available fixtures. This was followed by a draw for a reserve list of 10 which would be allocated in order of being drawn to any other fixture which may become available e.g. a cup match or a re-scheduled league game which had been previously abandoned.

During the course of the draw 'SAFC Foundation Community Football Club' were drawn out against the West Ham United Fixture on 12th January, 2013. Given their decision not to allow multiple entries, Members queried the link between this organisation and the SAFC Foundation. Mr Terrett advised that he would contact the Foundation and if the Community Football Club were part of the Foundation, the fixture would instead be allocated to the first drawn organisation on the Reserve List.

6. RESOLVED that :-

- i) approval be given to the following allocation of street collection permits in the vicinity of the Stadium of Light for the season 2012/13:-

Date	Fixtures	Organisation
25/8/12	Reading	SAFC Foundation
15/9/12	Liverpool	SAFC Foundation
29/9/12	Wigan Athletic	Wearmouth Cricket Club
3/11/12	Aston Villa	Russell Foster Youth League
25/11/12	West Bromwich Albion	Leam Rangers Youth FC
27/11/12	QPR	Houghton Albion FC
8/12/12	Chelsea	SAFC Foundation
26/12/12	Manchester City	RNLI
29/12/12	Tottenham Hotspur	Chester Le Street Town Youth FC
12/01/13	West Ham United	SAFC Foundation Community Football Club *
29/01/13	Swansea City	Hetton Lyons Cricket Club
9/02/13	Arsenal	MS Society
2/03/13	Fulham	Whizz Kidz
16/03/13	Norwich City	Fulwell FC Under 14s
30/03/13	Manchester United	SAFC Foundation
24/04/13	Everton	Sunderland Volunteer Life Brigade
4/05/13	Stoke City	Celta (Cael Urfa FC)
12/05/13	Southampton	SAFC Foundation

Reserve List	
1	3 rd Washington Scout Group
2	3 rd Boldon Guides and Brownies
3	Cancer Research UK
4	Lambton Lions Junior FC under 10's
5	Sunderland Adaptive Snowsports
6	Hetton Juniors FC
7	Sunderland Amateur Operatic Society
8	Victim Support
9	The Parachute Regiment Association
10	SAMM

- ii) *Mr Terrett be asked to ascertain the link between the 'SAFC Foundation Community Football Club' and the 'SAFC Foundation' and if they were part of the same organisation, the street collection permit for the fixture against West Ham United on 12th January 2013 be allocated to the first drawn organisation on the reserve list (3rd Washington Scouts),
- iii) The Policy for the processing of applications for street collection permits within the vicinity of the Stadium of Light on match days as detailed in paragraph 3.2 be amended to allow organisations (including those submitted under individual team names) a single entry only into future draws.

Reforming the Law of Taxi and Private Hire Services

The Executive Director of City Services submitted a report (copy circulated) which advised the Committee of a consultation document issued by the Law Commission with regard to the proposed reform of the law relating to taxi and private hire services in England and Wales.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager, presented the report informing the Committee that the stated aim of the reform was to review the law relating to the Regulation of taxis and private hire vehicles with a view to modification and simplification, having due regard to the potential advantages of deregulation in reducing the burdens on business and increasing economic efficiency. Members were advised that the Law Commission had set a closing date of 10th September for the receipt of comments in respect of their consultation document. A further report would be submitted to the next committee to enable a response to the consultation document to be determined

Mr Terrett having canvassed views from the committee in respect of the key proposals and questions arising from the document it was:-

7. RESOLVED the report be received and noted and that a further report to determine the response to the consultation document be submitted to the next meeting.

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

8. 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) A. WILSON,
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.

