

At a meeting of the REGULATORY COMMITTEE held in the CIVIC CENTRE on MONDAY, 27TH JUNE, 2011 at 2.00 p.m.

Present:-

Councillor A. Wilson in the Chair

Councillors Bonallie, Emerson, P. Gibson, Maddison, D. Richardson, D. Smith, Thompson and Waller.

Declarations of Interest

There were no declarations of interest.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Bell, Errington, Francis and Wiper.

Minutes of the Last Meeting of the Committee held on 23rd May, 2011 and of the Extraordinary Meeting held on 28th April, 2011 – Part I

1. RESOLVED that the minutes of the last meeting of the Committee held on 23rd May, 2011 and of the Extraordinary meeting held on 28th April, 2011, Part I (copy circulated) be confirmed and signed as correct records.

Local Government (Miscellaneous Provisions) Act 1982 – Application for Grant of Consent to Trade in a Designated Area – Mr. A. McCusker

The Executive Director of City Services submitted a report (copy circulated) on an application received from Mr. Andrew McCusker for the grant of consent to trade from a site situated 1 metre south from the taxi rank located in the lay-by on Whitburn Road, Sunderland.

(For copy report – see original minutes)

Tom Terrett, Trading Standards and Licensing Manager presented the report advising Members that the application was to trade from 5th August, 2011 to 4th September, 2011, the proposed hours of trading being 9.00 am to 6.00 pm for the sale of confectionary and novelty items from a purpose built trailer.

Dan Hattle, Principal Planner was also present to address any question or comments in respect of an objection to the application received from the Office of the Chief Executive's Planning Implementation Section as detailed in paragraph 7.1 of the report.

Mr. McCusker was also present to address any questions or comments from Members in respect of his application. He informed the Committee that he was from Sunderland and lived in Seaburn. He had traded from a site in South Marine Park last year but had been unsuccessful in the tendering process for the 2011 season. Mr. McCusker added that he was aware that the site was the subject of a proposed development, however it was vacant at the moment and his application was for this year only. He informed Members that he was a good friend of the developer and was hopeful that he would secure one of the units in the new building. He advised that he could provide written confirmation from the developer regarding their friendship.

Consideration was given to the application with a majority of Members expressing the view that they were minded to decline the application as they would not wish to set a precedent which could impact on the new development. However the view was also expressed that the Committee would not be setting a precedent as each case would be considered on its own merits, this could be a fixed term one off consent. With no agreement between members, it was moved by Councillor P. Gibson and seconded by the Chairman that the application be declined. Upon being put to the vote with 7 Members voting in favour of the motion and 2 voting against, it was:-

2. RESOLVED that the application received from Mr. A. McCusker for the grant of consent to trade in a designated area be declined.

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

The Chairman informed the Committee that the item had been withdrawn to allow further discussion with Sunderland AFC. It was envisaged that a report would be submitted to an extraordinary meeting of the Committee to be held on a date to be arranged.

3. RESOLVED that the withdrawal of the item be noted.

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

4. RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1974, 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.