

## **POLICY OVERVIEW AND SCRUTINY COMMITTEE**

**Date of Meeting: 13 June 2011**

**Present:** Councillor J Oakes (Chair)  
Councillors Driver, Essex (substituting for Steen), Kenyon,  
Marriott (substituting for McInnes), Milling, Pilling

**In Attendance:** Danny Dobson, Public Protection Officer  
Stephen Stray, Planning Manager  
Pat Couch, Scrutiny Support Officer

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### **1. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor McInnes and Steen and Keith Pilkington (co-opted).

### **2. MINUTES OF THE LAST MEETING**

**Resolved:**

That the Minutes of the last meeting held on 8 March 2011 be agreed as a correct record and signed by the Chair.

### **3. DECLARATIONS OF INTEREST**

No declarations of interest were made.

### **4. URGENT ITEMS OF BUSINESS**

No urgent items were raised.

### **5. PUBLIC QUESTION TIME**

The Chair agreed to deviate from the Procedure for Public Speaking and allow the member of the public to ask questions as the reports were discussed

### **6. CHAIR'S UPDATE**

The Chair indicated that in relation to the Tourism Strategy, the Head of Health, Housing and Regeneration had provided an update informing Members that the Portfolio Holder had identified Tourism as a priority area and there would be an early focus for discussion to agree how this would be taken forward to achieve the best results for Rossendale in the current financial climate.

## 7. PROPOSED AMENDMENTS TO THE CURRENT STREET TRADING POLICY

The Public Protection Officer presented a report which outlined issues that had arisen regarding the current street trading policy since its adoption in 2009 and proposed that Members comment on a number of amendments to the Policy, which have occurred due to experiences gained over the past 12 months.

A consultation exercise was carried out between 1<sup>st</sup> February and 14<sup>th</sup> March 2011, which had been considered and some of these comments had been incorporated within the recommendations of the report.

Legislation enabled the Council the control of street trading by nominating certain streets for which no Consent to trade would be given.

The Public Protection Officer indicated that the Council had received 9 Consents – 6 for ice cream vans and 3 for burger vans (although one burger van no longer trades).

Condition 21 states that “Consents would be granted for a period of 12 months from the date of the application, with a cost of £350. It was proposed that applicants should be able to apply for a Consent lasting 14 days for a specific site, at a fee of £75. Members raised concern that the Council should be encouraging community events and therefore they should not be charged this fee.

A number of questions were raised as follows to which the Public Protection Officer responded.

- Clarification of the £75 fee
- Laws on permits for door to door salesmen
- List of prohibited streets
- The consultation process
- Whether the 14 days licence could be abused

Members also commented on the need for the application form available online to be revised to provide up to date information in line with the proposed amendments.

Members accepted the amendments to be adopted with the exception of the need for the £75 to be exempt from payment for community events.

### **Resolved:**

That the Policy Overview and Scrutiny Committee recommend to Council the following amendments:

1. Condition 21 to read “Consent will be granted for a period of either 12 months or 14 days from the date of the application.
2. Condition 4 to read “Applications for a street trading consent, other than ice cream vendors, must state the site from which they wish to trade. Ice cream vendors must not allow their vehicle to remain satisfactory in any one place for a period exceeding 30 minutes, without written consent of the Licensing

Authority”.

3. That Consent be granted for a period of 14 days for a fee of £75, but be exempt from payment for community events.
4. That delegated Authority be give to the Public Protection Manager to:
  - a) Refuse the application when a valid objection is deemed to have been received.
  - b) Grant an application where no objections are received.
  - c) Decide the extent of consultation for each application.
  - d) Issue Consent to the Organiser of an event which is run on a non-profit making basis to enable the Organiser in turn to allow training on a specific site.
5. Amend the special conditions which apply to ice cream vans Code of Practice to replace “for longer than 4 seconds at a time” and “more often than once every 3 minutes” to read “more often or for longer than is reasonably necessary”.
6. That the Policy Overview and Scrutiny Committee recommend that Council adopt the amendments to the street trading conditions and procedure, which should include the suggestion by the Committee to waive the £75 fee for community events.
7. That Policy Overview and Scrutiny Committee recommend that Council delegates any further amendments of the street trading conditions and procedures to the Licensing Committee.
8. That Policy Overview and Scrutiny Committee recommend to Council that any future minor amendments to the street trading conditions and procedures to be delegated to the Director of Business in consultation with the Portfolio Holder.

## **8 UPDATE ON THE CORE STRATEGY**

The Planning Manager presented an update on progress towards adoption of Rossendale’s Core Strategy Development Plan Document.

The Core Strategy was submitted for examination to the Secretary of State for Local Communities in December 2010 and following a series of Hearing sessions in April it was recommended that Council undertake a further round of consultation.

The consultation would focus on a number of key issues, which included how the Council would deliver housing in the Borough, providing for 3,770 additional new homes over the plan period 2011 to 2026.

A number of questions were raised, which the Planning Manager responded.

Resolved:

That the report be noted.

## **9. ROSSENDALE SHOP FRONT DESIGN GUIDE**

The Planning Manager presented the Supplementary Planning Document of the Rossendale Shopfront Design Guide which would be approved for consultation at Cabinet on 29<sup>th</sup> June 2011.

The purpose of this document was to encourage good practice in the design of shopfronts and the improvements of existing frontages.

The Planning Manager explained the different types of shutters and how some can have a detrimental effect on the appearance of individual businesses.

A number of questions were raised in relation to the document and Members agreed that there was a need to encourage businesses into the Valley.

It was agreed that there was a need for simplifying the document to make it more user friendly, with increased guidance for shops built more recently which were of a relatively contemporary design.

There was also a suggestion that any leaflet that was produced should be user friendly to encourage people to open businesses in the Borough

Resolved:

1. That Policy Overview and Scrutiny recommend to Cabinet the adoption of the Rossendale Shopfront Design Guide as a Supplementary Planning Document, subject to amendments agreed by the Committee, with the approval of the final document to follow a period of consultation to be delegated to the Business Director in consultation with the Portfolio Holder.
2. That Policy Overview and Scrutiny recommend to Cabinet that all future minor amendments to the policy to be delegated to the Director of Business in consultation with the Portfolio Holder.

## **10. INTERIM POLICY STATEMENT: HOT FOOD TAKEAWAYS – UPDATED**

The Planning Manager presented the above Policy which was approved for consultation purposes as an Interim Policy for Hot Food Takeaway establishments in June 2009. The Policy has subsequently been used for development control purposes.

The Interim Policy document required minor wording changes so that it could be brought into alignment with the Shopfront Design Guide Supplementary Planning Document.

Planning applications for hot food takeaways, particularly those in close proximity to

residential properties, frequently generate a significant number of objections and it was therefore important that potential applicants have access to appropriate advice before making planning applications.

Members agreed that it was important to have the documents in place. The Planning Manager indicated that the documents needed to be quite detailed for Officers to use.

**Resolved:**

1. That Policy Overview and Scrutiny recommend to Cabinet the approval of the Interim Hot Food Takeaway document, with the minor amendments proposed for Development Control purposes in the determination of planning applications.
2. That Policy Overview and Scrutiny recommend to Cabinet that all future minor amendments to the policy to be delegated to the Director of Business in consultation with the Portfolio Holder.

**11. FORWARD PLAN**

The Scrutiny Support Officer presented the up-to-date Forward Plan and asked Members if they would wish to see any specific document not already coming to Policy Overview and Scrutiny in the future.

It was suggested that Members receive the Conservation Area Appraisals and boundary Reviews. The Planning Manager agreed to look at timescales for if this was acceptable.

The meeting closed at 8.25pm

Signed .....  
(Chair)

Date .....