



Leicester
City Council

Minute Extract

Minutes of the Meeting of the
DEVELOPMENT CONTROL COMMITTEE

Held: TUESDAY, 30 SEPTEMBER 2003 at 5.30pm

P R E S E N T :

Councillor Garrity - Chair
Councillor O'Brien - Vice-Chair

Councillor Bhatti (for Cllr Thomas)	Councillor Mrs Chambers
Councillor Chohan	Councillor Connelly
Councillor Ramsdale (for Cllr Green)	Councillor Saleh
Councillor Smith	Councillor Sood (for Cllr Wann)
Councillor Vincent	

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In accordance with the provisions of the Constitution (4A, Rule 42), the following councillors attended the meeting and with the sanction of the Committee, spoke on the applications indicated, but did not vote:-

Councillor Almey - Application 20030865/20030866, 62-64 New Walk & 83-87 Wellington Street and
Application 20031360/20031365, 80 Queens Road.

Councillor Nurse - Application 20030963, 18 Coles Close.

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42. DECLARATIONS OF INTEREST

Members were requested to declare any interests they may have in the business on the agenda including under the Council's Code of Practice for Development Control decisions and/or indicate that Section 106 of the Local Government Act applied to them.

Councillor Garrity declared that she had received representations in respect of application 20034124C, 74 Lambourne Road.

Councillors Bhatti, Chohan, and Sood declared that they had received representations in respect of application 20030963, 18 Coles Close.

Councillor O'Brien declared that he had received representations in respect of application 20031170, 30 Linden Drive.

Councillors Chohan and Sood declared that they had received representations in respect of application 20031248, 2-16 Loughborough Road.

46. REVIEW OF A3 POLICY: THE CITY CENTRE

The Corporate Director of Environment, Regeneration and Development submitted a report which set out the issues and proposed guidelines to control the future development of food and drink premises (A3 uses) in the city centre and the area outside it.

The 'liberal' approach to opening hours in the Central Shopping Core was discussed, and it was noted that if there was concern with regard to this, restrictions may be imposed, however restricting opening hours of all food and drink premises would result in demand for this service not being met.

Clarification was requested with regard to the upper floors of A3 premises outside of the Central Shopping Core and their use for A3 purposes, and it was noted that in residential areas, it was preferable that upper floors be used for housing.

Concern was expressed that concertina-style windows in bars created a disturbance as a result of music and general noise. The Committee was informed that as part of the SPG for areas outside of the Central Shopping Core, the use of concertina windows and doors be restricted. It was also noted that inside the Centre near residential areas, conditions could be imposed to limit the playing of amplified music. Councillor Connelly, seconded by Councillor Vincent, moved the following suggested resolution, which on being put to the vote, was CARRIED:-

"That Scrutiny and Cabinet be requested to consider the issue of noise pollution related to concertina-style windows, and that consideration be given to setting a time for closing such windows".

Noise from premises with an outdoor drinking area was also highlighted as a consideration, particularly in residential areas, and it was questioned whether this could be controlled with an 'automatic' condition preventing this. In response it was noted that it would be possible to incorporate conditions, but that each application should be considered on its own merits.

The Committee was reminded that enforcement of conditions could be carried out, as funding for this was now in place, and that Government guidance stated that an application shouldn't be refused if the desired outcome could be achieved by imposing a condition.

Litter in the form of discarded drinks bottles was highlighted as a problem, particularly at weekends. The possibility of security staff checking people as they were leaving establishments to ensure that bottles were not being removed

from the premises was questioned, but it was noted that as this was an issue linked with the business, it was a licensing matter. It was also noted to be unusual to put conditions with regard to litter on applications for bars.

RESOLVED:

That Scrutiny and Cabinet be requested to consider the issue of noise pollution related to concertina-style windows, and that consideration be given to setting a time for closing such windows.