

HOT FOOD TAKEAWAYS, WHITEHAVEN TOWN CENTRE

Lead Officer: T Pomfret – Development Services Manager

To consider a letter received from Cumbria Constabulary relating to breaches of planning permissions regarding permitted opening hours for hot food takeaway premises in Whitehaven town centre and to resolve a course of action

Recommendation: That appropriate enforcement proceedings are initiated in respect of all Whitehaven town centre hot food takeaway premises in breach of their respective planning consents relating to permitted opening hours.

Resource Implications: The cost of subsequent legal proceedings will be met from the development control budget for external legal and professional fees. These costs may, however, be recovered subject to successful prosecutions.

1.0 SUPPORTING INFORMATION

- 1.1 The appended letter from Cumbria Constabulary dated 13 September 2005 highlights the fact that a number of hot food takeaway premises in Whitehaven town centre are regularly flouting the requirements of their respective planning consents insofar as they are continuing to trade at weekends beyond the permitted closing time of 1.30am. Some stay open every weekend until 2.30am and beyond.
- 1.2 These breaches of planning control, as verified by police evidence, lead to anti-social behaviour and disorder. It is of particular concern that Duke Street and Tangier Street are respectively ranked first and third worst streets in West Cumbria for violent crime.
- 1.3 Clearly this situation cannot be allowed to continue and Members are requested to sanction the commencement of enforcement proceedings to remedy the breaches of planning control, the nature of these proceedings being delegated to the Development Services Manager to determine in consultation with the Council's Head of Legal and Democratic Services and the Enforcement and Technical Services Manager.

Contact Officer: Tony Pomfret – Development Services Manager

Others Consulted: Martin Jepson – Head of Legal and Democratic Services
Steven Bishop – Enforcement and Technical Services Manager
Simon Blacker – Planning Officer