

Public Document Pack



Democratic Services
White Cliffs Business Park
Dover
Kent CT16 3PJ

Telephone: (01304) 821199
Fax: (01304) 872452
DX: 6312
Minicom: (01304) 820115
Website: www.dover.gov.uk
e-mail: democraticservices@dover.gov.uk

14 June 2021

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **REGULATORY COMMITTEE** will be held in the Council Chamber at these Offices on Tuesday 22 June 2021 at 10.00 am when the following business will be transacted.

Members of the public who require further information are asked to contact Jemma Duffield, Democratic Services Officer on (01304) 872305 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over a white background.

Chief Executive

Regulatory Committee Membership:

N J Collor (Chairman)
O C de R Richardson (Vice-Chairman)
P M Brivio
S J Jones
R S Walkden

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointment of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 3)

To receive any declarations of interest from Members in respect of business to be

transacted on the agenda.

4 **MINUTES** (Pages 4 - 5)

To confirm the attached Minutes of the meeting of the Committee held on 25 May 2021.

5 **MOBILE HOMES AMENDING FEE POLICY (REQUIREMENT FOR MANAGER OF SITE TO BE A FIT AND PROPER PERSON)** (Pages 6 - 17)

To consider the attached report of the Head of Regulatory Services.

PROCEDURE FOR HEARING (Pages 18 - 19)

The procedure for the Hearing is attached.

6 **HIGHWAYS ACT 1980 SECTION 115E - ASPENDOS, QUARTER DECK, 41-45 BEACH STREET, DEAL** (Pages 20 - 29)

To consider the attached report of the Licensing Manager.

7 **HIGHWAYS ACT 1980 SECTION 115E - ARNO & CO, 94 HIGH STREET, DEAL** (Pages 30 - 45)

To consider the attached report of the Licensing Manager.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Jemma Duffield, Democratic Services Officer, democraticservices@dover.gov.uk, telephone: (01304) 872305 or email: democraticservices@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 25 May 2021 at 10.30 am.

Present:

Chairman: Councillor N J Collor

Councillors: T A Bond (as substitute for Councillor O C de R Richardson)
R S Walkden
C D Zosseder (as substitute for Councillor P M Brivio)

Officers: Contentious and Regulatory Lawyer
Licensing Manager
Technical Support Officer - Licensing
Democratic Services Officer

Also Present: Mrs S McWilliams (Minute No.5)

1 APOLOGIES

There were apologies for absence received from Councillors P M Brivio, S J Jones and O C de R Richardson.

2 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillors T J Bond and C D Zosseder were appointed as substitute members for Councillors O C de R Richardson and P M Brivio respectively.

3 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

4 MINUTES

The Minutes of the meeting held on 17 November 2020 were approved as a correct record to be signed by the Chairman.

5 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES

The Licensing Manager presented the report to the Committee. An application from Mr David McWilliams had been received for the renewal of a Private Hire Vehicle Licence for a Vauxhall Zafira, registration DM06 SJM (a personalised plate). It was a six-passenger seat vehicle to be used for school runs and other private hire services. The vehicle fell outside of the current vehicle age policy, having been registered in November 2010, and having delegated authority to do so, the Licensing Team Leader had granted the previous renewals of the licence. The vehicle having now reached 10 years and 6 months of age, was referred to the Committee for a decision.

Mrs Sarah McWilliams attended the Hearing on behalf of her husband (the applicant) and was the main driver of the vehicle. The Committee, along with Mrs McWilliams and officers, withdrew to examine the vehicle. Upon returning to the

meeting room Mrs McWilliams had the opportunity to answer questions from Members about the use, condition and history of the vehicle.

The vehicle was used mainly for school runs and local journeys for residents in Aylesham, particularly the elderly, and was very rarely used for motorway journeys. Over the past five years approximately £4-5k had been spent on various parts including a new starter motor, clutch, radiator, wheel bearings and plugs and as a result was a very reliable, and also comfortable, vehicle. There were some scratches to the bodywork that Mrs McWilliams stated she would rectify should the Committee request her to do so and were minded to grant the renewal of the licence.

Having not been in a position to work very much during the past year as a result of Covid19, Mr and Mrs McWilliams were not in a position to replace the vehicle and advised that another of their vehicles was currently off the road having broken down that morning.

During discussions the Licensing Manager advised there was an error in the application and the vehicle was not a prestige vehicle for the provision of prestige chauffeur services.

In accordance with the approved procedure, the Committee and the Contentious and Regulatory Lawyer withdrew from the meeting to consider its decision. Members considered the perception by the public of the vehicle's condition and expressed concern at the amount of work that had had to be carried out. Having also factored in the age of the vehicle, they concluded the vehicle was nearing the end of its serviceable life as a private hire vehicle. However, they acknowledged that the past year had been a difficult time with a reduced income to be able to replace the vehicle immediately.

RESOLVED: That, on the basis that all seat covers are replaced and the bodywork scratches are dealt with and, notwithstanding the Council's current policy guidelines, Mr D McWilliams be granted the renewal of a Private Hire Licence for a Vauxhall Zafira, registration DM06 SJM for six months only. The committee stated that no further renewal beyond these six months would be considered.

The meeting ended at 11.17 am.

Subject:	MOBILE HOMES AMENDING FEE POLICY (<i>Requirement for manager of site to be fit and proper person</i>)
Meeting and Date:	Regulatory Committee 22 June 2021
Report of:	Diane Croucher, Head of Regulatory Services
Decision Type:	Non-Executive
Classification:	Unrestricted

Purpose of the report:	The report is seeking approval of fees <u>only</u> but wants the committee to note the new requirement of applying a fit and proper person test.
-------------------------------	--

Recommendation:	That the Regulatory Committee:
	<ul style="list-style-type: none"> i) Note the new requirement for a “fit and proper person test” for relevant protected sites in accordance with regulations. ii) Approve the fee policy for protected sites that enables recovery of the costs in the application process of undertaking a fit and proper person test.

1. Summary

1.1 The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 becomes operative from 1st July 2021. The regulations take effect under section 12A of the Caravan Sites and Control of Development Act 1960 and require a fit and proper person test to be applied to site owners or appointed managers of protected sites (park homes). This will provide a greater degree of protection for our existing park homes residents. The test will ensure that parks are managed by persons of good character.

2. Introduction and Background

2.1 From the 1st July 2021 The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020, require the manager of a site to be a Fit and Proper Person. Local authorities are accordingly required to introduce a fit and proper person test for mobile home site owners, or the person appointed to manage the site, unless they are eligible for an exemption under the Regulations.

2.2 The Regulations only apply to commercial sites deemed to be relevant protected sites. Non – commercial family occupied sites are exempt. If the council does not have a fee policy in place it will not be able to charge existing site owners for the cost of undertaking an application for a fit & proper person test.

- 2.3 A local authority must be satisfied that the site owner “is a fit and proper person to manage the site” or, if the owner does not manage the site, “that a person appointed” to do so by the site owner “is a fit and proper person to do so” or has, with the site owner’s consent, “appointed a person to manage the site.” Failing to establish a fit and proper person to manage a site can lead to revoking the licence and/or prosecution.
- 2.4 When the fit and proper person requirement is implemented, it will be an offence for a site licence holder to cause or permit land to be operated as a park home site unless they:
- a) are a fit and proper person to manage the site; or
 - b) appoint a fit and proper person to manage the site; or
 - c) have agreed with the local authority to the appointment of a suitable person to manage the site.
- 2.5 The regulations set out the prescribed criteria which the council must consider when determining a person’s fitness to manage a site. Currently the council has no say on who manages a park home site.
- 2.6 A site licence holder will need to make an application to the council for inclusion on to our public register of fit and proper persons. The council would apply the test to the applicant in order to satisfy itself that the person is fit and proper and meets the requirements.
- 2.7 The Council is permitted to charge a fee for implementing a fit and proper person test and retain the revenue. **Appendix 1** of this report sets out all the relevant fees for protected caravan sites and the fee for dealing with applications for the fit and proper test.
- 2.8 The local authority must set up and maintain a register of persons who they are satisfied are fit and proper persons to manage a site in their area. This register must be open to inspection by the public during normal office hours. This register also must be published online.
- 2.9 In the District there are 4 sites where we believe this requirement will apply. In total these sites contain a total of 99 mobile homes.

3. **Identification of Options**

- 3.1 Local authorities which have commercial residential park homes in their districts are required to ensure from July 2021, that the person appointed to manage is a fit and proper person. This will become a statutory function and therefore this function must be adopted.
- Option 1: To approve the recommended fees policy.
 - Option 2: To make revisions to the attached fees policy.
 - Option 3: To reject the fees Policy.

4. **Evaluation of Options**

- Option 1: is the recommended option as the policy has been carefully considered against legislation and guidance and is based on other Kent Councils fees policy and is considered to be the best option

- Option 2: Any changes to the policy will need to be considered quickly. Any delays in approving the policy may prevent fees being charged for the fit and proper test to existing sites
- Option 3: Is not recommended as it will mean that we will not be able to charge a fee in implementing the regulations.

5. Resource Implications

- 5.1 The Council is permitted to charge a fee for implementing a fit and proper person test and retain the revenue.

6. Climate Change and Environmental Implications

- 6.1 The change in policy will have no adverse effects on climate change or Environmental implications.

7 Corporate Implications

- 7.1 Comment from the Director of Finance (linked to the MTFP):
- 7.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 7.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>
- 7.4 Comments from Climate Change and Energy Conservation Officer: There are no Climate Change and Environmental Implications as this report relates only to the site owner/ manager's suitability to undertake the role.

8 Appendices

Appendix 1 – Dover District Council Fee Policy for Relevant Protected Sites 2021

9 Background Papers

The Caravan Sites and Control of Development Act 1960

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020.

Mobile Homes Act 2013 - Guide for Local Authorities on setting site licensing fees dated February 2014.

Mobile Homes Act 2013 - Best Practice Guide for Local Authorities on Enforcement of the New Site Licensing Regime dated March 2015.

Contact Officer: Mr Robin Kennedy, Private Sector Housing Manager (ext 2221).

Appendix 1



Dover District Council's Fee Policy for Relevant Protected Sites 2021

Dover District Council Site Licence Fee Policy 2021

Introduction

Under the requirements of the Caravan and Control of Development Act 1960, we are required by law to licence caravan and mobile homes sites within our district, unless they fall into the category of exempted sites (as covered by the First Schedule of the Act).

In addition to the above, the introduction of The Mobile Homes Act 2013 (The Act) now provides greater protection to occupiers of residential park homes and caravans. It introduces important changes to the Caravan Sites and Control of Development Act 1960. The changes directly affect the way the Council licenses permanent residential sites (known as relevant protected sites).

For legal purposes, sites are separated into 3 main types: - Touring, Static Holiday and Static Residential. Following the introduction of the Mobile Homes Act 2013, we can now charge fees to licence Static Residential sites also known as Park Homes and Relevant Protected Sites.

From the 1st April 2014 local authorities have been able to charge fees for relevant protected sites on the following basis:

1. Considering applications for the issue or transfer of a site licence
2. Considering applications for altering conditions of a site licence
3. Administration and monitoring of site licence conditions
4. Enforcement Action

The definition of a relevant protected site is defined in the Mobile Homes Act 2013. A protected site is a mobile home park which has planning permission to have residents living there as their main residence throughout the year. A holiday park isn't a protected site. An exemption from the protected sites description and annual licensing fee requirement applies on any site/s available for the sole use of the owner and their families. A single family permanent residential site is a relevant protected site, but the Council may choose to exempt these sites from the annual licence condition monitoring fee.

The Council can charge for certain different licence fees and annual monitoring fees for mobile homes sites. These are:

1. Application for the grant of a site licence
2. Application for the transfer of a site licence
3. Application to alter the conditions of an existing site licence, and
4. The application of annual site monitoring fees (a 'fee per pitch')
5. Application to Register as a Fit and Proper Person (new fee from 1st July 2021)

For items 1 to 3 (inclusive) above, we will charge based on a banding system and the following fees will apply:

Banding table

Number of mobile homes	Band
200+	5
100-199	4
51-99	3
11-50	2
1-10	1

Please note: A local authority is not required to consider an application for the grant of a licence, a transfer of a licence or an application to alter conditions unless that application is accompanied by the correct fee.

Application for the grant of a site licence

All sites require a site licence to operate, subject to exemptions under the Caravan Sites and Control of Development Act 1960. Only sites with valid and correct planning permission for the use will be issued with a licence.

Fees for new site licences are based on a fixed cost of processing the application according to the size of the site.

Application fees are not refundable if the application is not approved.

New site licence application					
Charge to	Band 5	Band 4	Band 3	Band 2	Band 1
site owner	£800	£650	£500	£400	£350

Application for the transfer of a site licence

Where a licence holder wishes to transfer the licence, an application must be made to the council.

A fixed fee is applicable which must accompany the application to transfer the licence.

Application to transfer a site licence					
Charge to	Band 5	Band 4	Band 3	Band 2	Band 1
site owner	£280	£250	£220	£190	£160

Application for the alteration to the conditions of an existing licence

Where a site owner requests an amendment to the site licence conditions the council will charge a fee which is payable at the application stage.

If the council instigates an amendment to the licence conditions there will be no fee payable.

Application to Amend Site licence- Fee Structure					
Total charge to site owner (£)	Band 5	Band 4	Band 3	Band 2	Band 1
	£280	£220	£185	£140	£125

Details of the basis of calculation of these fees is shown in Appendix 1

Depositing of site rules

The council will charge a fee of £50 to deposit site rules and to publish them on our website.

Annual Site Monitoring Fee

It is at the Local authorities' discretion whether they charge for all or any aspect of the site licensing. Dover District Council has decided to charge an annual licensing fee to cover part of its cost in monitoring our park homes. This fee can be passed onto the individual plot-holders through the annual pitch fee.

Our licence fee is calculated on a price per unit based on the total cost of carrying out our licensing functions for our sites divided equally by the total number of units over all our relevant protected sites (5 or more units)

The method to determine the total annual site monitoring fee is based on the following formula.

$$(A / 60) \times B) / D$$

Where:

A = Admin and inspection time in minutes based on banding on those sites with 5 or more units.

Banding	Number of sites	Minutes
100-199	0	0
51- 99	0	0
11-50	4	4x 687
		Total – 2748

B = Officer hourly rate - £30

D = Number of relevant protected mobile homes, based on our commercial sites.

Therefore: (A(total time- 2748) /60) x B(£30 hourly rate) / D (99) = £13.87

The above calculation provides an annual licence fee based on **£13.87 per pitch**. The pitch fee will apply only to the number of units on your site licence conditions. For example a site with current residential permission for 33 relevant protected mobile homes on its site licence conditions will be required to pay an annual site fee of £457. Sites with 5 plots or fewer will have no annual monitoring fee applied.

See Appendix 1 for calculations in determining the base levels for admin and inspection times.

The calculation and methodology relating to the above, and other proposed fees set out in this policy were developed in accordance with the guidance provided by the Department for Communities and Local Government (CLG) on setting of site licence fees.

Application to Register as a Fit and Proper Person

From 1st July 2021, the council must be satisfied that the occupier of the land used as a relevant protected site or a person appointed by the occupier to manage the site, is a fit and proper person. If necessary, the council can appoint a person to manage the site.

An **occupier** means a person who is entitled to the possession of the land as under section 1(3) of the Caravan Sites and Control of Development Act 1960.

Single family site owners that are not operating as a commercial business are exempt from the requirement to be a fit and proper person test.

The council must establish and maintain a register of persons they are satisfied are fit and proper to manage a relevant protected site in their area.

An application to be included in the register must be accompanied by the following fee to cover the cost of administering this function and an application will not be valid until the fee is paid.

Where an application for a Fit & Proper Person test has been successful the applicants will be included on the public register for a period of 5 years.

Application to register as a Fit and Proper Person = **£160.00**

Table for calculating fee for Fit & Proper Person Application Test

Fit & Proper Person Application Fee	Minutes
Send out application form.	30
Receipt of application, background checks and processing,	120
Time for reviewing necessary documents and certificates	60

Manager review	20
Preparing preliminary and final decision notices.	60
Update database and public register.	30
Total time (mins)	320
Total time (hours)	5.33
Hourly rate £	30
Total charge for Fit & Proper Test Application (£)	160.00

There is also provision for the council to appoint a person to manage a site, with the site owner's consent. In this instance, any costs incurred or to be incurred, in making the appointment will be recharged to the site owner on the same basis as enforcement costs are calculated.

The council could decide to include the person on the register subject to a condition(s).

The council may add or alter conditions attached to an entry on a register by adding new conditions or changing or deleting existing ones, following a review.

The council will notify the site owner of its interim decision (except in the case where it is deleting a condition) and consider any representations made by the site owner, before reaching a final decision. If the site owner is unhappy with the decision to alter or not alter the conditions, they have the right to appeal to a tribunal.

Any costs involved with amending existing conditions or adding new conditions to an entry will be factored into the cost of calculating the annual fee.

Payment of annual monitoring fee

Annual fees are due on the 5th of May. Site owners will be notified of the due fee, one month before by letter.

Where a fee becomes overdue for payment, the council may apply to a residential property tribunal for an order requiring the licence holder to pay the council the amount due by the date specified in the order. If the licence holder has still not paid the fee within three months from the date specified in the order, the council may apply to the tribunal for an order revoking the site licence.

Exclusion from the annual charge

The licence annual monitoring fee requirement will not apply to the following sites:

- Sites for holiday use only
- Sites where conditions require that there are times of the year when no caravan may be stationed on the land for human habitation
- Sites that are occupied only by the site owner and his/her family or by a person employed by the site owner except where under an agreement to which the Mobile Homes Act 1983 applies.

- Residential sites where there are ten or fewer pitches are exempt from annual licencing fees, as the council does not intend to carry out annual inspections of these sites. However, we will continue to respond to complaints at these sites and take any appropriate action if necessary.

Review

As this is a new provision, the policy for fee calculations will be reviewed every year to assess any changes that need to be made. As a minimum, the council would expect to adjust fees in line with inflation, but officers will also have regard to the volume of work linked to our obligations in legislation, and will amend the charges based on identified time spent in work related to mobile homes sites.

In setting annual fees each year the council will inform the site owner of the extent to which they have had regard to any surpluses/deficits from the previous year, as well as the basis of charge and will confirm to the site owner the annual fee for the forthcoming year.

Enforcement Expenses

The Mobile Homes Act 2013 provides provisions for charging for enforcement action, which will include the cost to the local authority of taking formal action leading up to and including any enforcement.

We will recover expenses incurred in carrying out enforcement action involved in the service of a compliance notice. These expenses include costs incurred in deciding whether to serve a notice, site inspections, preparing the notice and obtaining expert advice.

Where appropriate, we will also seek to recover expenses incurred in taking action for the following:

- conviction of the site owner for failure to carry out actions required by a compliance notice
- taking emergency action where there is an imminent risk of serious harm to any person on the site as a result of the site owner's failure to comply with licence conditions

A site owner may not pass on costs of enforcement action to residents through the pitch fee. Our current fee for an enforcement notice is £260.

Appendix 1

Table for setting a new licence application fee

Process and time in minutes	200+	100-199	51-99	11-50	1-10
Initial enquiries and correspondence to facilitate application (mins)	45	45	45	45	45
Receipt of application and background checks (mins)	75	75	75	75	75
Prepare for and organise visit (mins)	30	30	20	20	20
Site inspection (mins)	150	120	60	30	30
Travel time (mins)	60	60	60	45	30
Draft licence including conditions(mins)	150	120	90	60	60
Licence review and correspondence with site owner, residents and other interested parties (mins)	420	360	300	180	160
Manager review (mins)	45	30	20	15	15
Issue licence and register (mins)	30	30	30	30	30
Prepare for and organise revisit (mins)	30	30	20	20	10
Re-visit (total mins)	360	240	180	210	180
Travel time (mins)	80	80	80	40	40
Secondary review and correspondence (mins)	180	120	90	45	30
Total time (mins)	1655	1340	1070	815	725
Total time (hours)	27.56	22.33	17.83	13.58	12.08
Hourly rate (£)	30	30	30	30	30
Average mileage @ £9.00 return trip	27.00	27.00	27.00	18.00	18.00
Total new application charge to site owner (£)	£854.50	£697.00	£562.00	£425.50	£380.50

Transfer a site licence - fee

Application to Transfer Site Licence					
Process	200+	100-199	51-99	11-50	1-10
Charge to the owner	£187.40	£139.40	£112.40	£85.10	£76.10

NB: 20% of New Site Licence Application

Amend a site licence - fee

Amend a site licence fee Application to Amend Site Licence					
Process	200+	100-199	51-99	11-50	1-10
Total charge to site owner (£)	£281.99	£230.01	£185.46	£140.42	£125.57

NB: 33% of New Site Licence Application

Fixed admin and inspection time calculations used in formula to calculate annual licence fee.

Process and time in minutes	200+	100-199	51-99	11-50
Contact the site owner to notify them of the time and date of the inspection. Enter the action on the Case Management System	20	20	20	20
Prepare for and organise visit (mins)	30	30	20	20
Site inspection (mins)	240	180	90	60
Travel time (mins)	60	60	60	45
Licence review and correspondence with site owner, residents and other interested parties (mins)	60	60	60	60
Additional monitoring visits for larger sites	120	120	0	0
Complete inspection report and attach to Case Management System	60	60	60	60
Write to the owner detailing results of inspection and works required to remedy breaches plus any certificates required.	60	60	60	60
Write to the owner following additional monitoring visit for larger sites	60	60	0	0
Enter the date of the inspection and the next routine inspection on Management System	10	10	10	10
Follow up telephone conversations and letters	30	30	30	30
Follow up visit to check compliance	100	100	100	85
Record details of follow up visit	30	30	30	30
Annual admin	180	180	120	120
Determine level of compliance to decide next visit	20	20	20	20
Postage and Printing and mileage costs. Larger sites require additional visits = extra mileage costs	18	18	10	10
Additional time for complicated cases (approx. 10%) averaged over all applications	110	104	63	57
Total time (mins)	1208	1142	753	687

DOVER DISTRICT COUNCIL

REGULATORY COMMITTEE PROCEDURE FOR HEARINGS

INTRODUCTIONS AND PRELIMINARIES		
1	Chairman	The Chairman invites all present to introduce themselves.
2	Legal Adviser	The applicant is asked to confirm receipt of: <ul style="list-style-type: none"> • the agenda • Licensing Officer's report • Council's policy guidelines • procedure for hearing
HEARING		
3	Licensing Officer	The Licensing Officer: <ul style="list-style-type: none"> • advises of the purpose of the hearing • presents the Licensing Officer's report • summarises any issues
4	Licensing Officer	The Licensing Officer may call any witnesses. Each witness in turn: <ul style="list-style-type: none"> • Will give evidence • May be questioned by the applicant or applicant's representatives • May be questioned by the Committee • May, if necessary, be re-questioned by the Licensing Officer
5	Applicant or applicant's representative	The applicant is asked to present his/her case and any particular issues (including whether the applicant accepts the facts presented or wishes to correct them).
6	Applicant or applicant's representative	The applicant or the applicant's representative may call any witnesses (including the applicant themselves). Each witness in turn: <ul style="list-style-type: none"> • will give evidence • may be questioned by the Licensing Officer • may be questioned by the Committee • may, if necessary, be re-questioned by the applicant/applicant's representative.
7	Members	The Committee may ask further questions of any of the parties or any witnesses for the purpose of obtaining further relevant information or clarification.
8	Licensing Officer	The Licensing Officer may give their final submission.
9	Applicant or applicant's representative	The applicant/applicant's representative may give their final submission.

DETERMINATION		
10	Members	The Committee withdraws to consider in private. The Legal Adviser and Clerk may be invited to assist the Committee.
11	Members	If the Committee requires any further information from any party or any further evidence, all parties will be recalled and the meeting reconvened. Any Member of the Committee who has not been present during the whole of the proceedings must not take part in the decision making.
12	Legal Adviser	The Committee reconvenes. Any legal advice given to the Committee in private will be summarised to the Applicant.
13	Chairman	The decision of the Committee is given to all parties.

NOTES

1. The opportunities given to the parties within this procedure to ask questions should be used only for that purpose - to ask questions. The person asking the question will not be allowed to use this right as an opportunity to make statements.
2. Members of the Committee are, as a general rule, expected to ask questions of the various parties in accordance with this procedure. However circumstances may arise where it is desirable for a Member to seek immediate clarification or a point made by a witness or by a party during the course of giving evidence, answering questions being put to him by another party or making a submission. This should be permitted by the Chairman provided that the question is relevant and is conducive to the proper conduct of the hearing. Where additional questions are permitted after the Applicant's case has been summed up, the Applicant or his/her representative will always be given the final right of reply.
3. Under no circumstances must the parties or their witnesses offer members of the Committee information in the absence of the other party. Similarly Members must not attempt to gain information from any party at the hearing in the absence of the other. These are essential requirements of the proper application of the rules of natural justice.
4. The Chairman may vary this procedure as circumstances require but having full regard to adhering to the rules of natural justice.

Subject:	Highways Act 1980 – Section 115E – Aspendos, Quarter Deck, 41 – 45 Beach Street, Deal
Meeting and Date:	Regulatory Committee – 22 June 2021
Report of:	Rebecca Pordage, Licensing Manager
Classification:	Unrestricted

Purpose of the report: Permission to site street furniture on the highway

1. **Summary**

The regulation of the placing of tables and chairs on a highway is a statutory function of the Council under the Section 115E, of the Highways Act 1980.

2. **Introduction and Background**

2.1 Necati Gunes has applied for a Street Furniture permit to allow the placement of 8 picnic style benches with built in seating in the passageway that runs alongside the restaurant. The applicant has requested they be permitted for use between 11:00hrs to 23:00hrs every day. The applicant intends to leave the furniture out 24 hours a day but they are only intended to be used by customers between the hours stated. The nature of the furniture and its permanence may require planning consent, in which case any permission under this application, if it were to be granted, would only be able to be used once relevant planning consent has been granted or there was confirmation that planning consent was not required.

2.2 A copy of the application form is shown at **Appendix A**. A map of the area is shown at **Appendix B**. A photo of the furniture in situ is shown at **Appendix C**.

2.3 As part of the consultation process views have been sought from local businesses, Kent Highway Services, DDC planning and the Police and no comments have been made. The application was also advertised at the site by way of a Notice and copies were delivered to nearby frontagers.

2.4 One representation was received in respect of this application (see **Appendix D**), as follows:

Cameron Arthur objects as he feels that the placement of the furniture will cause a nuisance with regards to noise, litter, anti-social behaviour, smells, and will have an effect on local residents well being and quality of life. Mr Arthur also feels it will cause an obstruction.

3 **Options available to the Committee:**

- (1) To allow the application as applied for
- (2) To allow the application but with additional conditions
- (3) To reject the application.

Appendices

Appendix A – Application form

Appendix B – Map of area

Appendix C – Photos of the furniture in situ

Appendix D - Representation

Contact Officer: Rebecca Pordage, Licensing Manager. Ext.2279

DOVER DISTRICT COUNCIL
HIGHWAYS ACT 1980 - SECTION 115
APPLICATION FOR STREET FURNITURE LICENCE

APPLICANT:

SURNAME:	Gunes
FORENAME (S) in full:	Necati
PERMANENT ADDRESS:	123 Hythe Road Dymchurch
COUNTY:	Kent POST CODE TN29 0TS
TELEPHONE NO:	██████████
DATE OF BIRTH:	██████████

TRADING DETAILS:

NAME OF BUSINESS:	Deal Restaurant Services Ltd Trading as Aspendos
ADDRESS:	Quarter Deck 41-45 Beach Street, Deal
COUNTY:	Kent POST CODE CT14 6HY
TELEPHONE NO:	Code ██████████

LICENCE REQUIRED:

PERIOD FROM TO (MONTHS)	We would like to have the furniture outside permanently
DAYS:	Monday to Sunday 7 days a week
BETWEEN THE TIMES:	11 am AND 11.pm
NO. OF TABLES:	8 and 26 chairs or spaces on the benches
NO. OF CHAIRS:	
BRIEF DESCRIPTION OF TYPE AND QUALITY OF TABLES AND CHAIRS: Please also provide photos if possible	Please see the attached photos . The furniture is of solid benches

ADDITIONAL INFORMATION

DO YOU HAVE TOILETS FOR CUSTOMERS TO USE?	YES
IF YES, PLEASE SAY HOW MANY?	We do have 3 ladies toilets , 2 gents and 1 disabled
HAVE YOU SOUGHT THE ADVICE OF THE ENVIRONMENTAL HEALTH OFFICER IN RESPECT OF FOOD HYGIENE AND HEALTH AND SAFETY MATTERS	NO but we have experience of serving food in our other sides in Folkstone and Dover

HAVE YOU EVER BEEN REFUSED A STREET FURNITURE LICENCE IN THIS OR ANY OTHER AREAS?

NO

IF YES, PLEASE GIVE DETAILS

PLEASE BE ADVISED PLANNING PERMISSION MAY BE REQUIRED, PLEASE TELEPHONE 01304 872042.

ENCLOSED:

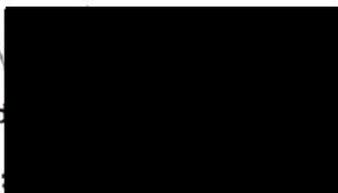
Plan showing dimensions of area of highway and proposed layout of street furniture

Copy of Public Liability Insurance

Fee: £75.00 APPLICATION FEE or £35 FOR ANNUAL RENEWAL

* I DECLARE THAT I HAVE CHECKED THE INFORMATION GIVEN ON THIS APPLICATION FORM AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS CORRECT.

Signed



Date:

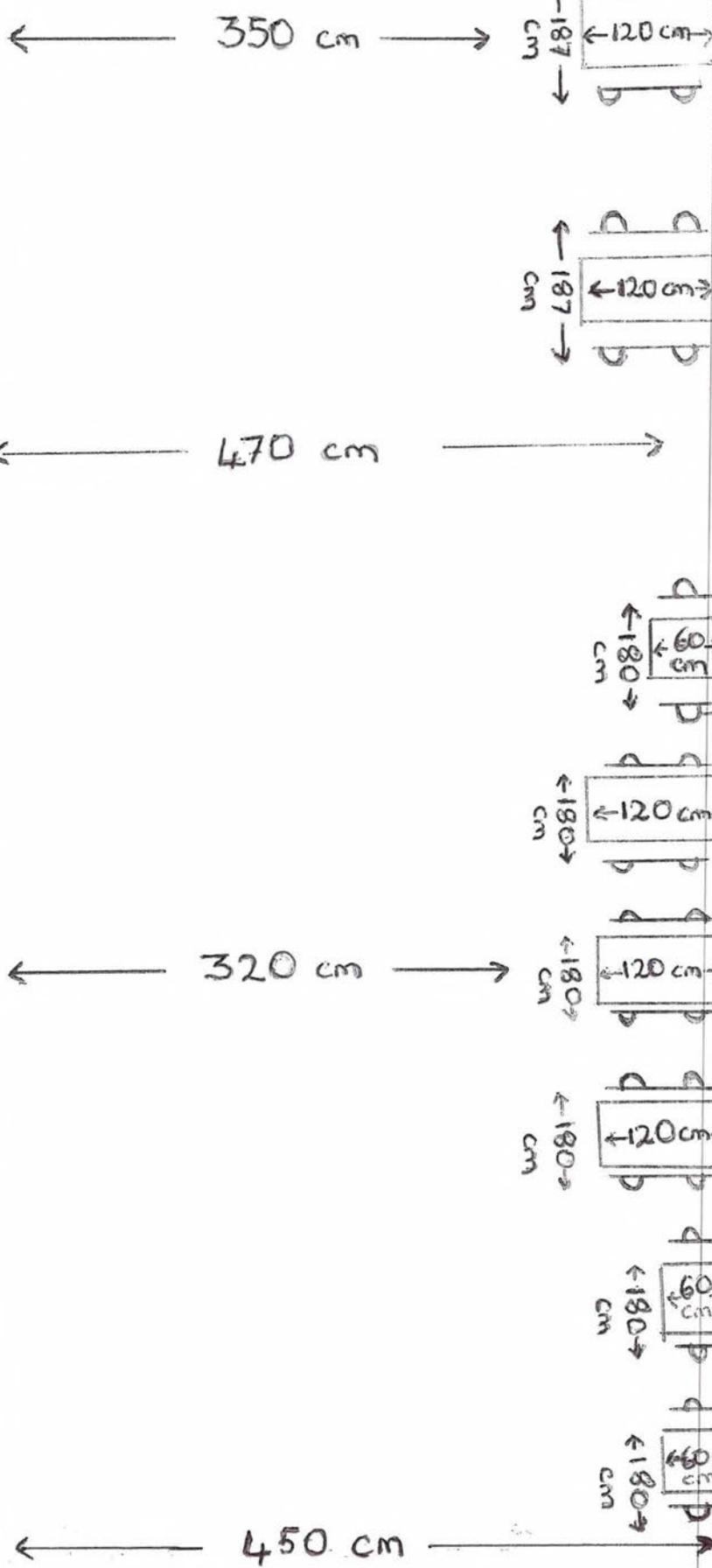
21 / 4 / 2021

NOTE

* If any person makes a false statement or omits any material particular in giving the foregoing information knowingly he may be guilty of an offence and liable to prosecution. In addition the licence may be revoked forthwith.

Salentinos

ASPENDOS DEAL



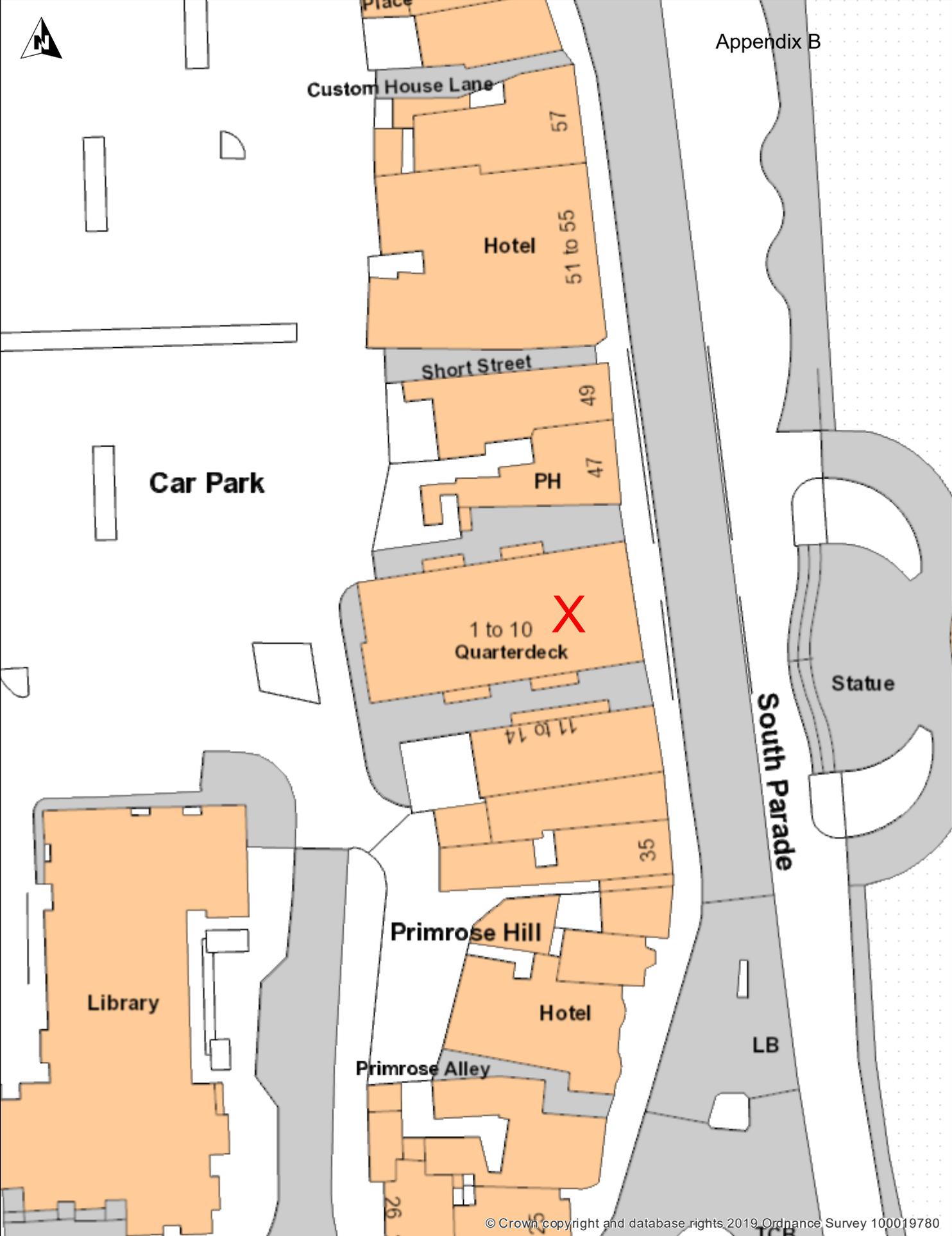
2 people can sit each side of the tables (120cm)

→ 1m gap between chairs (sitting area)

1 person can sit each side of the table (60cm)

Total 26 people can sit

Beach Street



© Crown copyright and database rights 2019, Ordnance Survey 100019780

Title: Dover District Council

Author: Dover District Council

Scale 1:500

Map Dated: 09/06/2021

Dover District Council
 Honeywood Close
 White Cliffs Business Park
 Whitfield
 DOVER
 CT16 3PJ







Get [Outlook for iOS](#)



This e-mail, including any attachments, is intended for the above addressee(s) only and may contain marked material up to RESTRICTED and should be handled accordingly.

If you are not the intended recipient (or authorised to receive it on behalf of the addressee), please notify the sender immediately by return e-mail and then delete the message without copying it or disclosing it to anyone.

Precautions have been taken to ensure that this is a virus-free message but recipients are responsible for carrying out their own checks. This Council accepts no responsibility for loss or damage to any hardware, software or data resulting from this e-mail.

All GCSx (Government Connects Secure Extranet) traffic may be subject to recording and/or monitoring in accordance with relevant legislation.

Dover District Council is a data controller under GDPR. Our privacy notice at www.dover.gov.uk/privacy explains how we use and share personal information and protect your privacy and rights.



This e-mail, including any attachments, is intended for the above addressee(s) only and may contain marked material up to RESTRICTED and should be handled accordingly.

If you are not the intended recipient (or authorised to receive it on behalf of the addressee), please notify the sender immediately by return e-mail and then delete the message without copying it or disclosing it to anyone.

Precautions have been taken to ensure that this is a virus-free message but recipients are responsible for carrying out their own checks. This Council accepts no responsibility for loss or damage to any hardware, software or data resulting from this e-mail.

All GCSx (Government Connects Secure Extranet) traffic may be subject to recording and/or monitoring in accordance with relevant legislation.

Dover District Council is a data controller under GDPR. Our privacy notice at www.dover.gov.uk/privacy explains how we use and share personal information and protect your privacy and rights.



This e-mail, including any attachments, is intended for the above addressee(s) only and may contain marked material up to RESTRICTED and should be handled accordingly.

If you are not the intended recipient (or authorised to receive it on behalf of the addressee), please notify the sender immediately by return e-mail and then delete the message without copying it or disclosing it to anyone.

Licensing Section
Dover District Council
White Cliffs Business Park
Kent CT14 3PJ

Dear Licensing

Monday 26 April 2021

Planning Application

Aspendos, Quarterdeck, 41-45 Beach Street, Deal, Kent - OBJECTION

Please note the following objections in respect of the above planning application.

UNNEIGHBOURLY

Personally, this proposal would severely affect my ability to work from home due to the proposed out-door eating being directly underneath my home office. The proposed hours would mean noise, smells from food and cigarette smoke will completely ruin any chance of having open windows and feed through my kitchen extractor outlet located above this passageway. Additionally, the nature of my work which with my HQ being on the USA, West Coast means my working day continues through to midnight with my home office in my guest bedroom being in use long into the night. My home office is also my guest bedroom and having an outside dining area below would again impact this use. This would also make having windows open in my open plan living area unpleasant and impossible.

I also feel it worth nothing that since opening there has been a significant increase in litter directly outside of the restaurant, with cigarette butts and wrappers from the complimentary sweets available outside.

LIGHT POLLUTION

Although not mentioned in the application details, I would object to any additional lighting being installed.

NOISE POLLUTION

Noise is amplified in this throughfare due to the buildings either side of this passage.

Residents have been affected by late night and early morning noise from revellers from near by establishments with anti-social behaviour being a particular issue during summer months.

Anti-Social behaviour has had adverse effects on health and well-being.

Due to the residential nature of the Quarterdeck development, directly above this site, noise has be to the primary concern due to bedrooms directly above, kitchen extractor fan outlets that allow for the noise to carry directly into open plan living areas, windows above the passage way have had to be closed to obscure noise with a take-away only service, having a restaurant and drinking venue using this passage way from 11am to 11pm, seven days a week is nothing short of anti-social, unneighbourly and would have serious effects on residents well-being and peaceful quality of life

Music from the venue has been an issue at times, requiring windows to be closed during the day and evening.

ACCESS ISSUES

Given that this passageway is a throughfare from the Middle Street Car Park to an already busy part of the seafront, the reduced pedestrian right of way would impact access into the Apartments on 37-

39 Beach Street. Prior to COVID this was already an issue during busy summer months and now being further reduced due to Salentino's using the rear garden entrance and soon to be main restaurant entrance – on the same side as the apartments, I believe having a 12 hour outside dining area would negatively impact access both day-to-day and in the unfortunate event of Emergency Services needing to attend the properties, make it an unsafe situation for the residents.

CONCLUSION

Article 8 of the Human Rights Act says "a person has a right to enjoyment of all their possessions which includes their home and other land".

This proposal would make the above extremely difficult for the reasons detailed in this objection. The sole use of this passage has always been a thoroughfare and access point for the restaurants and most importantly residential access. It would be unfortunate if this application was to be approved as it would negatively affect my home by taking it from a mostly quiet and pleasant place to live to one of daily, nightly disruption to my well-being and health. Please consider this letter a well informed and considered objection.

Yours Sincerely

Mr Cameron Arthur
Apartment 12, 37-39 Beach Street, Deal, Kent. CT14 6HY

Subject:	Highways Act 1980 – Section 115E – Arno & Co, 94 High Street, Deal
Meeting and Date:	Regulatory Committee – 22 June 2021
Report of:	Rebecca Pordage, Licensing Manager
Classification:	Unrestricted

Purpose of the report: Permission to site street furniture on the highway

1. **Summary**

The regulation of the placing of tables and chairs on a highway is a statutory function of the Council under the Section 115E, of the Highways Act 1980.

2. **Introduction and Background**

2.1 Philippus Arnoldus Karsten has applied for a Street Furniture permit to allow the placement of 3 benches and 4 side/occasional tables along the property wall of 94 High Street, Deal, in St George’s Passage. The applicant has requested they be placed between 09:00hrs to 20:00hrs every day.

2.2 A copy of the application form is shown at **Appendix A**. Within the application are annotated photographs showing where the furniture is proposed to be located. Please note that whilst the photographs refer to two benches the application in fact seeks permission for three benches which on the dimensions provided as detailed within the photographs, cannot be accommodated. However the size of furniture within the application has subsequently changed and details of the furniture that is now proposed to be used, within the area set out in the application, can be found at **Appendix B**. A map of the area can be found at **Appendix C**.

2.3 As part of the consultation process views have been sought from local businesses, Kent Highway Services and the Police, none have made representation. The application was also advertised at the site by way of a Notice and copies were delivered to nearby frontagers.

2.4 One representation was received in respect of this application (see **Appendix D**), as follows:

Gerald Evans objects as he feels that the placement of the furniture will cause an obstruction.

3 **Options available to the Committee:**

- (1) To allow the application as applied for
- (2) To allow the application but with additional conditions
- (3) To reject the application.

Appendices

Appendix A – Application form

Appendix B – Additional information provided by the applicant

Appendix C – Map of the area

Appendix D - Representation

Contact Officer: Rebecca Pordage, Licensing Manager. Ext.2279

DOVER DISTRICT COUNCIL

HIGHWAYS ACT 1980 - SECTION 115

APPLICATION FOR STREET FURNITURE LICENCE

APPLICANT:

SURNAME:	KARSTEN
FORENAME (S) in full:	PHILIPPUS ARNOLDUS
PERMANENT ADDRESS:	4 GOLDEN STREET DEAL, KENT
COUNTY:	POST CODE CT14 6JU
TELEPHONE NO:	[REDACTED]
DATE OF BIRTH:	31/01/1973

TRADING DETAILS:

NAME OF BUSINESS:	Arno&Co
ADDRESS:	94 HIGH STREET DEAL, KENT
COUNTY:	POST CODE: CT14 6EE
TELEPHONE NO:	[REDACTED]

LICENCE REQUIRED:

PERIOD FROM TO (MONTHS)	MAY TO MAY / 12 MONTHS
DAYS:	7 DAYS
BETWEEN THE TIMES:	09:00 AND 20:00
NO. OF TABLES:	X3 BENCHES ALONG THE PROPERTY WALL WITH X4 SIDE/OCCASIONAL TABLES ONLY
NO. OF CHAIRS:	
BRIEF DESCRIPTION OF TYPE AND QUALITY OF TABLES AND CHAIRS: Please also provide photos if possible	THE BENCHES WILL BE MADE FROM RECYCLED MATERIALS (PLASTIC) AND THE SIDE TABLES FROM WOOD

ADDITIONAL INFORMATION

DO YOU HAVE TOILETS FOR CUSTOMERS TO USE?	ACCESS TO PUBLIC TOILETS WITHIN WALKING DISTANCE
IF YES, PLEASE SAY HOW MANY?	
HAVE YOU SOUGHT THE ADVICE OF THE ENVIRONMENTAL HEALTH OFFICER IN RESPECT OF FOOD HYGIENE AND HEALTH AND SAFETY MATTERS	YES – A 5 START HYGIENE RATING HAS BEEN AWARDED

HAVE YOU EVER BEEN REFUSED A STREET FURNITURE LICENCE IN THIS OR ANY OTHER AREAS?

NO

IF YES, PLEASE GIVE DETAILS

PLEASE BE ADVISED PLANNING PERMISSION MAY BE REQUIRED, PLEASE TELEPHONE 01304 872042.

ENCLOSED:

Plan showing dimensions of area of highway and proposed layout of street furniture

Copy of Public Liability Insurance

Fee: £75.00 APPLICATION FEE or £35 FOR ANNUAL RENEWAL

*** I DECLARE THAT I HAVE CHECKED THE INFORMATION GIVEN ON THIS APPLICATION FORM AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS CORRECT.**



Signed:

Date: 12 APRIL 2021

NOTE:

* If any person makes a false statement or omits any material particular in giving the foregoing information knowingly he may be guilty of an offence and liable to prosecution. In addition the licence may be revoked forthwith.

PERMISSION TO PLACE OBJECTS OR STRUCTURES

ON A HIGHWAY

STANDARD CONDITIONS

1. The area on which objects or structures may be placed will be defined and no object or structure shall be placed on any part of the highway outside that area.
2. Termination shall be by one month's notice in writing by either side unless the licensee breaches or fails to observe conditions in which case the Council may revoke the permission forthwith without notice.
3. Limitation upon period that structures may be placed on the highway.
4. The objects or structures shall not be used for any purpose other than for providing refreshment for the benefit of the public.
5. The permit holder shall ensure that all persons using the area are seated at all times on the seats provided.
6. No nuisance or annoyance shall be caused to any adjoining premises.
7. The objects or structures shall be of good and sufficient quality and shall be kept in good and sufficient state of repair.
8. The area shall be kept clean and tidy and shall be cleansed and washed if necessary on each occasion at the end of each permitted period. Failure to do so could result in the Council carrying out such works in default without notice and recharging the full cost thereof to the permit holder.
9. Any permit issued is personal to the permit holder and cannot be assigned or transferred.
10. The permit holder shall be responsible for all accidents, claims, damages, injuries, loss or liability occasioned by reason of:-
 - (a) placing of the objects or structures on the highway or any defects therein.
 - (b) the acts or defaults of the permit holder or his servants, contractors, agents or workmen arising out of the grant of this permit.
 - (c) the causing of any nuisance.

11. The permit holder shall indemnify and save harmless to the Council and its officers and servants from and against any claim in respect of injury, damage or loss arising out of the grant of this permit (unless the injury, damage or loss is attributable to the negligence of the Council or its officers or servants) and for this purpose shall take out at his own expense a policy of insurance in the joint names of the permit holder and the Council in the sum of £5 million (Five million pounds) at least and shall produce to the Licensing Section or other proper officer for the time being of the Council the receipt for the current premium whenever called upon to do so.
12. In the event of emergency the Council may ask the permit holder to remove the objects or structures or may itself remove them from the permitted area for such period or periods as it deems necessary without liability for any injury, damage or loss arising therefrom.
13. Any permit approved does not convey approval to place any other object or structure on the highway or obviate the necessity to obtain any planning permission or street trading consent or any other statutory approval.
14. The permit is renewable each year at a fee determined by Dover District Council, currently £35.

Dover District Council is a data controller under General Data Protection Regulation (GDPR), your attention is drawn to our Corporate Privacy Notice available at <https://www.dover.gov.uk/privacy>. This explains how we will use and share your personal information and protect your privacy and rights.

Sealed doorway
(no access)

- 2 x bench in this area, plus side tables
- Each bench 1800x360
- Marked area is c.5000 long, c.4000 to edge of sealed doorway



A



Sealed doorway
(no access)

- 2x bench in this area, plus side tables
- Each bench 1800 x 360
- Marked area is c. 5000 long, c. 4000 to edge of sealed doorway

C



- Sealed doorway
(no access)

- 2 x bench in this
area, plus side
tables

- Each bench 1800x360

- Marked area is
c.5000 long, c.4000
to edge of sealed
doorway

B

From:
To:

[Redacted]

[Redacted]

Please find illustrations attached of the proposed seating area which will consist of benches along the perimeter of the shop we occupy only. These will only marginally protrude, taking up no more than one slab width of the walkway.

The side tables would also be designed in a way that they would sit mostly over the bench, again not taking up much, if any of the passage way. A proposed example is attached.

There had been tables and chairs in place with the previous occupant which took up much more of the space.

We would also not require any barriers to be in place as it would really only be for people sitting down for brief periods enjoying a coffee or sandwich rather than a full table served restaurant set up.

I hope this answers your queries but please do let me know if you need anything further from me at this stage.



Best regards,
Arno

[Redacted]

Arno & Co
94 High Street, Deal
Kent
CT14 6EE

ARNO&CO
-GROCER-

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: [REDACTED]
Subject: Fao: PJ Arno&Co Benches
Date: 10 June 2021 12:04:52

Hi PJ

Please see bench measurements below, with photographs to confirm.

Each bench is 95cm in length
Bench seat width 22cm
Depth between bench feet is 37cm

Here is the link to the side tables with measurement info

https://www.skylum.com/uk/buy-side-tables-and-coffee-tables/86558-garden-side-table-in-teak-wood-judit.html?id_c=169476

Let me know if you need any further info.

Many thanks
Arno

Begin forwarded message:

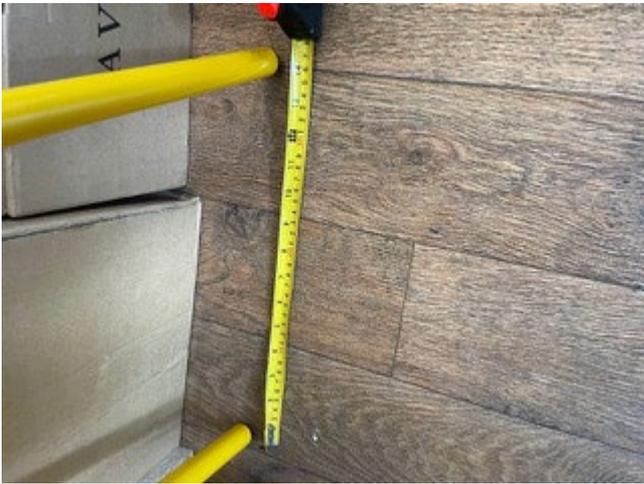
Arno
[REDACTED]

Arno & Co
94 High Street,
Deal, Kent
CT14 6EE

IG: [REDACTED]

ARNO&CO
-GROCER-

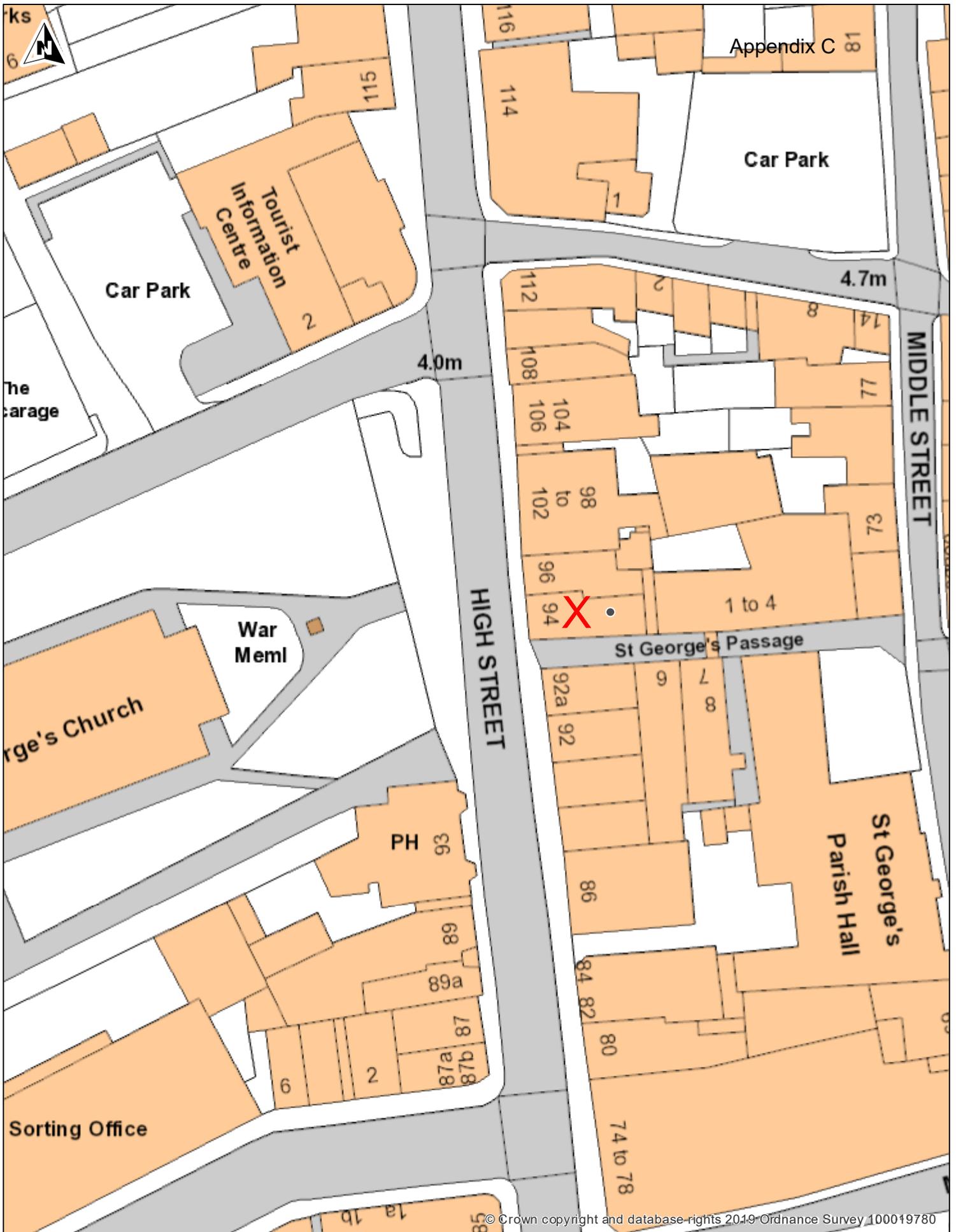
From: [REDACTED]
Subject: Benches
Date: 10 June 2021 at 11:54:04 BST
To: [REDACTED]





Arno Karsten





Title: Dover District Council

Author: Dover District Council

Scale 1:500

Map Dated: 08/06/2021

Dover District Council
 Honeywood Close
 White Cliffs Business Park
 Whitfield
 DOVER
 CT16 3PJ



From: [REDACTED]
To: [REDACTED]
Subject: Arno & Co, 94 High Street, Deal CT14 6EE
Date: 06 May 2021 14:09:30

I wish to object to the above application for the placement of 3 benches and 4 side tables at the above address.

If the application refers exclusively to 94 High Street then it is totally unacceptable to obstruct a fairly narrow pavement on Deal High Street.

An obstruction of this nature would force people on to the roadway in order to pass each other.

The applicants shop is on the corner of St Gorge's passage but the application makes no mention of this.

If the application includes St George,s passage the 3 benches and 4 tables would still be obstructive on the corner of the passage.

The coffee shop on the opposite corner has 4 tables and chairs but their premises extends twice the length of the applicant's shop.

A sensible compromise would be for 2 tables and chairs which would fit in well and avoid major obstruction

G.H. & Mrs M.Evans
Flat 2
8 St George's Passage
Deal
CT14 6TA