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<b>Subject:</b>	Highways Act 1980 – Section 115E - The Seagull, 33 High Street, Deal
<b>Meeting and Date:</b>	Regulatory Committee – 1 <sup>st</sup> December 2015
<b>Report of:</b>	Licensing Team Leader
<b>Classification:</b>	Unrestricted

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<b>Purpose of the report:</b>	Permission to site street furniture on the highway
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<b>Recommendation:</b>	That the Committee determine the application
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## 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 Pamela Mousley of The Seagull, 33 High Street, Deal has applied for the siting of 3/4 tables and 12 chairs on the highway immediately in front of the premises. The furniture requested is aluminum bistro style tables and chairs (small) or similar quality. A copy of the application form is shown at **Appendix A**. A plan of the proposed siting of the street furniture is shown at **Appendix B**.

2.2 As part of the consultation process views have been sought from local businesses, Kent Highway Services and the Police. The application was also advertised at the site by way of a Notice and copies were delivered to nearby frontagers.

2.3 One Representation has been received (**Appendix C**) as follows:-

**Deal Town Council** - Objects unless the 4 tables and 12 chairs are restricted to go along the shop front only and do not merge out into the pedestrian area.

2.4 Highways carried out a site meeting with the owner and agreed that should the applicant be granted the permit by the Council, she can have a space outside the front from the pillar of the building on the left hand side of photo up to the rain water channel. They also requested that a barrier is erected so the walking public can see the definitive dining area and the users do not encroach any further out onto the highway. The comments made by Highways along with site photographs can be shown at **Appendix D**.

## 3 Options available

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

4     **Appendices**

Appendix A – Application form and supporting documentation

Appendix B – Proposed plan of siting of street furniture

Appendix C – Representations

Appendix D – Comment and photograph provided by Highways following site meeting

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