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<b>Subject:</b>	Highways Act 1980 – Section 115E – The Crispin Inn, 4 High Street, Sandwich
<b>Meeting and Date:</b>	Regulatory Committee – 24 May 2022
<b>Report of:</b>	Rebecca Pordage, Licensing Manager
<b>Classification:</b>	Unrestricted

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

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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 Ian Murray has applied for a Street Furniture permit to allow the placement of 3 tables and 6 chairs outside The Crispin Inn, 4 High Street, Sandwich. The application states that the furniture will be small round metal tables and small metal chairs. The applicant has requested they be placed between 11am to 11pm every day.

2.2 A copy of the application form is shown at **Appendix A**. A map of the area can be found at **Appendix B**.

2.3 There was a permit for 3 tables and 6 chairs at the same site under the previous owner. This permit was in place from 12 April 2017 – 16 April 2021 when the ownership changed. Under the previous permit, the furniture was allowed to be sited from April – October each year between the hours of 10am – 9pm. As these permits are not transferable, the new owner has submitted their own application.

2.4 As part of the consultation process views have been sought from local businesses, Kent Highway Services, Police, Town Council, Fire Service, Planning, and other internal departments within Dover District Council as appropriate, and none have made representation, although Kent Police have requested that if granted, certain additional conditions be put onto the permit. These are shown at **Appendix C**. The application was also advertised at the site by way of a Notice and copies were delivered to nearby frontagers.

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

**Alan Jamieson** objects as he says that his house is on the highway of the proposed location and it is a narrow public footpath that provides vehicular access to 2 private properties. He is concerned that customers may sit on the wall whilst the tables and chairs are out on the footpath and this will be difficult to regulate, especially as this is a footpath that is used by dog walkers, which may cause issues if food is served outside. He is also concerned that this will set a precedent for other establishments.

**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 the area

Appendix C – Additional conditions requested by Kent Police

Appendix D - Representation

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