
Subject:	Highways Act 1980 – Section 115E – The Elephant and Hind, 18-19 Market Square, Dover
Meeting and Date:	Regulatory Committee – 18 October 2022
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 Harry Richardson has applied for a Street Furniture permit to allow the placement of 13 tables, 28 chairs and 12 benches outside The Elephant and Hind, 18-19 Market Square, Dover. The application states that the furniture will be 6 long tables and benches, 4 bistro tables and chairs, and 2 round tables and chairs. The applicant has requested they be placed between 12 noon to 12 midnight pm every day.

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

2.3 There is currently a permit for 6 tables and 12 benches at the Elephant and Hind between 10 am to 10.30 pm every day. This permit has been in place since 1 July 2019, as shown at **Appendix C**. As these permits are not transferable, and there have been development works in Market Square, Mr Richardson has submitted a new application to supersede the current permit.

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, 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:

Dover Town Council object as they say that the plan does not allow for the required 2m of clear footway. They state that in general they are supportive of outside seating at hospitality venues but this must be balanced with safe pedestrian passage.

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 – Current Street Furniture Permit

Appendix D - Representation

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