



DOVER DISTRICT COUNCIL

PERMISSION TO PLACE OBJECTS OR STRUCTURES ON A HIGHWAY

PART VIIA HIGHWAYS ACT 1980

To: **Henry Richardson** ("the permit holder")

IN PURSUANCE of the provisions of Section 115E of the Highways Act 1980, **DOVER DISTRICT COUNCIL HEREBY** grants the permit holder permission to place objects or structures, namely **6 TABLES** and **12 BENCHES** on the highway fronting **The Elephant & Hind, 18-19 Market Square, Dover, Kent, CT16 1NX**, for the purpose of providing refreshment for the benefit of the public ("the permitted purpose") upon the following conditions:-

- (1) No object or structure shall be placed on any part of the highway outside the permitted area.
- (2) This permit shall remain in force for one year. In the event that there is any breach of or failure to observe these conditions the Council may revoke the permission forthwith without notice.
- (3) The objects or structures may be placed on the permitted area from 1st July 2022 until 30th June 2023 annually.
- (4) The objects or structures may be used within the permitted area only between the hours of **10AM** and **10.30PM** ("the permitted period") when the street furniture must be removed from the highway.
- (5) The objects or structures shall not be used for any other purpose than the permitted purpose.
- (6) The permit holder shall ensure that all persons using the permitted area are seated at all times on the seats provided.
- (7) The permitted purpose shall be carried on in a proper and regular manner and shall not cause any nuisance or annoyance to any adjoining premises.
- (8) The objects or structures shall be of good and sufficient quality and shall be kept in a good and sufficient state of repair.
- (9) The permitted area shall be kept clean and tidy and shall be cleansed and

washed if necessary on each occasion at the end of the permitted period.

- (10) In the event of the permit holder failing to keep the permitted area clean and tidy and cleansed and washed in accordance with Condition (10) hereof the Council shall be at liberty without notice to carry out such works in default and recharge the full cost thereof to the permit holder.
- (11) The permit holder shall be responsible for all accidents claims damages injuries loss or liability occasioned by reason of (a) the placing of the objects or structures on the highway or any defects therein or (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.
- (12) 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 Manager or other proper officer for the time being of the Council the receipt for the current premium whenever called upon to do so.
- (13) In the event of emergency the Council may ask the permit holder to remove the objects or structures or may itself remove the objects or structures from the permitted area for such period or periods as it deems necessary without liability for any injury damage or loss arising therefrom.
- (14) The permit holder shall pay to the Council the full cost for the grant of this permit.

Additional Conditions

- 1) All table and chairs are to be removed and placed in a secure compound at the end of each day's trading, if not secured to the floor ensuring they are able to be removed as either stolen or used as weapons.
- 2) All tables and chairs are to remain within the designated clearly marked area and not allowed to encroach on to the public footway

THIS PERMIT DOES NOT CONVEY APPROVAL TO PLACE ANY OTHER OBJECT OR STRUCTURE ON THE HIGHWAY OR OBTAIN THE NECESSITY TO OBTAIN ANY PLANNING PERMISSION OR STREET TRADING CONSENT OR ANY OTHER STATUTORY APPROVAL.



Signed: _____

Date: **5th October 2022**