
Subject:	Highways Act 1980 – Section 115E – The Sandwich Bakery Company Ltd, 12 King Street, Sandwich
Meeting and Date:	Regulatory Committee – 20 June 2023
Report of:	Rebecca Pordage, Licensing Manager
Classification:	Unrestricted

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 Danielle Usherwood has applied for a Street Furniture permit to allow the placement of 4 tables and 8 chairs outside The Sandwich Bakery Company Ltd, 12 King Street, Sandwich. The applicant has requested they be placed between 08:30 hrs to 17:00 hrs every day.
- 2.2 A copy of the application form and plan is shown at **Appendix A**. Additional information about the type of furniture and measurements and a photo of the location is shown 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, Police, Town Council, Fire Service, Planning, and other internal departments within Dover District Council as appropriate. The application was also advertised at the site by way of a Notice and copies were delivered to nearby frontagers.
- 2.4 A response was received from Kent Highways and this is shown at **Appendix D**.
- 2.5 Five representations were received in respect of this application (see **Appendix E**), as follows:

Megan Crowley is deeply concerned about the siting of the furniture as she feels it will cause an obstruction, and that the use would have an adverse effect on the residents quiet use and enjoyment of their homes. She is concerned about noise levels and feels that the times of operation are excessive. Ms Crowley is concerned that she will have nowhere to place her bins and that the siting of the furniture may cause obstruction to wheelchair users etc. She is concerned about heavy loads, house removals, rubbish collection and most importantly, emergency services. Additionally, maintenance firms use the lane for house decorations, gutter clearance, and property maintenance.

Abigail Archer objects on the grounds of already restricted passage at the King Street end of Austins Lane due to planter, street furniture, people queueing for service, bikes of customers etc.

Christine Cummings objects on the grounds that the siting of the furniture would be going against a Traffic Regulation Order put in place by Kent County Council, and says that KCC Highways must be involved before this application is taken any further. Ms Cummings is concerned that the bakery neighbour's would have nowhere to put their bins. Additional concerns around noise pollution and access for the disabled.

Sandwich Town Council object as they say that Austins Lane has narrow pavements and this is likely to cause problems on the public highway for drivers and pedestrians.

Edwina Crowley objects on the grounds of obstruction, concerns about pedestrians and wheelchair users, goods deliveries, house removals, rubbish collection, drain clearance and maintenance firms wanting to gain access for house decorations, gutter clearance and property maintenance.

- 2.6 During the consultation period, a letter of support was received in respect of this application (**Appendix F**) as follows:

Andrew Ayers supports this application as it is a no through road, closed off at both ends, and even with the tables and chairs in place there is still ample room for people to pass by. Mr Ayers feels that this would encourage more people to come and spend time in Sandwich.

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 and plan

Appendix B – Additional information about the furniture and photo of the location

Appendix C – Map of the area

Appendix D – Views from Kent Highways

Appendix E – Representations

Appendix F – Email of support

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