

From: no-reply@dover.gov.uk
To: [DDC Licensing](#)
Subject: Make a street furniture permit representation - submitted form data
Date: 14 May 2023 12:25:39

Page: About you

- First name Megan
- Last name Crowley
- Contact phone number [REDACTED]
- Your email address [REDACTED]@[REDACTED].[REDACTED]
- Your address including postcode 14a King Street Sandwich CT139BT

Page: About the premises

- Name of the premises The Sandwich Bakery Company
- Address of the premises 12 King Street Sandwich CT139BT

Page: About the application

- Details of the nature of your representation I am writing to express my deep concern and objection to the recent request by 12 King Street for the use of part of Austins Lane for the placement of tables and chairs for their exclusive use, for 365 days a year, between the hours of 8.30am and 5pm. This is for the following reasons: Firstly, changing the legal usage of the land will adversely affect public use of the land and be an obstruction for regular users. The use of the area would presumably be marked up for their use only, and therefore it would not be a shared space. It is essential to consider whether the council's powers under licensing are the right powers, and whether the creation of an area of exclusive use would result in the creation of a lettable hereditament, which would be more permanent than a 12-month license. Legal advice should be sought to ascertain whether this would create permanent rights to use public land, and whether it would attract a business rates liability. The application suggests the business will have exclusive use of this public land 365 days of the year, as proposed, 8:30 - 17:00, seven days a week. This is a vast increase from the businesses current operating hours of 8:30 - 15:00. The encroachment of retail use into a residential street, abutting King Street, which is the retail area, will have an adverse effect on the residents' quiet use and enjoyment of their homes. The noise levels will increase, and the proposed timings of 8.30 am until 5 pm seven days a week are considered excessive in an area that is regarded as residential. Secondly, and I would argue most importantly, Austins Lane is a busy thoroughfare used by pedestrians, cyclists, wheel chair users, and occasional vehicles, such as deliveries of heavy loads, house removals, rubbish collection and most importantly, emergency services. Additionally, maintenance firms use this lane for house decorations, gutter clearance, and property maintenance. Given its use as a public highway, the proposed use of the area by 12 King Street for their tables and chairs will create an obstruction and danger to persons using the lane. It is important to note that Austins Lane is also used at times for temporary parking of vehicles, including utilities emergency drainage requirements, services such as BT

and media, and by residents for temporary use for loading rubbish, maintenance works to properties, among other uses. As a resident who will be directly impacted to this change, there will be no-where for me to place my bins. Finally, the plan shows the table and chairs to be placed on the path immediately outside of the unit. However ergonomically, and because of the step down to the road, the tables and chairs won't fit on the path. This will result on them being placed on the road, Austins Lane. Each set will could require 2.15m² around them. Austins Lane road is approx. 380cm fronting King Street narrowing to 2760 near to 14A/B property. If each table takes potentially takes 215m² there will be no space to use the highway around the residential properties and only limited access/egress fronting King Street. Furthermore, the proposed quantity of chairs a tables will quite literally not fit on the pavement, thus the likelihood of it spilling into the street is high, as often people move chairs and tables. This proposes a real hazard to the accessibility of the space, both for wheelchair users and emergency services alike.

[1 SEP] I would like to comment that I wish the absolute best for the business, and will support any endeavour wholeheartedly that doesn't infringe on public land. Overall however, I am requesting that the council to reject the current proposal by 12 King Street for the use of part of Austins Lane for their tables and chairs due to the scale of the request, safety of the area, the legal rights of the road and the overall impact on the residents. I trust that you will take into account the concerns raised.

- In your opinion can this objection be overcome by conditioning the licence or negotiation with the applicant? No
- Declaration
 - I understand that, if accepted as relevant, my representation (including my name and address) will form part of the documentation disclosed to 'all parties' to the Hearing before the Regulatory Committee. I understand and accept this declaration

Page: Email receipt

- Would you like to receive a confirmation receipt by email? Yes
- Please enter the email address that you would like the receipt to be sent to
[REDACTED]@[REDACTED].[REDACTED]

Jadu reference number: 994265

Date and time of submission: 14/05/2023 12:25:33

This e-mail, including any attachments, is intended for the above addressee(s) only and may contain marked material up to RESTRICTED and should be handled accordingly. If you are not the intended recipient (or authorised to receive it on behalf of the addressee), please notify the sender immediately by return e-mail and then delete the message without copying it or disclosing it to anyone.

Precautions have been taken to ensure that this is a virus-free message but recipients are responsible for carrying out their own checks. This Council accepts no responsibility for loss or damage to any hardware, software or data resulting from this e-mail.

By communication with this Council by e-mail, you consent to such correspondence being monitored or read by any other officer of the Council.

All GCSx (Government Connects Secure Extranet) traffic may be subject to recording and/or monitoring in accordance with relevant legislation.

Dover District Council is a data controller under GDPR. Our privacy notice at www.dover.gov.uk/privacy explains how we use and share personal information and protect your privacy and rights.

From: no-reply@dover.gov.uk
To: [DDC Licensing](#)
Subject: Make a street furniture permit representation - submitted form data
Date: 04 May 2023 11:41:15

Page: About you

- First name Abigail
- Last name Archer
- Contact phone number [REDACTED]
- Your email address [REDACTED]@[REDACTED].[REDACTED]
- Your address including postcode Austin's Lane, Sandwich, CtT13 9BX

Page: About the premises

- Name of the premises The Sandwich Bakery Company Ltd
- Address of the premises 12 King Street, Sandwich, CT13 9BT

Page: About the application

- Details of the nature of your representation Objecting on the grounds of already restricted passage at the King Street end of Austins Lane (e.g. inc. pretty large planter, street furniture, people queuing for service, bikes of customers etc).
- In your opinion can this objection be overcome by conditioning the licence or negotiation with the applicant? No
- Declaration
 - I understand that, if accepted as relevant, my representation (including my name and address) will form part of the documentation disclosed to 'all parties' to the Hearing before the Regulatory Committee. I understand and accept this declaration

Page: Email receipt

- Would you like to receive a confirmation receipt by email? Yes
- Please enter the email address that you would like the receipt to be sent to [REDACTED]@[REDACTED].[REDACTED]

Jadu reference number: 982510

Date and time of submission: 04/05/2023 11:41:10

This e-mail, including any attachments, is intended for the above addressee(s) only and may contain marked material up to RESTRICTED and should be handled accordingly. If you are not the intended recipient (or authorised to receive it on behalf of the addressee), please notify the sender immediately by return e-mail and then delete the message without copying it or disclosing it to anyone.

Precautions have been taken to ensure that this is a virus-free message but recipients are responsible for carrying out their own checks. This Council accepts no responsibility for loss or damage to any hardware, software or data resulting from this e-mail.

By communication with this Council by e-mail, you consent to such correspondence being monitored or read by any other officer of the Council.

All GCSx (Government Connects Secure Extranet) traffic may be subject to recording and/or monitoring in accordance with relevant legislation.

Dover District Council is a data controller under GDPR. Our privacy notice at www.dover.gov.uk/privacy explains how we use and share personal information and protect your privacy and rights.

From: no-reply@doover.gov.uk
To: [DDC Licensing](#)
Subject: Make a street furniture permit representation - submitted form data
Date: 20 May 2023 16:38:18

Page: About you

- First name CHRISTINE DEVINE
- Last name CUMMINGS
- Contact phone number [REDACTED]
- Your email address [REDACTED]@[REDACTED].[REDACTED]
- Your address including postcode The Bake House 3 Austins Lane Sandwich CT13 9BX

Page: About the premises

- Name of the premises Sandwich Bakery Company Limited
- Address of the premises 12 King Street Sandwich CT13 9BT

Page: About the application

- Details of the nature of your representation I am writing to strongly object to the representation by Sandwich Bakery Company Ltd, 12 King Street, CT13 9BT to place 4 tables & 8 chairs on the street from 8.30am to 17.00 Monday to Sunday inclusive. Firstly, it should be noted and corrected that the tables and chairs WOULD NOT be placed in King Street as it is a street with narrow pavement (if 2 people pass it, 1 has to step into the road) & King Street is open to a steady flow of traffic consisting not only of cars but also lorries; in other words it is a Sandwich main thoroughfare. The application actually is for the table & chairs to be placed IN AUSTINS LANE, not King Street. Austins Lane is not open to vehicular traffic, having been the subject of a successful petitioning by Sandwich residents & King Street traders in 2016/17 for closure. As organiser of this petitioning I was in constant contact with Tim Middleton, Principal Transport Planner, Highways, Transportation & Waste, Kent County Council, Maidstone. Briefly, to provide background information as to why we petitioned, Austins Lane before its closure was a lethal cut-through, it measures 6ft 5ins between the single yellow parking lines, has a very narrow pavement on one side and NO pavement on the other side of it, and was (astoundingly) nonetheless open to two-way traffic which resulted in vehicle drivers having stand-up rows, on occasion escalating to physical punch-ups. Inevitably an accident happened in November 2016 when an irate car driver had a stand-off with another, backed into the doors of my house & then reversed into an exposed mains gas pipe which emerges from the road surface & leads INTO my house. The resultant gas pipe demolition released gas under pressure into the Lane, into my house and surrounding area. All emergency and rescue services were called to the scene. Sandwich Town Council supported this petition for the above reasons. Kent County Council were widely involved in this case as where Sandwich Consultations under the banner of Kent County Council. The closure of Austins Lane required a legal document which Tim Middleton applied for & received. Documentation I have a copy of states KCC's

plan involved "Installing removable bollards at each end of Austins Lane and creating a Traffic Regulation Order to stop vehicular access to Austins Lane. THERE WOULD BE NO ACCSS TO THROUGH TRAFFIC OR DAY TO DAY ACCESS FOR THE RESIDENTS UNLESS REQUIRED IN AN EMERGENCY SUCH AS A GAS LEAK OR TO HAVE SCAFFOLDING ERECTED FOR PROPERTY MAINTENANCE. In conclusion the above makes it clear that to have Sandwich Bakery place tables & chairs in Austins Lane contravenes the Traffic Regulation Order in place which requires that Austins Lane is kept clear of ANY obstacle that would impede Emergency Service vehicles (fire engines, ambulances). The above is my key objection but I add here other relevant points to support my objection: . Tables & chairs could not be put on the very narrow pavement - it is too narrow to hold a table or chair. . The Bakery's neighbours would have nowhere to put their waste bins. . The application takes into no account noise pollution to all residents of Austins Lane every day of the week for the entirety of daytime hours. I trust that you will take into account my concerns as raised here, also the history of why Austins Lane is closed to vehicular traffic other than as stated above and, very importantly, ensure that KCC Highways are involved forwith before this Application is taken any further. . People would inevitably move the chairs & tables presenting hazzards for everybody, including the disabled.

- In your opinion can this objection be overcome by conditioning the licence or negotiation with the applicant? No
- Declaration
 - I understand that, if accepted as relevant, my representation (including my name and address) will form part of the documentation disclosed to 'all parties' to the Hearing before the Regulatory Committee. I understand and accept this declaration

Page: Email receipt

- Would you like to receive a confirmation receipt by email? Yes
- Please enter the email address that you would like the receipt to be sent to
[REDACTED]@[REDACTED].[REDACTED]

Jadu reference number: 995677

Date and time of submission: 20/05/2023 16:38:11

This e-mail, including any attachments, is intended for the above addressee(s) only and may contain marked material up to RESTRICTED and should be handled accordingly. If you are not the intended recipient (or authorised to receive it on behalf of the addressee), please notify the sender immediately by return e-mail and then delete the message without copying it or disclosing it to anyone.

Precautions have been taken to ensure that this is a virus-free message but recipients are responsible for carrying out their own checks. This Council accepts no responsibility for loss or damage to any hardware, software or data resulting from this e-mail.

By communication with this Council by e-mail, you consent to such correspondence being monitored or read by any other officer of the Council.

All GCSx (Government Connects Secure Extranet) traffic may be subject to recording and/or monitoring in accordance with relevant legislation.

Dover District Council is a data controller under GDPR. Our privacy notice at www.dover.gov.uk/privacy explains how we use and share personal information and protect your privacy and rights.

From: [Town Clerk](#)
To: [DDC Licensing](#)
Subject: Street Furniture Consent - The Sandwich Bakery Company Ltd
Date: 22 May 2023 17:19:32
Attachments: [image001.jpg](#)

Good afternoon

Following receipt of the notification Sandwich Town Council has considered the following Street Furniture application: Sandwich Town Council objects to this street furniture application as the proposed location of Austins Lane has narrow pavements and is likely to cause problems on the public highway for drivers and pedestrians. The Town Council would like to add that it does support the business, but that this proposal is not practical.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET FURNITURE CONSENT

DOVER DISTRICT COUNCIL in pursuance of the provisions of the Highways Act 1980, Section 115

HEREBY GIVES NOTICE THAT AN APPLICATION TO PLACE TABLES & CHAIRS

ON THE HIGHWAY AT THE LOCATION DETAILED BELOW HAS BEEN

RECEIVED.

Furniture: 4 tables and 8 chairs

Timings: 08:30 to 17:00 Monday to Sunday

Location: The Sandwich Bakery Company Ltd, 12 King Street, Sandwich, CT13

9BT

Regards



Gill Gray PSLCC | Interim Town Clerk

a: Sandwich Town Council

The Guildhall Sandwich Kent CT13 9AH

e: [REDACTED]@ [REDACTED] [REDACTED]

w: www.sandwichtowncouncil.gov.uk

p: [REDACTED] [REDACTED]



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the sender on the details above. To view how we hold your data please view our privacy policy by visiting our website.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the sender on the details above. To view how we hold your data please view our privacy policy by visiting our website.

The Coach House
1 Austins Lane
Sandwich
Kent
CT13 9BX

13 May 2023

Dear Licensing Team,

Re: **Application for Street Furniture, The Sandwich Bakery Company, Sandwich.**

Further to the request to place 4 tables and 8 chairs in Austins Lane, between 08:30 to 17:00 seven days a week.

My representations concerning this application are below:-

- The plan shows the table and chairs to be placed on the path immediately outside of the unit. However ergonomically, and because of the step down to the road, the tables and chairs won't fit on the path. This will result on them being placed on the road, Austins Lane. Each set will could require 2.15m² around them. Austins Lane road is approx. 380cm fronting King Street narrowing to 2760 near to 14A property.

If each table takes potentially takes 215m² there will be no space to use the highway around the residential properties and only limited access/egress fronting King Street

- Austins lane is used by pedestrians, wheel chair users (unable to use the narrow path) cyclists, and occasional vehicles such :-
 - Deliveries of heavy loads, house removals, rubbish collection,
 - Utilities firms for drain clearance
 - Maintenance firms for house decorations, gutter clearance, property maintenance
-
- If the tables and chairs are placed in austins lane all day, there will not be enough space for other users and it is a public right of way.

Proposed Use

The proposed use is extensive, taking most of the area outside of their unit fronting Ausins Lane, for 365 days a year. The bakery is not currently open these hours.

Should they not be asking the Council for a licence or lease of the area, in which case is whether the councils powers under licencing are the right powers? The estates team and planning team should be able to advise on this, but an area of exclusive use is a creation of a lettable hereditament and more permanent than a 12 month licence, legal should advise whether this would create permanent rights to use public land. It may also attract a business rates liability. Is this request a way to circumnavigate a change of use, increase their lettable area and increase the value of their lease with their landlord.

Goats That Dance , 10 King Street

This café unit is opposite 12 King Street, and also adjacent to Austins Lane. They have a café hatch open to Austins Lane where people queue for orders. If this request is approved it would interfere with there customer use, and also may lead to them requesting tables and chairs in the same area. Austins Lane area isn't big enough for both units retail/café use.

Residential Use

Austins Lane is a residential street, abutting King Street to the East, which is the retail area. The encroachment of retail use will affect the residents quiet use and enjoyment of their homes, the noise levels will increase. Above 12 King Street is a flat, there is also a residence above Goats that Dance and houses very close by. The extent of commercial use proposed by 12 King Street is not acceptable in a residential area.

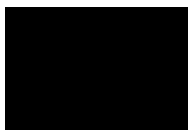
Summary of objections

- 1 The proposal is in effect a licence to rent part of Austins Lane for 365 days a year for their exclusive use as there would be no space for access/egress around these tables and chairs. This will adversely affect public use of the land and be an obstruction for regular users.
- 2 This will create an obstruction and danger to the persons using it.
- 3 The proposed timings of 8.30 until 5pm seven days a week will create a noise and accessibility nuisance to the residents of Austins Lane and are considered excessive.
- 4 Austins Lane as highway is used at times for temporary parking of vehicles including utilities emergency drainage requirements, services such as BT and media, and by residents for temporary use for loading rubbish, maintenance works to properties.

I appreciate and enjoy the opportunity to sit outside of cafes, and if the applicant can resolve the ergonomics to ensure access/egress is unfettered, remove them from the doorways of the residential units, to place them nearer to King Street, reduce the number/size of the request, and to reduce the timings to lunch times only, on the busier days of the week, it would be more proportionate to the scale and location.

But that is for them to discuss with the Council.

Yours sincerely

A solid black rectangular box used to redact the signature of Edwina Crowley.

Edwina Crowley