

**Local Government (Miscellaneous Provisions) Act 1982
Part VIIA Highways Act 1980
Permission to Place Tables and Chairs on the Highway at Caffè Nero
11 Old Bond Street Bath BA1 1BP**

Background and site

The application relates to an existing coffee shop set within the designated city/town shopping area of Bath. The site is set on the corner of Old Bond Street and Upper Borough Walls, and is within the City of Bath Conservation Area and the World Heritage Site. It is a discreet corner location with just two small tables and chair.

The application is a renewal of a previous license for the siting the tables and chairs on the highway outside of 11 Old Bond Street. The pavement at this location is wide enough to accommodate the tables and chairs without resulting in a detrimental impact upon pedestrian or highway safety. There are therefore no highway objections to this scheme. There is a large public bench on the highway in front of the store.

The proposed tables are not uncommon in this context. Planning permission was granted for the tables and chairs that have been in position since 2010. Hence the use is longstanding. The LPA concluded that the two tables “are not considered to have a detrimental impact on the setting of the nearby listed buildings, the character and appearance of this part of the City of Bath Conservation Area or the World Heritage Site in which the site is set.”

The Caffè Nero use does not involve the sale of any alcohol. It trades from 06-30 to 19-30 with reduced hours on Sundays and Bank Holidays.

It is shown below;



The objection

The objection is copied in Appendix A but may be summarised as;

- Litter
- Any social behaviour

Caffe Nero response

Both of the objections are not a direct result of the use but rather anti-social behaviour by visitors to the area. As regards litter Caffe Nero offer to clean the area upon opening and then mirror the WC check list which has 6 periodic cleans on it. This will result in potentially up to six cleans per day being 1) Pre-open, 2) Pre – 10am, 3) Lunchtime, 4)3pm, 5)5pm and 6)at close. Caffe Nero would suggest this level of cleaning is greater than any other part of the public highway in the city.

We would note that if the table and chairs were removed customers are likely to relocate to public bench outside the store

As regard the urination on the public highway this too is unrelated to the use given Caffe Nero close at 19-30 , do not sell alcohol and when trading have freely available WC's. Their offer detailed above would involve an early morning wash down. They would stress that given the discreet corner location this anti-social activity could occur irrespective of the use and is totally unrelated to the table and chairs.

Conclusion

We would suggest there is no valid reason preventing the renewal of the licence as the objection is unrelated to the use but Caffe Nero offers to assist in keeping this part of the city clean and would be pleased to accept any conditions on the license as regard cleansing.

Appendix A



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09/06/2017

Environmental Information Officer
Ms Lauren Latta
Public Protection & Health Improvement
Lewis House, Manvers Street, Bath BA1 1JG



**Re: Local Government (Miscellaneous Provisions) Act 1982
Part V11A Highways Act 1980
Permission for Chairs and Other Items on the Highway at
Café Nero
11 Old Bond Street Bath BA1 1BP**

Thank you for your letter regarding the permission for tables and chairs at Café Nero, next door to our shop Christopher Barry. Whilst we appreciate that you are in favour of promoting a Café society in Bath, the lack of tables and chairs outside the café has been an absolute delight. No litter, no cigarette ends, no dirty tables and no creeping of seating in the entrance to our shop.

There seems to be no effort on Café Nero's part to take charge of the area and after many complaints on our part we are left to sweep and wash down the area ourselves in an attempt to keep it in order.

People urinate in the space at night and we find it incredible that there is no attempt to clean it before the Café opens. Their customers are subjected to an area, which is a smelly health hazard.

There are very rarely ashtrays on the tables so people extinguish their cigarettes on the floor, which are just left all day.

We would be very grateful if you take into consideration our comments before making a decision.

Sincerely,

