

Bath & North East Somerset Council			
MEETING/ DECISION MAKER:	Licensing Sub Committee		
MEETING/ DECISION DATE:	Tuesday 31 May 2022	Agenda Item Number	
TITLE:	Application for a Tables and Chairs Permit Sub 13 Wine Bar 4 Edgar Buildings, Bath		
WARD:	Kingsmead		
AN OPEN PUBLIC ITEM			
List of attachments to this report: Annex A - Application Annex B - Plan of the proposed Tables and Chairs area Annex C - Objection received Annex D - Correspondence between applicant and objector Annex E - B&NES Tables and Chairs Conditions Annex F - B&NES Tables and Chairs Permit Guidance Notes			

THE ISSUE

- 1.1 On 18 March 2022 an application was received for a Tables and Chairs Permit at Sub 13 Wine Bar, 4 Edgar Buildings Bath.

2 RECOMMENDATION

- 2.1 That the Licensing Sub Committee determines the application.

3 THE REPORT

- 3.1 On 18 March 2022 an application for a Tables and Chairs permit was received from Tim Whelehan, Director of Sub 13 Wine Bar (**Annex A**).
- 3.2 The application is for an outside seating area in front of Sub 13 and in front of the neighbouring premises 'Mailboxes' and The Citizens Advice Bureau.

3.3 The times applied for are 11:00 to midnight every day with no changes to the times and overall area dimensions and location authorised by the previous Tables and Chairs Permit which expired on 30 April 2022.

3.4 Notification of the application was posted in Edgar Buildings (George St.) and copies of the application were hand delivered to all nearby residential and retail premises giving persons until midnight on 19 April 2022 to submit any objections. The application was also published on the Council's website.

3.5 A plan of the area applied for is included (**Annex B**).

3.6 An objection was received from a neighbouring business premises (**Annex C**). The grounds for the objection are:

Concern over litter left in the proposed Tables and Chairs Permit area in front of 'Mailboxes' premises the disruption caused to customers using 'Mailboxes' premises after normal opening hours.

Correspondence between the applicant and objector is contained in **Annex D**.

4 STATUTORY CONSIDERATIONS

4.1 The Local Government (Miscellaneous Provisions) Act 1982 and Sections 115 A-K Highways Act 1980 give the Council discretion to grant permission to provide, maintain and operate facilities for recreation and / or refreshments on the highways subject to any reasonable conditions the Council thinks fit.

4.2 Bath and North East Somerset Council has standard Tables and Chairs Conditions which are applicable to all Tables and Chairs Permits issued by the Council. (These are produced at **Annex E**).

4.3 When making a decision consideration needs to be given to the Human Rights Act 1998.

4.4 An Equalities Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 There are no resource implications arising from this report. The costs of processing licences are covered by the fees charged.

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

7 CLIMATE CHANGE

The Local Government (Miscellaneous Provisions) Act 1982 and Sections 115 A-K Highways Act 1980 are prescriptive and do not take account of the climate change agenda at this time. We look forward to changes in legislation which will allow the Council to take this into consideration in the future. In the

meantime, individual applicants are encouraged to consider climate change issues in the operation of their businesses.

8 OTHER OPTIONS CONSIDERED

8.1 None

9 CONSULTATION

9.1 In accordance with current Bath and North East Somerset Council Policy, the Licensing Service consulted with Avon and Somerset Police, the Council's Highways team, Property Services, Environmental Protection Team, Development Control, Ward Councillors and adjacent premises.

9.2 The Council's Monitoring Officer (Head of Legal and Democratic Services) and Section 151 Officer (Director of Finance) and Information Governance Officer have all had the opportunity to input to this report and have cleared it for publication.

Contact person	Geoff Cannon. Public Protection Licensing Officer. Tel: 07977 228120
Background papers	Licensing File
Please contact the report author if you need to access this report in an alternative format	

ANNEX A

Application for a Pavement Licence or a Tables and Chairs Permit

Are you applying for a:

☐

Pavement Licence

☒

Tables and Chairs Permit

If you are unsure of the differences, you can find more information [here](#).

Please read the following guidance before you make an application. We will not be able to process your application if you have not supplied all the information and documents required.

Pavement Licence

[Pavement Licence Guidance Notes](#)

[Plan Requirements](#)

[Public Realm Guidance Notes](#)

[Public Health and Preventative Services Guidance](#)

[Conditions attached to Pavement Licences](#)

[Temporary Alcohol Licensing Provisions](#)

[Business and Planning Act 2020](#)

Tables and Chairs

[Tables and Chairs Permits Guidance Notes](#)

[Plan Requirements](#)

[Public Realm Guidance Notes](#)

[Conditions attached to Tables and Chairs Permits](#)

[Part VIIA Highways Act 1980](#)

[Local Government \(Miscellaneous Provisions\) Act 1982](#)

Do you currently hold a Pavement Licence or Tables and Chairs Permit?

☐

No

☒

Yes

Existing licence number

21/00543/TABLE

Date of expiry

X

Are there any changes to your current/last licence/permit? No

☒

Yes

☐

What are they?

Part 1 – Details of premises

Name of establishment/business

Sub 13 Wine Bar

Address of application site

4 Edgar Buildings
Bath

Postcode

BA1 2EE

Adjacent Premises (any affected frontages must be notified of this application)

Mailboxes Etc, Citizens Advice Bureau,
BLB Solicitors, Slug & Lettuce

Are you licensed to sell alcohol from these premises?

No

☐

Yes

☒

Please provide your alcohol licence number

19/00402/LAPRE

Part 2 – Details of applicant

I am an agent applying on behalf of the applicant

☐

	Agent	Applicant
Title	<input type="text"/>	<input type="text" value="Mr"/>
First name	<input type="text"/>	<input type="text" value="Tim"/>
Last name	<input type="text"/>	<input type="text" value="Whelehan"/>
	Company name	<input type="text" value="Sub 13"/>
Address	<input type="text"/>	<input type="text" value="4 Edgar Buildings Bath"/>
Postcode	<input type="text"/>	<input type="text" value="BA1 2EE"/>
Telephone	<input type="text"/>	<input type="text" value=""/>
Email	<input type="text"/>	<input type="text" value=""/>

Part 3 – Specified area

Area(s) to be used:

☐

Front of premises

☐

Side of premises

☐

Other

Please give details

Dimensions of the area of street to be used on the front of the premises (in metres)

Width

Depth

Dimensions of the area of street to be used on the side of the premises (in metres)

Width

Depth

Dimensions of the area of street to be used in the other area of the premises (in metres)

Width

Depth

Part 3 – Specified area

How many tables do you intend to place within the specified area?

How many chairs do you intend to place within the specified area?

Do you intend to place items other than tables and chairs within the proposed area?

☐

No

☐

Yes

Please give number and details of all other items of furniture including umbrellas, barriers, planters etc.

Part 3 – Specified area

Hours during which the tables and other items will be on the street (Monday to Sunday)

Check this box if closed
that day

Monday	From	<input type="text"/>	To	<input type="text"/>	<input type="checkbox"/>
Tuesday	From	<input type="text"/>	To	<input type="text"/>	<input type="checkbox"/>
Wednesday	From	<input type="text"/>	To	<input type="text"/>	<input type="checkbox"/>
Thursday	From	<input type="text"/>	To	<input type="text"/>	<input type="checkbox"/>
Friday	From	<input type="text"/>	To	<input type="text"/>	<input type="checkbox"/>
Saturday	From	<input type="text"/>	To	<input type="text"/>	<input type="checkbox"/>
Sunday	From	<input type="text"/>	To	<input type="text"/>	<input type="checkbox"/>

Part 4 – Planning permission (if available)

The Licensing Authority does not consider any planning permissions in issuing these permits as Licensing and Planning are two separate regimes. To place the tables and changes legally on the highway, you should have both these permissions in place. Further information about planning permissions can be found [here](#):

Registered number of planning permission

18/03453/CLEU

Date of expiry of planning permission

Custom Process Configuration

XML Specific

Application type	<input type="text"/>
Licence Case Type	<input type="text"/>
Licence Status	<input type="text"/>
XML Template	TABLE R
CAPS Reference	22/00743/TABLE

Payments request

CallingAppID	<input type="text"/>
CallingAppRef	<input type="text"/>
PaymentSourceCode	<input type="text"/>

Response response

PaymentAuthorisationCode	<input type="text"/>
IncomeManagementReceiptNumber	ZZVF00003989
Originators Reference	<input type="text"/>
CardScheme	<input type="text"/>
CardType	<input type="text"/>
PaymentAmount	<input type="text"/>
ResponseCode	00000
ResponseDescription	<input type="text"/>
Number of payment lines	<input type="text"/>

Payment 1

Receipt Number	<input type="text"/>
DueDate	<input type="text"/>
PaymentType	<input type="text"/>
Pay Description	Tables and Chairs Permit
XML Description	Tables and Chairs Permit
PaymentDue	£258.00
VAT	<input type="text"/>
Paid	<input type="text"/>
Payment Date	<input type="text"/>
Fund	Z1
Reference	YF2NDB10N95

Form Calculations

Title Casing	<input type="text"/>
Sentence Casing	<input type="text"/>
UPRN for address lookup	010001126325
Boolean to "hide" page	<input type="checkbox"/>
Form Reference	<input type="text"/>
User Classification	<input type="text"/>

Other Custom Calculations

Field for array values for fee	PavementLicence,100.00,TablesAndChairs,258.00	Activities XML
Lookup response	<input type="text"/>	Alch Lice Code
Lookup population	<input type="text"/>	Prev Activities
Applicant Telephone		
Applicant Email		
Agent Telephone		
Agent Email		
Customer Email Acknowledgment		
Which phone number in email		
Subject line for email out		
Body for external email		
Body for internal email		

Part 5 – Supporting documents

Please provide the following documentation to support your application:

- Photos of furniture and all other items you will be using
- Plans of the application site (see [requirements](#))
- A copy of your public liability insurance

I understand that I must attach all three of the above documents or my application will be rejected as invalid



Part 6 – Declaration and indemnity

The fee for this application is:

£258.00

RENEWAL ONLY – I confirm no change in the hours, ancillary furniture or other terms and conditions of the licence being sought.

☐

NEW APPLICATION/RENEWAL – I/We declare that to the best of my/our knowledge the information contained in this application form and on the submitted plans are correct.

☒

VARIATION ONLY – I hereby apply for variation of the temporary licence for street trading.

☐

I understand that I must correctly display a notice at my premises for the required period for any Pavement Licence application, otherwise the application will be deemed invalid and a new application and payment will be required (a template is available [here](#)).

☐

I understand that my application will be rejected if my plan does not comply with the [Plan Requirements](#)

☒

Please read the Tables and Chairs permit conditions which can be found here:

https://www.bathnes.gov.uk/sites/default/files/conditions_3.pdf

I confirm that I have read, understood and will comply with the above conditions

☒

General confirmation

☒

Date

18/03/2022

Full name

Timothy Whelehan

Part 7 - Fraud

The Council is under a duty to protect the public funds it administers and to this end may use the information you have provided on this form within the Council for the prevention and detection of fraud. It may also share this information with other bodies administering public funds for these purposes.

For further information see; <https://www.bathnes.gov.uk/services/business/licences/national-fraud-initiative> or contact the Information and Governance Team, Guildhall, High St, Bath BA1 5AW. Email information_governance@bathnes.gov.uk



ANNEX C

From: zoltan
Sent: 29 March 2022 08:23
To: Licensing <Licensing@BATHNES.GOV.UK>
Cc: 'Pervez Ahmad'
Subject: Licensing Application Reference: 22/00743/TABLE

Dear Mr Cannon,

With regards to the above application I am regret to inform you that we cannot approve this action for the following reasons:

- Ongoing Litter, and lack of cleaning after using the area of our shopfront. Please let me know if you wish to receive supporting photographic evidence! I can supply dated photos, that will indicate that it is a constant problem, and the responsible people are not on top of managing it properly.
- Interruption for our 24-hour customers. We have received several complaints.

Please do not hesitate to contact me for any further information or guidance.

Best Regards,

Zoltan Sagi

Mail Boxes Etc. Bath

Design | Print | Ship | Post | Web Design

T: 01225 483 777 | E: info@mbebath.co.uk

3 Edgar Buildings, George Street, Bath, BA1 2FJ



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ANNEX C

From: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>

Sent: 07 April 2022 09:40

To: [zoltan](#) [REDACTED]

Subject: RE: Licensing Application Reference: 22/00743/TABLE

Good morning Zoltan.

In respect of your objection below, we are not able to formally proceed with taking the matter before the Licensing Sub – Committee if an objector remains anonymous.

With regards your concerns surrounding litter, there are conditions attached to Tables and Chairs Permits that ensure that the Permit Holder cleans the area after use. Breaches of these conditions can result in enforcement action being taken against the Permit Holder.

If you feel that interruption to your 24 hour customers concerns you enough to continue with your objection, while we respect you do not want to enter into a dialogue with Sub 13 management at this stage, they are obliged to receive details of the objection (including the name and address of the objector) prior to the matter being heard by the Licensing Sub – Committee.

Please advise if you are willing to continue with the objection and that you understand that your name and address of the business will need to be disclosed to the applicant and at a Licensing Sub – Committee Hearing accessible to the public. Sensitive information such as email addresses and telephone numbers will not be disclosed.

ANNEX C

From: zoltan@mbebath.co.uk [REDACTED]
Sent: 08 April 2022 10:51
To: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Cc: pervezahmad@hotmail.com
Subject: RE: Licensing Application Reference: 22/00743/TABLE

Dear Geoff,
Thank you very much for your email.
Yes, we are willing to continue with the objection. In case Sub 13 would like to discuss our objection, please contact the company director by email or in writing:
Revent Bath Ltd.
Pervez Ahmad - [REDACTED]
42 High Street
Barnet,
EN5 5RU

Please let me know if you need any further information.

Zoltan Sagi

Manager
Design | Print | Ship | Post | Web Design

T: +44 (0)1225 483 777 | E: info@mbebath.co.uk
3 Edgar Buildings, George Street, Bath, BA1 2FJ



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ANNEX D

From: Tim Whelehan
Sent: 13 April 2022 12:31
To: pervezahmad [REDACTED]
Cc: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Subject: Objection to Tables and Chairs Permit Application 22/00743/TABLE

Dear Mr Ahmad,

I have been passed your details as the point of contact for an objection received by BANES for the renewal of our Tables and Chairs Permit (22/00743/TABLE). I understand that you have objected on the grounds of litter being left on the pavement as a result of our using a section in front of your premises Mailboxes Etc, 3 Edgar Buildings.

I would like to assure you that we take our responsibility to clear the pavement seriously, it is a condition of the permit that we do this. We only use the area on Friday (after your store closes) and Saturday (when your store is closed). Our team sweep the area when the furniture is removed, and our cleaners repeat the process in the morning, scrubbing with hot water and detergent as required. As I have said to Zoltan and the staff in the branch, please let us know if there are any issues with this and we will act to rectify immediately. To date, we have not been aware of any problems in this regard, so I was surprised to hear about the issue for the first time in the form of a formal objection to our renewing a license we have held for two years.

We would be grateful if you could let us know some more detail on the problems your have experienced, and also what we can do to find a way forward so that we can continue to use the pavement without causing any nuisance to our neighbours. Perhaps we can arrange a call to discuss? If so please advise when would be a good time for you.

Yours sincerely,

Tim Whelehan
Director
Sub 13 Ltd

M: [REDACTED]
T: [REDACTED]
E: [REDACTED]

www.sub13.net

ANNEX D

Dear Mr Whelehan,

Thank you for your email.

With all due respect to your team the pavement outside our shop is not cleaned nor scrubbed as you suggest. You were made aware of the situation the last time that you applied for the licence and we were assured in a similar fashion that the pavement would be kept clean. To date this has not occurred on a single occasion. I have attached photographic evidence which confirms what I am saying.

It is not our job to chase your team or yourself to keep the pavement clean which was a requirement of the licence. Furthermore although our shop is closed we require 24 hour access for our mailbox holders. We have had many complaints from our clients saying they face obstructions whilst entering and leaving the premises. We have also lost clients for the very same reason.

We have a continued problem of your clientele using our doorway as a public toilet and on numerous occasions we have had to clear up vomit from our entrance.

As far as we are concerned there is nothing to discuss and we will object in the strongest terms against tables and chairs being permitted outside our premises. What you do outside your premises is your concern but I would like to draw it to your attention that the footpath is a public space and therefore should be kept in a clean manner as everyone uses it.

Yours sincerely,

Pervez Ahmad
Director
Mailboxes Etc.

IL BOXES ETC.

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post & parcels from here

we design, print & copy fast

post & parcels from here





add your post & parcels from here

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print & copy
fast

we design
print & copy
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LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
PART VIIA HIGHWAYS ACT 1980
PERMISSION TO PLACE AMENITIES ON THE HIGHWAY

CONDITIONS

- 1 The holder(s) of this Permission shall not exercise privileges granted by this Permission otherwise than strictly in accordance with this Permission.
- 2 The holder(s) shall produce this Permission on demand when so required by a Police Officer or a duly authorised Officer of the Bath & North East Somerset Council.
- 3 The holder(s) shall return this Permission to the Service Manager immediately on revocation of this Permission.
- 4 The holder(s) shall not cause any unnecessary obstruction of the highways or danger to persons using it and shall not permit persons to gather so as to cause a nuisance or annoyance or danger to any persons lawfully using the highway.
- 5 The holder(s) shall not use or suffer or permit any music playing music reproduction or sound amplification apparatus or any musical instruments, radio or television receiving sets whilst exercising privileges granted by this Permission.
- 6 The holder(s) shall not make any excavations or indentations of any description whatsoever in the surface of the highway or place or fix any equipment of any description in the said surface.
- 7 The holder(s) shall not use the highway for any other purpose whatsoever nor at any time other than during the permitted hours, other than lawfully passing or re-passing thereover as (a) member(s) or the public.
- 8 The holder(s) shall not place on the highway any furniture or equipment or advertisement other than as permitted by the Council and must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance to or exit from any premises.
- 9 Notwithstanding the specific requirement in Condition 5 above the holder(s) shall not do or suffer anything to be done in or on the highway which in the opinion of the Bath & North East Somerset Council may be or become a danger, nuisance or annoyance to or cause damage or inconvenience to the said Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.
- 10 The holder(s) shall not assign, underlet or part with any interest or possession given by this Permission or any part thereof but the holder(s) may surrender it at any time.
- 11 The holder(s) shall observe and comply with any directions in relation to the use of the highway given by the Service Manager, or the Head of Engineering Services for the time being of the Bath & North East Somerset Council. Examples include the temporary removal of amenities during road closures, parades etc.
- 12 The holder(s) shall maintain the area shown on the plan attached to this Permission and edged in red, and the immediately adjacent area, in a clean and tidy condition during the permitted hours and shall leave the same in a clean and tidy condition and unobstructed, which shall include washing down the area, at the end of each daily period of use and on revocation or surrender of this Permission.

ANNEX E

- 13 The holder(s) shall provide litter bins or similar receptacles for the deposit of cartons, wrappers, containers and similar discarded items if required by the Head of Engineering Services and ensure that the same are emptied daily.
- 14 The holder(s) shall remove all furniture or equipment, litter bins or other articles placed on the highway in accordance with this Permission at the expiry, surrender or revocation of the Permission.
- 15 The holder(s) shall indemnify and save harmless the Bath & North East Somerset Council their agents, servants and workmen from and against all proceedings, claims, damages, costs or expenses in respect of any injury (including personal injury) in damage or loss which may be sustained by the Council or any person or persons, body or company whatever arising out of or in any way connected with the provision or use of facilities under this Permission, accept where such injury, damage or loss is attributable to the negligence of the Council.
- 16 This Permission may be revoked by the Bath & North East Somerset Council at any time and the Bath & North East Somerset Council shall not in any circumstances whatsoever be liable to pay any compensation to the holder(s) in respect of such revocation.
- 17 Nothing herein contained shall be construed as the granting or purported granting by the council of any tenancy under the Landlord and Tenant Act 1954 or any permission under the Town and Country Planning Act 1971 or any statutory modification or re-enactment thereof for the time being in force.
- 18 The holder shall, whilst members of the public are using the facilities provided for the consumption of intoxicating liquor, provide and maintain in a prominent position, to the satisfaction of the Service Manager, Notices in the form approved by them concerning the provisions of the Public Space Protection Order made by Bath & North East Somerset Council on 20 October 2017 relating to the consumption of intoxicating liquor in public places.

Notes:

- 1 Section 115K of the Highways Act 1980 provides as follows:
 - (1) If it appears to a council that a person to whom they have granted a permission under section 115E of this Act has committed any breach of the terms of that permission, they may serve a notice on him requiring him to take such steps to remedy the breach as are specified in the notice within such time as is so specified.
 - (2) If a person on whom a notice is served under sub-section (1) of this Act fails to comply with the notice, the council may take the steps themselves.
 - (3) Where a council have incurred expenses in the exercise of the power conferred on them by sub-section (2) of this Act, those expenses, together with interest at such reasonable rate as the council may determine from the date of service of a notice of demand for the expenses, may be recovered by the council from the person on whom the notice under sub-section (1) of this Act was served.
- 2 Failure to comply with any Condition of the Permission will require the Council to consider whether any subsequent Permissions should be granted to the holder(s) of this Permission.

TABLES AND CHAIRS PERMIT GUIDANCE NOTES

Summary

To place tables, chairs or other temporary furniture on the pavement (where the pavement concerned is part of the public highway) you require permission from your local authority. This is to ensure that adequate space is available for the safe and free movement of all highway users, and that consideration is given to the location of the amenity in terms of possible noise disturbance for local residents and nearby shops and offices.

Fees

Application Fee:	£102
Maintenance Fee:	£ 31
Transfer Fee:	£ 68

Renewals

There is no renewal process; a new permit will need to be applied for on expiry of the previous permit.

Validity

Unless a shorter period is specifically stated, all permits will be granted for a maximum of one year from 1 May to 30 April.

Eligibility Criteria

The Licensing Authority does not consider any planning permissions in issuing these permits as Licensing and Planning are two separate regimes.

To place the tables and chairs legally on the highway, you should have both these permissions in place. Further information about planning permissions can be found at:

<https://beta.bathnes.gov.uk/apply-planning-permission>.

Application

Applications must be in writing (including by electronic means) and must include:

- Applicant's name and address.
- Trading name and address of the premises for which permission is required.
- Contact email address.
- Contact phone number.
- Details of the items required (number of tables or other items you wish to use e.g. planters, boundary markers etc.).

Continued ...

TABLES AND CHAIRS PERMIT GUIDANCE NOTES

... application requirements continued

- Size/dimensions of the area on which you wish to place the items.
- Specific part of the premises you intend to place the items e.g. front of premises, side of building etc.
- Days and times each day you wish to place the items on the highway.
- Planning permission reference number.
- Reference number of any licence you hold that permits you to sell alcohol from the premises.
- Details of adjoining premises (the Council has to notify any "affected frontagers" of the application).
- An illustration or photo of the type, colour and dimensions of the furniture.
- A site plan, to scale, indicating the dimensions of the area of highway to be used.
- A copy of your Public Liability Insurance.
- Receipt number for payment of your fee (details of how to pay are available at <https://www.bathnes.gov.uk/services/business/licences/make-payment>).

We cannot process your application without the above information.

An online application form is available at
<https://www.bathnes.gov.uk/form/tables-and-chairs-application>.

Consultation

On receipt of a valid application we will consult with:

- Development Control/Planning
- Highways Department
- Property Services
- Police
- Local Ward Councillor(s)
- Adjacent Premises/Affected Frontagers
- A public notice will also be placed on the highway for a period of 28 days.

Objections

Anyone wishing to make an objection to an application must give written notice of their objection to licensing@bathnes.gov.uk, stating the grounds of the objection, within 28 days of the date of the application.

Evaluation

We must allow 28 days for objections to be made. If any objections are received, the application will be referred to the Council's Licensing Committee for determination. There is no statutory period for determining applications; however, we aim to determine applications within 90 days.

TABLES AND CHAIRS PERMIT GUIDANCE NOTES

Conditions

Permits are subject to a set of standard conditions. The Council may also add conditions specific to your establishment if it considers it necessary.

Tacit Consent

Tacit consent applies. This means that you will be able to act as though your application is granted if you have not heard from the local authority by the end of the 90 day target completion period.

Right of Appeal

Please contact licensing@bathnes.gov.uk in the first instance. An appointed arbitrator will determine if consent has been unreasonably withheld, and will adjudicate if there is disagreement as to conditions attached.

Customer Complaints

If you have a complaint about a trader, we would advise you first to contact the trader – preferably by letter with proof of delivery. If that is unsuccessful and you are in the UK, the Citizens Advice Bureau at <https://www.citizensadvice.org.uk/> will assist you. If you are outside of the UK, contact the UK European Consumer Centre at <http://www.ukecc.net/>.

If you believe a premises is placing furniture on the highway without permission, please contact licensing@bathnes.gov.uk.

If you wish to sell alcohol you will need to apply for a Premises Licence under the Licensing Act 2003. Please contact licensing@bathnes.gov.uk for further guidance.

Relevant Legislation

- Part VIIA Highways Act 1980
<http://www.legislation.gov.uk/ukpga/1980/66/part/VIIA>
- Local Government (Miscellaneous Provisions) Act 1982
<http://www.legislation.gov.uk/ukpga/1982/30>

Further Information

For details of premises with permission to place furniture on the highway, please visit our Licensing Database website at <https://www.bathnes.gov.uk/webforms/licensing/>.