

Report to	Regulatory sub-committee 12 November 2018	Item
Report of	Head of citywide services	3
Subject	Highways Act 1980: application for licence to place tables and chairs on the highway - Ribs of Beef, 24 Wensum Street Norwich NR3 1HY	

Purpose

To ask members to consider an application to place tables and chairs on the highway.

Recommendation

That members determine the application to place tables and chairs on the highway submitted in respect of Ribs of Beef, 24 Wensum Street Norwich NR3 1HY.

Corporate and service priorities

The report helps to meet the corporate priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function. The provision of outdoor refreshment facilities can enhance the character and vitality of an area and contribute to Norwich as a vibrant city of culture.

Financial implications

None.

Ward/s: Thorpe Hamlet

Cabinet member: : Councillor Macguire - Safe city environment

Contact officers

Tony Shearman, environmental protection, licensing and markets manager 01603 212278

Background documents

None

Report

Background

1. Section 115E of the Highways Act 1980 (The Act) provides for a council to grant a person permission to use objects or structures on certain categories of highway for a purpose which will result in the production of income.
2. The Act also provides for a council to attach such conditions as they think fit to a permission granted under Section 115E. The council has adopted standard conditions in respect of permissions to use objects or structures on the highway and these are attached as appendix A to the report.
3. The Act gives councils a wide discretion to determine such applications and to impose conditions. Each case must be considered on its own merits with due weight being given to relevant considerations only. Existing policies or guidelines should not be applied so rigidly that an exercise of discretion in each individual case is precluded. Accordingly, the adopted standard conditions could be added to or amended depending on the circumstances of each individual application.

The application

4. An application has been submitted in respect of Ribs of Beef, 24 Wensum Street Norwich NR3 1HY seeking to place 6 tables and 12 chairs on the highway between the hours of 12:00 (midday) and 00:00 (midnight) Monday to Sunday.
5. A copy of the application, accompanying photographs and location plans are attached at appendix B to the report.

Consultation

6. In accordance with The Act, appropriate notices have been placed on the street. Notification of the application has also been given to Chatterbox (the talking newspaper for the visually impaired) and the Norwich Access Group.
7. Details of the application have also been forwarded to the Norfolk Constabulary, Norfolk Fire Service and the City Council's Planning, Transportation and Landscape, Health and Safety and Pollution Control sections for comment.

Comments / objections / support

8. Representations have been received in respect of the application from the following and are attached at appendix C to the report:
 - Kieran Yates – Transport Planner for Norwich City Council
 - Michelle Bartram – Norfolk Constabulary (applicant has agreed to their reduction in hours)
 - Doris Pashley – Norwich Access
 - Norfolk Fire & Rescue Service
 - Sarah Wright – Local Resident

- Ian Gallagher – Local Resident
- Virginia Vacy-Ash – Local Resident
- Moire Lennox & Rob Murphy – Local Residents

Tables and Chairs Licence – Standard Conditions

- 1 The Council's reasonable expenses in connection with the granting of this permission shall have been paid and the annual fee starting with the date of this permission shall have been paid before the permission is first exercised.
- 2 The Licensee shall indemnify the Council against any claim whatsoever, in respect of injury, damage or loss arising out of the grant of this permission other than injury, damage or loss which is attributable to the negligence of the Council.
- 3 The objects or structures shall be placed only on the licensed area and on no other part of the public highway.
- 4 The objects or structures shall be used only for the purposes stated above and only in connection with the premises.
- 5 The objects or structures shall be removed from the public highway forthwith upon the direction of a Police Constable in uniform or a Traffic Warden.
- 6 The objects or structures shall be removed from the public highway forthwith to enable the passage of any emergency service vehicles or any vehicle engaged on the repair or maintenance of the public highway or apparatus within the public highway or any other vehicle authorised by the Council to proceed on the public highway.
- 7 Permission for the tables and chairs is granted from **(time of day/month of year) to (time of day/month of year)** (subject to earlier termination under clause 13).
- 8 No amplified music or live music shall take place on the licensed area.
- 9 The tables and chairs, the subject of this Licence, shall be removed from the licensed area each day outside of the licence period.
- 10 The Licensee shall ensure that the licensed area is mainly enclosed by a barrier that is in keeping with the visual appearance of the area, not less than 800mm high and with no more than 150mm between the base rail and the ground, or other design as previously agreed in writing by the Council. Neither the barrier nor other furniture should carry strident advertising that goes beyond the purpose of discreetly identifying that the pavement cafe is associated with a particular business.
- 11 The Licensee undertakes to ensure that the licensed area is closely monitored and kept clean and tidy at all times.

- 12 No alteration to the highway surface shall be permitted to be carried out by the Licensee in implementing this Licence
- 13 The Council may, by service of a notice in writing on the Licensee or owner of the premises, withdraw the Licence forthwith:-
 - (a) in an emergency or in the event that the Council considers the exercise of the Licence causes a substantial and unreasonable obstruction of the right of the public to pass or re-pass on the public highway,
 - (b) if any condition of this permission is broken,
 - (c) if the Council considers it to be necessary in connection with the exercise of any of its functions or the functions of any statutory undertaker or public utility,
 - (d) for any other reasonable cause.
- 14 The Licensee shall inform the Council's Head of Citywide Services in writing of any change in the owner or occupier of the premises within one month of that change.
- 15 This permission is for tables and chairs and barriers only. No other items, for example space heaters, are permitted by this licence.



Norwich
Application for a permit to place tables and chairs
on the pavement or road
Highways Act 1980, Section 115B /115E

For help contact
licensingapplications@norwich.gov.uk
 Telephone: 0344 980 3333

* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

RIBS OF BEEF

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

R

* Family name

CAWDRON

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is the applicant's business registered in the UK with Companies House?

☐ Yes

☒ No

* Is the applicant's business registered outside the UK?

☐ Yes

☒ No

* Business name

R&A CAWDRON T/A RIBS OF BEEF PUBLIC HOUSE

If the applicant's business is registered, use its registered name.

* VAT number

-

283 589608

Put "none" if the applicant is not registered for VAT.



Continued from previous page...

* Legal status

* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ An agent that is a business or organisation, including a sole trader

☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

* Is your business registered in the UK with Companies House? ☐ Yes ☒ No

* Is your business registered outside the UK? ☐ Yes ☒ No

* Business name

If your business is registered, use its registered name.

* VAT number

Put "none" if you are not registered for VAT.

Continued from previous page...

* Legal status

* Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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TYPE OF APPLICATION

Type of application : ☒ New ☐ Renewal

Section 3 of 9

PREMISES FOR WHICH PERMISSION IS REQUIRED

* Name of premises/
trading name

Premises Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

* Main telephone number

Other telephone number

Further Details

* Type of business (e.g. pub, restaurant, café)

PUBLIC HOUSE

Section 4 of 9

OWNERSHIP OF THE PREMISES

* In what capacity do you occupy the premises?

☒ Freehold

☐ Leasehold

☐ Tenant

☐ Other

Section 5 of 9

OCCUPATION OF THE PAVEMENT / FOOTWAY

* Describe the area where you wish to place tables and chairs (a detailed plan must be attached with your application)

AS PER ATTACHED PLAN, SIX TABLES AND 12 CHAIRS ALONG FYE BRIDGE WHICH IS DIRECTLY ADJACENT THE PUBLIC HOUSE, LEADING UP TO THE VIEWING PLATFORM ON THE BRIDGE, BUT NOT ENCROACHING ON THE PLATFORM.

Give the dimensions of the area you wish to occupy in metres

* Length

12M

* Width

1.5M

* Give the total width of the pavement or footway at this location

4.48M AT NARROW TO 5.38M MAXIMUM

OPENING TIMES

State the days and times you propose to place tables and chairs on the pavement

* Day or days

MONDAY-SUNDAY

* From

12 MIDDAY

* To

12 MIDNIGHT

Continued from previous page...

Add another day

* Do you plan to place tables and chairs on the pavement all year round?

☒ Yes

☐ No

Section 6 of 9

DETAILS OF FURNITURE

Provide details of all the furniture and other equipment you propose to place on the pavement. Check for local guidance notes and conditions - your responses may have to provide very specific information and you may be required to attach drawings or photographs with your application

Tables

* Number

6

* Description (e.g. dimensions, type, material, colour supplier/technical details, as appropriate)

60CM X 60CM METAL FOLDING TABLES

Chairs

* Number

12

* Description (e.g. dimensions, type, material, colour supplier/technical details, as appropriate)

METAL FOLDING CHAIRS SEAT HEIGHT 40CM MAXIMUM HEIGHT 68CM

Litter Bins

Number

0

Parasols/Umbrellas

Number

0

Planters

Number

0

Space Heaters

Number

0

Lighting

Number

0

Barriers/Balustrades

Number

0

Other furniture or equipment

Description (e.g. dimensions, type, material, colour supplier/technical details, as appropriate)

Continued from previous page...

Further Details

* Where will these items be stored when not in use?

WITHIN THE PREMISES

* Arrangements for clearing and cleaning the pavement at the end of the day

THE PAVEMENT WILL BE SWEEPED DAILY AND TABLES CHAIRS REMOVED TO STORAGE BY DUTY MANAGER OR STAFF

Section 7 of 9

PUBLIC LIABILITY INSURANCE

You must have a suitable level of public liability insurance to cover this activity – check local requirements.

* Do you have public liability insurance?

☒ Yes

☐ No

Provide details of the policy

* Insurance company

QIC EUROPE LTD

* Policy number

B01424150010

* Period of cover

01/11/17 TO 31/10/18

* Amount of cover (£m)

5

Section 8 of 9

ADDITIONAL DETAILS

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

THE EXISTING A BOARD WILL PROVIDE A NATURAL BARRIER AT ONE END AND POSTS AND ADVERTISING BANNER WILL SCREEN OFF EACH INDIVIDUAL TABLE FROM PEDESTRIANS BUT ALLOW GAPS FOR PATRONS TO ACCESS THE TABLES. AS PER ATTACHED PLAN.

Section 9 of 9

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £601

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I am aware of the provisions of The Highways Act 1980. The details contained in the application form and any attached documentation are correct to the best of my knowledge and belief.

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

[Add another signatory](#)

Once you're finished you need to do the following:

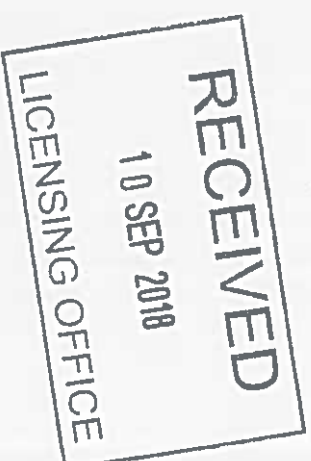
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/ability-to-place-tables-and-chairs-in-the-road/norwich/apply-1> to upload this file and continue with your application.

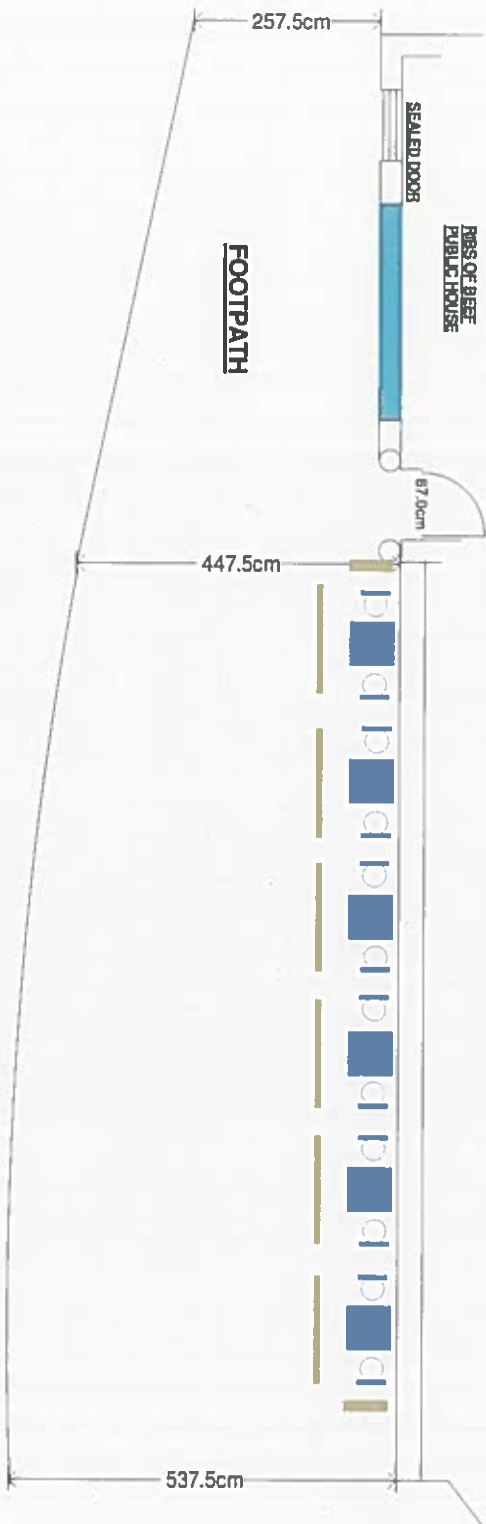
Don't forget to make sure you have all your supporting documentation to hand.



RIBS OF BEEF PUBLIC HOUSE

PROPOSED TABLES AND CHAIRS ALONG FIVE BRIDGE





SCALE 1: 100

RECEIVED
10 SEP 2018
LICENSING OFFICE

H.M. LAND REGISTRY			TITLE NUMBER	
			NK 17976	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECTION
	NORFOLK		TG2308	A
Scale: 1/1250			Crown Copyright 1969.	



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RECEIVED
12 SEP 2018
LICENSING OFFICE





RECEIVED
12 SEP 2018
LICENSING OFFICE



RECEIVED
12 SEP 2010
LICENSING OFFICE

Fuller, Maxine

From: Yates, Kieran
Sent: 17 September 2018 12:34
To: LICENSING
Subject: Ribs of Beef - revised tables and chairs application

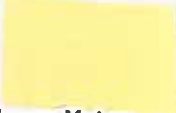
Licensing

I have no objection on highway grounds with regard to the proposed revised layout of tables and chairs for the Ribs of Beef across the bridge.

There would not be any negative effects for pedestrians or users of the bridge.

There is ample room for pedestrians to pass by, and the viewing platform for the bridge is left unobstructed.

regards



Kieran Yates
Transport Planner
kieran.yates@norwich.gov.uk
01603 212471
0344 980 3333

Norwich City Council
Transportation
City Hall, Norwich, NR2 1NH

Fuller, Maxine

From: Bartram, Michelle <bartramm@norfolk.pnn.police.uk>
Sent: 09 October 2018 15:26
To: LICENSING
Cc: Woods, Suzanne; Divey, Richard
Subject: tables & Chairs - Ribs of Beef

Hello Licensing

Police have received the copy of the application for Ribs of Beef, Norwich to permit tables and chairs along the bridge until midnight.

I have spoken to the venue and am aware the area is covered by CCTV and that staff intend to closely manage it however I would like to request that the cease time for the table and chairs to be at 2300 hrs daily.

With this amendment there are no objections

Regards

Michelle Bartram

Licensing Officer

Licensing

Norfolk Constabulary

Bethel Street Police Station

Norwich, Norfolk, NR2 1NN

Tel: 01603-276020 Fax: 01603-276025

Follow us @nfklicensing



It takes 24 trees to produce 1 ton of office paper!

Think... is it really necessary to print this email?

This e-mail carries a disclaimer

Fuller, Maxine

From: Philip Sneddon
Sent: 11 October 2018 16:36
To: Fuller, Maxine
Subject: Re: Table & Chairs App - Ribs of Beef

Hello Maxine,

Thank you for your email.

We have no objections with the reduction in hours as suggested by the Police.

I await further information.

Many thanks for your help.

Kind regards

PHILIP SNEDDON
PLANNING & PROPERTY CONSULTANT
TEL: [REDACTED]

Fuller, Maxine

From: Doris Pashley <[REDACTED]>
Sent: 28 September 2018 17:27
To: LICENSING
Cc: georgesaunders@btinternet.com
Subject: Ribs of beef, 24 Wensum Street, Norwich.

Dear Tony Shearman

These premises are situated on a wide pavement opposite Norwich Cathedral leading on to an old part of Norwich City which is mainly a bus and pedestrian through area, there is a wide pavement alongside the building with a large parking area behind the premises with more tables and chairs.

I see no reason why these plans cannot be accepted I trust this is all the information you require

Doris Pashley
Norwich ACcess

Sent from my iPad

Mr Tony Shearman
Public Protection (Licensing)
Citywide Services
Norwich City Council
City Hall
St Peters Street
Norwich NR2 1NH

Please ask for: Kerry Larcombe
Direct Dial: 0300 123 1418
Email: kerry.larcombe@fire.norfolk.gov.uk
My Ref: 00011391
Your Ref:

19 September 2018

Dear Sir

The Regulatory Reform (Fire Safety) Order 2005

Premises: The Ribs of Beef, 24 Wensum Street, Norwich, NR3 1HY

I acknowledge receipt of the application for the above premises.

The authority has no objection to the placement of the tables and chairs in this location.

Should you require any further assistance please do not hesitate to contact me on the number shown above.

Yours faithfully



Kerry Larcombe
Authorised Fire Safety Inspecting Officer
And on behalf of the Norfolk Fire and Rescue Authority



NORWICH
City Council

RECEIVED

- 8 OCT 2018

LICENSING OFFICE

Norwich City Council Licensing Authority Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	Sarah Wright
Postal address	14 St Edmunds Wharf NR3 1GU
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	Ribs of Beef
Address of the premises you wish to support or object to	24 Wensum Street, NR3 1HY

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	
Public safety	The area proposed for the tables and chairs is far too narrow to allow pedestrians to pass and will endanger pedestrians trying to pass. It will not be possible for wheelchair users or people with pushchairs to pass and it will push people onto the road. There is already congestion on that corner with buses passing and coming exceedingly close to the pavement. By adding the tables and chairs it will encourage people to congregate which will create even more of a danger on a busy, narrow pavement.
To prevent public nuisance	People already congregate on this narrow part of the pavement - having tables and chairs will encourage this even more, which will create a nuisance to pedestrians passing by, but also encourage even more noise at the front of the pub which carries down the river and can often cause a disturbance to local residents.
To protect children from harm	The pathway will be far too narrow and with the public congregating on this pavement it will make it exceedingly dangerous for children to pass by safely.
Please suggest any conditions which would alleviate your concerns.	None - there is already seating at the back of the pub and on the terrace by the river - there is absolutely no requirement for further seating at the front of the pub



NORWICH
City Council

Norwich City Council Licensing Authority Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	Ian Gallagher
Postal address	148 Southwell Road, Norwich, Norfolk. NR1 3RP
Email address	
Contact telephone number	

Name of the premises you wish to support or object to	Ribs Of Beef Public House
Address of the premises you wish to support or object to	24 Wensum Street, Norwich NR3

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	I object to the application for placement of chairs on Fye Bridge on the grounds that the area is not directly in front of the premises and not clearly visible from the premises therefore the license holder and representatives will not be able to adequately monitor the area. The premises already has outdoor seating for 37 persons (chairs counted Friday 5 th October 2018) across the two existing and separate outside areas of the waters edge pontoon and area at rear of premises on riverside walk.
Public safety	I object to the application on grounds of exposure to vehicle emission pollution to those persons sitting in the area. Wensum street is a two way highway connecting the city to Magdalen street and areas beyond and a significant bus route. Has applicant carried out risk assessment for employees and customers exposure to vehicle related particulate pollution (PM10) levels? This is not London Street or The Walk!
To prevent public nuisance	I object on same grounds as mentioned about the area not being directly in front of the premises. There may be a risk of conflict between customers of the premises and persons wishing to enjoy the amenity of the views of the river from the bridge
To protect children from harm	

Please suggest any conditions which would alleviate your concerns.	
--	--

Signed: _____, Date: 6th October 2018

Please see notes below

Fuller, Maxine

From: Virginia Vacy-Ash
Sent: 05 October 2018 21:08
To: LICENSING
Subject: RIBS OF BEEF LICENCE APPLICATION.

Norwich City Council Licensing Authority Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent (see note 1)	Mrs V. Vacy-Ash
Postal address	5 Quayside nr3 1rq
Email address	
Contact telephone number	
Name of the premises you wish to support or object to	Ribs of Beef
Address of the premises you wish to support or object to	24 Wensum street

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	<i>Please set out your support or objections below. Please use separate sheets if necessary</i>
To prevent crime and disorder	Already there is significant anti-social behaviour in Wensum Street and Quayside from people spilling out from the pubs. People from the pubs and off-licence already wander over into Quayside, a non-alcohol zone. Midnight is too late for resident's trying to get to sleep. The Glass House, (Wetherspoons) closes its beer garden at 10 pm out of courtesy to the residents. Opposite the Ribs of Beef is a purely residential area to whom the council also owe a duty of care.
Public safety	There is not enough room for pedestrians to pass easily and certainly prams or mobility scooters or anything else will not be able to pass. The double deckers buses are often pressed up against the kerb here when they are passing traffic on the other side of the road. and therefore it is a particularly dangerous spot.
To prevent public nuisance	The pavement designated is a narrow part of Wensum street. One night last Summer they put tables and chairs out and as well as the people sitting at the tables there were people standing around the tables also blocking the pavement and spilling onto the road.
To protect children from harm	Prams and children will be forced to go onto the road to pass by. Using the opposite pavement does not help as there is a shop exit and the vehicle and pedestrian road entrance to Quayside and would anyway involve them crossing a busy road to do so.

Please suggest any conditions which would alleviate your concerns.	There is no way the dangers can be diminished, there simply is not enough pavement and it is right on top of a busy road with a large number of buses, delivery lorries and other vehicles passing. This pub already has tables and chairs at the back which impede a public passage.
---	--

Signed: Virginia Vacy-Ash

Date: 5 October 2018

Fuller, Maxine

From: Moire Lennox [REDACTED]
Sent: 02 October 2018 17:16
To: LICENSING
Subject: Ribs of beef

I believe it is unsafe to site tables at this location; further along on Fye Bridge would be better (wider pavement). Just now saw student from Jane Austen cycle on pavement over this spot and he would have to pull onto the road to avoid tables. Buses also pass here (person went under one at this location). Police car also crashed into this location. Second comment is not to permit patrons outside beyond 10pm as the Glasshouse garden is obliged to do in order to maintain peace for the residents here.

Regards,

Moire Lennox & Rob Murphy
6 Quayside