

Application No:	Consultees Name:	Received:	Comment:	Response:
2021/4066/PVL	Jessica Skippon	27/08/2021 21:40:53	COMMNT	<p>I live on the corner of Endell Street and Shelton Street and use a mobility scooter for trips within 8km. Almost daily I travel the triangle of Shelton Street, Monmouth Street, Earlham Street, which is quite challenging. The cobbles on Earlham Street make it necessary to use the pavement instead of the roadway, but the obstacles of tables and chairs, people queueing, building materials and rubbish make it all very difficult.</p> <p>Can you not take a holistic view of the placement of tables and chairs and put in place a unified design, replacing the ad hoc bits that have been approved over the past few months.</p> <p>But please, leave enough space on the footpath for pedestrians, scooters and wheelchairs to pass through.</p>
2021/4066/PVL	Amanda Rigby	27/08/2021 12:49:56	OBJ	<p>Please can this cafe use the tables and chairs already in the street outside their shop instead? There are plenty there without adding more on the footway. This would leave the already narrow pavement free for people like me and my family to use. We live nearby and need to pass by there every day. Its already difficult to get through when it's busy.</p> <p>If you will not ask them to do this, and you want to allow even more eating and drinking on this narrow pavement near loads of flats, please can they not use the benches that they have in their plan but use stools that face the table instead?</p> <p>The shop was previously a cafe called Canela and they had tiny tables with stools that faced them so they left just enough room to get past. The problem with benches is that you have to consider how much room people's legs take up, not just the benches alone. My mother is in a wheelchair and when we try to get past people on benches in other places it's exhausting. You have to ask person after person to move their feet. Sometimes people have to move pushchairs out of the way or even other wheelchairs! It makes a simple journey down a pavement turn into a tiring and stressful experience. The council's rules say that there needs to be at least 1.8 metres left clear, and this needs to be after people's legs are taken into account or it's not clear at all.</p> <p>Thank you.</p>
2021/4066/PVL	Eric Stuart	27/08/2021 15:11:56	OBJ	<p>Given the multiple applications and two sets of plans in the latest application put in by the applicant, I am not entirely certain what is contemplated but am assuming it is the table and two benches on the pavement and not tables and chairs in Earlham Street itself. My only concern with the application is that the pavement on Earlham Street is narrow, and with tables and chairs in Earlham Street itself, whether the applicant's of those of other premises, during the period where the Streateries are open, there might not be adequate space for pedestrians to walk down Earlham Street if the occupants of the benches and tables take up too much space on the pavement as they are sitting perpendicular to the pavement and the street. As possible solutions, either (1) the new tenants of the space, White Pine Forest, could, instead of the pavement itself, take some of the area of the street already granted a Streatory licence outside their premises (some of which is being used by Escapologist and some of which is not allocated to any particular premises) or (2) if the pavement itself is to be used, the configuration of the tables and chairs could be changed to look like it was for the previous tenant, Canela, where customers sat two at a table and only one chair deep parallel to the pavement and the street.</p>

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2021/4066/PVL	Covent Garden Community Association (Elizabeth Bax, Chair of Planning Subcommittee)	27/08/2021 23:07:58	OBJ	<p>As the amenity society for the area, Covent Garden Community Association (CGCA) objects to this application. However, if a small but important change were made in the interests of safety and legal compliance, as suggested via two possible options below, we would withdraw our objection.</p> <p>CONTEXT</p> <p>Number 33 Earlham Street is located within the Thomas Neal warehouse block. It has doors opening onto:</p> <ul style="list-style-type: none"> - Earlham Street, where the pavement is 2.2 metres wide at its widest point, - Shorts Gardens, where the pavement is less than 1.8 metres wide. <p>It should be noted that the plan does not show the post on the Earlham Street pavement, on the East side of the premises frontage - where it reduces the pavement width to 1.8 metres.</p> <p>There are pavement / tables & chairs licences in place all along the street immediately outside the White Pine Forest premises. There are a total of 90 covers, split between Seven Dials Market, The Escapologist and seating for anyone's use. The licences expire on 30/09/21 with references: 2020/4060/PVL (30 covers), 2021/2276/PVL (24 covers) and 2021/2310/TC (36 covers). The licences are all held by the same landlord, Shaftesbury plc.</p> <p>At the time when these licences were granted, earlier this year, the applicant's premises at 33 Earlham Street were vacant.</p> <p>PROBLEM WITH THIS APPLICATION</p> <p>The pavement is narrow, with only 2.2 metres width in most places and 1.8 metres near the post. On one side is the building line, and on the kerb side there are barriers and tables with seating in the street.</p> <p>It is already difficult for pedestrians to get along Earlham Street. The area is a busy hub for visitors, so pavements are crowded and really far need more width than the 1.8 metre minimum clear space. Staff from the licensed premises are also constantly crossing the pavement between the buildings and their furniture on the street. It is particularly challenging for disabled users, including those with walking sticks and in wheelchairs.</p> <p>The application includes 2 benches intended to be used so that customers lean against the building and place their feet on the pavement, facing the street. The benches occupy at least 40cm of the pavement, leaving only 1.8 metres of pavement clear at its widest point even when nobody is sitting on the benches. When people sit on benches in this position there will be far less than 1.8 metres clear pavement width left, which will be unsafe and / or stressful for different types of footway user.</p> <p>The Business & Planning Act 2020 sets out in Section 3 (points 6 and 7) that a Pavement Licence cannot obstruct the use of the highway (which includes the pavement) and that in determining this the local authority has to take account of the needs of disabled people and guidance issued by the Secretary of State.</p>

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Camden's Standard Pavement Licensing Conditions state, at condition 2: "A minimum clear footway width of 2 metres is to be provided at all times for through pedestrian movement".

This does not refer just to furniture. A minimum of 2 metres of footway is to be provided at all times. This includes when people are using the furniture. It is important that the layout of the furniture is such that, when it is in use, the 2 metres of clear footway required by the Business & Planning Act 2020 and by Camden's Pavement Licensing Conditions continues to be available.

POSSIBLE OPTIONS

1. Use the existing tables & chairs on the street.

There is ample seating (for 90 people) available under the licences issued to Shaftesbury plc, for some of their seating to be allocated to their tenant, White Pine Forest at 33 Earlham Street ,prior to expiry on 30/09/21. After this date a new pavement licence can include 33 Earlham Street.

2. Alter the plan for furniture.

This is a less preferable option, because it leaves so little space on the pavement. But in 2015-16 we at CGCA worked with the then tenant of this unit, Canela, to come up with a solution that just allowed 1.8 metres of clear width for pedestrians. This is the last consented plan for the premises, ref. 2016/4012/TC.

Were the applicant to replace his benches with the seating arrangement consented under that plan it would be acceptable - because the seats face along the line of the street, not out towards the street, so customers' legs and feet do not obstruct the pavement.

However, in this case the applicant would need to re-apply for a Tables & Chairs licence because, as shown above, 2 metres is required under the Pavement Licensing regime.
