

Sefton Council

Design Criteria for Open Air Cafés



CONTENTS

1.0	INTRODUCTION	3
2.0	SIZE AND LAYOUT.....	3
3.0	MEANS OF ENCLOSURE.....	3
4.0	FURNITURE.....	4
5.0	ENVIRONMENTAL IMPLICATIONS	4
6.0	OTHER REQUIREMENTS.....	4
7.0	PLANNING APPLICATION	4
8.0	HIGHWAY AMENITIES.....	5
9.0	SAFETY.....	5
10.0	FURTHER CONTACTS.....	5

1.0 INTRODUCTION

- 1.1 This guide is intended to allow for the provision of Open Air Cafés without causing detrimental effect to the needs of other street users. It is also intended to ensure a high quality of design, thus enhancing the local environment.
- 1.2 It will be necessary to obtain planning consent, along with an amenities licence from the Highway Authority. All costs have been identified in the body of this document.
- 1.3 Any intention to serve alcoholic beverages in the open-air café will be subject to a separate application to the licensing justices for approval.
- 1.4 The business operating the open-air café must provide documentary evidence of public liability insurance of £2,000,000 pertaining to the open-air café area.

2.0 SIZE AND LAYOUT

- 2.1 This will be dependent on factors such as available space, type of premises and street furniture. Needs of other street users should be taken into account.

Although these criteria will be determined by the planning authority in liaison with the Highway Authority, it should be noted that the following key principles will apply in every case:-
- 2.2 A clear pedestrian route may be required for those walking past the premises. This will be adjacent to the building line (or under the veranda if on Lord Street, Southport) to ensure that most pedestrians (and particularly those with visual impairments) can maintain their regular route. This will be the full width of the footway and a minimum width of 3 metres. The seating area must not obstruct emergency exits from adjacent buildings.
- 2.3 A minimum of 1.8 metres free of obstructions shall be left between the boundary enclosure of the seating area and the line of street furniture adjacent to the kerb edge, or the kerb edge. Further guidance will be given to the applicant where proposals refer to pedestrianised areas.
- 2.4 The layout of the tables, seats, access points and enclosure will have to be approved. It is essential that the layout of these areas do not provide any obstruction or inconvenience to those customers with disabilities and particularly that adequate space is left between tables for wheelchair access.
- 2.5 Waiter/Waitress service to the open-air café should cease at 9.30 p.m. and the open-air café must close at 10.00 p.m. at the latest. Thereafter all items pertaining to the open air café must be removed from the highway as soon as possible and stored inside the private premises each night.
- 2.6 The approved open-air café area will be permanently marked out with metal plates or markers set into the pavement. It is important that no permanent obstructions such as bollards or markers that may cause a trip, be left in the pavement outside the approved hours.
- 2.7 Approval will only be given to open air cafés (subject to all other criteria being met) which will be situated directly in front of the premises seeking the approval. Generally, open air cafés will be contained to the width of the premises, however, consideration will be given to a café of extended width subject to there being no objection from adjacent premises.

3.0 MEANS OF ENCLOSURE

- 3.1 When the open-air café is in use a temporary form of enclosure will be required, with adequate openings to permit access. The function of this enclosure is to demarcate and contain the open-air café but also to give a clear warning particularly to people with visual impairments.
- 3.2 For this reason it is essential that the barrier has some solid elements particularly 100mm above ground level to be detectable by a stick and an element between 800mm and 1000mm high in a contrasting colour to the background that is highly visible. Alternatively, the barrier will be wholly solid.
- 3.3 It is essential that the means of enclosure is lightweight in construction, both to ensure that it is not too visually dominant in the street scene and to enable it to be dismantled and stored in the premises outside the approved hours.

- 3.4 The colour and materials of the enclosure will have to be considered carefully to ensure that in the longer views it is not too visually dominant but when viewed from a closer distance that certain key elements stand out against the background.
- 3.5 In some circumstances a particular design may be insisted upon to retain some continuity of design in a particular space for instance.
- 3.6 Planters with shrubs or floral displays will be allowed to be used on the sides of the enclosure or contained within. These should not create any awkward obstructions and the same criteria on colours and materials will be applied.

4.0 FURNITURE

- 4.1 A standard design of seating and tables will not be insisted upon but a reasonable quality will be required and a mixture of furniture is not recommended. The materials and colours should not be too bright, garish or overly reflective. White plastic furniture will normally not be approved. Tables should be of a design to allow wheelchair use.
- 4.2 The use of umbrellas will have to be specified as part of the design along with their location material and colour. These must be positioned so they cannot overhang the enclosure even if adjusted which could create a danger to a passing pedestrian.
- 4.3 Only umbrellas with non-reflective surfaces will be permitted to avoid. Reflective surfaces and in certain circumstances a particular type may be insisted upon to retain some continuity of design in a space.
- 4.4 Limited advertising of the premises or a supplier may be considered on umbrellas but this should not be too dominant and limited to logos of about 150 x 450mm.

5.0 ENVIRONMENTAL IMPLICATIONS

- 5.1 It will be expected that the approved open air café area and the area immediately surrounding it, will be kept clean and litter free by the proprietor. It must be ensured that litter and spillage do not stray onto neighbouring areas, which must be patrolled on a regular basis.
- 5.2 All items used to make up the open-air café must be maintained to suitable standards and kept clean at all times.
- 5.3 No form of entertainment (acoustic or amplified) will be allowed in the open-air café or surrounding area.

6.0 OTHER REQUIREMENTS

- 6.1 A waiter/waitress service is required. All staff involved in the operation of the cafés must be suitably trained.
- 6.2 It is not intended to restrict the use of glasses and bottles in the open-air café area, however, extreme care must be taken in their use. All glasses and bottles must be transported to and from the open-air café in wire mesh type baskets or similar approved. Any breakages must be cleared away immediately.
- 6.3 All hot liquids should be transported to and from the open-air café in sealed jugs, which will be shatterproof. Non-slip trays should be used at all times.
- 6.4 Patrons should be seated only and seating in the open-air café area must be included in total occupancy figure.
- 6.5 It will be encouraged that the open-air café area be used for eating and drinking non-alcoholic beverages alongside alcoholic drinks, thus creating a more continental style beneficial to the area.

7.0 PLANNING APPLICATION

- 7.1 Cost (Planning) Currently £265.00 when classed as change of use.
- 7.2 Location Plan At 1:1250 or 1:500 outlining the premises and location of street café.
- 7.3 Site Plan At 1:50 showing boundary, kerb and building lines, points of access including the property, key dimensions, seating and other furniture layout.

- 7.4 Elevation At 1:50 or 1:20 with supporting details to show the means of enclosure.
- 7.5 Photos or Brochures Showing types of furniture, umbrellas etc.
- 7.6 Written Specification Describing details, materials and colours (these could be notes on drawings).
- 7.7 Duration of Permission Planning permission, where granted, will be for a period of 3 years.

8.0 HIGHWAY AMENITIES

- 8.1 A Highway Amenities' licence is required for the placing of tables and chairs in the highway which includes footways and pedestrian areas.

Prior to granting the licence, there are two legal requirements as detailed in the Highways Act 1980.

Initially the consent of anyone with a legal interest in the frontage area must be obtained.

Once Highway Authority approval has been given in principle, a notice shall be posted on the premises for a period of 28 days to enable the receipt of any representations on the proposals.

A copy of the notice must be served on the owner and occupier of any premises appearing to the Council to be likely to be materially affected.

A licence shall not be granted until all representations have been considered.

- 8.2 A table is defined as one suitable to seat four people comfortably. The cost for a Highways Amenities' licence is currently £54.00 per table per annum. The full sum for one year to be collected upon approval of the open-air café.
- 8.3 A contact name and telephone number of a person of suitable seniority to deal with any issues arising from the open-air café must be provided.

9.0 SAFETY

- 9.1 Whilst the provision of the open air cafés will be considered on the basis of this design brief in its entirety, particular and constant attention must be given to the safety of both members of the public, open air café users and staff.
- 9.2 Any damage to Local Authority property caused, as a result of the open-air café, will be repaired by the Authority with all costs recharged to the business in question.
- 9.3 Any breach of the conditions contained in the planning approval, design criteria or Highway Amenities Licence will result in the revocation of the licence forthwith.

10.0 FURTHER CONTACTS

- 10.1 For any further details, please contact the following:-

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