



Regeneration and Enterprise Scrutiny Committee

Agenda Item No. 8

Date: 18th February 2009
Open Report
Report of: Steve Singleton
(Economic Development & Tourism Manager)

Wyre Forest District Draft Public Realm & Streetscene (Control of Street Furniture) Policy

1. Purpose of Report

- 1.1 To report comments following public consultation on the draft policy and to agree recommendations to Cabinet.

2. Background

- 2.1 Members will be aware that overall strategic responsibility for the Adopted Highway, (i.e. roads, pavements and street lighting) within Wyre Forest District lies with Worcestershire County Council (Environmental Services Division).
- 2.2 This responsibility includes dealing with issues and requests relating to the siting of tables and chairs to be located on any piece of adopted highway outside café, pub, restaurant and other commercial premises.
- 2.3 District Councils have, from time to time, exercised this function, subject (amongst other things) to the consultation requirements of Section 115H of the Highways Act 1980.
- 2.4 The Council has been working with the County Council to agree a partnership approach in Wyre Forest that will enable Wyre Forest District Council to take over future responsibility for dealing with the granting of permission for tables and chairs etc to be placed on "certain categories of the public highway".
- 2.5 Members may recall some well publicised issues regarding the siting of chairs and tables on the public highway on Severnside North and Severnside South in Bewdley during the immediate past summer. An agreed Policy would ensure similar issues are set within an appropriately regularised framework that maintains the vibrancy and vitality of all the District's centres.

2.6 The draft Policy for consultation was considered by the Regeneration & Enterprise Scrutiny Committee at its meeting on 19th November 2008, Cabinet on the 20th November 2008 and Licensing & Environmental Committee on the 24th November 2008.

2.7 It was resolved that a period of consultation should take place with stakeholders and responsible authorities between the 1st December and the 9th January 2009 to assess any likely impact within the District; the consultation responses were considered by the Licensing & Environmental Committee at their meeting of 26th January 2009.

3. Key Issues

3.1 Consultations were made with Stakeholders throughout the District and responses are reported at Appendix 1.

3.2 The Policy and Conditions is set out in Appendix 2, taking into account changes resulting from the consultation process.

3.3 The Policy will enable the owners of pubs, café, restaurant and other commercial businesses throughout the District to be able to apply for permission to place seats and tables outside their respective premises, from the 1st April 2009.

3.4 The Policy will not apply to privately owned land.

3.5 The Policy

- highlights the requirements and standards expected of pavement café operations in the relevant centres – including layout and design of furniture;
- guides those wishing to establish and/or operate pavement cafes, pubs and restaurants through the licensing process;
- sets out the terms and conditions of a Licence Agreement.

4. Options for the Committee

4.1 The Committee are asked to either:

- Recommend the policy to Cabinet in the light of amendments following public consultation, or
- Put forward alternative proposals Cabinet to consider.

5. Financial Implications

5.1 It is proposed that the Licence fee is set at £250.00 to cover the cost of administering the licence and inspecting the premises. This will be renewed by Council on an annual basis.

6. Consultees

- Head of Community & Partnership Services
- Head of Financial Services
- Head of Legal & Democratic Services
- Head of Property & Operational Services

7. Appendices

- 7.1 Appendix 1 - Draft Public Realm & Streetscene (Control of Street Furniture) Policy and Licence
- 7.2 Appendix 2 – Draft Public Realm & Streetscene - Consultation responses

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