



BRIDGEND COUNTY BOROUGH COUNCIL

STREET CAFÉ, GOODS DISPLAY AND A FRAMES LICENCE

APPLICATION PACK

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APPLICANT INFORMATION

Bridgend County Borough Council recognises the importance of developing the town centre as a safe and attractive place to shop and visit. In recent years the Council has invested significantly in providing a quality environment and is committed to maintaining this. To improve the safety and appearance of the town centre the Council is adopting a licensing system that will de-clutter the highway and help protect businesses and the Council against claims. Street cafes or the use of tables and chairs outside café, pub and restaurant premises in the town centre can bring life and vitality into the town's streets. They should enrich the pedestrian experience, presenting an open inviting image.

The licences will apply to businesses in Adare Street, Caroline Street, Derwen Road, Dunraven Place, Queen Street, York Place, Market Street, Nolton Street, The Rhiw, Wyndham Street, and Quarella Road.

From the 1st October 2010, all tables and chairs (street cafes), goods displays and A frames placed on the highway will need to be approved and licensed by the Council. All unauthorised structures on the highway will be removed under Section 143 of the Highways Act 1980 (recovery costs will apply).

The application for the approval needs to be completed and submitted as shown on the forms including a plan marked with the proposed location.

Applicants wishing to apply for a licence must read and adhere to the terms and conditions in this application pack.

Applicants will be required to provide:-

- 1) A completed application form
- 2) Written details/drawings of proposed furniture or displays
- 3) An accurate site map identifying the proposed size and location of the highway to be occupied
- 4) Payment for the application consideration fee (cheque, postal order made payable to Bridgend County Borough Council). Note that an issuing fee will also be required at a later date if the application is successful.
- 5) Copy of Third Party Liability Insurance Certificate.

Please note that the decision to approve a licence remains with Bridgend County Borough Council. If any of the terms & conditions are breached once a licence has been approved the Council retains the right to revoke this licence. The applicant may appeal against this decision.

PLEASE SEND COMPLETED FORMS TO: Communities Directorate (Street Scene), Bridgend County Borough Council, Level 3, Civic Offices, Angel Street, Bridgend, CF31 4WB.



STREET CAFÉ, GOODS DISPLAY AND A FRAMES LICENCE APPLICATION FORM

Application for permission under Section 115 Highways Act 1980.

NAME	
ADDRESS	
TELEPHONE No.	
EMAIL	
ADDRESS RELATED TO THE APPLICATION	
NATURE OF BUSINESS	
APPLICATION FOR:	Street Cafe <input type="checkbox"/> Goods Display <input type="checkbox"/> Signage <input type="checkbox"/> Any non-furniture items (please give details) <input type="checkbox"/> Operational Times Requested
ENCLOSED (all of these are required before an application can be considered – see the following pages for further details regarding these).	Application Consideration Fee (£81.50 cheque) <input type="checkbox"/> Written details / drawings <input type="checkbox"/> Site location / map <input type="checkbox"/> Indemnity Form <input type="checkbox"/> Copy of Third Party Liability Insurance Certificate <input type="checkbox"/>
<u>Confirmation</u> I confirm that the application will conform to the terms & conditions related to Street Cafés /Goods Displays /'A' Board Signs on the highway in the Town Centre Signature. Date	
For Internal Use	APPROVED NOT APPROVED



Items Placed on the Highway

INDEMNITY FORM

BUSINESS (name and location)	
ITEMS PLACED ON THE HIGHWAY	
NAME AND ADDRESS OF PERSONS RESPONSIBLE FOR INDEMNIFYING THE COUNTY COUNCIL BOROUGH	

I, the undersigned, hereby indemnify Bridgend County Borough Council against all claims, costs, accidents or damages arising out of or in connection with placing the above items on the highway.

NOTE: The County Borough Council requires applicants to take out third party liability insurance, sufficient to cover all eventualities which may arise from the placing of the items on the highway of £5,000,000 (5 million pounds). A copy of the current insurance certificate is to be included with the application.

Signed.....

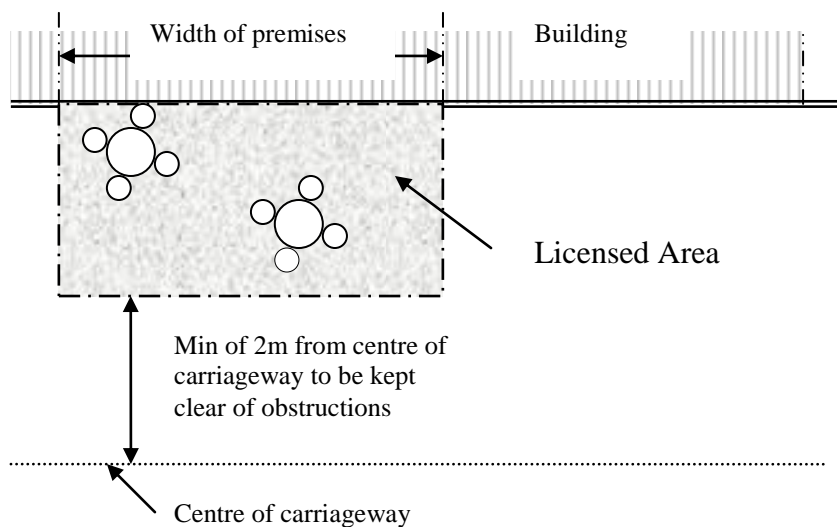
Date.....



STREET CAFES Terms & Conditions

Size and layout

- i. Street cafes should be positioned directly in front of the registered premises from where they are intended to be serviced. (Staff should not be expected to carry out articles any great distance, nor have to negotiate busy pedestrian areas to reach the external customer area).
- ii. In areas where the carriageway is not delineated from the footway by a kerb upstand, a minimum carriageway width of 4.0m is to be maintained at all times for the free passage of pedestrians and emergency vehicles. Where the carriageway is delineated from the footway by a kerb upstand a minimum clear footway width of 1.8m must be maintained.



- iii. The location of the street cafes are required to take account of the other needs in the immediate vicinity e.g. Emergency access routes must be kept clear for police, fire and ambulance services. Street café operation will not be permitted in close proximity to bus stops and taxi ranks for reasons of amenity and public safety.
- iv. The layout of furniture and means of enclosure will only be approved if adequate provision has been made for customers with disabilities.
- v. It will be the responsibility of the registered holder to ensure that all emergency exits and access routes are kept clear during operational hours.

Means of Enclosure

- i. A removable barrier must physically delineate the operational area for the street café. This will define the licensed area for the operation of the street café.
- ii. The removable barrier should be distinguishable to other users, and particularly for the blind and visually impaired pedestrians. The needs of the disabled must be considered in the design of the barrier.
- iii. Materials should be lightweight and portable, but stable enough to prevent collapse if accidentally walked or stumbled into.
- iv. A tapping rail and fixed top railing must be included on the directional ends of the area. The tapping rail is to be approximately 150 mm above the ground (similar to the photo below). They should be fixed firmly between the upright posts and act as a guide to the edge of the enclosure. The colour and design of the barrier must contrast with the background of the street scene.



- v. Continuous planters can also be used as a means of enclosure, provided they can be quickly removed when required. Well designed and maintained planters can complement the street scene and create an attractive setting for the street café operation.
- vi. It will be the responsibility of the registered holder to ensure that all tables, chairs, barriers etc are removed off-street outside operational hours, or when the street café is not in use.

Furniture

- i. Street café furniture must be of high quality and uniform style within the area designed for the street café operation. It should be compatible with the local environment and public realm street furniture. The proposed furniture and layout will be subject to approval by the highway authority.

- ii. Where umbrellas are used these must be fabric types (i.e. non-reflective) and display only limited advertising/logos up to 150 x 450mm in size. Umbrellas should be positioned to avoid overhanging beyond the enclosure, or impairing vehicular or pedestrian sight line.
- iii. Any non-furniture items, e.g. menu boards, signs and portable gas heaters must be approved by the County Borough Council and located within the enclosed area. It will be the responsibility of the registered holder to ensure that there is no unacceptable clutter or impairment of sight lines. All street café furniture, umbrellas and non-furniture items must be kept within the area designated for the operation of the street café. The County Borough Council reserves the right to take immediate action to remove obstructions in a public place and recharge the costs incurred to the registered holder.
- iv. It will be the responsibility of the registered holder to ensure that all items of furniture are removed at the end of the permitted hours of operation.

Environmental and Other Requirements

- i. All food premises serving street cafes must be registered with the licensing department, Bridgend County Borough Council. These premises and the street café itself must comply with food hygiene requirements as set down by the County Borough Council.
- ii. It will be the responsibility of the registered holder to keep the area designated for the street café clean and free of litter during permitted hours of operation. In addition the street should be cleaned at the end of each working day.
- iii. The registered holder will be required to make adequate provision for the storage and disposal of all waste and litter.
- iv. The preparation of cooking of any form of food must be undertaken from within the registered servicing premises and not at the street café to prevent risk of food contamination and uncontrolled dispersal of cooking vapours.
- v. It will be the responsibility of the registered holder to ensure that patrons have access to customer toilet facilities during permitted hours of operation. The licensing authority will assess the adequacy of toilet facilities related to occupancy numbers generated by both within the registered servicing premises as well as the additional number created by the street café. Any proposal to use public toilets as a substitute for customer toilet facilities is unacceptable. Any proposals to establish street café operations which do not provide sufficient, adequate customer toilets within registered servicing premises will not be approved.

Conditions of Approval

- i. The granting of the Street Café Licence applies only to the applicant in respect of the area authorised for the street café operation concerned and it is separate to any licence required should it be intended to sell alcoholic drink or serve food.
- ii. Any changes to any part of the street café operations including change of or addition of furniture or other items, change of ownership, changes to licensed area or operating times will be subject of a new or revised approval.
- iii. Normally the Street Café Approval will operate only during the hours of pedestrianisation i.e. **10.00 -18.00 hrs**. In certain areas there may be further restrictions on opening hours due to specific local requirements. However, each application will be separately assessed and extensions to the normal operating period may be granted if circumstances allow. **Applicants should indicate in their application if they wish to have a street café operating outside these hours.**
- iv. Very occasionally the applicant will be required to remove the street café furniture for a period of time to allow room for planned town centre events and activities e.g. Christmas markets, parades, road repairs, or works on utility company apparatus. Applicants will be given sufficient notice when these events and activities are planned in advance. Providing advanced notice of such activities will not always be possible in the case of urgent or emergency work.
- v. Applications will be advertised. Any objections will need to be considered by the County Borough Council prior to the street café approval being issued.
- vi. The registered holder will be required to complete and return the enclosed indemnity form which will fully indemnify Bridgend County Borough Council against all claims associated with the street café barriers, furniture or operation. To this end registered holders will be required to hold a public liability cover for the sum of at least £5,000,000 (£5 million).



DISPLAYS OF GOODS & SIGNS Terms & Conditions

- i. Street displays and signage will be allowed only on the area specified in the licence.
- ii. Displays and signage must be of a high quality compatible with the street environment and public realm furniture.
- iii. All signs and displays etc must be temporary in their nature so that they can be easily removed (e.g. require no excavation to install or remove).
- iv. Signs and displays etc must not be chained, attached or fixed to any footway, tree, lamp column, post, guardrail, bollard, seat or any other item of street furniture.
- v. Signs and displays etc must not damage the highway.
- vi. Signs and displays etc must be stable and not easily blown over. In the event of high winds and/or inclement weather they should be removed from the highway completely.
- vii. Signs and displays etc must be such that they can be detected by the visually impaired and easily negotiated by those with mobility difficulties.
- viii. Any displays must be sited directly adjacent to the shop frontage that they refer to. They must not project more than 750 mm from the shop front and be sited wholly within this area.
- ix. Rotating or swinging signs, boards, displays etc will not be permitted.
- x. Any "A Frame" type signs should be no wider than 650 mm and no higher than 1100 mm above ground level (including any support). They will normally be sited within 750mm of the shop front; however, depending upon the location, it may be agreed by the County Borough Council for A-boards to be sited in line with existing street furniture that may be present.
- xi. The County Borough Council reserves the right to take immediate action to remove obstructions in a public place and recharge the costs incurred to the registered holder.

Conditions of Approval

- i. The proposed displays and signage will be subject to approval by the County Borough Council.
- ii. The granting of display/signage approval applies only to the applicant in respect of the area authorised for use.
- iii. Very occasionally the applicant will be required to remove the display/signage for a period of time to allow room for planned town centre events and activities e.g. Christmas markets, parades, road repairs, or works on utility company apparatus. Applicants will be given sufficient notice when these events and activities are planned in advance. Providing advanced notice of such activities will not always be possible in the case of urgent or emergency work.
- iv. Normally all signs and displays will only be permitted to be on the highway during the hours of pedestrianisation i.e. **10.00 -18.00 hrs**. In certain areas there may be further restrictions due to specific local requirements. However, each application will be separately assessed and extensions to the normal operating period may be granted if circumstances allow. **Applicants should indicate in their application if they wish to have a sign or display on the highway outside these hours.**
- v. The registered holder will be required to complete and return the enclosed indemnity form which will fully indemnify BCBC against all claims associated with the signs, boards, displays etc. To this end registered holders will be required to hold a public liability insurance policy in the sum of at least £5,000,000 (£5 million).



APPLICATION FEES

	Consideration of the application ¹	Issuing of the Licence	Subsequent Annual Fee
Tables and chairs	£81.50	£81.50	£56
Goods Display	£81.50	£81.50	£56
'A' Board sign*	£81.50	£81.50	£56
<p>¹These fees are non-refundable in the event of an application being refused.</p> <p>All costs are subject to an annual review and increase in line with inflation.</p> <p>Please make cheques payable to Bridgend County Borough Council</p>			

RIGHTS & OBLIGATIONS

- i. The operational area for the street café, display or signage will remain part of the highway. Public utilities will continue to have the right to enter the operational area to gain access to their services.
- ii. All furniture, signs and displays etc will be the registered holder's responsibility when placed on the highway and the Highway Authority will not be liable for any injury or damage caused to highway users
- iii. Any sign and display etc must relate to the normal business of the trading establishment but will not be for general advertising such as lottery tickets etc.
- iv. If at any time, the County Borough Council decides that the road requires to be restored for use for vehicular or pedestrian traffic, the registered holder will be required to remove all features immediately and leave the area in a suitable condition at no cost to the Council.
- v. Should the registered holder fail to act promptly on any of the above matters, the County Borough Council reserves the right to take all appropriate measures and to recover its costs. The County Borough Council may also remove any obstructions to the road and impound the contents until its costs have been met. In such circumstances the approval will be terminated.
- vi. The County Borough Council reserves the right to rescind the approval at any time and for any reason.

- vii. Nothing in these guidelines absolves those concerned from their legal responsibilities under the Highways Act 1980 and other legislation.

LICENCE

- i. The size and location of the area of highway to be occupied will be included in the licence as a plan area.
- ii. The licence must be displayed on the premises at all times the highway is occupied.
- iii. The licence is granted on an initial 6 month probationary period after which full approval will be considered. You will be notified if full approval is not granted at this time.