

# Street Café Guidance

A guide for applicants

July 2019



## 1 – Introduction

Devon County Council supports the principle of establishing street cafés to improve the vitality of streets within the district's towns. Street cafés can make a positive contribution to the street-scene and to the vitality of shopping and tourist area, bringing life, colour and interest onto the street.

Street cafés may be sited on the public highway (paved or pedestrianised areas) and are authorised by the granting of an annually renewable Licence. Seated areas that are sited on privately owned land or to the rear of buildings or other courtyard areas do not require a licence.

You must check with your local planning authority to determine if you require planning permission in addition to this licence. Contact details for your local planning authority can be found at [www.devon.gov.uk/district\\_councils](http://www.devon.gov.uk/district_councils)

It is advisable to have an informal discussion with us prior to submitting a full application in order to determine the suitability of the proposal. Applications will normally only be considered for areas immediately adjoining or opposite the frontage of permanent premises.

There is a statutory notice period of 28 days, during which time we will consult with affected parties following which objections may be lodged. It is the applicant's responsibility to resolve any objections to our satisfaction.

Please read our [terms and conditions](#) in full before applying and be aware that if you put anything on the highway without our permission, or do not stick to our terms and conditions, we have the power to remove items. If we instruct our contractor to instigate the removal process, we will then seek to recover the costs.

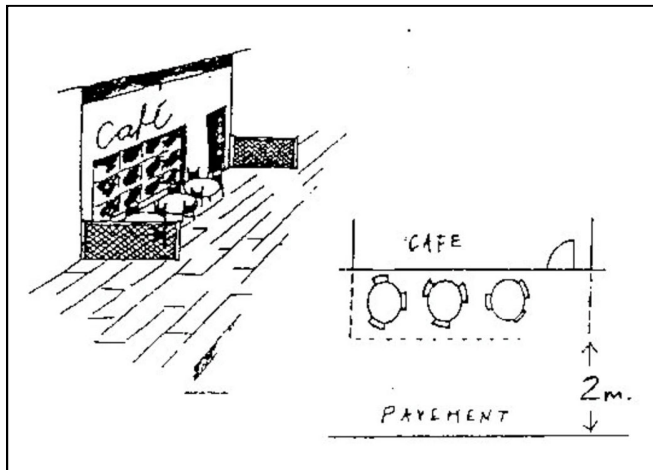
## 2 – Layout

You need to:

- Allow space for wheelchair and pram access
- Allow access for emergency services and others who may require access
- Keep all emergency exits and routes clear

All layout options are subject to our approval.

### Example 1 - Café furniture directly fronting premises



A minimum 2m width of unobstructed footway must remain available to passing pedestrians (taking into account street furniture, streetlights, etc.)

A physical barrier may be needed either end of the areas of tables and chairs to serve as a guide to the

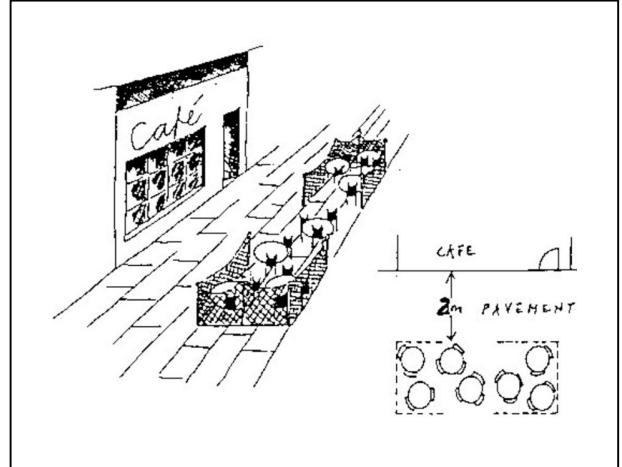
visually impaired.

Chairs and tables must be kept within the confines of the barrier.

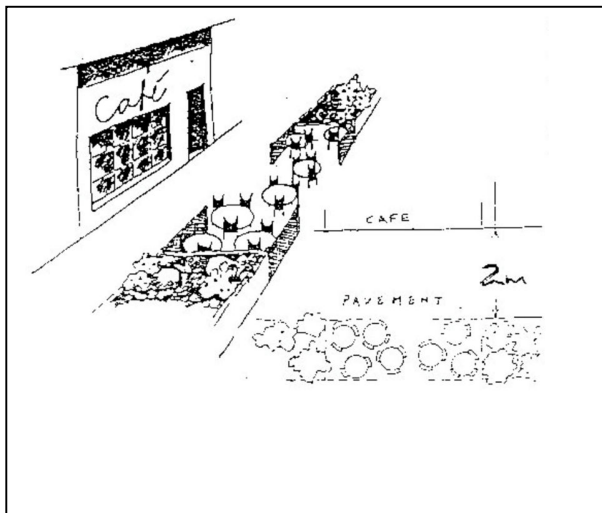
### Example 2 - Café furniture sited away from premises

You must leave a minimum 2m width of unobstructed footway between the front of your premises and the boundary of the street café. You will be responsible for cleaning this area regularly throughout the day.

The tables and chairs may need to be enclosed by physical barriers in order to act as a guide for the visually impaired. Where vehicles are alongside, you must maintain 0.5m clearance from the carriageway. Where the site is in a pedestrianised area there must be 2m clear either side of the café furniture.



### Example 3 - Café furniture and existing features



Where possible, take advantage of the existing structures within the street scene, e.g. planters and other landscaping features, when setting out your tables and chairs.

A clearance of 0.5m from the carriageway must be maintained. A minimum 2m width of unobstructed footway must remain available to passing pedestrians.

Requirements may vary from one café to another and therefore details must be agreed with us.

### 3 – Barriers

#### Barriers which are not acceptable



- **Post and Chain barriers** – potentially hazardous to pedestrians, particularly the visually impaired
- **Hoop top garden fencing** – too flimsy and not very tall posing a serious trip-hazard
- **The use of a variety of small plant tubs** – untidy and inadequate as a means of enclosure or guide for the visually impaired.

You may be required to provide a moveable means of enclosure for any furniture sited outside your premises. This is primarily to guide the visually impaired.

The enclosure should be no more than 800mm high and there must be a tapping rail at the bottom to aid visually impaired people.

The foot or base plate of the barrier should not produce a trip hazard any greater than 20mm from the surface. Furniture must be sturdy enough to be able to resist pedestrian collision.

All items must be removed outside of the times specified on the licence and when the premises are closed.

The furniture needs to be in keeping with the visual appearance of the area.

#### Ideal barriers



- **Stable and sturdy**, not flimsy; but light in weight (for ease of movement/ storage as they will be taken in and out each day)
- **Light in colour** (painted, natural colouring or similar) - a contrast to the café furniture
- **Close textured**, fence like in appearance, with a tapping rail (i.e. length of wood positioned at the base of the barrier, designed to assist the visually impaired)
- **Barriers must be removable at all times** – not permanently fixed to the ground.

## 4 – Furniture and equipment

The choice of tables and chairs for use outside your premises should reflect the quality of and enhance the street environment.



Your choice of furniture should be appropriate for the surface on which it will stand. Furniture must be of a high-quality uniform style and suitable for outside use. **Plastic garden furniture or picnic benches will not be permitted.**

All items contained within the enclosure must be portable enough to be brought in at the end of each working day, or to be moved quickly in the event of an emergency.

You may wish to consider the use of **parasols** as part of your street café. Parasols need to be securely fastened. They must be high enough (minimum 2.1m) not to injure pedestrians and should not overhang the highway beyond the licensed area.



No other items are permitted - this includes **patio heaters**.

Designs for all items must be agreed with the Council, so please ensure you send us details of proposed furniture and await our agreement before purchasing anything.

Tables and chairs should be selected to ensure:

- that you can store them securely on your premises
- that their visual impact is in keeping with the area
- they are easy to clean, and are kept clean
- they do not pose any risk to the public



## 5 – Storage

Nothing must be stored on the highway outside of the times specified on the licence, or when the premises are closed. During times specified on the licence, tables, chairs and barriers must be fully set up ready for use *or* stored within the premises. The latter is preferred when it is not intended or practical to use these tables.

In order to facilitate storage of furniture and barriers, equipment must not be permanently fixed to the ground.

## 6 – Advertising



You must check with your local authority (city or district) to find out if you need permission to advertise on street furniture, barriers, or parasols. They will also provide information about permitted dimensions for any advertising.

If permitted, the advertising must relate to the premises rather than anything else.

## 7 – Safety and public health

It is your responsibility to ensure:

- The seating area and the surrounding area is kept free of litter and other debris
- Spillages are removed immediately, and the surface kept safe. See HSE guidance for further information: <http://www.hse.gov.uk/slips/index.htm>
- Waste bins are kept within the licensed area

## 8 – Licensing

Licences are issued by Devon County Council or a locally delegated licensing authority and are renewable annually. See [our website](#) for current fees.

You need to complete our simple application form, which is available on [our website](#), and provide a detailed plan and layout showing the precise location and proposed setting out of the tables and chairs. Once the licence is agreed this must be adhered to. See [our website](#) for examples of acceptable and unacceptable layouts and plans.. The following information must be included:

- |                                      |                         |
|--------------------------------------|-------------------------|
| ▪ Dimensions of seating area         | ▪ Layout of other items |
| ▪ Dimensions of unobstructed footway | ▪ Building lines        |
| ▪ Table & chair arrangement          | ▪ Boundary lines        |
|                                      | ▪ Kerbs                 |

If applicable, you also need to ensure the area is properly licensed under the [Licensing Act 2003](#). Contact your [local council](#) for more information about this.



Make sure you read our [terms and conditions](#) in full before applying and be aware that if you put anything on the highway without our permission, or do not stick to our terms and conditions, we have the power to remove items and seek to recover the costs.

## 9 – Renewals

Licences last for a year, and we will contact you to remind you to renew in good time before it expires. If you are not changing any details, (for example the number and position of tables and chairs, or your operating hours), renewal is simple and costs far less than a new application because we do not need to carry out a consultation. See [our website](#) for current fees.

If you do not renew your licence but the furniture remains on the highway we have the power to remove items and seek to recover the costs from the licensee.

### **How to contact us – Devon County Council**

If you have any queries or to discuss further, please contact us on

**01392 385084**

alternatively check our website

<https://new.devon.gov.uk/roadsandtransport/make-a-request/street-cafe>

completed application forms should be sent to

[highwayapps@devon.gov.uk](mailto:highwayapps@devon.gov.uk)