

HIGHWAYS ACTS

GUIDANCE NOTES FOR APPLICANTS FOR STREET CAFÉ/ HIGHWAY TABLES AND CHAIRS AUTHORISATION IN BEDFORD TOWN CENTRE

1. An application for an authorisation must be made on the Council's application form and submitted to the Chief Officer with delegated responsibility for licensing matters, Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP. A separate form must be completed for each street café etc.
2. The application form must be accompanied by either the non-refundable deposit or the full fee payable.
3. Applications must be accompanied by two passport type photographs of the applicant and two photographs of any tables, chairs and other structures which the applicant wishes to utilise.
4. Any tables, chairs and other structures to be utilised in connection with the proposed authorisation will be inspected by an Officer of the Council's Environmental Health and Trading Standards service.
5. All applications will be considered individually on their merits.
6. Where a street café/highways tables and chairs authorisation is granted the Council will normally impose the conditions attached (and may impose others).
7. To process an application for this type of authorisation usually requires 28 days and consequently applicants are advised to submit their applications at least 28 days prior to the date from which they wish their application to be considered by the General Licensing Sub-Committee. Meetings of the General Licensing Sub-Committee to which applications will be referred are scheduled regularly. For details of these dates please contact the Licensing Team.
8. The applicant's attention is drawn to the need to give accurate replies to each question on the form. Failure to do so may prejudice the application and will inevitably delay the process. The applicant's attention is particularly drawn to questions 3 and 4 on the form, the answers to which must give the details requested; failure to do so will prevent consideration of the application. If an authorisation is granted and it subsequently comes to light that the information was false in any part, this may be immediately suspended or revoked.

Further guidance is attached to this document which identifies key considerations concerning visual impact, storage of furniture and barriers, the layout, management and advertising.

Data Protection Privacy Advice - Through the relevant application/notice forms, accompanying documentation and payment facilities associated with this licensing function the Council (the data controller) collects personal data. Personal data may also be collected in respect of further related requests for information from the applicant/person submitting the notice. This is necessary for the performance of legal obligations on it in respect of the relevant licensing function or otherwise necessary for the performance of a task carried out in the public interest or in the exercise of official authority. These also form the basis for the further processing of the personal data by the Council in connection with the

application/notice, any determination of the same and any subsequent authorisation/appeal and issues that arise during the period of the authorisation/appeal. Beyond that, the Council will retain the records for 5 years and then destroy them securely. The Council will maintain and retain public registers and these are not destroyed. The Council may from time to time extract information itself from those public registers. The Council will share with and receive information from the following:

Other Council Services
Bedford Bid
Bedfordshire Fire & Rescue Service
Bedfordshire Police
Chamber of Commerce
Ward Councillors
Parish Council

in respect of data subjects who are applicants/notice givers and those who hold authorisations. It holds the personal data in a way designed to secure it from unauthorised use, loss or destruction. These measures include recruitment and training of staff, procurement of services and physical/cyber security. The Council's privacy statement for this function is available at www.bedford.gov.uk or upon request from the Council using the address and telephone contact details elsewhere on this form. The Council will update its privacy statement from time to time and you are urged to read that statement. You have information rights that are explained at <https://tinyurl.com/y7uccndm>. You can exercise your information rights by contacting the Council's Data Protection Officer at dpo@bedford.gov.uk or writing to Information Governance, Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford MK42 9AP. If you believe that the Council has failed to comply with its data protection obligations you may contact the ICO at 0303 123 1113 or at www.ico.org.uk. Further contact details are available upon request. The full Privacy Statement for Street Trading and Highways Tables and Chairs can be viewed [here](#).

Freedom of Information - Information held by the Council may need to be disclosed in response to a request for it within the terms of the Freedom of the Information Act 2005. This information excludes that which is in any other way already in the public domain.

FURTHER GUIDANCE TO THOSE APPLYING FOR STREET CAFÉ AUTHORISATIONS

1. THE VISUAL IMPACT

The positioning of tables and chairs outside your premises should relate to the existing street- scene and movement of pedestrians. Ideally it should be seen as an integral part of the main café rather than an unrelated after-thought.

The tables and chairs shall not be placed in such a manner as to cause obstruction of the street or danger to persons using the street.

Tables and chairs need to be selected to ensure:

- the comfort of your customers
- that they can be stored securely on the premises
- that their visual impact is in keeping with the area
- they are easy to clean, and are kept clean

Domestic patio-style furniture is unlikely to be of sufficient standard to compliment the appearance of Town Centres or Conservation Areas where cast iron furniture may be specified.

Consideration must also be given to the surface on which the furniture will stand. An uneven cobbled surface may require a more sturdy style of furniture than an even one.

Parasols may be needed...

- for hygiene
- where tables are under trees
- for shade for customers

Parasols made of wood and canvas are likely to be more acceptable than garden style umbrellas.

They must be firmly secured.

Barriers and Means of Enclosure will be required for any furniture sited outside your premises. This is primarily to guide the visually impaired.

The barriers shall be rigid and designed to resist being blown over by the wind. They must be able to resist pedestrian collision and give the pedestrian some measure of support. They shall have :

- A hand rail at between 1.0m and 1.2metres above ground level, which should be smooth and rigid to guide pedestrians.
- A tapping rail of minimum depth of 150mm with a lower edge no more than 150mm between the base rail and the ground.
- The section between the upper and lower rails shall be enclosed with canvas or similar material.

They also need to be in keeping with the visual appearance of the area. Designs for all items must be agreed with the Council.

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)
- **Colour** - a contrast to the café furniture
- **Close textured**, fence like in appearance, with a tapping rail (i.e. a length of wood/ plastic positioned at the base of the barrier, designed to assist the visually impaired)

Barrier designs to be avoided :

- **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

All items must be removed when the café is closed.

2. STORAGE OF FURNITURE AND BARRIERS

Pavement café furniture **must not** be stored on the highway when the premises are closed.

When premises are open, tables, chairs, parasols and barriers must be either 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.

Tables, chairs, parasols and means of enclosure should be removed and securely stored inside the premises. In order to facilitate this, none of the furniture or barriers can be permanently fixed to the ground.

3. LAYOUTS

Where pavement cafés are to be located on a main pedestrian thoroughfare, tables and chairs will be required to be enclosed in order to allow for easy pedestrian movement and to contain the pavement café area. Spacing should allow for wheelchair and pram access, and adequate emergency service. Utility company and Highways Department access must be permitted at all times.

The following guidelines need to be taken into account.

Café furniture directly fronting the shop front

Normally a corridor of 2m minimum width must be provided to the shop entrance - this should remain unobstructed at all times.

A physical barrier will be needed either side of the area of tables and chairs to serve as a guide to the visually impaired. A minimum of 2m width of footway must remain available to passing pedestrians (taking into account telephone boxes, street lights etc.).

Café furniture sited away from the shop front

There should be no less than 2m width of unobstructed footway between the front of the premises and the outer-most boundary of the street café.

The tables and chairs will need to be enclosed by physical barriers in order to act as a guide for the visually impaired.

Café furniture and existing features

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

Requirements may vary from one café to another so applicants must agree details with the Highways Department.

Please note: Any tables and chairs shall not encroach on to any adjoining frontages.