

# DERBY CITY COUNCIL STREET CAFÉ REQUIREMENTS & GUIDELINES



DERBY CITY COUNCIL

## **1 Introduction**

Derby City Council supports and encourages the provision of street cafés in the city centre. Café culture provides an excellent opportunity for public sociability. Cafés contribute positively to shopping and tourist areas where they add vitality and bring life, colour and interest to the street.

Whilst the provision of street cafés is encouraged, it is essential that they are properly managed and maintained to ensure that they meet the high standards expected in Derby city centre.

Street cafés should not pose a hazard to the public nor obstruct the highway.

All applications must comply with the requirements and guidelines and random inspections will be carried out, each application will be considered on its own individual merit.

## **2 Appearance**

Each street café should enhance the street scene. The visual impact of the proposal will be carefully examined in relation to its surroundings and where it is close to any listed building or area of special architectural or historic character this will be taken into account.

It should also be seen as an integral part of the main unit, reflecting the quality within, and not as an after-thought. Good maintenance is an important factor in the appearance of the street café. The area as a whole should be kept clean and tidy and the pavement washed regularly.

## **3 Layout & Size**

The layout and size of your proposed street café should be appropriate to each individual business and will depend up on the space available and the area outside your premise and is subject to agreement and approval by the street café team.

Approval will not normally be given for furniture close to points where people queue or congregate, e.g. bus stops, cash points, street crossings etc or where essential street furniture restricts the pavement width. Likewise the emergency exits from your premise or adjacent premise must not be obstructed by any part of the street café.

In all cases a clear pedestrian route must be maintained for pedestrians to pass by the premise and this must be no less than 1.8m wide.

The street café should occupy the area in front/adjacent to your premise and be visible from your business.

For any street café proposing each table to be surrounded by four chairs, the street café must have a minimum width of 1.8m. Applications for one table surrounded by two chairs must have a minimum width of 1m.

All tables, chairs, parasols, planters and other furniture must be kept within the enclosed street café area to allow for easy pedestrian movement and so that the barriers can act as a guide for visually impaired people.

The barriers must have hand and tapping rails and must be inserted into ground sockets, free standing barriers are not permitted (see section 6.1).

Two kinds of siting will be considered:

**A – Café Furniture Sited Directly Outside the Premise**

**B – Café Furniture Sited Away from the Premise**

### **3.1 Street Cafés to be Located on a Main Pedestrian Thoroughfare**

The width of unobstructed footway between the front of the premise and the innermost boundary of the street café should be 3m minimum. If you also have tables and chairs directly outside your premise then the 3m minimum applies to the intervening distance.

### **3.2 Street Cafés to be Located on Pedestrianised Streets**

Normally, a 5.0m wide corridor should remain unobstructed as a clear route for pedestrians and emergency vehicles. A greater width may be required in certain circumstances such as areas with very high pedestrian flows. Where obstructions, such as bollard or trees, protect the proposed street café a slightly reduced carriageway width may be possible.

### **3.3 Street Cafés to be Located in Special Areas**

There may be areas of public open space where alternative arrangements for tables and chairs on the public highway will be considered. Similarly, innovative street café set-ups may be possible where an environmental improvement scheme is to be designed for a specific street or area, possibly incorporating public art.

## **4.0 Access**

To enable your street café to be as accessible as possible to all customers you must ensure that your street café adheres to the following:

The café must be easily accessible to all customers, including disabled and elderly people, those with bags of shopping, pushchairs and young children.

Businesses must make themselves aware of their obligations to disabled customers under the Disability Discrimination Act. Advice can be obtained from the Equality Human Rights Commission at [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

Route to and from building entrances must not be blocked or restricted by tables or seats. Adjacent to doorways, an area the width of the doorway, and at least 2m by 2m should be kept clear in order to allow sufficient width for people to pass and for wheelchairs to manoeuvre.

Wherever practical, sites should be level with a firm and even surface.

Any existing steps need to be highlighted by tonal contrast of the 'nosing'/edge in order to avoid a tripping hazard.

Wheelchair users must not be relegated to one area of the street café. All parts of the seating area(s) should be accessible and tables and chairs should be spaced accordingly. Round tables allow better access for disabled people and movable chairs are preferable to fixed or bench-type seating.

Overhanging features lower than 2500mm, such as canopies and awnings, hanging baskets and signs should not be placed over areas where people may stand and walk.

A good standard of lighting is essential for sites which are open after dark. Care should be taken to ensure that the lighting does not cause glare both for people passing by and for those using the premise.

The café layout should be regularly checked and kept tidy throughout the time that it is open and main circulation routes kept clean and unobstructed. It is recommended that the staff receive disability equality training as part of their customer care training.

## **5 Furniture**

Derby City Council is committed to a high quality environment and expects that street cafés will make an attractive contribution to the street scene. They will therefore expect attractive and durable furniture in keeping with a high quality design of the street café area. Furniture details must be submitted with proposals and only furniture approved by DCC may be used.

Furniture should be readily distinguishable from its background and surroundings. Good tonal contrast is important as an aid for visually impaired people.

A mixture of furniture within the café area is not acceptable and domestic 'patio-style' furniture (e.g. plastic) will not be of sufficiently high standard for a commercial city or conservation area environment.

Materials and colours should not be too bright, garish or overly reflective.

Tables and chairs should be easy to clean and stackable or removable for storage.

The design of tables should allow a comfortable height for wheelchair users.

A number of chairs should have arms.

Furniture which stands on an uneven surface such as cobbles should be of particularly sturdy design.

Attention should be given to the supply of a container suitable for the disposal of smoking related litter.

## **6 Barriers & Means of Enclosure**

The street café must have removable physical barriers parallel to each other on two sides of the street café leading out from the building line into the highway. Front barriers may be required in certain circumstances.

Barriers must be removed when the street café is not open (see section 10). Specific times will be agreed with the business.

The enclosure will contain the café and mark out its space within the street for customers. Barriers will also give clear warning to pedestrians and particularly to visually impaired people.

The environment and setting of the café should be considered when choosing the type of enclosure. In some circumstances a particular design may be required in order to maintain continuity.

Barrier posts must be solid so that they do not constitute a trip hazard.

The barriers should have good tonal contrast with their surroundings, in particular the end posts to make them readily visible. It is recommended that for proprietary stainless steel systems the end posts are painted as a contrast. Chains or rope between bollards or stanchions must not be used.

Barriers should not have any ornamental features projecting horizontally.

Where possible advantage should be taken of existing planters and other structures and features within the street scene when siting tables and chairs. In some specific cases additional barriers may not be required. DCC will, however, advise on whether approved enclosures are required.

## **6.1 Ideal Barrier**

Stable and sturdy

Fitted into ground sockets, NOT free standing

Must have a hand rail across the top and a tapping rail across the bottom

Transparent panels will help to visually integrate the café with the street scene

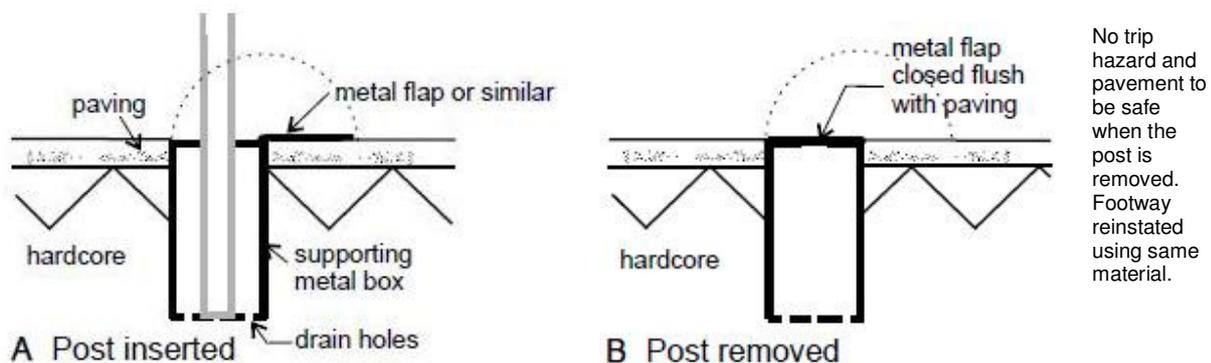
Light in weight for ease of movement and storage in the premise outside of authorised hours

Ground socket covers for when the barriers are not in use

## **6.2 Fixing to Pavement**

A variety of means may be used to temporarily fix the barriers in place, lockable wheels or pins in the ground are examples. It is essential however that they do not present a trip hazard when in use and that after hours, when the barriers are removed spigot flap covers are in place. It is vital that the floor sockets are covered at all times when the posts are not in place so that the holes in the ground are not visible and the pavement is made safe for normal pedestrian movement.

Barriers must also be removed on request to facilitate works on the highway or events in the city centre.



The installation of the barrier foundation system into the footway is to be reinstated to DCC satisfaction upon vacation of the premise. The highway must be restored to its original condition (e.g. if the highway is red tarmac then red tarmac is to be used for reinstatement). Failure to reinstate the highway to its original condition may result in charges from DCC for contractors to carry out these works on your behalf.

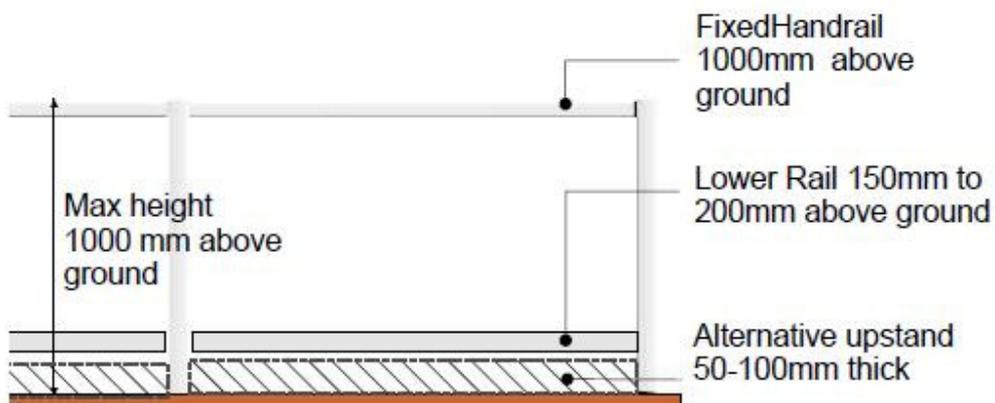
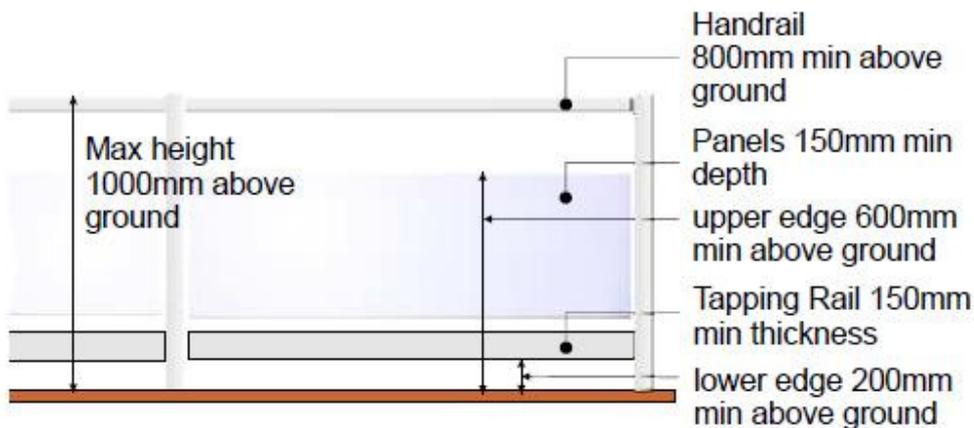
### 6.3 Barrier Dimension

The barriers should not be higher than 1m above ground level and must incorporate a hand and tapping rail. The enclosure should be sturdy and have a fixed hand rail no less than 800mm above ground level which should be smooth and rigid for pedestrians to hold on to for guidance and support.

A tapping rail should also be connected to the barrier posts for cane users with a depth of 150mm minimum. The lower edge of the tapping rail should be no higher than 200mm above the ground.

The barrier will incorporate highly visible panels at least 150mm deep which may be integral with the hand rail or, if separate, fixed so that their upper edge is a minimum of 600mm above ground level.

For larger permanent sites, fixed hand rails can be effective as a barrier, they allow the café to be seen and provide guidance for visually impaired people. They should be colour-contrasted with the background, smooth and comfortable to hold and provide support. A top rail should be at least 1000mm above pavement level, with either a lower rail at 150mm to 250mm high, or an upstand of 50mm to 100mm.



## **7 Parasols**

Parasols may be used for shade or other reasons such as hygiene, for example, where tables are positioned under trees.

The style, colour and size of parasols will be taken into consideration and they must be included in the application. They should not overhang where people will walk or in any way present a danger to pedestrians.

Only fabric parasols will be permitted and they must have non-reflective surfaces. In certain circumstances a particular type will be required to maintain continuity of design.

No advertising is permitted on the parasol, should you wish to advertise your business you will need to apply for advertising consent.

## **8 Heaters**

Should you wish to have a heater within your enclosure a risk assessment (to include consideration of storage of heat source) will need to be submitted within the application.

DCC discourages the use of heaters however you should establish the balance of the negative environmental impact of the heaters against the positive impact the heater will have on your business and the early evening economy in the city centre.

## **9 Alcohol**

If you wish to sell alcohol in the area licensed by the proposed street café licence you should contact the Licensing Team on 01332 641930 or [licensing@derby.gov.uk](mailto:licensing@derby.gov.uk) for further advice. Each individual application will be considered on its own merits.

## **10 Hours of Use**

**Non alcohol licensed street cafes** – daily opening hours between 8am-8pm however, exact times will be specified on the Model Permit. All furniture to be removed by 8pm

**Alcohol licensed street cafes** – (premise license required) daily opening hours between 8am-8pm however, exact times will be specified on the Model Permit. Times will be individual to each street café and subject to conditions of the premise license. Barriers may be left out after 8pm for crowd control but all other furniture must be removed and the area must not be used as a street café. All barriers must be removed by 11pm however, this is specific to individual businesses and will be specified on the Model Permit.

## **11 Storage**

Furniture must not be stored on the highway when the street café is not in use.

## **12 Advertising Consent**

Should you wish to advertise on the street café barriers/parasols etc, advertising consent may be required and would carry a fee. Please see the following link as a guide for advertising regulations <http://www.communities.gov.uk/documents/planningandbuilding/pdf/326679.pdf> or email Derby City Council's Development Management section at [developmentcontrol@derby.gov.uk](mailto:developmentcontrol@derby.gov.uk) for further clarification.

### **13 Hygiene & Site Cleanliness**

All tables must be cleared of uneaten food, drink and cutlery once the customers have vacated the seating area.

Any spillages must be cleaned up immediately

Staff should ensure that all litter is cleaned away during the day and when removing the street café a final sweep should be done and any litter removed from the highway. Care should be taken to prevent litter being blown further afield.

An ashtray should be provided on each table however free standing ashtrays and wall ashtrays are also permitted. Some form of ashtray must be available in the enclosure.

Consideration needs to be given to ensure that smoking areas do not conflict with areas of food consumption.

### **14 Health & Safety**

The food business has a duty to ensure that the street café area and the furniture contained within are maintained in a sound condition. Any damaged furniture must be removed from the area until it has been repaired.

Street café furniture must remain within the enclosure at all times.

If at any time the street café barriers do not conform with the guidelines, you must rectify the problem immediately or remove the entire street café from the highway.

If the food business is intending to provide a waitress service for the street café area then the work activity must be suitably risk assessed and appropriate controls put in place to protect both staff and the public. Food businesses that employ five or more staff must record the significant findings of their health and safety risk assessments.

### **15 Health Pests**

Rodents and pigeons can have serious public health implications. To prevent them from becoming attracted to the street café the area must be kept clean and tidy at all times. Any spillages and dropped food must be cleared away immediately and the area washed down if required. Waste bins must be emptied at the end of the day.

### **16 Public Liability Insurance**

Evidence of public liability insurance, minimum limit of indemnity £5m, must be provided. This must be submitted annually as part of the licence renewal process.

### **17 Contacts**

Your application will be handled by Vicki Harvey who will undertake all necessary consultations with street café team members and Derby Police Licensing. All contact regarding your street café should be directed to Michael Emerson on 01332 287340 or [micheal.emerson@derby.gov.uk](mailto:micheal.emerson@derby.gov.uk), or  
Michael Emerson- City Centre Events Manager  
Assembly Rooms  
Market Place  
Derby  
DE1 3AH

## **18 Timescale**

Derby City Council will process a request for a street café within 2 months. This includes a statutory notice period of 28 days, during which any objections can be addressed.

## **19 Costs**

### **Non Alcohol Licensed Premise**

New application	£200
Renewal	£100
Change licence holder	£100

### **Alcohol Licensed Premise**

New application	£400
Renewal	£200
Change licence holder	£100