

Applic No:	Rec No/Date:	Licence No CH
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**APPLICATION FOR PERMISSION TO PROVIDE CAFÉ FACILITIES
ON A PUBLIC HIGHWAY – HIGHWAYS ACT 1980, SECTION 115E**

PART A: Particulars of Applicant

Name of Applicant:

Contact Name (if organisation):.....

Address:

.....

Post Code: Tel No:

Fax No: E-mail:

PART B: Particulars of Premise

Premise Name:

Type of Premise:

Address:

.....

Post Code: Tel No:

PART C: Proposed Café Area

Dimensions of area: metres (width) by metres (depth)

Does the area extend beyond the frontage of your own premise? YES/NO
If yes please submit written confirmation from your neighbour(s) of their agreement to
to your proposal to use the space in front of their premise.

Does your proposal leave a 2.0 metre wide unobstructed pedestrian route? YES/NO
(See Design Guide) If no, please explain why. NB Cafés which do not leave a 2.0
metre not leave a 2.0 metre wide unobstructed pedestrian route will only be approved
if there are mitigating circumstances.

PART D: Type of Equipment

Proposed number of tables?	Proposed number of chairs?
Do you propose to use parasols? YES/NO	If YES, how many?
Please provide details of proposed tables/chairs/parasols giving design information, dimensions and colour (see Design Guide)	

PART E: Means of Enclosure

By what means is the proposed café to be enclosed?

Please provide photographs or manufacturer's illustration of barriers and/or planters if possible (see Design Guide)

PART F: Plan Requirements

A plan must accompany this application showing the following details:

- (a) the outline of your building with accesses, including emergency accesses, clearly marked;
- (b) the outline of adjacent building(s) if your café area is to extend in front of your neighbour's premise;
- (c) the location of the kerb line;
- (d) the position of any street furniture, eg lamp posts, litter bins, trees, bollards, pedestrian crossings, etc;
- (e) measurements clearly marked;

PART G: TIMES, DURATION & OPERATION

Times of Day: Days of Week:

Please Note: Town centre premises may only apply between 10.00 and 20.00.

Season (if applicable):

Will alcoholic drinks be served and consumed within the café area? YES/NO

If YES, please state: Premise Licence No:

Designated Premise Supervisor's Name:

Personal Licence No:

PART H: ADDITIONAL DETAILS

(1) Have you taken the needs of disabled customers into consideration?

YES/NO

(2) Is your building listed or within a conservation area? (see Design Guide)

YES/NO

(3) If you are unsure, the Council can advise you further, contact:
Conservation Design Section, Planning Services, 01484 221575 or email
planning.contactcentre@kirklees.gov.uk

(4) Have you reviewed your staffing situation to ensure that you have sufficient staff to adequately manage the increased café area?

YES/NO

(5) Have you put a cleaning schedule in place? (see Design Guide)

YES/NO

(6) Do you currently have public liability insurance of £10,000,000 (ten million pounds) and are you prepared to indemnify the Council against any claims arising from the café being located on the highway?

YES/NO

If yes please forward copies of your documentation.

If no, you will need to arrange the necessary insurance before a licence can be granted.

PART I: DECLARATION

I declare that I am over 18 years of age and I certify that, to the best of my knowledge and belief, the information I have provided in this application form and on the submitted plans is both accurate and correct.

Signature of Applicant:

Name of company (if applicable):

Position in Company (if applicable):

Dated:

PLEASE SEND YOUR APPLICATION TO:

Kirklees Council, Licensing Department, Flint Street Depot, Flint Street, Fartown, Huddersfield HD1 6LG

Together with the appropriate fee (please attached fee sheet). Cheques should be crossed and made payable to "Kirklees Council"

PART J: CHECKLIST OF REQUIRED SUPPORTING DOCUMENTS

- Written confirmation from neighbouring premise (if applicable)
- Photographs, brochures or scaled drawings showing design, dimensions, colour and materials of proposed tables, chairs, parasols
- Photographs, brochures or scaled drawings showing design, dimensions, colour and materials of proposed means of enclosure
- Public Liability Insurance for £10,000.000 (ten million pounds)
- A cheque made payable to Kirklees Council for the appropriate fee
- A plan as detailed in PART F
- Additional details as required in PART H

Personal Data

We have recently updated our Privacy Notice about how we use personal data provided to the Council. Further information can be found at:
<http://www.kirklees.gov.uk/beta/information-and-data/pdf/privacy-notice-other-licenses.pdf>

DESIGN GUIDE**1 Introduction**

- 1.1 This guide is intended to ensure that outdoor cafes can be established in the streets and precincts of Kirklees without conflicting with the needs of other street users, and ensure a high quality of design that enhances the environment.
- 1.2 It will not normally be necessary to obtain planning consent, however, it will be necessary to obtain a licence from the Licensing Service.
- 1.3 It if is intended to provide liquor for consumption on the highways it is essential that all applicants ensure that their current licence extends to the proposed facility.

2 Size and Layout

- 2.1 This will be dependent on factors such as available space, type of premises and street furniture. Needs of other highway users should be taken into account, eg pedestrian flows, vehicular access etc. Although these criteria will be determined by Highways Service, it should be noted that the following key principles will apply in every case.
- 2.2 A clear pedestrian route shall be maintained for those walking past the premises. This should preferably be adjacent to the kerb to ensure that most pedestrians and particularly those with visual impairments can maintain their regular route. This should normally be of a minimum width of 1.8 metres. Emergency exits from adjacent buildings must not be obstructed by the seating area. Visibility splays must not be obstructed.
- 2.3 In the case of a precinct, a maximum of one third of the total width will normally be allowed.
- 2.4 The layout of the tables, seats, access points and enclosure will have to be approved. It is essential that the layout of these areas do not provide any obstruction or inconvenience to those customers with disabilities and particularly that adequate space is left between tables for wheelchair access.
- 2.5 The approved café area may be permanently marked out by the Council by steel pins or markers set into the pavement or where appropriate by paving materials and design. It is important that no obstructions such as tables, chairs or barriers etc be left on the pavement outside the approved hours.

3 Means of Enclosure

- 3.1 When a street café is in use a temporary form of enclosure will normally be required, with adequate openings to permit access. The function of this enclosure is to demarcate and contain the cafe but also to give a clear warning particularly to people with visual impairments.

- 3.2 For this reason it is essential that the barrier has some solid elements particularly just above ground level to be detectable by a stick and an element approximately 800mm high in a contrasting colour to the background that is highly visible.
- 3.3 It is essential that the means of enclosure is lightweight in construction, both to ensure that it is not too visually dominant in the street scene and to enable it to be dismantled and stored in the premises outside the approved hours.
- 3.4 The colour and materials of the enclosure will have to be considered carefully to ensure that in the longer views it is not too visually dominant but close up that certain key elements stand out against the background (eg a waist high rope).
- 3.5 In some circumstances a particular design may be insisted upon to retain some continuity of design in a particular space or square for instance.
- 3.6 Please note that post & chain or rope barriers are not considered suitable although existing street furniture or street railings may be utilised where appropriate.

4 Furniture

- 4.1 A standard design of seating and tables will not be insisted upon but a reasonable quality will be requested and a mixture of furniture is not recommended. The materials and colours should not be too bright, garish or overly reflective. White plastic furniture will not normally be approved. Tables should be of a design to allow wheelchair use.
- 4.2 The use of umbrellas will have to be specified as part of the design along with their location material and colour. These must be positioned so they cannot overhang beyond the means of enclosure, even if adjusted, which could create a danger to a passing pedestrian.
- 4.3 Only fabric umbrellas will be permitted to avoid reflective surfaces, and in certain circumstances a particular type may be insisted upon to retain some continuity of design in a space.
- 4.4 The colours and design on the umbrella itself will not be restricted to a particular type but again, too bright or garish colours must be avoided allowing for the fact that these elements will bring some colour to the street scene.
- 4.5 Any advertising must relate to items on sale within the café. Any other advertising would require specific planning consent.

5 Environmental Issues

- 5.1 It will be expected that the approved café area will be kept clean and litter free and it should also be ensured that litter does not stray onto the neighbouring area.