



Rutland County Council

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Ladies and Gentlemen,

A meeting of the **GROWTH, INFRASTRUCTURE AND RESOURCES SCRUTINY PANEL** will be held in the Council Chamber, Catmose, Oakham on **Thursday, 7th December, 2017** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs
Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

A G E N D A

1) RECORD OF MEETING

To confirm the record of the meeting of the Growth, Infrastructure and Resources Scrutiny Panel held on 16 November 2017 (previously circulated).

2) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are invited to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Act 1992 applies to them.

3) PETITIONS, DEPUTATIONS AND QUESTIONS

To receive any petitions, deputations and questions received from Members of the Public in accordance with the provisions of Procedure Rule 217.

The total time allowed for this item shall be 30 minutes. Petitions, declarations and questions shall be dealt with in the order in which they are received. Questions may also be submitted at short notice by giving a written copy to the

Committee Administrator 15 minutes before the start of the meeting.

The total time allowed for questions at short notice is 15 minutes of the total time for 30 minutes. Any petitions, deputations and questions that have been submitted with prior formal notice will take precedence over questions submitted at short notice. Any questions that are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

4) QUESTIONS WITH NOTICE FROM MEMBERS

To consider any questions with notice from Members received in accordance with the provisions of Procedure rule No. 219 and No. 219A.

5) NOTICES OF MOTION FROM MEMBERS

To consider any Notices of Motion from Members submitted in accordance with the provisions of Procedure Rule No. 220.

6) CONSIDERATION OF ANY MATTER REFERRED TO THE PANEL FOR A DECISION IN RELATION TO CALL IN OF A DECISION

To consider any matter referred to the Panel for a decision in relation to call in of a decision in accordance with Procedure Rule 206.

7) FEES AND CHARGES 2018/19

To receive Report No. 213/2017 from the Director for Resources.
(Report circulated under separate cover)

- The above report is due to be presented at Cabinet on 19 December 2017.
- Scrutiny has requested this report so that it can review and comment on proposals before the Cabinet meeting so as to inform the decision-making process.
- Scrutiny is asked to consider the report and provide feedback to the Portfolio Holder and Director.

8) SIGNS GUIDANCE & STREET FURNITURE POLICY

To receive Report No. 219/2017 from the Director for Places.
(Pages 5 - 36)

9) OAKHAM ENTERPRISE PARK DEVELOPMENT STRATEGY

To receive Report No. 160/2017 from the Chief Executive.
(Report to follow)

PROGRAMME OF MEETINGS AND TOPICS

10) SCRUTINY PROGRAMME 2017/18 & REVIEW OF FORWARD PLAN

To consider Scrutiny issues to review.

Copies of the Forward Plan will be available at the meeting.

11) ANY OTHER URGENT BUSINESS

To receive any other items of urgent business which have been previously notified to the person presiding.

12) DATE AND PREVIEW OF NEXT MEETING

Budget Meeting (date to be confirmed)

Wednesday 24 January 2018 *or*
Thursday 25 January 2018

Ordinary Meeting

Thursday 15 February 2018 at 7pm

Items to include: Q3 Performance Management Report
 Q3 Financial Management Report
 Spending of Commuted Sums for Affordable Housing
 Local Transport Plan 4

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DISTRIBUTION

MEMBERS OF THE GROWTH, INFRASTRUCTURE AND RESOURCES SCRUTINY PANEL:

Mr J Lammie (Chairman)	
Mr I Arnold	Mr N Begy
Mr E Baines	Mr O Bird
Mr W Cross	Mr A Mann

OTHER MEMBERS FOR INFORMATION

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**GROWTH, INFRASTRUCTURE AND RESOURCES SCRUTINY
PANEL**

7 December 2017

SIGNS GUIDANCE & STREET FURNITURE POLICY

Report of the Director for Places (Environment, Planning & Transport)

Strategic Aim:	Sustainable Growth	
Exempt Information	N/A	
Cabinet Member(s) Responsible:	Mr T Mathias, Leader, Portfolio Holder for Finance and Places (Highways, Transport and Market Towns)	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning & Transport)	01572 758461 dbrown@rutland.gov.uk
	Neil Tomlinson, Senior Highways Manager	01572 758342 ntomlinson@rutland.gov.uk
Ward Councillors	Not Applicable	

DECISION RECOMMENDATIONS

That the Panel considers and comments on the Signs Guidance and Street Furniture Policy attached as Appendix 1.

1 PURPOSE OF THE REPORT

1.1 To present to Scrutiny the revised Signs Guidance & Street Furniture Policy in appendix 1, following previous presentation on 7th April, 2016.

2 BACKGROUND AND MAIN CONSIDERATIONS

2.1 Rutland County Council originally approved a highways signs policy in June 2009. The main changes in this update are:

- Additional details on the provision of Brown Tourism signs;
- Revised controls for advertising boards (A-boards); and
- Controls for street furniture (e.g. table and chairs).

2.2 The Places Scrutiny Panel considered an initial draft of the revised Policy on 7th April, 2016 and raised a number of concerns around the following items:

- The charity status of some community events;
- Dealing with ‘pop up’ events such as jumble sales;
- Public liability insurance for A-boards;
- Removal of references to a minimum footway width; and
- The ability to implement the Policy.

2.3 Changes to the draft Policy have been made to reflect the Panel’s comments and to reflect the Town and Country Planning (Control of Advertisements) Regulations 2007, covering the advertisement control system.

2.4 Additions to the report have been included to reflect the desire to encourage a ‘café culture’ within our market towns.

2.5 The Panel are requested to specifically consider the following:

- How many A-boards should a business be allowed?
- Should A-boards only be allowed immediately in front of businesses?
- Should the A-board requirements just apply to town centre locations?
- Are the criteria for street furniture acceptable?
- Provides comment on the proposed fees.

3 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

3.1 That the Panel considers and provides feedback to the Director for Places (Environment, Planning & Transport) on the Draft Signs Guidance and Street Furniture Policy (as attached in Appendix 1), prior to a report for recommendation being presented to Cabinet on 17th April, 2018.

4 BACKGROUND PAPERS

4.1 None

5 APPENDICES

5.1 Appendix 1: Draft revised Signs Guidance and Street Furniture Policy.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Rutland Signs Guidance & Street Furniture Policy

Version & Policy Number	Version 2.0
Guardian	Neil Tomlinson 01572 758342 ntomlinson@rutland.gov.uk
Date Produced	5 th September 2017
Next Review Date	

Approved by Cabinet	
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Summary of document

This Policy aims to formalise the placement of signage within the highway, including the regulation of advertising signs and street furniture.

Contents		<i>Page</i>
1.0	HIGHWAY SIGNAGE	
1.1	Introduction	4
1.2	General Principles	4
1.3	Regulatory Signs	4
1.4	Warning Signs	5
1.5	Tourist Destination Signs	5
1.6	Temporary Road Signs	5
1.7	Traditional Signs	5
1.8	Sign Placement & Specifications	6
1.9	Grouping of Signs	6
1.10	Illumination	6
1.11	Convex Mirrors	6
1.12	Signs to Developments	7
1.13	Signs to Special Events	7
1.14	Community & Charity Events	9
1.15	Advertising Signs	9
1.16	Implementation	9
2.0	ADVERTISING BOARDS AND GOODS ON DISPLAY	
2.1	Introduction	10
2.2	A-Board Locations	10
2.3	A-Board Sign Requirements	12
2.4	Display Specific Requirements	12
2.5	Licence Fees	12
2.6	General	13
3.0	STREET FURNITURE	
3.1	Introduction	14
3.2	Legal Situation	14
3.3	Permissions Required	14
3.4	Designing the Pavement Café	15
3.5	Size and layout	15
3.6	Boundaries	16
3.7	Hours of Operation	17
3.8	How long & how much	17
3.9	Standard conditions	18

Appendix A - Implementation of tourism signing	19
Appendix B - tourism signing guidelines for attractions and facilities	21
Appendix C – Street Furniture Standard Condition	27

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1.0 HIGHWAY SIGNAGE

1.1 Introduction

1.1.1 The type, size and location of highway signs are prescribed by the Traffic Sign Regulations and General Directions 2002 (TSRDG) with additional guidance contained in the Traffic Signs Manual (TSM), with the explicit aim of ensuring the uniformity of highway signage across the country. The aim of this document is to provide guidance on how these documents will be interpreted and applied to highway signage in Rutland.

1.1.2 Advertising signs are controlled through planning regulations. The Government provides a guidance document for advertisers with clear advice on the placement of any advertising signs ([Click here for link](#)).

1.2 General Principles

1.2.1 Signage shall be kept to absolute minimum for the following reasons:

- To enhance the environment by reducing the amount of roadside clutter;
- To reduce the cost of new signage;
- To reduce the cost of maintaining existing signs;
- To increase the impact of important signs;
- To minimise the chances of signs being obstructed by other signs;
- To minimise electricity consumption;
- To minimise the number of obstructions within the highway.
- To encourage a café culture
- To increase tourism and socialisation within urban environments
- To ensure that street furniture is safe for all highway users

1.3 Regulatory Signs

1.3.1 Regulatory signs shall be the minimum size prescribed by the TSRDG and only be used where there is a reasonable prospect of enforcement (eg speed limits). The following signs shall only be used in exceptional circumstances with the approval of the Director for Places (Environment, Planning & Transport), Places:

- Diag.619 – Motor vehicles prohibited;
- Diag.642 – no stopping on main carriageway (clearway);
- Diag.956 - route used by pedal cycles and pedestrians, and associated signs. Road markings to diag.1057 and 1058 should be used instead.



Diag 619



Diag 642



Diag 956

1.4 Warning Signs

1.4.1 Warning signs shall only be used where there is a significant hazard that requires advanced warning due to a lack of forward visibility. The size shall be the minimum prescribed by TSRDG, however vehicle speed should be taken into account, in accordance with the TSM. The following signs shall only be used in exceptional circumstances with the approval of the Director for Places (Environment, Planning & Transport), Places:

- Diag.950 – Cycle route ahead;
- Diag.506 – Side road ahead;
- Diag.510 – Roundabout ahead;
- Diag.543 – Traffic signals ahead.



Diag 950



Diag 506



Diag 510



Diag 543

1.5 Tourist Destination Signs

1.5.1 Tourist destination signs (brown signs) shall only be erected where there is a demonstrable public interest. The attraction must be open for at least 150 days a year without prior booking and have a minimum of 10,000 visitors per year. Adequate off street parking must be provided. The guidelines, and criteria for tourist attractions and facilities are included in Appendices A and B.

1.6 Temporary Road Signs

1.6.1 Temporary signs for road works and new road layouts shall be signed in accordance with Chapter 8 of the TSM and the code of practice for Safety at Street Works and Road Works. All temporary signs shall be removed as soon as reasonably practicable. Signs to diag.7014 – permanent changes to the road layout, shall be removed after 3 months

1.7 Traditional Signs

1.7.1 Traditional signs, such as finger posts, shall be retained wherever practicable. All maintenance or replacement shall be carried out sympathetically. Timber posts may be used on low speed roads. On high speed roads posts shall comply with BS EN 12899-1.

1.8 Sign Placement & Specifications

1.8.1 Signs shall be placed in accordance with the TSM and take account of visibility requirements and the need to minimise the risk of vehicle collisions. Where signs provide information for vehicles turning from a major road to a minor road they shall be positioned in line with the highway boundary of the major road (i.e. on the hedge line or fence line of the major road). Signs shall be placed so as not to obstruct other signs. Where possible new signs shall be mounted on existing poles or lighting columns (see also section 10).

1.8.2 Signs shall be mounted in accordance with the following:

- Where there are no pedestrians the base of the sign shall be between 900mm and 1500mm above the height of the adjacent carriageway, taking account of summer verge growth and additional sign cleaning requirement due to vehicle spray;
- Where pedestrians may be present the base of the sign shall be a minimum of 2100mm above the footway;
- No part of the post shall project above the top of the sign.

1.9 Grouping of Signs

1.9.1 Where multiple signs are essential they shall be mounted on a single post (or set of post if signs are large). The restrictions specified in Chapter 1 of the TSM shall apply.

1.10 Illumination

1.10.1 Signs shall only be illuminated where required under Schedule 17 of TSRGD.

1.10.2 Where signs no longer require illumination, the lighting equipment will be removed when the sign reaches the end of serviceable life.

1.11 Convex Mirrors

1.11.1 Convex mirrors are not permitted in the highway as there is no evidence that they reduce accident rates.

1.11.2 Whilst approval from the highway authority is not required for mirrors erected on private land, planning permission may be required.

1.12 Signs to Developments

- 1.12.1 Developers may be permitted to put up signs advertising the location of a development if they meet the conditions listed below. A developer who wishes to put up a sign must apply to the Authority to do so.
- 1.12.2 Details of the location, number, wording and method of fixing of the signs, along with proof of the developer's public liability insurance must be provided to the council for approval prior to permission being granted. Only the minimum number of signs necessary will be approved. In most cases, this is likely to be the minimum number of signs required to direct from the nearest classified road.
- 1.12.3 The developers or their contractor's public liability insurance shall indemnify the council against all claims for injury accident or damage which may arise due to the presence of the signs on or adjacent to the highway.
- 1.12.4 The development includes a minimum of 30 bedrooms.
- 1.12.5 Signs must conform to the Traffic Signs Regulations and General Directions diagram 2701 or 2071.1 (house symbol in black on a yellow background).
- 1.12.6 Each sign is mounted a minimum of 2.1m above the carriageway/footway/verge or 2.4m above a cycle route. Each sign is to be at least 0.45m from the edge of the carriageway and at least 600mm where there is a cross fall. On high-speed dual carriageway roads the clearance should be at least 1200mm
- 1.12.7 No costs associated with removal or maintenance of the signs shall be borne by the council.
- 1.12.8 The signs shall be removed within six months of erection or on completion of the sale of 80% of the properties, whichever is sooner.
- 1.12.9 Any damage to existing street furniture arising from the erection of the temporary signs will be repaired and the costs recharged to the developer.
- 1.12.10 A charge in accordance with RCC fees and charges is made to cover a site visit to assess feasibility at the proposed sites.
- 1.12.11 No direction sign is to be mounted adjacent to a "warning" or "regulatory order" traffic sign.

1.13 Signs for Special Events

- 1.13.1 Direction signs for special events will be considered if substantial vehicular flows are likely to be generated, causing congestion or a road safety hazard. Substantial flow is considered to be in excess of 400 vehicles attending the event. Event organisers should clearly demonstrate that their car parking provision would accommodate the expected visitor numbers.

Parking should be on site and closely associated with the venue to reduce pedestrian movements.

- 1.13.2 All signs on the highway must be approved by the Council.
- 1.13.3 A charge in accordance with RCC fees and charges is made to cover the cost of assessing and approving the design
- 1.13.4 Details of the location, number, wording and method of fixing of the signs, along with of the event organisers or contractor's public liability insurance which shall indemnify the council against all claims for injury accident or damage arising due to the presence of the signs on or adjacent to the highway must be submitted for approval.
- 1.13.5 Only the minimum number of signs necessary will be approved. In most cases, this is likely to be the minimum number of signs required to direct from the nearest classified road.
- 1.13.6 Following approval in writing by the Council signs are to be erected no more than 48 hours before the event. Any signs found erected in advance of this will be removed and the applicant charged the cost of removal and an administrative fee of 10% of the costs.
- 1.13.7 Signs are to be removed within 24 hours of the event. Any signs found consequently will be removed and the applicant charged the cost of removal and an administrative fee of 10% of the costs.
- 1.13.8 When applications are made for a series of events the signs must be removed and re-erected for each event. The above charges will be incurred for deviations from this.
- 1.13.9 Signs must be of an appropriate size in accordance with TSRGD, for the approach speeds of the road on which they are to be placed and must not interfere with any existing highway signage.
- 1.13.10 In the case of badly presented / designed applications where staff time is required to correct mistakes and check locations the applicant will be charged the cost of rectification.
- 1.13.11 Where signs are erected without permission, they will be removed and the cost of doing so charged to the organising body of the event named on the sign. The cost of sign removal shall be in accordance with Rutland County Council's fees and charges and reviewed annually.
- 1.13.12 No costs associated with removal or maintenance of the signs shall be borne by the council
- 1.13.13 Any damage to existing street furniture arising from the erection of temporary signs will be repaired and the costs recharged to the promoter.
- 1.13.14 No direction sign is to be mounted adjacent to a "warning" or "regulatory order" traffic sign.

1.14 Community and Charity Events

- 1.14.1 For community and charitable events and other non-commercial activities, signing may be permitted within the highway provided that they comply with the document; Outdoor advertisements and signs: a guide for advertiser's document. These signs would be classed as advertising benefitting from deemed consent and would be deemed as Class 3 (D).
- 1.14.2 The signs are put up no more than 28 days before the event and are removed a maximum 14 days after it ends.
- 1.14.3 The signs do not confuse drivers, obstruct visibility or block footways.
- 1.14.4 The signs are not attached to other highways signs (attachment to other street furniture may be allowed and further advice should be obtained from the Highways Department).
- 1.14.5 Each sign does not exceed 0.6 of a square metre in area.
- 1.14.6 Permission in advance is sought and received from the Highways Department.
- 1.14.7 Any signs found to be breaching this condition may be removed and disposed of.

1.15 Advertising Signs

- 1.15.1 An outdoor advertisement is permitted without the planning consent if:
 - It is one of the 9 different classes of advertisement which are specifically excluded from the direct control of the planning authority; or
 - It comes within the provision of one of the 14 classes of deemed consent

[\(see Outdoor advertisements and signs; a guide for advertisers\).](#)
- 1.15.2 All other signs require advertisement consent and a planning application must be made.

1.16 Implementation

- 1.16.1 This guidance applies to the erection of all new highway signs in Rutland. Existing signs will be modified as part of a rolling programme or whenever improvement schemes are carried out. The rate of change will be dependent on available funding. When signs are damaged or have reached the end of their life, this guidance will be used to determine whether they should be replaced.

2.0 ADVERTISING BOARDS & GOODS ON DISPLAY

2.1 Introduction

- 2.1.1 Advertising signs are controlled through planning regulations. The Government provides a guidance document for advertisers with clear advice on the placement of any advertising signs ([Click here for link](#)).
- 2.1.2 Advertising Boards (A-boards), and goods on the highway are an effective way for businesses to promote their business in and around the towns and villages of Rutland, adding to the colour and atmosphere of the street scene for residents and visitors alike.
- 2.1.3 This section of the policy establishes Rutland County Council's position with regards to the placement on the public highway of A-Boards, and other comparable objects.
- 2.1.4 A-boards and goods within the highway must be appropriate for the area and properly set up so that they benefit the business, enhance the shopping area and do not cause a problem for other users of the street.
- 2.1.5 Unlicensed A-boards shall not be permitted within the highway, either on freestanding structures, attached to street furniture, or adjacent structures. Any signs found to be breaching this condition will be removed to our contractors' depot, stored for 4 weeks, disposed of, if not collected, and the applicant charged the cost of removal and an administrative fee of 10% of the costs.
- 2.1.6 The Council is prepared to allow A-boards and Goods for Display to be placed on the highway on the strict understanding that the businesses that place them adhere to the terms of Rutland Signs Guidance Policy (including Advertising Signs & A-boards), and all such installations are licensed in accordance with this policy.

2.2 A-Board Locations

- 2.2.1 Permission must be sought and received from the Highways Department at least 4 weeks in advance of installation date and a licence obtained in accordance with 2.5.
- 2.2.2 The A-board should be located immediately outside the front of the business premises and not on highway fronting adjacent businesses or properties. The sign must be touching the front of the building, making sure that there is an unobstructed passage at least 1.8m wide for people using the footway.
- 2.2.3 A-boards or displays will only be allowed on pavements where sufficient width of footway can be left clear and unobstructed for pedestrian usage of the area. An unobstructed footway width of 1.8 metres must be maintained between the edge of the carriageway and the A-board. In pedestrianised areas a minimum width of 3.5 metres shall be provided.

- 2.2.4 If within a short distance a proliferation of A-boards results in pedestrians finding it difficult to navigate, all owners will be asked to remove boards until agreement can be reached.
- 2.2.5 A-boards must not be placed in the way of vehicle movements.
- 2.2.6 All A-boards must be temporary in their nature so that they can be easily removed i.e. they require no excavation to be installed or removed. They are to be totally removed from the highway at the end of each day's trading.
- 2.2.7 A-boards must not be located within 1.8 metres of any other permanent or temporary sign, pillar, post, item of street furniture, other display or the edge of the carriageway.
- 2.2.8 A-boards must not cause a visual distraction or obstruction to vehicle sight lines or block visibility for footway users, and must not impede vehicular emergency access.
- 2.2.9 A-boards must be such that they can easily be detected by blind or visually impaired people and negotiated by people with limited mobility. This should include ensuring that signs provide a suitable colour contrast to the surrounding areas.
- 2.2.10 On footways, an A-board or display must not be placed within 2.0 metres of any tactile paving.
- 2.2.11 A-boards must not be fixed to lamp posts, bollards, seats, highway trees or other items of street furniture by means of chains, rope, etc. Any that are so fixed may be removed by the Council at any time without any reference to the owner.
- 2.2.12 Only one A-board will be permitted per business.
- 2.2.13 A-boards leant against walls etc will not be acceptable
- 2.2.14 All signs and displays shall be removed prior to and during events likely to result in significant increase in level of footfall (i.e. carnivals, races, religious services and other public events).
- 2.2.15 No protruding elements that could cause a trip or fall shall be permitted
- 2.2.16 No elements that could cause injury to passers-by i.e. splinters, snagging of clothes shall be permitted
- 2.2.17 Any signs found to be in breach of any of these conditions will be removed to our contractors' depot, stored for 4 weeks, disposed of, if not collected, and the applicant charged the reasonable cost of removal and an administrative fee of 10% of the costs.

2.3 A-board Sign Requirements

- 2.3.1 A-boards and displays must be such that they can easily be detected by blind or visually impaired people and negotiated by people with limited mobility. This should include ensuring that signs provide a suitable colour contrast to the surrounding areas.
- 2.3.2 A-boards and displays must be stable and not represent a potential danger to any highway users. In particular, the structure must be of sufficient weight and/or design to prevent it being blown over in the wind.
- 2.3.3 A-boards or displays must not have a detrimental effect on the fabric of the highway.
- 2.3.4 A-boards should be no greater than A1 Maximum (841x594) plus a frame.
- 2.3.5 Rotating or swinging A-boards will not be permitted.
- 2.3.6 A-boards cannot be illuminated.
- 2.3.7 A-boards must not contain any visual or written material that could be construed as inappropriate or offensive. Any breach of this condition will result in the immediate removal of any such signs.

2.4 Display Specific Requirements

- 2.4.1 Displays of goods may only be located immediately outside the frontage of the premises so that staff and customers do not have to cross the normal flow of pedestrians.
- 2.4.2 The items on display may only relate to the business or trade normally carried out and in any event the display of alcohol and gas bottles/canisters or other dangerous goods is not permitted.
- 2.4.3 The display must not obstruct fire door exits and statutory undertakers' plant and equipment.
- 2.4.4 The display must be entirely within the frontage of the trading establishment and be no wider than a third of the available highway footway up to a maximum of 2.5m. An unobstructed footway width of 1.8 metres must be maintained between the edge of the carriageway and the goods on display. In pedestrianised areas a minimum width of 3.5 metres shall be provided.
- 2.4.5 No selling or trading on the highway is permitted. All transactions must take place on the business premises.

2.5 Licence Fees

- 2.5.1 The applicant shall agree to reimburse Rutland County Council the costs involved in the processing of the application, the investigation of and location of the signs, and the provision of the licence by the Council. The

cost of determining the application shall be in accordance with Rutland County Council's fees and charges and reviewed annually, payable at the time of submitting a formal application and will not be reimbursed if the application is not successful.

- 2.5.2 Provided there are no breaches of the licence, the licence would be renewed annually, for an administrative fee determined in accordance with Rutland County Council's fees and charges and reviewed annually.

2.6 General

- 2.6.1 The business/trader must ensure that they have public liability Insurance to a value of £5 million and an original policy certificate provided to the Council where requested. The business/trader shall indemnify the Council as the Highway Authority against all claims that may arise in connection with the placing of an A-board or display on the highway.
- 2.6.2 The Council, as highway authority, and statutory undertakers (gas, electricity and water) have the right to carry out works within the highway. If required, the A-board or display shall be removed to allow access for the highway authority or statutory undertakers to undertake works.
- 2.6.3 The Council has powers under the Highways Act 1980 to take enforcement action in respect of obstructions to the highway where appropriate and to recover any expenses incurred. The Council is less likely to take enforcement action for obstructing the highway if the A-boards and goods on the highway are displayed in compliance with the terms and conditions of this policy and the licence.
- 2.6.4 The A-board or display will be expected to enhance the local area. Any business or trader who places an A-board or display on the highway without meeting the requirements of the Council's policy will be instructed by the Council to remove the offending A-board or display.
- 2.6.5 Any signs found to be breaching these conditions will be removed to our contractors' depot, stored for 4 weeks, disposed of, if not collected, and the applicant charged the reasonable cost of removal and an administrative fee of 10% of the costs.

3.0 STREET FURNITURE

3.1 Introduction

- 3.1.1 Alfresco eating is becoming a more widespread aspect of urban life and the presence of tables and chairs on the pavement can make a positive contribution by adding vitality, colour, life and interest to an area.
- 3.1.2 There has been a steady rise in the interest from restaurants, cafés, and bars within the county to seek permission to place tables and chairs, associated with their operation, in the highway.
- 3.1.3 Rutland County Council appreciates the general appeal of this concept, recognises the economic benefits and welcomes the potential visual and amenity rewards such schemes can give if they are developed and implemented sympathetically.
- 3.1.4 The Council is mindful that uncontrolled and inconsiderately sited tables and chairs on the pavement can be unsightly, cause a nuisance, obstruct the passage of pedestrians, prams, and wheelchairs and create a danger to people with impaired vision or mobility difficulties.

3.2 Legal Situation

- 3.2.1 For the purposes of this policy pavement cafes are considered to be tables and chairs placed on the highway where food and drink is consumed by customers.
- 3.2.2 Before agreeing to grant permission for a pavement café on the highway, the Council must ensure that the public's rights to use the highway are not detrimentally affected.
- 3.2.3 This power was written into the Highways Act 1980 sections 115A to 115K, and allows the Council (as the Highway Authority) to provide and operate facilities for recreation and refreshment within the boundaries of the highway. It also allows the Council to grant permission to third parties to locate and operate such services in the highway.

3.3 Permissions Required

3.3.1 Highway Authority

- 3.3.1.1 A permission to use the highway for pavement cafés is issued by the Council under section 115E Highways Act 1980.
- 3.3.1.2 Tables and chairs placed on the highway without permission are an illegal obstruction and the Council will take enforcement action in such cases.

3.3.2 Planning Permission

3.3.2.1 Planning permission may be required for pavement cafes on the public highway, but the Council may not necessarily pursue this if it is satisfactory from a highways perspective. It should be noted that relevant planning permission or a lawful use for your existing premises must be in place before consent for a pavement café will be considered.

3.3.3 Premises Licence

3.3.3.1 If it is intended to serve alcohol at the table within the public highway, it will be necessary to apply separately for alcohol permission under the Licensing Act 2003. Early consultation with the Council licensing section/ department is recommended to ascertain the requirements for any particular proposal.

3.3.3.2 If you do not have a premises licence or your current licence expires or is revoked for any reason, you will not be able to serve any alcohol within the public highway.

3.3.4 Environmental Health registration

3.3.4.1 Food businesses are required by law to be registered with the Council. This is an entirely separate consideration to granting a pavement café licence. An application form can be obtained from the Environmental Services department of the Council.

3.4 Designing the Pavement Café

3.4.1 The size and layout of your proposed pavement café will be dependent upon the characteristics of the site outside your premises, the space available, the street furniture and the type of premises. However, there are a few fundamental principles to follow with the design. It is suggested that preliminary discussions take place with both the Council.

3.5 Size And Layout

3.5.1 The pavement café should normally occupy an area directly in front of and be visible from your existing premises. It should not extend beyond the width of your frontage but if you propose to extend beyond your frontage you will need to obtain your neighbours agreement.

3.5.2 Emergency exits from your own premises or adjacent buildings must not be obstructed by the pavement café and emergency services vehicles must have access along all streets at all times, even in pedestrianised areas.

3.5.3 The needs of other users of the highway should be taken into account e.g. pedestrians, trades people, adjacent businesses etc.

- 3.5.4 On normal street pavements or narrow footways the tables and chairs should be placed against the building. The presence of tables and chairs should never discourage pedestrians from using the footway.
- 3.5.5 Where a café lies outside a pedestrianised area, a minimum width of footway of 1.8m is required between the boundary of the seating area and any space used by vehicles or the kerb face.
- 3.5.6 It is not appropriate to set a standard size for pavement cafés. Each application will be evaluated on its merits taking into account the site characteristics, the space available and the proposed layout.
- 3.5.7 The layout of the café's furniture, access points and means of enclosure must provide adequate access and circulation space for all customers including wheelchair users and those with pushchairs, buggies etc.
- 3.5.8 Tables and chairs should not be located where they will impede drivers' sight lines or obscure highways signs.
- 3.5.9 When designing the pavement café you should consider whether or not your existing toilet and washing facilities are adequate to accommodate increased customer numbers. If toilet facilities do not meet the requirements necessary for wheelchair access, a sign should be displayed to ensure people are aware of this.
- 3.5.10 The pavement café should not adversely affect the architecture or historic character of a Listed Building or its setting or the Conservation Area in which it is located.

3.6 Boundaries

- 3.6.1 The County Council will not allow any fixtures to or any excavation of any kind to the surface of the highway.
- 3.6.2 Every effort should be made to avoid causing damage to the highway or adjacent property. The cost of rectifying any damage to the highway surface or to the street furniture caused by any activity connected with the pavement café operation may be recharged to the licensee.
- 3.6.3 Once the size and the layout of the pavement café are agreed it is important that it is adhered to at all times. All activities associated with the café must be contained within the agreed boundary including all tables, chairs, parasols, planters, barriers/fencing etc.
- 3.6.4 When the pavement café is in use, a form of enclosure will be required to demarcate and contain the area. Good quality and well-designed materials should be used. Waist-high post and ropes are suggested as one method and it is also advised that the enclosure includes solid elements near to ground level which are detectable by stick to give a clear warning to people with visual impairment.

- 3.6.5 The colour and materials of the enclosure should be considered carefully to ensure that in the longer view it is not too visually dominant, but at close range contains key elements which stand out against the background. In some circumstances a particular design may be required to retain some continuity of design in a particular area.
- 3.6.6 Planters with shrubs or floral displays will be welcomed as part of the enclosure.
- 3.6.7 Menu boards will not be accepted as part of the boundary or as a separate advertising opportunity.
- 3.6.8 When the designated area has been agreed a definitive plan of the area showing the boundaries and the dimensions will be attached to and form part of the Licence.

3.7 Hours Of Operation

- 3.7.1 The County Council does not wish to be too prescriptive on the hours of operation for the café. The proposed hours of operation will need to be included on your application.
- 3.7.2 **All furniture etc. is to be removed and stored off the highway within 30 minutes of closing. Furniture cannot be placed upon the highway before any designated opening times. The designated area swept and washed within 30 minutes of closing.**

3.8 How Long and How Much?

- 3.8.1 When an application is received it is initially checked to see if all of the information required is complete, if not the applicant will be informed.
- 3.8.2 When a valid application is made the Council will carry out consultations with the following organisations and persons as appropriate before granting a licence:-
- a) Leicestershire Police
 - b) Leicestershire Fire and Rescue Service
 - c) Local County Councilor
 - d) The appropriate Parish or Town Council
 - e) Local accessibility groups
 - f) Town Centre Manager
 - g) Local Chamber of Trade and Commerce
 - h) Environmental Services
- 3.8.3 The above listed persons will be requested to make their representations within 28 days of the submission of the application.

- 3.8.4 **If objections are received from the Police or Town Council that cannot be resolved then the application will not be approved.**
- 3.8.5 If no representations are received, or if any are received and are resolvable by amending the proposal, then the application process will continue with formal consultation taking place.
- 3.8.6 Under the terms of the Highways Act 1980, the Council cannot grant permission unless it obtains consent of interested frontagers who may be materially affected by the proposal i.e. those that may have a café extending onto their frontage.
- 3.8.7 The Council must publish a public notice of the application and consult with nearby frontagers who may be affected. The notices are usually posted in the vicinity of the proposed pavement café, with frontagers being sent a copy of the notice. The notices must be in place for a minimum of 21 days to allow for any representations.
- 3.8.8 Council officers usually try to resolve any objections at an early stage. If however they cannot be resolved then the application may be considered by the Planning and Licensing Committee.
- 3.8.9 Each application will be different and may take a different time to determine. Some may provoke many objections; others may raise none at all. In general it is estimated that it will take approximately three months to process an application. Following the good practice procedures in this policy will improve your chance of succeeding. The notices must be in place for a minimum of 21 days to allow for any representations.

3.9 Standard Conditions

- 3.9.1 9.1 The standard conditions for a street furniture licence can be found in Appendix C.

A large print version of this document is available on request

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RUTLAND COUNTY COUNCIL HIGHWAYS

IMPLEMENTATION OF TOURISM SIGNING

The Council welcomes the changes to the legislation that allows greater flexibility to sign those genuine tourist establishments, which reinforce the image of quality underpinning national and local tourism policies. Such signs should make the tourists' journey safer, easier and less confusing whilst causing the minimum possible impact to the environment.

The establishment shall normally be open for at least 6 hours per day and for at least 150 days a year and attract at least 10,000 visitors per year.

GENERAL PRINCIPLES APPLICABLE TO ALL ESTABLISHMENTS

1. All costs incurred by Rutland County Council shall be paid by the applicant. Details of the appropriate costs are shown on the documents relating to '**Tourism Signing Guidelines for Attractions and Facilities**' (Appendix B).
2. Eligibility will not confer automatic entitlement for brown tourist signs. There may be factors which mean it will not be possible to provide signs despite eligibility – for instance, where there already exists, or there is a commitment for, the maximum number of destinations at a particular junction, or where signs cannot actually be erected due to physical constraints.
3. In order to reduce costs to the applicant, brown tourism signs will not normally be incorporated into general directional signing but will be kept separate. This will also increase the emphasis of the brown tourism signs.
4. The minimum signs necessary for the safe and efficient direction of traffic to the establishment will be approved. Only in exceptional circumstances will signing begin beyond the nearest point of the nationally classified road network (ie A and B roads) and will not normally extend to that network.
5. Where there are two or more establishments of the same type either in one area, or along a particular route, then normally generic legends rather than individual ones shall be used, eg. high street shops or hotels.
6. When a scheme has been agreed, it shall remain in that form for a period of two years where the circumstances at the time of the scheme design remain unchanged. After that time Rutland County Council reserves the right, subject to prior notification, to change or remove the scheme with no compensation to the applicant.
7. Subject to road safety and traffic management considerations, where there are too many tourist establishments wishing to be signed at a particular location, then Rutland County Council reserves the right to only sign the appropriate number with the greatest number of tourist visitors (if this does not

indicate any particular ranking then the establishments may be chosen on the basis of proximity to the location).

8. The applicant shall provide details of the number of tourists and the total number of customers using the establishment during the latest 12 month period.

ADDITIONAL URBAN GUIDELINES

9. In urban areas only, comprehensive signing schemes shall normally be implemented. In this respect it will be necessary for the design of the signing scheme to include detailed consultations with the local Town and Parish Council and the relevant trade organisations in order to produce a satisfactory scheme.
10. Priority in urban areas should be to direct tourists to public car parks and to provide signing to facilities (and back) in the form of pedestrian signs. The erection of details at the car parks, in the form of Information Boards including maps of the area showing key attractions and facilities, is of particular benefit for tourists/visitors. In this respect, traffic entering the area should be directed to the car parks.
11. Pedestrian signing should also be considered for public transport facilities, particularly where access by private transport is difficult or discouraged for environmental reasons.

ADDITIONAL RURAL GUIDELINES

12. Where the identification of the designated network results in signing having to be provided over excessive distances, consideration will be given to signs only being provided from the nearest signed community.
13. To reduce environmental impact where a scheme involves signing through more than two junctions, Rutland County Council will consider the use of signs of the form "For X, follow Y" utilising existing signed destinations rather than erecting additional continuity signing.

RUTLAND COUNTY COUNCIL HIGHWAYS

TOURISM SIGNING GUIDELINES FOR ATTRACTIONS AND FACILITIES

ATTRACTION

For the purposes of this document an **attraction** is defined as an establishment that is provided for:-

1. The benefit of Tourists who are intent on visiting it, having seen it advertised in leaflets, the media etc., and;
2. which provides a recreational, educational and/or historical interest, and;
3. Which is open to the public without prior booking during its normal opening hours.
4. Which is normally be open for at least 6 hours per day and for at least 150 days a year and attracts at least 10,000 visitors per year

It may be, for example, historic house, museum, farm park, theme park or leisure complex.

To qualify for signing, the following requirements all apply to an **attraction**:-

- A. The attraction shall have agreed to abide by Visit England's National Code of Practise for Visitor Attractions, or similar.
- B. The applicant shall provide evidence that appropriate steps have been taken during the 12 months prior to the application, to publicise the attraction to tourists and informing them of the route to it. There shall normally be copies of tourism publicity brochures, details of where they have been distributed and copies of advertisements that have been published in the tourism media.

For newly established attractions, the applicant shall supply details of their proposed publicity. The Rutland County Council reserves the right to refuse applications for new venues where insufficient publicity is proposed.

- C. The applicant shall confirm in writing that he/she will not erect any unauthorised advertisement signs, and/or will remove any existing unauthorised signs relating to the attraction.
- D. The applicant shall provide evidence of over 10,000 visitors per year
- E. For vehicular signing, adequate on-site parking must normally be available. Where off-site parking is provided, this must be within a reasonable distance of the attraction. Signing to other car parks within a reasonable distance of

the facility may be agreed subject to the applicant providing written confirmation from the owner of the car park that this is acceptable for the two year valid period for the signing scheme. It is suggested that up to 200 metres would normally be considered to be a reasonable distance from the car park to the attraction.

- F. The attraction shall have sufficient facilities for people with disabilities to enable them to make adequate use of the attraction.
- G. The applicant shall agree to reimburse Rutland County Council the costs involved in the processing of the application, the investigation of and design of the signs, and the provision and erection of the signs that are agreed by the Council. The cost of determining the application shall be in accordance with RCC fees and charges, payable at the time of submitting a formal application and will not be reimbursed if the application is not successful.

The cost of investigating and designing the signs shall be in accordance with RCC fees and charges for each sign which is requested or which is considered appropriate by the Council, whichever number is the greater (this design fee will be payable in advance, with any outstanding balance being paid before the instructions for the works are issued). The cost of the provision and erection of the signs is extra and will vary for each application and will be determined after the detailed design has been carried out. The applicant must pay for the provision and installation of the signs prior to the placing of a Works Order with our Contractor.

In addition, payment for cleaning the signs will be required in advance as a commuted sum. This payment will be in accordance with RCC fees and charges for each sign and will cover a two year period. The applicant will be contacted after the two year period has elapsed with regard to the continuation of the signs and a further payment for the future cleaning.

- H. There is the provision within the regulations for the applicant to arrange for the provision of the signs through a signing contractor. In such instances, Rutland County Council requires that the work shall be carried out to its specification and satisfaction and will be charged in accordance with RCC fees and charges per sign for the checking of the contractor's design and actual erection work (this is in addition to the application fee that will have already been paid). The applicant's and/or the contractor's design work will include the liaison with the local Parish Council(s) and the relevant local trade organisations in order to determine whether or not the signing for other neighbouring attractions and facilities need to be taken into account. Copies of all the consultation documents shall be forwarded to Rutland County Council at the time of submission of the signing scheme.
- I. In all cases, Rutland County Council's maintenance obligations will only include routine inspection and washing (see paragraph F) above. All costs incurred with regard to repairs to the signs, howsoever the need for those repairs came about, will be the responsibility of the applicant (these costs will take into account any money that may have been previously recovered from those people responsible for the damage). The applicant's financial responsibility could include repairs/replacement due to accident damage,

vandalism, theft and making safe for other users of the highway. Refusal by the operator of the attraction to repair/replace any sign relating to that attraction, thereby resulting in a 'gap' in the signing scheme, will mean that Rutland County Council shall give consideration to the removal of the other signs associated with the attraction.

FACILITY

For the purposes of this document a **facility** is defined as an establishment that is provided for:-

1. the provision of a service or services within an area which may be frequented by tourists
2. which is open to the public without prior booking during its normal opening hours.
3. Which is normally be open for at least 6 hours per day and for at least 150 days a year and attract at least 10,000 visitors per year

It may include, for example, hotels and other serviced accommodation, pubs, restaurants, cafes, shops, cinemas/theatres, sports and leisure facilities. (It should be pointed out that consideration will be given to removing any signs associated with the **facility** if the establishment is no longer part of any quality approval scheme, especially if membership has been suspended due to fallen standards).

To qualify for signing, the following requirements all apply to a **facility**:-

General Requirements for all Facilities

- A. The applicant shall provide confirmation in writing that the facility is a quality tourist facility for tourism signing purposes from Visit England, Discover Rutland, Trade Association or any other body currently recognised by Rutland County Council as representing standards in the particular field of tourism.
- B. The applicant shall provide evidence of over 10,000 visitors over the last year
- C. The applicant shall provide evidence that appropriate steps have been taken during the 12 months prior to the application, to publicise the facility to tourists and informing them of the route to it. There should normally be copies of the tourism publicity brochures, detail of where they have been distributed or copies of advertisements that have been published in the tourism media.

For a newly established facility, the applicant shall supply details of their proposed publicity that is to be carried out in regard specifically to tourists. Rutland County Council reserves the right to refuse applications for new venues where insufficient tourism publicity is proposed.

- D. The establishment must show and provide evidence that over 50% of its customers are from outside the area (ie. more than 20 miles away), that there is a proven need for signs to enable tourists to find it and that the establishment is of significant value to the local tourist market. In cases where doubts exist as to whether these conditions are met, the applicants must carry out, at their own expense, a survey of customers to determine what proportion of customers are coming from outside the area and what problems were encountered in finding it. The survey shall be carried out over a period of seven consecutive days when the facility is open.
- E. The applicant shall confirm in writing that he/she will not erect any unauthorised advertisement signs, and/or will remove any existing unauthorised signs relating to the facility.
- F. For vehicular signing, adequate on-site parking must normally be available. Where off-site parking is provided, this must be within a reasonable distance of the attraction. Signing to other car parks within a reasonable distance of the facility may be agreed subject to the applicant providing written confirmation from the owner of the car park that this is acceptable. It is suggested that up to 200 metres would normally be considered to be a reasonable distance from the car park to the facility.
- G. The facility shall have sufficient amenities for people with disabilities to enable them to make adequate use of the facility.
- I. The facility shall have sufficient amenities for families with children of all ages to enable them to make adequate use of the facility.
- J. The facility shall comply with all relevant legislation, e.g. valid fire certificates and health inspections, and if required shall supply evidence.
- K. The applicant shall agree to reimburse Rutland County Council the costs involved in the processing of the application, the investigation of and design of the signs, and the provision and erection of the signs that are agreed by the Council.

The cost of determining the application shall be in accordance with RCC fees and charges, payable at the time of submitting the formal application and will not be reimbursed if the application is not successful.

The cost of investigating and designing of the signs shall be in accordance with RCC fees and charges for each sign which is requested or which is considered appropriate by Rutland County Council, whichever number is the greater (this design fee will be payable in advance, with any outstanding balance being paid before instructions for the works are issued).

The cost of the provision and erection of the signs is extra and will vary for each application and will be determined after the detailed design has been carried out. The applicant must pay for the provision and installation of the signs prior to the placing of a Works Order with our Contractor.

In addition, payment will be required in advance for cleaning the signs. This payment will be in accordance with RCC fees and charges for each sign and will cover a two year period. The applicant will be contacted after the two year period has elapsed with regard to the continuation of the signs and a further payment for the future cleaning.

- L. There is the provision within the regulations for the applicant to arrange for the provision of the signs through a signing contractor. In such instances, Rutland County Council requires that the work shall be carried out to its specification and satisfaction and will charge, in accordance with RCC fees and charges per sign, for checking the contractor's design and actual erection work (this is in addition to the application fee that will already have been paid). The applicant's and/or contractor's design work will include the liaison with the local Parish Council(s) and the relevant trade organisations in order to determine whether or not the signing for other neighbouring attractions and facilities need to be taken into account. Copies of all the consultation documents shall be forwarded to Rutland County Council at the time of the submission of the signing scheme.
- M. In all cases, the Council's maintenance obligations will only include routine inspection and washing (see paragraph J above). All costs incurred with regard to repairs to the signs, howsoever the need for those repairs came about, will be the responsibility of the applicant (these costs will take into account any money that may have been previously recovered from those people responsible for the damage). The applicant's financial responsibility could include repairs/replacement due to accident damage, vandalism, theft and making safe for other users of the highway.

Additional Requirements for Different Types of Facility

1. **Hotels and Other Serviced Accommodation** – only inspected serviced accommodation will be considered for tourism signs. Examples of inspection schemes include Visit England, AA, and RAC. Applicants shall provide written confirmation of their grading and a copy of their current membership documentation.
2. **Self-catering Accommodation** – these will not normally be eligible because customers tend to have to book in advance. However, there may be instances where, for traffic management reasons, some of the larger establishments, for instance, holiday centres and parks, may be eligible in view of the numbers of day visitors that they attract. Visit England and British Graded Holiday Park Schemes are examples of inspection schemes, and applicants shall provide written confirmation of their grading and a copy of their current membership documentation.
3. **Public Houses** – the establishment shall be open at least six hours per day (including times during the day when tourists are likely to be visiting the area), six days a week for at least six months of the year and customers should normally be able to obtain a meal without pre-booking. The establishment shall provide a full menu including a la carte.

4. **Cafes/Take Away Food Outlets** – the establishment shall be open at least six hours per day (including times the day when tourists are likely to be visiting the area), six days a week for at least six months of the year and customers shall be able to obtain a meal without pre-booking.
5. **Recreational Facilities** – the establishment shall not have any limitations on use that is based upon any form of membership only or is dependent upon pre-booking. The establishment shall have amenities to enable tourists to have a meal and other refreshments at the times when they are likely to be visiting the area.
6. **Cinemas** – the establishment shall not have any limitations on use which requires pre-booking.
7. **Retail Outlets** – the outlet shall normally provide amenities or features that are aimed specifically at tourists.
8. **Camping and Caravan Sites** – only inspected sites and those sites with at least 20 pitches for casual overnight use are eligible and the site must be licensed under the Caravan Sites and Control of Development Act 1960 and/or the Public Health Act 1936. The British Graded Holiday Parks Scheme is an example of an inspection scheme, and applicants shall provide written confirmation of their grading and a copy of their current membership documentation of the inspection scheme.
9. **Youth Hostels** – those managed by the YHA may be granted tourist signing. Exceptionally those managed by other national bodies and open to the public without prior booking may be signed, but without the YHA symbol.
10. **Tourist Information Centres** – only those centres that meet the appropriate standards laid down nationally by Visit England and recognised by the Regional Tourist Board will be eligible for signs.

Rutland County Council

Street Café Licence Standard Conditions

1. The Holder(s) of this Permission shall not exercise privileges granted by this Permission otherwise than strictly in accordance with this Permission.
2. The Holder(s) shall produce this Permission on demand when so required by a Police Officer or a duly authorised Officer of the council.
3. The Holder(s) shall return this permission to the Office immediately on revocation of this Permission.
4. The Holder(s) shall not cause any unnecessary obstruction of the highway or danger to persons using it and shall not permit persons to gather so as to cause a nuisance or annoyance or danger to any person lawfully using the highway. A clear width of 1.8m of footway is to be left for the safe passage of pedestrians.
5. The Holder(s) shall not use or allow to be used any music playing, music reproduction or sound amplification apparatus or any musical instruments, radio or television receiving sets whilst exercising privileges granted by this permission unless otherwise agreed with the Council in writing.
6. The Holder(s) shall not make any excavation or indentations of any description whatsoever in the surface of the highway or place or fix any equipment of any description on the said surface.
7. The area permitted to be used must be used solely for the purpose of consuming refreshments and not for any other purpose whatsoever.
8. The Holder(s) shall have full responsibility for the designated café area, which must be directly outside the premises. Total number of customers using café area must be monitored in order to prevent overspill outside the designated area.
9. The Holder(s) shall not exceed the hours of 09:00hrs to 23:00hrs for displaying the tables and chairs.
10. The Holder(s) shall, whilst members of the public are using the facilities provided for the consumption of intoxicating liquor, provide in a prominent position to the satisfaction of the Councils' representatives, notices in the form approved concerning the provisions required by the Council relating to the consumption of intoxicating liquor in public places.
11. If food and drink is required to be served waiter style to the tables then a separate liquor licence will be required. Before introducing this type of service a liquor licence is to be obtained from the Licensing Authorities.
12. The Holder(s) shall not place on the Highway any furniture or equipment

or advertisement other than as permitted by the Council and must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises. Such furniture shall be to an agreed standard and themed with accessories around a colour scheme.

13. The Holder(s) shall make no claim or charge against the Council in event of the chairs or tables or other objects being lost, stolen or damaged in any way from whatever cause.
14. The Holder(s) shall not do or suffer anything to be done in or on the highway which in the opinion of the Council may be or become a danger, nuisance or annoyance to or cause damage or inconvenience to the said Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.
15. The Holder(s) shall not assign, underlet or part with any interest or possession given by this Permission or any part thereof but the Holder(s) may surrender it at any time.
16. The Holder(s) shall observe and comply with any directions in relation to the use of the highway given by relevant Officers of the Council. In particular, access shall be provided at all times for highway works including public utility plant.
17. The application must make clear the area in which tables and chairs are to be placed, not merely the number of tables and chairs proposed. If umbrellas are proposed, this should also be specified. Plans submitted with the application must identify the location of the building line in a pedestrian priority zone, together with dimensions of the area for tables and chairs. The plan should also show any entrance to premises within or adjacent to this area plus any area which may be considered to be private forecourt, location of trees, lamp columns and other street furniture. Any application without such a detailed plan will be treated as invalid and will not be dealt with until such a plan has been supplied.
18. The Holder(s) shall maintain the area as shown on the plan attached to this Permission and edged in red and the immediately adjacent, in a clean and tidy condition during the permitted hours and shall leave the same in a clean and tidy condition and unobstructed which shall include (1) washing down the area, at the end of each daily period of use and (2) removing any refuse and litter deposited on the highway in the vicinity of the tables and chairs.
19. The area of the café shall be defined with planters or ropes to contain the tables and chairs to within the boundary and assist people with visual impairment to recognise the boundary. Such furniture to be an agreed standard and themes to match the rest of the café furniture.
20. The Holder(s) shall provide litterbins or similar receptacles for the deposit of cartons, wrappers, containers and similar discarded items if required and ensure that the same are emptied daily. Waste from the Holders operations must not be disposed of in the permanent litterbins provided by the Council

within the highway.

21. The Holder(s) shall remove all furniture or equipment, litterbins or other articles placed on the highway in accordance with this Permission at the expiry, surrender or revocation of the Permission and at the end of each working day.
22. The Holder(s) shall indemnify the Council against all actions, proceedings, claims, demands and liability which may at any time be taken, made or incurred in consequence of the use of the chairs and tables and other objects and for this purpose must take out at the Holder(s) expense a policy of insurance approved by the Council in the sum of at least, £5,000.000 in respect of any one event and must produce to the Council on request current receipts for premium payments and confirmation of annual renewals of the policy.
23. The Council may revoke the permission at any time and the Council shall not in any circumstances whatsoever be liable to pay any compensation to the Holder(s) in respect of such revocations.
24. Nothing herein shall be construed as the granting or purported granting by the Council of any tenancy under the Landlord and Tenant Act 1954 or any permission under the Town and Country Planning Act 1990 or any statutory modification or re-enactment thereof for the time being in force.
25. The Holder(s) shall be responsible for any rates, taxes and outgoings, which may be charged.
26. The fee for the provision of the Permission shall be in accordance with the Council's fees and charges renewable on the 1st April each year.
27. The Holder(s) attention is drawn to section 115k of the Highways Act 1980 which provides as follows: -
 - i) If it appears to a Council that a person to whom they have granted a Permission under Section 115E of this Act has committed any breach of that Permission, they may serve a notice on him requiring him to take such steps to remedy the breach as are specified in the notice within such time as it so specified.
 - ii) If a person on whom a notice is served under the sub-section (1) of this Act fails to comply with the notice, the Council may take the steps themselves.
 - iii) Where a Council have incurred expenses in the exercise of the power conferred on them by sub-section (2) of this Act those expenses, together with interest at such reasonable rates as the Council may determine from the date of service of a notice of demand for the expenses, may be recovered by the Council from the person on whom the notice under Sub-section (1) of this Act was served.
28. The Holder(s) must be aware of any potential conflict and must not

interfere with special cyclic events on the highway e.g. Markets, Parades, other events

29. Failure to comply with any conditions of the Permission will require the Council to consider whether any subsequent Permission should be granted to the Holder(s) of this Permission.
30. If the licensee ceases to trade during the permit period, no refund will be issued under any circumstances.

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