

# Disability Liaison Group

Agenda and Reports

For consideration on

**Wednesday, 9th January  
2008**

In the Lancastrian, Town Hall, Chorley

At 7.00 pm



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3 January 2008

Dear Councillor/Colleague,

## **DISABILITY LIAISON GROUP - WEDNESDAY, 9TH JANUARY 2008**

You are invited to attend a meeting of the Disability Liaison Group to be held in the Lancasterian, Town Hall, Chorley on Wednesday, 9th January 2008 commencing at 7.00 pm.

I hope you will be able to attend.

### **AGENDA**

1. **Welcome by the Chair**
2. **Apologies for absence**
3. **Declarations of Any Interests (Councillors only)**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

4. **Minutes (Pages 1 - 26)**

To consider the minutes of meeting of the Disability Liaison Group held on 10 October 2007.

A schedule is enclosed listing issues that have been considered at past meetings of the Liaison Group and summarising the action that has either been taken by Officers or is proposed to be instigated on matters in respect of Pavements, Dropped Kerbs, Road Crossings, General Highway Issues, Parking and Other Issues.

## 5. Options for the waste and recycling contract

### What is the purpose of the item?

Officers from Waste Management will attend to provide an update on the re-letting of the Waste Management Contract and how this impacts upon people with disabilities in the Borough. This will include a demonstration of receptacles to be used for general collections.

Officers wish to gain the group's view on how well the assisted collection service currently operates with a view to improving this through the re-letting of the contract and to gain a more detailed understanding of the issues experienced by those with disabilities around the waste collection service and how these can be addressed going forward.

### Questions for the Group:

#### Assisted Collection Scheme

1. How well does the scheme currently operate?
2. How could the scheme be improved?
3. Is the scheme targeting the right individuals?
4. Should we involve the PCT and/or social services in identifying potential beneficiaries of the scheme?
5. Could we get views on if people would object to being contacted to ask them whether they still require assisted collection?
6. Question for officers - How is the scheme currently maintained, do we have any proposals for the future?

#### New Contract

7. What is the group's feeling about the proposed containers?
8. Would there be a need for different containers for certain groups/ individuals?
9. What are the major issues in terms of receptacles blocking the street? How would this best be addressed- e.g. guidance for Householders?
10. What experience do members of the group have of contacting the Council about the service- how could this be improved?

#### General

11. Is there anything we could do to facilitate improved recycling for this group?
12. Would large print calendars be helpful to members of the group?

### What are we going to do with the information?

Current experience of contacting the service will be fed straight back to those responsible for delivery so that processes can be adjusted if necessary and this information will be incorporated into training.

Additional information will be fed into the contract letting process to ensure that any current problems are addressed and we have strong mechanism for addressing where this is failing. The new contract will be operational as of April 2009.

The Group will be given the opportunity to feed into the monitoring of the contract on an on going basis which will help us to understand whether the issues raised have been fully addressed and take action as necessary.

6. **Changes to Housing Benefits**

What is the purpose of the item?

Officers from Housing Benefits will attend to update the group on changes to benefits rules and how this may impact upon them and those they represent. To seek the advice of members of the group on what we may be able to do to mitigate any impact on particular groups and individuals of changes.

Questions for the Group:

1. Do members of the group know of any groups or individuals who may be particularly vulnerable as a result of these changes and what we can do to mitigate this?
2. Do members of the group know of any key contacts we may need to be in touch with on this matter?

What are we going to do with the information?

The Council will contact any groups identified and feed information about potential impact into processes.

7. **Update on Astley Park, Council website and Planning Issues Sub-Group**

What is the purpose of the item?

To agree a way forward with the group about how they would like to see consultation operate.

Questions for the Group:

1. Which types of planning applications do they group feel it is most important that they are consulted with regards to on specific disability issues? General categories?
2. Are there particular triggers which would necessitate consultation with the group?
3. What is the preferred method for consultation?
4. Would the group have any objections to being part of a general consultation mechanism?
5. What assistance would members of the group require to become involved in the process?
6. How much time could members of the group give to becoming involved in consultation?
7. What type of feedback would the group require- at quarterly meetings?

What are we going to do with the information?

Whatever consultation methodology is agreed as the most beneficial/ manageable will be implemented.

8. **Any other item(s) that the Chair decides is/are urgent**

9. **Date of Next Meeting**

Yours sincerely

Donna Hall .

Donna Hall  
Chief Executive

Ruth Hawes  
Assistant Democratic Services Officer  
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Email: [ruth.hawes@chorley.gov.uk](mailto:ruth.hawes@chorley.gov.uk)

### **Distribution**

1. Agenda and reports to all Members of the Disability Liaison Group Councillor David Dickinson (Chair) and Councillors Nora Ball, Catherine Hoyle, Rosie Russell, Iris Smith and Ralph Snape for attendance.
2. Agenda and reports to Members of the Disability Forum.
3. Agenda and reports to Lesley-Ann Fenton (Assistant Chief Executive), Gary Hall (Director of Finance), Paul Whittingham (Development Control Manager), Jo Oliver (Waste and Contaminated Land Team Leader), Dave Price (Revenues and Benefits Manager), Alan Capstick (Engineering Services, LCC), Sarah Dobson (Performance Advisor - Corporate and Customer) and Ruth Hawes (Democratic Services Officer) for attendance.
3. Agenda and reports to Sergeant A Beardmore, Chorley Police.

**This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.**

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823

یکھئے:

**Disability Liaison Group****Wednesday, 10 October 2007**Present:Chorley Borough Councillors:

Councillor David Dickinson (Chair) and Councillors Rosie Russell and Iris Smith

Chorley Borough and Lancashire County Council Officers:

Gary Hall (Director of Finance), Tim Murphy (Corporate Director of Information and Communication Technology), Sarah Dobson (Performance Advisor - Corporate and Customer), Louise Cunniffe (Senior Communications Officer) and Ruth Hawes (Assistant Democratic Services Officer)

Disability Forum Representatives:

Terence Reynolds (Disability Forum Chairman), Julia Berry, Jim Cochrane (Chorley and South Ribble Branch - Parkinsons Disease Society), Elspeth Cochrane (Chorley and South Ribble Branch - Parkinsons Disease Society), Christine Crankshaw (Galloway's Society for the Blind), Judy Daniels (Disability Forum), Maureen Kay (Deaf and Disability Forum), Marilyn Porter, Hayley Scholes (Rainbow House) and Frank Stringfellow (Chorley Deaf Club)

Sign Language Interpreter:

Kath Mowe (BSL Interpreter) and Catherine Moxon (BSL Interpreter)

Also in attendance:

Sergeant Adrian Beardmore and PCSO Ray Chadwick

**07.DLG.15 WELCOME BY THE CHAIR**

The Chair welcomed everyone to the meeting. People present introduced themselves and their role at the meeting.

**07.DLG.16 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Nora Ball, Cath Hoyle, Ralph Snape, Eileen Bee, Alan Capstick, Ivy Carroll, Lesley-Ann Fenton, Albert and Rita Jeffrey, Brian Kelly, David Lyon, Peter Mounsey, Devi Nicholson and Maurice Waterhouse.

**07.DLG.17 DECLARATIONS OF ANY INTERESTS (COUNCILLORS ONLY)**

No Councillors declared an interest in relation to matters under consideration at the meeting.

**07.DLG.18 MINUTES**

The minutes of the meeting of the Disability Liaison Group held on 11 July 2007 were confirmed as a correct record, subject to the inclusion of apologies for absence from Councillor Nora Ball.

The Group considered a schedule listing issues that have been considered at past meetings of the Liaison Group and summarising the action that has either been taken or is proposed by Officers.

The following points were discussed:

- The dropped kerb at Millbrook Close in Wheelton has been completed. There has been an issue of cars parking on Millbrook Close in Wheelton – this would be raised with the Parking Manager.
- It was queried whether the toilets should be open on Coronation Recreation Ground – this would be queried with officers.
- An update was requested on the ongoing queries with Chorley Railway Station. The Assistant Chief Executive would chase this up again.
- Disabled access to the Lancastrian stage was discussed. Officers explained that there had unfortunately been delays in the Council signing a contract with Liberata regarding the provision of property services. This had recently been signed and an update would be presented to the next meeting.
- It was noted that the route of the bus service 114 had changed. Officers undertook to investigate this.

#### **07.DLG.19 COMMUNITY COHESION STRATEGY**

Sarah updated the Group on the Council's Community Cohesion Strategy. The strategy aims to set out the challenges and opportunities facing the Borough in terms of Community Cohesion. Members of the group were asked to take away the strategy and respond to the consultation by the 20 December 2007.

Further information on this was available from Sarah. It was noted that the document had been forwarded to Eileen Bee at the Disability Forum.

#### **07.DLG.20 FOCUS GROUP ON THE CHORLEY COUNCIL WEBSITE**

Tim Murphy and Louise Cunniffe advised the Group that the Council's website had been relaunched in April. The purpose of this item was to gauge opinion about what currently works well in terms of accessibility on the website and what improvements the Group would like to see made.

Improvements to the website included adjusting the text size, submitting planning applications and applying for benefits online. Further suggested improvements by the Group included increasing the font size of text of the largest text size option and improving the text only option as at the moment it just removes the graphics.

It was noted that on the Disability Rights Commission site there was a Sign Language interpreter as the majority of adult deaf people don't read English very well and can find grammar confusing. A minimum of level 4 was needed for interpreters; Co-sign was used to provide interpreters for the meeting and could be a useful contact for this. This was needed for deaf people to undertake transactions on the web site.

The following websites were noted as being excellent: [www.actionforblindpeople.org.uk](http://www.actionforblindpeople.org.uk) and [www.guidedogs.org.uk](http://www.guidedogs.org.uk).

It was agreed that a Focus Group be set up to consider improvements to the Council's website, Maureen and Judith volunteered to get involved. It was suggested that contact be made with the PCT on this issue.



**07.DLG.21 DISCUSSION ON COUNCIL LITERATURE**

Louise Cunniffe distributed some mock ups of letter headed papers, complement slips and business cards.

It was noted that the text size needed to be at least 14 for visually impaired people and the contrast of the colours used could be improved. The strapline on correspondence was noted. It was requested that the fax number be added to the information.

**07.DLG.22 PROGRESS UPDATES ON YARROW VALLEY COUNTRY PARK AND CHORLEY LEISURE SERVICES INCLUSIVE FITNESS INITIATIVE**

Sarah reported that there had been improvements made to Yarrow Valley Country Park, including an accessible viewing platform.

Community Leisure Services manage the leisure centres in the Borough and were running all inclusive fitness awards. For information the website is [www.clschorley.co.uk](http://www.clschorley.co.uk).

It was noted that if use of facilities was prescribed by a doctor payment would have to be made if the doctor was outside the Chorley area. This would taken up with the Corporate Director (People) and the PCT.

**07.DLG.23 UPDATE ON THE PAVEMENT CAFE DESIGN AND LICENSE GUIDE**

Sarah reported that the Council had now adopted the Guide, considered at the last meeting. The comments of the Group had been incorporated into the Guide, including the need for consultation on licence applications.

Establishments with pavement cafes will have to apply for a licence, enforcement action will be taken by the council where required. It would be clarified whether A-boards were included in this policy. Obstructions on pavements for people with visual impairments were dangerous and inconsiderate.

A copy of the adopted Guide is enclosed with the minutes.

**07.DLG.24 REVIEW OF POLLING DISTRICTS/POLLING PLACES - POINT OF INFORMATION FOR THE GROUP**

Ruth reported that there was a requirement to carry out a review of Polling Districts/Polling Places every 4 years with the first review to be completed by 31 December 2007.

This was primarily a review of polling premises and locations to access their geographical location suitability within the polling district concerned and the suitability of the premises themselves for such things as disabled access and other access/usage issues.

The review continues until 9<sup>th</sup> November 2007 and further information can be found for downloading at [www.chorley.gov.uk/pollingstations](http://www.chorley.gov.uk/pollingstations). For more specific details and/or a hard copies of any of the above please contact Phil Davies in Democratic Services on 01257 515131 or via e-mail on [elections@chorley.gov.uk](mailto:elections@chorley.gov.uk).

It was highlighted that forms, in particular requests for a postal vote, were confusing and should be written in a clear way. This would be fed back to the Elections Office.

**07.DLG.25 DATE OF NEXT MEETING**

9 January 2008

**07.DLG.26 ITEMS FOR THE NEXT AGENDA**

It was noted that there were regular patrols through Astley Park including the blind garden to combat antisocial behaviour and vandalism.

The Group discussed items for the next meeting, including an update on changes to the Housing Benefits.

Chair

# Pavement Café

Design and Licence Guide

September 2007





## INTRODUCTION

The Chorley Pavement Café Design & Licence Guide is a document that will support the regeneration, economic development and vitality of the Town Centre. It specifically focuses on Chorley Town Centre and seeks to implement objectives within the Town Centre Strategy, which was adopted in October 2006. The policy also supports the establishment of pavement cafés outside the Town Centre, within surrounding villages subject to compliance with planning policy, particularly in conservation areas

Chorley Town Centre and surrounding villages have much to offer and an ambience that is attractive to visitors and residents alike. The Council and its partners aim to encourage well designed and managed pavement cafes that will contribute to a relaxed and sociable style of eating and drinking. Cllr Peter Malpas Executive Member for Economic Development and Regeneration.

The purpose of this design and licence guide is threefold:

- *To ensure that any pavement café makes a positive contribution to the street scene whilst considering the needs of all highway users.*
- *To ensure that any pavement café operation is of a high standard, run in accordance with specified requirements and standards.*
- *To guide those wishing to establish and/or operate pavement cafés through the necessary licensing and planning processes.*

Where pavement cafés are not located on privately owned land, they will usually be sited on part of the highway. Chorley Council and Lancashire County Council, have approved a scheme under which certain amenities (eg pavement cafés) may be provided on specified areas of public highway. In order to operate a pavement café on the highway under this scheme, a Highways Amenities Licence must be obtained. The licensing process will take between 6-8 weeks and licences are renewable annually.

In order to ensure that pavement cafés make a positive contribution to highway amenities and to the area in question, and to protect rights and safety on highways, the Council has set out a list of requirements that must be met by any licence application. The Streetscene, Neighbourhoods and Environment Directorate will administer and enforce the licence applications. Any proposed changes that require planning permission will need to be approved prior to the submission of a Highway Amenity Licence. Permanent structures on the highway will not be permitted. Further information about the need for planning permission can be found on pages 6/7.

The Council is prepared to encourage outdoor cafés across the whole Borough. However, within this general guideline, each proposal will be considered on its merits. Pavement cafés cannot be accommodated in certain streets, due to factors such as visual impact, width restrictions, obstructions or very heavy pedestrian flows.

## Smokefree in Chorley

From July 1st 2007, virtually all enclosed places became smoke free. Whilst pavement cafes offer an open environment, it must be pointed out that the health related legislation recognises a person's right to be protected from the harmful effects of second hand smoke and to breathe smokefree air. In this connection, it should also be noted that permanent or non-portable shelters will not be permitted on the highway. If after reading this guide you are uncertain on your rights please refer to [www.smokefreeengland.co.uk](http://www.smokefreeengland.co.uk) for further information or contact Chorley Borough Council on 01257 515355.

The remaining sections of this guide cover:

- **DESIGN CONSIDERATIONS**
- **GUIDANCE ON THE LICENCING PROCESS**
- **APPLICATION FORM**



## DESIGN CONSIDERATIONS Street Scene and Relationship to Adjacent Buildings

The applicant will be expected to demonstrate that the café will make a positive contribution to the street scene. Only well designed proposals, which respond to the site and its surroundings (buildings and public realm) and produce a high quality result, will be considered. Simple robust designs will be preferred and excessive or elaborate detail or signage should be avoided unless clearly justified by the particular context.

Applicants should also demonstrate commitment to the care and/or refurbishment of the external appearance of the building in which the business is housed, to ensure that the appearance of the street scene will be maintained and, where necessary, enhanced. In this connection, any changes to the shop front of the premises from which the café is to operate should accord with the terms of the Council's Shop Front and Sign Design Guide - Supplementary Planning Guidance. It should be noted that planning permission is required for any 'material change' in the appearance of a shopfront and that other consents may also be needed before any physical changes are made to the building. To support the use of good quality shop front design, the Council has a small budget from which grants may be made for the repair of a traditional shop front or for the installation of an appropriately designed new shop front in a location which falls within an area allocated as a shopping centre in the adopted Chorley Borough Local Plan Review and is of recognised heritage significance. Please see [www.chorley.gov.uk](http://www.chorley.gov.uk) for more details.

Street café proposals should not hinder reasonable use of the highway, cause nuisance to adjacent frontages, or interfere with apparatus or access to apparatus within the highway. To this end the applicant shall comply with all statutory requirements and obtain all necessary permissions before making a licence application.

### Size and layout

The extent of the area to be licensed will depend on the site characteristics, safety considerations and the criteria set by the Council to maintain adequate highway space for both pedestrian and vehicle movement.

The outdoor seating area should:

- *Avoid conflict with the principal lines of pedestrian movement.*
- *Avoid conflict between customers going in and out of the café and passing pedestrians.*
- *Be confined to the frontage of its own premises with close integration of internal and external activities.*

In all cases, a minimum width of 1.8m must be left between the seating area and the kerb, and this figure will be increased to 3 metres in the busiest areas of the Town Centre as shown in Figure 1. Where the seating area is adjacent to a road junction or vehicular access 15 metres should be left to allow for junction visibility. In pedestrianised areas, 3.5m of unobstructed space is to be left.

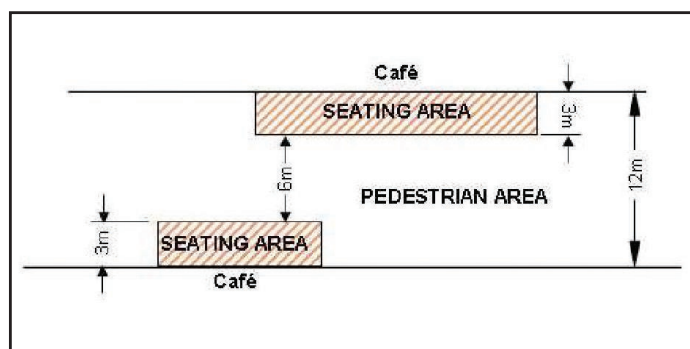


Figure 1

Each outdoor seating area will be considered on its own merits. The area to be used must take into account other needs in the immediate vicinity (eg kerbside parking, unloading areas, bus stops, emergency vehicle access, emergency exits, street cleaning machines, and pedestrian crossings). See figure 2.

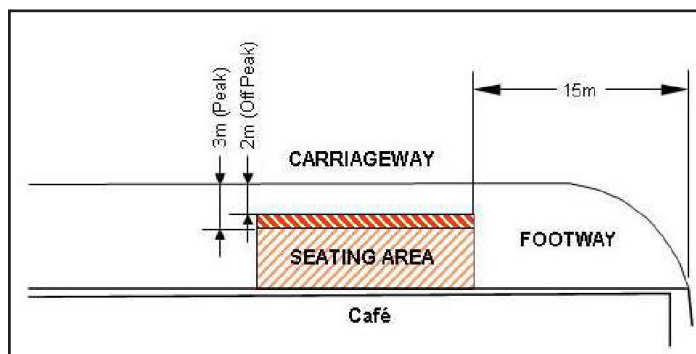


Figure 2

The layout of furniture and means of enclosure will only be approved if adequate provision has been made for customers with impaired vision, mobility difficulties and people pushing prams.



If the proposed area fronts other properties prior consent from these owners/occupiers must be obtained by the applicant before any licence can be granted. A public notice must be displayed at the property clearly and be clearly visible from outside the premises, this notice will be supplied to you by the Council following receipt of your application. In addition the Council is obliged to contact your neighbours to inform them of your application, you may therefore find it helpful to discuss your application with your neighbours prior to submitting it to the Council.

The limits of the approved café area will be marked out by the Council using brass studs and it is important that no obstructions such as tables, chairs, portable advertising boards, planters or barriers are placed outside this approved area or left on the pavement or any part of the licensed area outside approved hours. There are powers, under Common Law, which can be used by a highway authority to remove obstructions.

A copy of the approved Pavement Café plan should be available on the premises for inspection on request.

### Means of enclosure

When in use, the pavement café area must be enclosed, to demarcate the licensed area and contain the tables and chairs, in order to make it distinguishable to other pavement users, and to assist blind and visually impaired pedestrians. For this reason it is essential that the barrier has some solid bars/elements at around 100 mm and 800 mm above ground level to be detectable by a stick ("tapping rail").

The enclosure shall be removed both outside the licensed period and when the pavement café is not intending to operate within the licensed period. The materials should, therefore, be lightweight in construction and portable, but stable enough to prevent collapse if accidentally walked into or a hit by a sudden gust of wind.

The design of the barrier should complement the character of the surrounding area and may be required to be of a specific design in order to maintain continuity along the street frontage.

The colours and materials used for the enclosure should ensure that the enclosure will not be too visually dominant in longer views but will allow key elements to stand out against the background in close up.

Well maintained planters can be particularly attractive and can be appropriately used as part of the means of enclosure, but must be removed from the highway outside of the licensed period. In certain circumstances, it may be possible to utilise existing street railings, planters and bins as a suitable means of enclosure.

### Furniture

The furniture should be of a high quality design and construction, for example wood, charred steel or aluminium. A mix of furniture design is not recommended. White plastic and/or picnic tables will not normally be approved. Smoking shelters will not be accepted on the highway.

Where umbrellas are proposed these must be fabric type (ie non reflective), be of high quality and display only limited advertising/logos. Their design, location and colour will have to be specified as part of the design. Umbrellas are to be positioned so as to avoid overhanging the pedestrian walkway or impairing vehicle sight lines.

Non furniture items, eg menu boards, signs and portable gas heaters also need to be approved as part of the enclosed licensed area. Such items should be colour co-ordinated. Bright colours and advertising should be minimised and any undue clutter or intrusion into sight lines will be unacceptable.

All items need to be portable enough to be taken inside the premises at the end of the licensed period of each working day, whenever access to the area is required by any statutory undertaker or in the event of an emergency. If the main premises operate for longer than the licensed period the applicant should give consideration to storage issues, this should be demonstrated in the application.





## Environmental Implications and Other Requirements

It will be the responsibility of the pavement café operator to keep the area clean and free of litter, during licensed/operational hours. The conduct of customers using the outdoor seating area will also be the responsibility of the operator. Inappropriate behaviour may lead to the withdrawal of a licence.

All food premises should be registered with the Councils Streetscene Neighbourhood and Environment Directorate. The provision of adequate toilet facilities relating to occupancy numbers will be required.

The licence does not imply an exclusive right to the area and others have rights over it for events, maintenance, repairs etc. No amplified music or loudspeaker equipment shall be used.

The number of persons permitted to use the pavement café area will correspond with the number of chairs approved in the application plan. Additional persons, who are not seated, are not permitted to use the area. Customers must not take refreshment outside the permitted area.

All transfers of food and/or drink to the area must be by waiter/waitress service and all food and drink shall be served on or in non-disposable crockery and with non-disposable cutlery.

Proprietors should give serious consideration to dividing their outside refreshment areas into smoking and non-smoking sections, with each section clearly marked. Each area must have a sufficient number of table ashtrays or free standing ashtrays.

## Safety

It is the responsibility of the applicant to ensure that all operations and equipment comply with all appropriate legislation, food safety, health and safety and alcohol sales requirements. Applicants will be required to provide copies of

risk assessments carried out under the Health and Safety at Work Act 1974 as they relate to the area and activities covered by the pavement café.

Individual pavement café operators with the required Pavement Cafe Licence will be responsible for securing insurance cover and for indemnifying the Local Authority against public liability claims from members of the public arising from café uses on the highway.

Any damage to Council property caused, as a result of the pavement café will be repaired by the Council will all costs recharged to the business in question.

Any breach of the conditions contained in the planning approval, design criteria or Highways Amenity Licence will result in the revocation of the licence forthwith.

## GUIDANCE ON THE LICENSING PROCESS

### Useful Information

Please contact Streetscene to informally discuss your proposal before you submit the necessary application forms.

### Is Planning Consent Needed?

It will not normally be necessary to obtain planning permission for outdoor street cafes on the public highway, provided that the main existing premises have permission for an A3 use. However, planning permission, listed building consent or conservation area consent may be required if there is any change to the building frontage or signage. Permanent structures on the highway associated with a pavement café for example decking, smoking shelters or awnings will not be permitted.



A fee will be charged if Planning Permission is required. The fee is dependant on the detail of the application. Planning application forms can be downloaded from [www.chorley.gov.uk/planning](http://www.chorley.gov.uk/planning)

If your proposal requires planning permission you will be expected to have planning permission granted prior to applying for a highway amenity licence.

#### **Procedure for Applying for a Highway Amenity Licence under Section 115 (E-K) of the Highway Act 1980.**

The licence application process involves both statutory and non-statutory procedures; hence the need to follow the guidance in this booklet and on the application form, which need to be completed by all applicants.

- *A pavement café licence can be applied for at any time.*
- *The guidelines, design considerations and conditions contained within this booklet need to have been considered. You are advised to read these carefully and ensure you fully understand the requirements before you proceed with an application.*
- *Fees for the Highways Amenity Licence and renewals are as follows:*
  - *Fee for applying for a Highway Amenity Licence - £280.50*
  - *Fee for annual renewal or transfer to new licensee - £230.50*
- *On receipt of your application the proposal will be checked against the criteria. Further details may be obtained from you at this stage. If the proposal satisfies the criteria you will be required to display a notice, clearly visible on the outside of your premises outlining your proposals and inviting representations from interested parties, this notice will be supplied to you by Streetscene.*

*The notice must be in the presented format and displayed for a minimum of 28 days from the date of the notice. In addition the council is obliged to contact adjacent property occupiers to inform them of the application and invite any representations from them. Other consultees include Lancashire County Council Highways, the Police, Disability Forum and Chorley Planning Service, 4 weeks will be given for comments.*

*Any objections will need to be resolved prior to the licence being issued.*

- *Progress reports on your application can be obtained from Streetscene.*
- *If your proposal fails to meet the principal criteria, you will be informed, and may be advised on any amendments which could enable a better fit with the criteria. If your application is subsequently refused you will be refunded £100 from the fee originally submitted.*
- *Following approval of the pavement café application, the Council will delineate the area of highway by the placement of a brass stud at the corners of the proposed licence area.*
- *All licences issued will be subject to the Council's standard conditions and any other specific conditions, relevant to the facility in question as deemed necessary*
- *Failure to obtain an appropriate licence or failure to comply with the conditions attached to a licence will result in enforcement action being instigated.*

Four copies of the following documents must be sent to Streetscene when applying for a licence.





## CHECKLIST



Fully completed application form



A location plan to a scale of 1:1250 showing sufficient area around the proposed pavement café to enable consideration of all highway related issues. Location plans can be obtained from the Union Street Contact Centre at a cost of £21.85.



A site plan to a scale of not less than 1:100 showing access points, building lines, boundaries, kerbs, table and chair arrangement, bins, lighting, trees, other items. It would be useful to provide plan and elevation of barriers/enclosures. Measurements should be given for all locations of furniture within the application area and the relationship of the area to adjacent property should also be shown.



The application should be accompanied by details of the furniture, chairs, tables, umbrellas, etc, to be used. (Manufacturers detailed brochures would be an advantage).



Health and Safety Risk Assessments



The standard fee



Details of proof of £5 Million Public Liability Insurance cover



Evidence of planning permission if appropriate



## CONDITIONS OF THE LICENCE

### 1 General

**1.1 Term of Licence:** The Highway Amenity Licence shall be valid for a period of 12 months after which the licence must be renewed.

**1.2 Setting up Pavement Café:** Seven days notice in writing shall be given prior to the commencement of any work on site.

**1.3 Setting up Pavement Café:** All work on the highway shall be carried out at the Operator's expense and thereafter maintained to the satisfaction of the Director of Streetscene Neighbourhoods and Environment Directorate (SNED). All such work must comply with the Council's Code of Practice on Health and safety [and any statutory requirements in relation to Health and Safety at Work legislation and chapter 8 of the Traffic signs manual].

**1.4 Setting up Pavement Café:** The design of chairs, tables, umbrellas, etc., placed in the licensed area shall be subject to the approval of the Director of SNED. Clear access to the entrance of the premises must be maintained at all times.

**1.5 Insurance:** Public liability to cover £5,000,000 will be required for the licensed area. The Operator shall indemnify the Council and shall produce to the Council's Director of SNED for inspection a policy of insurance indemnifying himself and the Council against any injury or damage to any person or property and against any claim, liability, expense or demand arising by reason or in consequence of the permission granted. The policy shall provide cover of not less than £5,000,000 in respect of any one accident or series of accidents arising from one incident during the period of insurance.

**1.6 Revocation of Licence:** The Council may revoke the permission by giving 30 days notice in writing to the operator:

(i) where any condition attached to the permission is contravened by the Operator

(ii) if there is a change in the ownership of the premises to which the permission relates (although a transfer of the permission will be considered provided that 30 days notice is given in writing giving details of the intended transferee).

(iii) Where the revocation is necessary for the purpose of the County Council exercising any of functions as the Highway Authority.

**1.7 Changes of Furniture/Layout:** Changes to any part of the pavement café operations including change of or addition of furniture or other items or changes to the licensed area or operating times will be subject of a new or revised licence.

**1.8 Licence Hours:** The Highways Amenity Licence will normally reflect any restriction in the premises licence. In certain areas fewer hours will be allowed due to specific local area requirements e.g. markets and fairs.

**1.9 Highway Works:** All furniture shall be removed from the licensed area if any statutory undertaker or licensed telecommunications operator requires access to plant on, over or beneath the licensed area and shall not be replaced until works on the apparatus are complete and any necessary reinstatement completed.

**1.10 Highway Works:** All furniture shall be removed from the licensed area if the Council as Agent of the Highway Authority or the Highway Authority requires access to the licensed area to carry out any works





whatsoever and shall not be replaced until the works are completed. Chorley Borough Council will not be liable for any loss of business or other disruption caused by third parties.

- 1.11 Transfer of Licence:** Notwithstanding the provisions contained in 1.5 above, where the operator proposes to part with his interest in the premises to which the permission relates, a transfer of the permission will be considered by the Council provided that 30 days notice of the proposed transfer is given in writing giving details of the intended transferee.
- 1.12 Expiry of Licence:** Upon expiry or revocation of the permission the Operator shall remove any structures from the highway and re-instate the highway to its former state and condition and in default thereof, the Council will be empowered to carry out such work of reinstatement and recover the expenses in so doing from the Operator.
- 1.13 Other Permissions:** The granting of a licence for establishing a pavement café does not obviate the need to gain any other relevant permissions, e.g. it does not permit the supply of alcohol within the pavement café area for which separate licensing requirements under the Licencing Act 2003 may apply. More information on the Licencing Act 2003 can be obtained from the Licencing Section.

## **2 HIGHWAY/PEDESTRIAN ACCESS**

- 2.1 Pedestrian Requirements:** Use of land designated as public highway and other areas where there is public access will normally be allowed provided that there is at least 1.8 metres clear between the café and the kerb to allow pedestrians to pass safely. In a pedestrianised area there should be at least 3.5 metres of unobstructed space in front of the café area. In certain busy streets a clear depth greater than 1.8 metres may be required between café and kerb.

- 2.2 Access to Premises:** Where the use directly fronts the premises from which refreshments are served, there must be an unobstructed corridor to the shop entrance of 1.5 metres.
- 2.3 Road Safety:** Normal road safety considerations will apply; and in certain circumstances may override the provisions of paragraph 2.1. Access for emergency vehicles must be protected at all times.
- 2.4 Demarcation of Licensed Area:** Where tables and chairs are proposed directly outside a shop front, a well designed and constructed physical barrier of approximately 0.8 metres in height is required to designate the area and to guide persons with sight disability around the use. Such barriers must not be permanently fixed to the ground and must be of a style, design and type to be agreed by the Director of SNED. The pavement café licence area will be demarcated at the far corners with brass studs.

## **3 PUBLIC HEALTH AND AMENITY**

- 3.1 Public Health:** Since at most locations, problems with pigeon or starling droppings are likely, umbrellas or retractable canopies may need to be provided with the tables. Advice on canopy design should be sought from Streetscene prior to installation to ensure they meet the Council's requirements.
- 3.2 Public Health:** The licensed area, and chairs, tables, umbrellas, etc., together with associated outdoor and pavement areas including an area of 1 metre around the permitted area must be regularly cleansed and floor debris and other waste immediately removed.



- 3.3 **Litter:** There must be adequate provision made for the collection and containment of litter and, where directed, the Operator must provide suitable litter-bins.
- 3.4 **Health & Safety:** Pavement cafés must not obstruct any existing doorway or fire exit whether belonging to the premises or not.
- 3.5 **Health & Safety:** Furniture stored within the premises should not at any time block a fire exit.
- 3.6 **Toilets:** The Operator shall at all times when the pavement café is in operation make available for customers toilets and hand washing facilities.
- 3.7 **Music:** Noise disturbance, smells or litter which cause a nuisance to other premises are not acceptable and music (amplified or otherwise) will not be permitted within the licence area.
- 3.8 **Alcohol:** No alcohol shall be supplied within the licence area unless authorised by a premises licence under the Licensing Act 2003. The terms of a premises licence setting out any restrictions in any outside areas designated for the consumption of alcohol must be complied with at all times.

**4 MANAGEMENT**

- 4.1 **Customers to be Seated:** All persons consuming food or drink within the permitted area must be seated at an approved place within the area and must not take refreshment outside the permitted area.
- 4.2 **Waiter Service:** All transfers of food and/or drink to the permitted area must be by way of waiter/waitress service and all food and drink shall be served on or in non-disposable cutlery.

- 4.3 **Removal and Cleaning of Structures:** All equipment and structures placed on a public highway must be removed from the highway upon the cessation of the days trading and the area cleansed to the satisfaction of the Director of SNED.

**CONTACTS**

Please contact Streetscene for specific advice on:

**Highway Amenity Licences: – Administration and Design Considerations**

Chorley Borough Council  
 Streetscene  
 Bengal Street Depot  
 Bengal Street  
 Chorley  
 Lancs  
 PR7 1SA  
**t: 01257 515253**  
**e: streetscene@chorley.gov.uk**

**For additional information please contact:**

**Planning:**  
 Chorley Borough Council  
 Development Control  
 Civic Offices  
 Union Street  
 Chorley Borough Council  
 PR7 1AL  
**t: 01257 515346**  
**e: dcon@chorley.gov.uk**

**Food Safety, Occupational Health and Safety Enforcement:**  
 Chorley Borough Council,  
 Streetscene, Neighbourhoods and Environment Directorate,  
 Bengal Street Depot,  
 Bengal Street,  
 Chorley  
 PR7 1SA  
**t: 01257 515730**

# Application for permission to provide an amenity on a public highway

(Highways Act 1980 Section 115 A-K)

**1) Please indicate if this is a:**

New licence     Transfer of licence     Renewal

**2) Applicant's Name/Name of Licensee(s):**

.....

Address of Premises: .....

.....

.....

Telephone No: .....

Fax No .....

**3. Address for Correspondence (if different from above):**

.....

.....

.....

Telephone No: .....

Fax No: .....

**4. Agent's Name/Address (if Applicable):**

.....

.....

.....

.....

Telephone No: .....

Fax No: .....

**5. Description of the area of highway that is the subject of this application:**

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**6. Address(s) and owner(s) and nature of business conducted at the premises adjacent to the above:**

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**7. Do you intend to alter any of the building and/or frontage to accommodate the proposal? If yes please submit proof of planning permission:**

Yes     No

**8. Details of how the café will operate i.e waitress service, clearing tables etc:**

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# Application for permission to provide an amenity on a public highway

(Highways Act 1980 Section 115 A-K)

**9. Details of the numbers of chairs and tables and an explanation of where they will be stored when not in use**

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.....  
.....  
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.....  
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Name of Applicant (printed):.....

Signature of Applicant:.....

Date:.....

**10. Is it intended to seek a licence to serve alcohol within the pavement café area?**

Yes  No

Please ensure you supply all appropriate supporting documentation with your licence application as set out in the checklist.

**11. Please indicate the number of Male / Female sanitary facilities:**

Male  Female

Please return the completed form, and accompanying documents, together with your application fee to:

Chorley Borough Council  
Streetscene  
Bengal Street Depot  
Bengal Street  
Chorley  
Lancs  
PR7 1SA

**12. Intended period of operation:**

Start Date: .....

End Date: .....

Days of Week: .....

.....

Times of Day: From: ..... To:.....

Cheques should be crossed and made payable to 'Chorley Borough Council'

**13. Is it intended to provide electricity or water supplies to the amenity:**

Yes  No

If 'yes', please indicate reason for this and the method by which the supply will be provided:

.....  
.....  
.....

Disability Liaison Group

Summary of Issues to be considered at Meeting on 9 January 2008

- 1. Pavements Page 2
- 2. Dropped Kerbs Page 2
- 3. Road Crossings Page 2, 3, 4
- 4. General Highway Issues Page 4
- 5. Parking Page 4, 5
- 6. Other Issues Page 5, 7

Responsible Officers

- GH Gary Hall
- LAF Lesley-Ann Fenton
- SD Sarah Dobson
- AC Alan Capstick
- CL Cindy Lowthian
- IP Iain Price

No	Date Reported	Issue	Comments and Action Taken	Officer
1		<b>Pavements</b>		
2		<b>Dropped Kerbs</b>		
a	Jul-07	Astley Village Parish Council have problems with dropped kerbs (or absence of) - the main one seems to be at the bottom of Studfold, in Astley Village.	The works have recently been carried out.	AC
b	Jul-07	There are a number of dropped kerbs that need to be replaced on Pall Mall.	It is planned to resurface Pall Mall in November 2007. Phase 2 of the project in summer 2008 will deal with any defective dropped kerbs.	AC
3		<b>Road Crossings</b>		
a	Jul-07	Eaves Lane near its junction with Seymour St. To get to a crossing it is a long walk down Eaves Lane.	A bid has been submitted for a zebra crossing to be funded from the pedestrian priority program 200809. There are many schemes competing for limited resources. We should know the outcome in Feb. 08.	AC



No	Date Reported	Issue	Comments and Action Taken	Officer
3		<b>Road Crossings</b>		
b	Jul-07	Market Street junction with Saint Thomas' Road	A bid has been submitted for a zebra crossing to be funded from the pedestrian priority program 2008/09. There are many schemes competing for limited resources. We should know the outcome in Feb. 08.	AC
c	Jul-07	Could there be a crossing on School Lane, Brinscall and Bury Lane, Withnell by the Post Office, preferably a zebra type crossing.	These issues will be investigated fully once more staff resources become available from a restructure within LCC.	AC
d	Jul-07	Could there be a crossing by the bus stop, at the junction of Oakmere Avenue and Blackburn Road in Higher Wheelton.	These issues will be investigated fully once more staff resources become available from a restructure within LCC	AC

No	Date Reported	Issue	Comments and Action Taken	Officer
3	Nov-07	<p><b>Road Crossings</b></p> <p>New issue: Could there be additional zebra/controlled crossing(s) on Bolton Rd as there is currently nothing between 'Skew Bridge' and the centre of Adlington.</p>	<p>We successfully applied for a pedestrian refuge at the Rawlinson Lane junction with Westhoughton Road but we cannot fit it in without major road widening. Updates will be given as progress in made.</p>	AC
4	May-07	<p><b>General Highway Issues</b></p> <p>Trees obscuring lighting on Park Road</p>	<p>A new street lighting scheme is currently being introduced to Park Road. This will be left on the schedule to monitor the situation.</p>	AC
5	Jul-07	<p><b>Parking</b></p> <p>Cars parking on Coronation rec.</p>	<p>The action taken has been successful, as vehicles have not been parking on the rec. The Parking Manager is Iain Price, his number is 515251.</p>	SD

No	Date Reported	Issue	Comments and Action Taken	Officer
5	Jul-07	<p><b>Parking</b></p> <p>The disabled parking bay outside the One Stop Shop is only for half an hour. If the One Stop Shop is busy customers are longer than half an hour. Could the bay be made for an hour.</p>	<p>This will required a change to a traffic order. This is a lengthy procedure which can take 9 to 12 months even with no objections raised. AC to liaise with Ian Price (CBC Parking Manager).</p>	AC
Nov-07		<p>New issue: There are cars parking on the road opposite the entrance to Asshawes Crescent obscuring the Bus Stop - can anything be done about it?</p>	<p>There are no Traffic Regulations Orders here that can be enforced. Alan will investigate.</p>	AC
Oct-07		<p>New issue: There are cars parking on Millbrook Close in Wheelton - can anything be done about it?</p>	<p>There are no Traffic Regulations Orders here that can be enforced. Alan will investigate.</p>	AC
6	Mar-00	<p><b>Other Issues</b></p> <p>Lack of minicom at the railway station.</p>	<p>Assistant Chief Executive contacted Northern Rail - the response is attached to the schedule.</p>	LAF

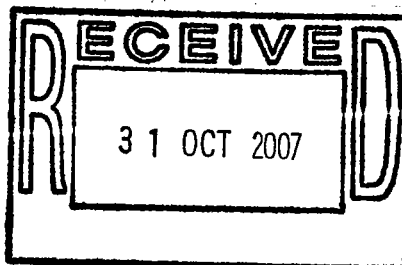
No	Date Reported	Issue	Comments and Action Taken	Officer
6		<b>Other Issues</b>		
b	Mar-00	Announcements of train destinations for blind people & more time information requested.	Assistant Chief Executive contacted Northern Rail - the response is attached to the schedule.	LAF
c	Jul-07	The Lancastrian itself is wheelchair accessible, the stage isn't (and is too high to use a temporary ramp).	A verbal update will be given at the meeting.	GH
d	Oct-07	When should the toilets be open on Coronation Recreation Ground?	The toilets are open every day from 12 till 4. Unfortunately there is no cover when the attendant is on annual leave.	

No	Date Reported	Issue	Comments and Action Taken	Officer
6	Oct-07	<b>Other Issues</b>	<p>The route of Service 114 has changed, and it now operates from Town Brow, via Lancaster Lane, left onto <b>Spring Meadow, Higher Meadow, Mendip Road, Pendle Road</b>, Lancaster Lane to A49 for journeys to Preston. Return journeys the reverse route. Note the roads in bold type are Hail &amp; Ride, that is you can flag the bus down at any point and the bus will stop providing it is safe to do so. The reason for the diversion was to provide a better service for the estate off Lancaster Lane. The majority of passengers in this area are now closer to the bus route. If you require further information then please do not hesitate to contact Mick Porter on 01772 534563.</p>	CL

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Lesley-Ann Fenton  
Chorley Borough Council  
Civic Offices  
Union Street  
Chorley  
Lancashire  
PR7 1AL

5<sup>th</sup> Floor  
Northern House  
9 Rougier Street  
York  
YO1 6HZ



Your ref:

Our Ref:

Date:

Oct33

26 October 2007

Telephone 01904 568501

Fax 01904 568555

Email [heidi.mottram@northernrail.org](mailto:heidi.mottram@northernrail.org)

Dear Ms Fenton

### **Chorley Railway Station Access For Those With Disabilities**

Thank you for your recent correspondence with respect to Chorley station.

I note from your letter that the next Chorley Disability Liaison Group meeting is scheduled to take place 9th January 2008. Steve Butcher, my Area Director responsible for Chorley has spoken with Jane Lennaine, the station manager of Chorley station. Jane confirms that whilst she does not recall being invited to previous meetings, she would like the opportunity to listen to the group and will be able to attend the next meeting. Her contact details are as follows:-  
Tel 07734540812

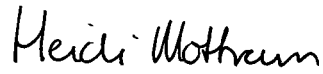
Although Northern does not have a minicom facility located at every station one is available within the customer relations department. Passengers can contact staff on minicom 08456 045 608 Monday to Saturday 8am – 8pm and on Sundays 9am – 5pm. Alternatively, staff can be contacted via email at [customer.relations@northernrail.org](mailto:customer.relations@northernrail.org) or telephone 0845 600 8008. To assist passengers, Chorley station is fitted with an induction loop.

Northern is committed to improving access to our network and we support and comply with our obligations under the Disability Discrimination Act 1995 (DDA). Under the terms of the DDA, Northern will make reasonable alternative arrangements for any disabled passenger, who cannot access one of our stations, to allow them to make a journey. Passengers are encouraged to contact the customer relations department so that we can discuss what alternative arrangements will be suitable. I would be grateful if you could pass the number on to the group members.

Our station facilities department was made aware of the problems with the paintwork at the station and took action to have the station repainted. As this has just taken place I have requested that the station manager in conjunction with our station facilities department monitor the durability of the paintwork to determine the effectiveness of the regime. Longer term solutions will of course require funding. Northern works closely with the Department for Transport, Local Councils and other Stakeholders to secure funding for these schemes and this can of course be discussed at your next meeting.

Many thanks for taking the time to write and I trust that I have answered the points raised in your letter.

Yours sincerely,



**Heidi Moltram**  
**Managing Director**