

Appendix 4 – Comments received on online policy consultation

1	<p>How will this work for the likes of the Esplanade or Taverna or Black Bull when there is NO public drinking allowed in the town centre? I think this is 10 years too late. Guildford Square is the only place this would work as the rest of the towns pavements are too narrow, so only a few places would benefit. I will be really interested to see how this moves forward!</p>
2	<p>I suspect that there is not consistency in the use of terms within the document. I would have expected that words used in connection with roads and footways would be as defined in the Roads Scotland Act and that words not so defined should be defined for the purposes of this document. What is the definition of a "pavement café"? Is "pavement" a synonym for "footway"? Is "Council controlled pavement" the same as "public footway"?</p> <p>Page 5 – Reference is made to a minimum unobstructed width of footway of 1.8 m. This is very much a minimum, as it allows for only two way Indian file pedestrian traffic – over a short distance this is acceptable; over a longer distance it is a considerable disincentive for pedestrians.</p> <p>Page 7; 1. Space – In the second paragraph of section, on the first occasion that "width" is used it is clearly intended that it is measured parallel to the building face and that "depth" is a dimension perpendicular to that. However, the term "width" is then used in connection with the undefined term "highway" and would appear to relate to a dimension in the same direction as "depth" is used earlier in the same paragraph.</p> <p>It states that an unobstructed width of highway of 1.8 m allows wheelchairs and prams to pass "comfortably"; this last word is perhaps a bit optimistic and would be better expressed as "adequately".</p> <p>In the third paragraph of this section the word "thoroughfare" is used; what does it mean? Does it mean that drink or food is being carried across the carriageway to the opposite side of the road? Does it mean across the area of the footway designated for the passage of pedestrians past the establishment?</p> <p>Page 7; 2. Environment – It is stated that the outdoor seating area must be clearly defined by a defined enclosure. This is a common feature abroad, where it is very often the case that there marks on the footway to define the area, thus allowing the easy setting-out and checking the compliance of the area. This may be done for the relatively short term by discrete paint marks, or more permanently by some form of surface marker, eg small brass plate. If such is not provided, will Argyll and Bute Council check the accuracy of the setting out on a daily basis to avoid creep?</p> <p>Page 10; Section 1 – See note immediately above.</p> <p>Page 10; Section 6 – The inclusion of this is quite a condemnation of the current quality of service provided in catering establishments. Abroad this</p>

	<p>procedure is standard practice whether indoors or out.</p> <p>Page 10; Section 8 – The second sentence seems to be a mere repetition of what is contained in Section 2.</p> <p>Page 13; Site Plan – I would have thought that plans drawn to 1:500 and perhaps 1:200 would result in drawings being so small that the detail could not be seen and that the requirement should be of the same scales as submissions for building control.</p> <p>Page 15; final bullet point – It is not clear after "safety grounds" what is intended. Is it intended that the way for the public not using the establishment should be convoluted, or is it the route which the hot drinks will take that should be convoluted? It would seem to me that the perceived difficulties could be removed by making it a condition that any pavement café area contiguous with the associated permanent premises.</p>
3	<p>I appreciate the local authority giving residents the opportunity to comment on local policies. In principle I think this policy is adequate and the development of café culture should boost tourism in the area. The key points for me are that the license will define boundaries and quality of tables, furniture etc. I note that an annual review will be the norm, however I think this policy would benefit from having a section that show how complaints or issues would be dealt with. I would suggest this should be by instant review if more than 3 complaints have been received. It could be more clear about licenses being withdrawn if businesses fail to follow guidelines and/or have complaints.</p> <p>The success of this will be in the firm management of good quality, café type outlets.</p> <p>I have recently moved in to the area from London. Many of the poorer areas in London have, in my opinion, bad practice with e.g, goods on display on upturned boxes in a haphazard fashion causing the area to look like a third word jumble sale, encroachment into the main thoroughfare, drinkers taking their glasses away from roped off areas and extending out onto the main thoroughfare, rubbish left lying around, shisha cafes, inability of pedestrians to move around freely and safely, intimidating noisy crowds. I think both Licensed premises and shisha cafes bring alcohol/shisha into view and are not a good example to children who may be visiting the area and I would prefer not to see these premises allowed in busy town centre thoroughfares. Outdoor areas on licensed premises also bring smoking out in to the public areas and again, not good for children to see this as normalised behaviour, or indeed not good for the health of any of us who may have to walk past areas with a high density of smoke. For these reasons, numbers in an outdoor café should be kept small.</p>
4	<p>These arrangements need to be administered in an equitable manner throughout our council area. I would like to see Argyll Street, Dunoon highlighted as an area where local businesses are encouraged to improve the customer experience, and embrace the street cafe experience. It needs to be done appropriately with our staff supporting rather than demonstrating any</p>

	hindrance. I know of two similar locations but they are treated differently.
5	<p>The general content of the draft paper is clear and unambiguous; however there are a number of anomalies which may need attention.</p> <ul style="list-style-type: none"> <li>• The licence application starts off as an application under s59 of the Road (Scotland) Act 1984 however the section is only applicable to roads. If the assumption is that the footway or pavement is included in the road aspect of this guidance it should be made clear.</li> <li>• Where does the measurement of 1.8 m clearance of pavement access come from?</li> <li>• The application fee of £165 is undefined, how was this cost estimated? Is this refundable if the application is unsuccessful?</li> <li>• The planning application fee is £382; there is no explanation for this charge? The fee is limited to a 5-year period, does a similar charge occur on reapplication?</li> <li>• The licensing application fee is a further £160, subject to an annual renewal of £56. The total cost of the procedure is £707, which may be increased by a further 'Advert Fee' of £156 where vacant land is present. There is no explanation for the 'advert fee'? The overall cost bears little relation to the limited real estate available outside establishments in Helensburgh for the café culture.</li> <li>• In Appendix B of the draft policy, reference is made to Public Liability insurance cover for the pavement café. It is not clear if this insurance cover is in addition to the insurance cover the establishment must carry, or should be added to the existing cover?</li> <li>• In Appendix C of the policy draft, the possibility is held out for a number of organizations wishing to establish street cafe facilities to work together to produce a management plan. The policy says, "...several organisations wish to establish street café facilities in the same general public realm area they must (emphasis inserted) work together to provide one management plan, which will be adhered to by all parties involved in the provision of the facilities. One of the organisations will be required to be the lead organization..." There are a number of establishments in West Clyde Street Helensburgh that fall into this category. Will the A&amp;B Council organize the necessary requirements?</li> </ul>