

Tables and Chairs - Draft Supplementary Planning Guidance

- Westminster City Council has published a draft of Supplementary Planning Guidance on the provision of tables and chairs outside licensed premises. The document will replace the existing guide and has been revised to reflect changes in policy and to provide additional information to potential applicants.
- The Guidance relates specifically to the planning application for the siting of tables and chairs as opposed to the temporary street trading licence. If tables and chairs are to be sited on a private forecourt then specific permission may not be required.
- Comments are invited on the proposed draft Guidance by 10th May and the document will then be further refined before being published in early summer and subsequently used in planning applications regarding the siting of tables and chairs. This note summarises the draft policy to help shape WLA comments.

Overview

- The draft Guidance notes the fact that tables and chairs have become a popular addition to public streets and spaces and that many people enjoy “alfresco dining in a lively cosmopolitan atmosphere”, but stresses that the Council may not always be able to accommodate the demand for tables and chairs.
- Although it goes on to refer to legitimate concerns that the planning authority may have in respect of tables and chairs provision – pedestrian safety, emergency access, street cleaning, crime and nuisance – the tone is generally well balanced and there is no presumption against tables and chairs or overly negative comment about the licensed trade. There are also positive references later in the document to the beneficial effect tables and chairs may have on the character of an area.
- The draft Guidance proposes a twin approach to the assessment of applications – both location and a criteria based assessment of the type of provision. This is a slight change of approach as previously in areas such as Covent Garden, a location only approach had been adopted.

Location

- Applications may be allowed in four specific locations – fully or partially pedestrianised streets; streets with footways of adequate width; and, in special areas which have been part of an environmental improvement or landscaping scheme. As a general rule of thumb, the Council will look for a clear zone of at least 1.8 metres of footway width to be kept clear of tables, chairs and other obstructions. Where streets are particularly crowded, a larger clear zone may be imposed.
- Permission will not normally be granted where the upper floors of the application premises are in residential use. The number and size of tables and chairs sites may also be limited to “protect the architectural heritage and avoid clutter”

Criteria

- The new policy is designed to make sure that any new development is suitable for its locality. The application will therefore need to be accompanied by full details of the furniture to be used, sizes, materials, manufacturers details. It goes on to give further guidance on what may be deemed acceptable.

- Furniture must be easily folded or stacked as it needs to be removed overnight. It should be of one design which is sturdy and stable and easily wiped down and dried. Highly ornate, plastic or garishly coloured furniture should be avoided. In historic areas, a higher quality, plain style of furniture would be expected and the Council may specify the use of a particular style and colour of furniture.
- Other items of furniture may be permitted but these must be moveable eg space heaters, planters, temporary barriers. Umbrellas should be in a plain canvas material and free from all advertising. The setting up of barbecues, ice cream, drinks and other machines to provide take away food within the area will not be permitted.
- Although the policy specifically relates to the provision of tables and chairs, it does contain a paragraph on drinking outside pubs. It notes that where “standing drinkers spill out across the footway” obstruction and nuisance can occur. The Council will not, therefore, licence areas or equipment designed for drinking whilst standing outside premises. All temporary street trading licences will contain a condition that customers must be seated and in certain circumstances, conditions may also be imposed which require waiter service and the use of plastic glasses.

Crime

- The Council remains concerned that tables and chairs can attract street crime. The Guidance therefore lists a series of security measures which can be taken and although these are not requirements, the implicit suggestion is that inclusion of these will lead to a more favourable assessment of the application.
- The provision of property clips or tables with shelves or net bags under the table top is recommended. Round back chairs should be used to deter people from hanging bags on the back of them. Temporary screens and sensible furniture lay out can help reduce opportunities for crime and staff should be trained to be alert to all non-customers approaching tables.
- Despite the negative comments about crime in relation to tables and chairs, the policy states that the Council may consider, initially on an experimental basis, extending or introducing tables and chairs areas for dining as an alternative way of dispersing and discouraging “undesirable elements” eg rough sleepers and street drinkers. If taken forward, these areas would require special designs of enclosure and equipment and would carry appropriate conditions “to ensure a quality operation linked to the serving of full meals”. This point has been a key lobbying message of WLA on this issue and this is the first time it appears to have been taken up.

Applications

- The application will need to be accompanied by two sets of drawings: 2 copies of a location map and 8 of a site plan showing building line, footway width, centre line of carriageway, any private forecourt area, position of tables, chairs and other furniture, access points and emergency exits, nightly storage areas. Full details and dimensions of all furniture will be required and a manufacturers brochure is expected as the norm.
- The Council will firstly consult with local residents and operators. Permission may be refused to limit the number of sites to prevent the character of an area being spoilt or where existing outlets already attract large crowds.