

Regulatory and Other Committee

Open Report on behalf of Richard Wills, Director for Communities

Report to:	Planning and Regulation Committee
Date:	04 December 2013
Subject:	Proposed Pavement Café Licence - Market Place, Grantham

Summary:

This Paper considers two objections received to a proposal to place a pavement café on Market Place in Grantham Town Centre.

Recommendation(s):

That the objections are overruled and the pavement café licence is granted.

1. Background

1.1 Market Place is one of the key shopping areas in the Town Centre

1.2 The area has been subject to an environmental improvement scheme which has created large paved areas within the Market Place

1.3 A request has been received from Rumours Lounge Bar for a Pavement Café Licence. The pavement café will consist of four tables and seating for 18 persons. Temporary barriers will be placed around an area of 6m x 6m each day and removed at close of business. The area as described would have no obvious effect on pedestrian movements.
Umbrellas will be provided for each table, together with two litter bins, one waste bin and two planters. All furniture will be maintained within the plan area described above, and shown on the attached sketch (Appendix B).
The proposed hours of operation of the pavement Café will be 12.00hrs to 22.00hrs for 7 days per week. The establishment sells alcoholic beverages.

1.4 Another similar licence has been granted to the Chequers Public House on Butchers Row / Market Place, opposite the application site, and Eden Wine Bar on the same area as Rumours Lounge Bar, this being in existence since October 2012 without any concerns raised by other statutory bodies.

2. Consultations

2.1 Consultation Process

2.1.1 Members of the Public

Public Notices were erected around the Market Place in the vicinity of the application site. In addition, letters of notification were hand posted to ground floor shops and offices in the Market Place area.

2.1.2 Local Members

Councillor Davies was consulted and fully supports the proposal.

2.1.3 South Kesteven District Council

No objections were raised to the proposals.

2.1.4 Lincolnshire Police

No objections were raised to the proposals

2.1.5 South Lincs Blind Society

No objections were raised to the proposals.

2.1.6 Lincolnshire Fire and Rescue

Raised no general objection to the proposals providing that generic fire precautions contained on Appendix C (attached) are contained within the licence.

2.2 Objections Received

Two objections were received from members of the public:

Resident 1 - Objects on the scale of the proposed area to be allocated to the pavement Café, and raises questions over enforcement issues, quoting that *"At present it remains unclear who will enforce them to take their seats in at 10:00p.m? This area should remain a controlled zone with regards to the public wishing to walk past without the intimidation from drinkers and groups.*

Who will ensure the noise levels from outside drinkers and groups respect the right to sleep for the residents living close by ?

*Who will be responsible for enforcing drinkers to remain seating? (sic)
Rumours facility for outside seating at the front of its establishment takes over a huge proportion of the pavement. It is intimidatory and fails to reflect respect for the public walking past."*

Resident 2 - Objects to all café licences being extended from 8.00pm until 10.00pm and, as such, objects to the granting of this application in particular. The resident has also raised questions regarding enforcement and noise issues and in particular, the playing of music in the designated area.

2.3 Comments on Objections

This authority, in conjunction with the police, reviews and monitors these licences. There is no reason to suppose that enforcement action would not be taken if the applicants were to infringe the terms of the licence. The application does not include the request for the provision of external sound systems.

3. Conclusion

All pavement café licences are reviewed annually therefore, it is recommended that the objections are overruled.

a) Policy Proofing Actions Required

N/A

Appendices

These are listed below and attached at the back of the report	
Appendix A	Location Plan
Appendix B	Proposed Layout of Pavement Café
Appendix C	Lincolnshire Fire & Rescue Conditions to be included in Licence

Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Michael Thornhill, who can be contacted on 01522 553706 or mick.thornhill@lincolnshire.gov.uk.

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