

ADOPTION OF BRAINTREE DISTRICT COUNCIL PAVEMENT PERMIT POLICY

Agenda Item 5

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Background Papers:- Appendix 1 - Braintree District Council Draft Pavement Permit Policy
Appendix 2 – Letter of Response by Sylvia Thorogood – Hedingham Models & Collectables
Appendix 3 – Letter of Response by Cllr. Peter Turner
Appendix 4 - Letter of Response by Essex County Council Highways and Transportation

Financial Implications:- None
Equalities Implications:- None
Legal Implications:- None

Options:

- 1.To approve the adoption of the Pavement Permit policy with amendments deemed appropriate by Members.
- 2.To refuse to adopt the Pavement Permit policy.

Risks: Failure to adopt a policy will result in the council not able to administer application made for pavement permits.

EXECUTIVE SUMMARY

To consider the adoption of the Braintree District Council Pavement Permit Policy for the provision of table and chairs to be placed on the Highway in respect of consultation which took place between October and December 2006. To consider all valid responses that have been received during the consultation and to approve any changes to the revised Policy that are necessary in response to these responses.

DECISION

Members are requested to adopt the Braintree District Council Pavement Permit Policy for recommendation of Full Council.

1.BACKGROUND

- 1.1 Under the Highways Act 1980 (Part VIIA), Braintree District Council may grant a permit for the use of tables, chairs and associated furniture on the public highway for the purpose of providing refreshments.
- 1.2 A Draft, Pavement Permit Policy, has been completed and was presented to members on the 14th September 2006 for consideration and was issued for consultation to members and the public with local additions. The first draft of the Braintree District Pavement Permit Policy was issued for consultation on 9th October 2006.
- 1.3 It was agreed that an adopted policy must be in place prior to accepting any applications, this helping business understand where street cafes might be encouraged and the general conditions which would apply in all cases. In addition the policy would aid officers and members in the decision making process.

2.CONULTATIONS/RESPONSE

- 2.1 During the period from 9th October and 31st December 2006 the Pavement Permit Policy was made available for public consultation.
- 2.2 Letters advising of the consultation were sent to Members, Local Trade Associations, existing permit holders and other persons who would have an interest in the Policy.
- 2.3 The Policy was made available for viewing via the Council's website.
- 2.4 A number of Responses have been received from different sources (Appendix 2), (Appendix 3), (Appendix 4), which have been reviewed and considered.
- 2.5 Members are requested to consider the above and amended the policy where members may feel appropriate.