

## **APPENDIX 1**

### **COUNCIL MEETING 17 MAY 2007 – MINUTE NO. 8 – QUESTIONS FROM THE PUBLIC TO THE CHAIRMAN OF THE COUNCIL**

#### **Question from Mr Nick Irwin, 46 Melford Road, Sudbury to Chairman of the Council**

How are the relevant Babergh Planning, Environmental Health, Licensing and Conservation Officers liaising with Suffolk County Council Officers to ensure policies and guidelines are in place regarding the placing of café style chairs and tables on the public highways, with particular reference to the effect of the forthcoming smoking ban on such street usage?

#### **Reply from the Chairman of the Council**

The placing of chairs and tables on the public highway is firstly a matter for the Highways Authority, Suffolk County Council. They may license the use of an area of the public highway for such a purpose, under the provisions of the Highways Act 1980. In considering an application for the use of the highway for this purpose, consideration is given to:

- Footway width
- The safe and unrestricted passage of pedestrians and vehicles
- Visual impact
- Planning requirements
- Potential for noise and disturbance
- Highway cleaning
- Licensing terms

The County Council consult with Babergh Council in respect of all applications received. There has been increased interest more recently in enquiries relating to pavement cafes, which may merit the formulation of written procedures and policies. Council officers are already engaged with the County Council on this matter. The 'Smokefree' Regulations have not been a consideration to date. These take effect from 1st July 2007 and relate to premises, not areas in the open air.

#### **Supplementary Question from Mr Nick Irwin**

Will these guidelines take into consideration the rights of the public who do not use licensed establishments?

#### **Reply from the Chairman of the Council**

Yes.