



Dear Business Owner

Reopening our high streets safely

We want to start by thanking you for your amazing support during the pandemic and in helping us to adhere to the government's restrictions aimed at keeping us all safe. We appreciate that it has been a very difficult time for the hospitality industry especially, and you must be keen to reopen on Monday, 12 April. We want to do whatever we can to support you with this and together, we can continue to ensure our high streets remain a safe place for visitors, customers, and residents.

We are writing now to offer you some advice on how you can temporarily safely trade on the pavement outside of your premises from Monday, 12 April.

- Please ensure that you only place tables and chairs on the pavement and not in the road and that these are taken in once you have finished trading each day.
- You need to maintain enough space for everyone to be able to pass by and that includes people with prams and strollers and those who need help with mobility e.g. wheelchairs, walking aids.
- If you are licenced to sell alcohol you must stick to the permissions within your license.
- Please keep to the frontage of your business premises and do not stray across the front of your neighbouring business on either side.
- Be mindful that your neighbours may have to ask customers to queue safely and may be sharing the footway next to you.
- Most importantly you must ensure that all COVID-19 measures are in place i.e. maintain social distancing, face coverings and hand sanitisation. Please note: it is a legal requirement that businesses must register, download and display a QR check-in code.

Over the page there are more details for you to work to. These can also be found on www.medway.gov/reopenbusiness you will find information and contact details if you have any questions.

This approach is our way of working with local businesses to ensure Medway recovers from the pandemic as quickly and as safely as possible. We want to help you to make the best of the British spring and summer and welcome customers back to enjoy eating, drinking, and meeting up with friends and family, in line with government advice. Please phone 01634 333333 if you have any further questions.

We will of course, monitor this temporary approach and, if necessary, we may issue further advice to maintain safety. The safety of our residents and you, and your staff is our top priority and council officers will be on hand to offer support and may ask you to adjust your tables and chairs, if needed. We hope that working together will prevent the need for enforcement action against any businesses, and this is always a last resort. We will also be working with Kent Police to advise businesses.

Thank you for working with us and good luck!

On behalf of Medway Council

- A minimum continuous unobstructed footway width of at least 1.6 metres (not including kerbs) must be maintained at all times. Please note: additional widths may be required to accommodate social distancing in line with guidance issued by the Secretary of State.
- All tables, chairs and temporary furniture shall be separated from the remaining highway using disability compliant barriers. This means that barriers MUST:
 - a. Be between 1,000mm and 1,200mm in height
 - b. Have a continuous tapping rail (150mm to 200mm deep) or panel edge either on the ground or up to a maximum height of 200mm above the ground.
 - c. Have a colour contrast to ensure they are highly visible.
 - d. Be continuous around the area of tables, chairs and temporary street furniture except for the access point.
- You must also have regard to public health and safety, and the use of the highway. The site must not exceed the width of the premises' frontage.
- You must comply with all applicable COVID-19 guidance and legislation, including in relation social distancing.
- The furniture used must not cause any damage to the highway or impede surface water drainage.
- The furniture must not impede access to or egress from any premises.
- There are to be no permanent fences, enclosures, fixtures, fittings or furniture.
- No barbecues, fire pits, gas heaters or naked flames are permitted.
- All customers must be seated, with no vertical drinking.
- You must ensure patrons behave in a civil manner and minimise any disturbance to local residents.
- No live music, singing, recorded music, or other amplified sound is permitted.
- Public Liability Insurance of at least £5m must be maintained and evidence must be provided to the local authority upon re-quest.
- You must comply with all reasonable requests from an officer of the local authority or emergency services.
- Artificial lighting may only be used during the trading period and must not cause disturbance/nuisance to occupiers of other properties.
- No items shall be sited as to obstruct access to any premises unless the consent of the occupier of these premises has been obtained. No items shall be sited in such a way that is obstructs any fire exits or dry risers etc.
- No tables, chairs or temporary street furniture shall remain on the highway after your business has ceased trading for the day.
- The business shall be responsible for keeping the designated area in a clean and tidy condition at all times and shall ensure that any associated debris is removed at the end of each day and make good any damage caused to the surface area.
- No apparatus such as power cables or water pipes shall be allowed to be laid across or suspended above the highway for the purposes of providing services to outside areas on or off the highway.
- No wastewater or other substances shall be discharged on to the highway or highway drainage system.
- Where furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, you must ensure smoking of tobacco is not permitted within this area.
- Where furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, you must ensure 'No smoking' signage displayed in accordance with Smoke-free (signs) regulations 2012.

No ash trays or similar receptacles to be provided or permitted anywhere in the licensed area.

- You should also ensure the following:

you do not prevent traffic, other than vehicular traffic, from

(i) entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),

(ii) passing along the relevant highway, or

(iii) having normal access to premises adjoining the relevant highway,

(b) you do not prevent any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,

(c) you do not prevent statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or

(d) you do not prevent the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.

Guidance for managing the most common security implications can be found at:

www.cpni.gov.uk/blog/physical-security/high-street-hospitality-protective-security-considerations

IMPORTANT: Please note that if you place out tables and chairs, so as to obstruct the safe passage of pedestrians, meaning they are unable to safely walk along the footway, then you could be in breach of Section 149 of the Highways Act (1980), whereby notice may be served on you, to remove the obstruction. Part 2 of Section 149 also enables the Highway Authority to determine whether anything deposited constitutes a danger, to such an extent as that the item should be removed, without delay, thus removing the need for a notice and disposal order from the Magistrates Court.