

Report of City Centre Management

Report to Chief Officer (Highways and Transportation)

Date: 24 March 2020

Subject: Street Café Layout plan for Greek Street in Leeds City Centre

Are specific electoral wards affected? If yes, name(s) of ward(s): Little London and Woodhouse	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

1. Main issues

- This report was drafted before the COVID-19 crisis. To expedite matters, no changes have been made at this stage but future reports will more fully reflect the current and ongoing situation.
- This report seeks approval for the overall street café layout plan for Greek Street. This layout will come into use once the street refurbishment scheme is complete.
- A plan showing the proposed layout of street cafes is attached. The intention is that this 'master' plan will be used as a guide, and individual businesses will apply for street cafes in the normal way.
- The overall layout plan is not fully prescriptive. It only offers a guide to businesses on the maximum extent of their areas, and it is up to them to apply for street cafes which adhere to the normal licensing rules, but which comply with the maximum dimensions stipulated.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- The pedestrianisation of Greek Street contributes positively towards supporting growth, investment and businesses and by contributing to improved air quality through the removal of most traffic.
- Street cafes aim to improve vitality and attractiveness of the City Centre and contribute to the best Council Plan.

- Supporting businesses with growth and investment by providing areas that can be used by all.

3. Resource Implications

- Fees accompanying applications are based on the administration and legal costs incurred in the preparation and issue of the licences.
- The application fees payable will vary by business, but the slightly larger areas allowable under these proposals will increase the street café licensing income for Leeds City Council.

Recommendations

The Chief Officer (Highways and Transportation) is requested to:

- a) Note the contents of the report; and
- b) Approve the overall layout plan for street cafes on Greek Street, noting that the individual street café applications will be processed in the normal way.

1. Purpose of this report

- 1.1 To consider the overall street café layout plan for Greek Street.

2. Background information

- 2.1 Whilst it is acknowledged that street cafes enhance the attractiveness and vitality of Leeds City Centre, it is important that they are properly administered and managed, in particular, that they do not obstruct the highway or create a hazard for pedestrians, especially for the blind, partially sighted and other disabled people.
- 2.2 In recognition of the need to ensure that street cafes are satisfactorily controlled, the City Centre Committee, in 1990, approved a detailed street café policy which requires street cafes to be licenced by Leeds City Council under Section 115E of the Highways Act 1980.
- 2.3 The successful provision and operation of street cafes is fundamental to the success of Greek Street as a destination, and it is the primary driver behind the Council's decision to pedestrianise the street from 2016.
- 2.4 Greek Street was first pedestrianised on an experimental basis in 2016, and the success of the initial trial meant that the pedestrianisation is now permanent, and in operation seven days a week between 1130 and 0530.
- 2.5 Greek Street is now fully occupied by bar/restaurant use at ground floor level, and is one of the city's key night time destinations. Hundreds of new jobs have been created on the street and businesses on the street have contributed £240,000 towards a street refurbishment scheme, which is now on site.
- 2.6 A similar proposal for an overall layout plan was delivered on Merrion Street East and its operation has been successful.

3. Main issues

- 3.1 The Greek Street refurbishment scheme is now on site, with an estimated completion date of May 2020. Aside from aesthetic improvements, the main physical change is the provision of a fully level surface from building to building, down the whole length of the street.
- 3.2 The new level surface means that the provision of street cafes is much more straightforward because:
- The risk of having kerbs within street café areas (potentially creating a trip hazard) is removed, and;
 - The central walkway can be the main pedestrian route, and there are no kerbs creating a barrier between that central walkway and premises entrances.
- 3.3 The term 'central walkway' is used within this report for simplicity, but formally it is a circulation space for pedestrians, cyclists, and for emergency vehicle access. Since 2016 the central walkway has been the main point of access and circulation space for pedestrians when the street is closed to traffic. The central walkway has been 3.0m wide, but is to be increased to 3.25m upon completion of the scheme. The central walkway has been successful and well adhered-to by businesses since implementation.
- 3.4 In order to implement a sense of order to the layout of street cafes on Greek Street, the attached overall street café layout plan has been produced. Its main features are:
- Increasing the central walkway from 3.0m to 3.25m
 - Providing a marginal net increase in the usable street café area space compared to existing, for most businesses.
 - Providing, as far as possible, equally sized street café areas from the building frontage, to the central walkway. Clearly, those businesses with wider frontages will benefit from larger overall street café areas.
 - Importantly, creating a strong, straight and consistent line of street café barriers adjacent to the central walkway, which will be particularly important to partially sighted people navigating the street.
 - The overall layout plan is a guide to the maximum extents of street café areas, rather than being prescriptive about the details of any individual street café. Businesses will need to apply for street café licences in the normal way.
- 3.5 Obstructions on the public highway are particularly problematic for disabled and visually impaired people. Disabled people find it difficult to move in restricted areas and have difficulty turning when confronted with an obstacle. Visually impaired people need to be sure that obstacles can be easily located and thus avoided. Street Cafes which are enclosed and managed in accordance with the approved guidelines will facilitate access and increase the attractiveness of the city centre for these groups of people.
- 3.6 Adequate circulation space is to be maintained within the street cafes to allow access for all users including those in wheelchairs again improving the attractiveness of the city centre for these groups.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 Highways Services officers were consulted on the proposed layout as part of the pre-Highways Board circulation for this report.
- 4.1.2 The Greek Street scheme, and the approach to pedestrianisation, has been widely consulted upon over the past four years, and the scheme has been very well supported by stakeholders, including businesses on the street.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 An Equality, Diversity, cohesion and Integration screening document has been completed, and an impact assessment is not required. The document is attached to this report.
- 4.2.2 The key improvement from an accessibility point of view is the complete removal of kerbs from the street. This fully level surface makes for a simpler layout, where the previous concerns over stepped access to and from the central walkway are removed.
- 4.2.3 It is not possible to leave a central walkway and two navigable clear building lines. The resultant space for street cafes would be too small (bearing in mind the primary purpose of the project is to provide reasonable space for street cafes to create a vibrant and attractive destination). Instead, navigation guidance is offered by the provision of straight and consistently-applied 'outer' street café boundaries, properly enclosed with barriers and tapping rails. In any case, the building lines are not as helpful for navigation as other street environments, because on Greek Street:
 - The space adjacent to building lines is privately owned in some areas, meaning we have no control over what gets placed there.
 - Stairs protruding beyond the building line are present in some locations, creating a trip hazard.
 - Railings, gates, steps up, steps down, and a very non-linear building line make for a difficult line to follow.
- 4.2.4 Any adverse comments regarding individual street café placements are taken on-board and actioned, including potentially suspending the licence or removing the street café where required.
- 4.2.5 Street cafes must always be enclosed with barriers and with tapping rails attached to assist visually impaired city centre users.
- 4.2.6 The street café policy is reviewed annually and changes made to the policy should any comments/feedback be received which causes a sufficiently negative affect on the operation of the street café and street users.

4.3 Council policies and the Best Council Plan

- 4.3.1 Street cafes aim to improve vitality and attractiveness of the City Centre and contribute to the best Council Plan.
- 4.3.2 Supporting businesses with growth and investment by providing areas that can be used by all.

Climate Emergency

- 4.3.3 The pedestrianisation of Greek Street contributes positively towards supporting growth, investment and businesses and by contributing to improved air quality through the removal of most traffic.

4.4 Resources, procurement and value for money

- 4.4.1 These slightly larger street café areas will result in a net additional income for Leeds City Council.
- 4.4.2 Fees accompanying applications are based on the administration and legal costs incurred in the preparation and issue of the licences. Both application and renewal fees are based on the businesses rateable value and size of both the premises' internal area and the proposed external street café area. Each businesses fee will therefore be different.

4.5 Legal implications, access to information, and call-in

- 4.5.1 This report proposes and seeks approval of an overall layout plan for street cafés on Greek Street, by way of a guide for relevant businesses to ensure comprehensive, collective compliance with the existing Street Café Policy – as previously instituted pursuant to the delegated powers of the Chief Officer (Highways and Transportation). However the street café licence process itself remains separate to this report, and it will follow the normal Leeds City Council procedure. Individual licences are granted under Section 115E of the Highways Act 1980.

4.6 Risk management

- 4.6.1 The application contains no request to use items determined as risky in the Street Café Policy and as such no risk assessments have been requested.

5. Conclusions

- 5.1 The intention is that this 'master' plan will be used as a guide, and individual businesses will apply for street cafes in the normal way.
- 5.2 The overall layout plan is not fully prescriptive. It only offers a guide to businesses on the maximum extent of their areas, and it is up to them to apply for street cafes which adhere to the normal licensing rules, but which comply with the maximum dimensions stipulated.

6. Recommendations

- 6.1 The Chief Officer (Highways and Transportation) is requested to:
- a) Note the contents of the report; and
 - b) Approve the overall layout plan for street cafes on Greek Street, noting that the individual street café applications will be processed in the normal way.

7. Background documents

7.1 None

8 Appendices

8.1 Layout Plan

8.2 Equality, Diversity, Cohesion and Integration screening document.

Appendix 1

Equality, Diversity, Cohesion and Integration Screening

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- The relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- Whether or not it is necessary to carry out an impact assessment.

Directorate: City Development	Service area: City Centre Management
Lead person: Mark Durham	Contact number: 0113 3787749

1. Title: **Overall Street Café Layout plan for Greek Street in Leeds City Centre**

Is this a:

Strategy / Policy

 Service / Function

 Other

If other, please specify

2. **Please provide a brief description of what you are screening**

The screening focuses on the report seeking approval for an overall Street Café Layout plan for Greek Street in Leeds City Centre

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant

characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).		
Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	x	
Have there been or likely to be any public concerns about the policy or proposal?		x
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		x
Could the proposal affect our workforce or employment practices?		x
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 		x

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

<p>4. Considering the impact on equality, diversity, cohesion and integration</p>
<p>If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.</p> <p>Please provide specific details for all three areas below (use the prompts for guidance).</p> <ul style="list-style-type: none"> • How have you considered equality, diversity, cohesion and integration? (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected) <p>This report focusses on the overall street café layout plan, rather than the individual applications that will follow (each of which follows the standard process).</p> <p>The overall layout of Greek Street (after the refurbishment) has been widely consulted upon, including discussion at three Access and Usability Groups, including one specific site visit to the site.</p> <p>The key change in the street from an accessibility point of view is the provision of a fully level surface from building to building, and this is the characteristic that was supported by AUAG members in the knowledge that the street is pedestrianised at its busiest times.</p>
<ul style="list-style-type: none"> • Key findings (think about any potential positive and negative impact on different equality

characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

Level Surface

AUAG members supported the provision of a fully level surface from building to building. They recognised the difficulties and complications arising with the provision of kerbs alongside and sometimes within street cafes. The group felt that the kerb was a barrier to access in some circumstances. In particular, the central main walkway was at carriageway level, and some of the street cafes and all of the buildings themselves were at pavement level, meaning that the kerb was in effect a step. The previous mitigation measure of deployable ramps was only partly successful, because not all businesses had ramps available when users needed them. The level surface removes all of these issues.

Building Line

It is not possible to leave a central walkway and two navigable clear building lines. The resultant space for street cafes would be too small (bearing in mind the primary purpose of the project is to provide reasonable space for street cafes to create a vibrant and attractive destination). Instead, navigation guidance is offered by the provision of straight and consistently-applied 'outer' street café boundaries, properly enclosed with barriers and tapping rails. In any case, the building lines are not as helpful for navigation as other street environments, because on Greek Street:

- The space adjacent to building lines is privately owned in some areas, meaning we have no control over what gets placed there.
- Stairs protruding beyond the building line are present in some locations, creating a trip hazard.
- Railings, gates, steps up, steps down, and a very non-linear building line make for a difficult line to follow.

Street Cafes

Impacts identified from a street café on the highway are mitigated against by:

- Ensuring the street café area is located in a contained area surrounded by barriers. The barriers must have a lower tapping rail to help blind or visually impaired city centre users to navigate using a cane.
- Requiring adequate circulation space within the street café area that accounts for wheelchair users and pushchair users and people with mobility issues.
- Enforcing strict rules on public highway access that state minimum distances that must be left as pedestrian walkways, for pushchair and wheelchair users and for emergency vehicle access.
- Requiring at least 1/3 of the street café area is a designated non-smoking area which would be of particular benefit to children and people who have particular breathing issues.
- Requiring at least one highchair to be provided for use by children.
- Requiring that all street café furniture to be removed from the highway when not in use or when the street café is closed.

• Actions

(think about how you will promote positive impact and remove/ reduce negative impact)

Actions and findings are amalgamated together in above section.

5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.	
Date to scope and plan your impact assessment:	N/A
Date to complete your impact assessment	N/A
Lead person for your impact assessment (Include name and job title)	N/A

6. Governance, ownership and approval Please state here who has approved the actions and outcomes of the screening		
Name	Job title	Date
John Ebo	Head of Service City Centre Management	20.02.2020

7. Publishing This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published. If this screening relates to a Key Delegated Decision, Executive Board, full Council or a Significant Operational Decision a copy should be emailed to Corporate Governance and will be published along with the relevant report. A copy of all other screenings should be sent to equalityteam@leeds.gov.uk . For record keeping purposes it will be kept on file (but not published).	
Date screening completed	20.02.20
If relates to a Key Decision - date sent to Corporate Governance	
Any other decision – date sent to Equality Team (equalityteam@leeds.gov.uk)	