



**Comments from Imtac on proposals for Licensing of
Pavement Cafes**

February 2011

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About Imtac

- 1 Imtac is a committee of disabled people and older people as well as others including key transport professionals. Our role is to advise Government and others in Northern Ireland on issues that affect the mobility of older people and disabled people.
- 2 Our aim is to ensure that older people and disabled people have the same opportunities as everyone else to travel when and where they want.
- 3 Imtac receives support from the Department for Regional Development.

Comments on the proposals

- 4 Imtac welcomes the opportunity to comment on the proposals for licensing pavement cafes. The Committee recognizes the benefits café culture can bring to town and city centres. We also recognize that to a large extent this culture is already tolerated in many places across Northern Ireland. We therefore feel the time is now right to look at regulation of this activity.
- 5 The consultation does recognize that pedestrians should continue to have priority under any licensing arrangements. Whilst we welcome this statement we are concerned that the Department has failed to recognize the severe impact pavement clutter can have on the mobility of disabled people. The Committee is particularly concerned that these issues were not acknowledged in assessing the equality impacts of the proposals.
- 6 Clutter on pavements does often provide unnecessary barriers and hazards to disabled people. For people with a visual impairment clutter such as A Boards, bins and street cafés can present dangerous obstacles in moving around the pedestrian environment. For other disabled people the restriction in width of pavements can making using the pavement impossible often meaning the person has to use the carriageway rather than the pavement. This is

illustrated by many examples of the “tolerated” approach to pavement cafés that currently exists throughout Northern Ireland.

- 7 Imtac does not feel the proposals as presented do enough to protect the personal mobility of disabled people and older people as well as other pedestrians. We are concerned that under the proposals too much discretion will be left to each local authority in awarding licenses and no specific guidance will be issued around minimizing the impact of applications on disabled people.
- 8 In moving forward Imtac does not oppose proposals to license pavement cafés. However the Committee cannot support the current proposals as we believe that without specific guidance to local authorities the personal mobility of many disabled people, older people and other pedestrians could be compromised by café culture.
- 9 The Committee recommends that the Department work with local authorities, Imtac and other organisations of disabled people to develop detailed guidance to assist local authorities decide whether applications for licenses are appropriate or not. This guidance should look issues around the design of the proposals – for example the use of screening to minimize the potential obstacle created – and what width of pavement should remain to allow safe use by the range of people who use the pedestrian environment.
- 10 As well as detailed guidance for local authorities Imtac would have concerns about proposals for enforcement of pavement seating in future. Reading the proposals these appear little different than what currently exists – ultimately Roads Service will carry out enforcement action. Due to the prevalence of pavement clutter Roads Service are faced with a daunting task in removing inappropriate clutter and keeping the areas concerned clear. If we are to have appropriate, attractive café culture in our towns and cities the Department must rethink proposals for enforcement of inappropriate and illegal pavement seating.
- 11 Imtac hopes the Department will take on board our recommendations. We would remind the Department that

they have a legal duty to promote equality of opportunity for disabled people, to promote positive attitudes to disabled people and to promote the participation disabled people in public life. As we have raised concerns about the impact of the proposals on disabled people we would ask the Department to respond to the Committee formally detailing what steps will be taken to address our concerns. We would also ask that any future consultation around legislation include a full Equality Impact Assessment.

Conclusion

- 12 Imtac would like to thank the Department for the opportunity to comment on the current proposals. We hope the Department find our comments useful and we look forward to working with the Department to develop a Licensing Framework for Pavement Cafes that benefits everyone.

Contact us

- 13 If you have a query about this document or would like it in another format you can contact:

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