

Submission to ADC on Draft Policy Use of Footpaths for Alfresco Dining

1. I wish to make a submission on the draft Use of Footpaths for Alfresco Dining Policy.
2. I wish to be heard in support of my submission.
3. As the owners/occupiers of 234 East Street presently operating as Kelly's, I have been in consultation with ADC in the last 12 months while updating the Alfresco Dining area so feel I am in a good position to offer some comment on the draft changes. I have discussed this submission with Kelly's and they are fully in support of my comments.
4. Recently, we carried out work on our alfresco dining area in consultation with Council. This was a significant cost investment, and therefore we would be disappointed if this work no longer complies with the new alfresco dining policy Council choose to adopt.

Minimum site requirements

5. The wording for the proposed 'zones' for the CBD is overly complex. This could be remedied by simplifying the wording in the policy. Perhaps there could be an 'Ashburton CBD alfresco dining zone' (Zone 1) and then 'rest of the district' (Zone 2). While this is effectively what is proposed, changing the wording of the zones makes it easier for people who are only having a quick glance at the policy.
6. Minimum site requirements, existing structures, that have been replaced within the last 12 months, if the material used is up to industry standard, then they should not be required to have a PS1 until the next cycle of renovations.

2.4m passageway

7. We believe the proposal to increase the two-metre passage required for pedestrians to 2.4 metres is unnecessary, 2 metres provides a perfectly adequate straight alignment for the movement of pedestrians, adding another .4 metres would provide very little benefit to the pedestrians but put considerable pressure on the space that can be used for the dining area which could in turn lead to altercations between paying patrons, pedestrians and service staff. Therefore, we do not support this recommendation.
8. Businesses in the CBD struggle with attracting customers as it is. Any increased restrictions, such as the new minimum width required for pedestrians, will impact on the economic well-being of CBD businesses. Less space provided for patrons inevitably leads to less income. The consultation document states that increasing the passageway to 2.4m is to align with Waka Kotahi 'recommendations' (although does not state which document or recommendations these are from). However, this 'one size fits all approach' may not be relevant for every town in New Zealand (i.e. there may be less of a safety concern for pedestrians in Ashburton compared to a larger town). Council should therefore contact Waka Kotahi to discuss this matter and request 2.4m is continued in the Ashburton CBD. Perhaps the policy could contain an explanatory note to this*52
9. We estimated the potential loss of income for Kelly's, based on the loss of space for outdoor dining as equating to \$67,000 per annum. The area we would lose is approximately 2.56m², which we estimate is equivalent of three patrons.

10. If we consider a loss of three patrons dining, five days per week and each spending \$65 (which may be a main meal and three drinks), this equates to \$190 per day, or \$975 per week. Annually, this could mean a \$50,700 loss in income.
11. Clearly this comes with the assumption that these patrons cannot be moved elsewhere within Kelly's to dine, and that demand is continually high. However, outdoor dining is incredibly popular at Kelly's year-round and we do feel there will be a significant loss of income if we are not able to seat as many patrons outdoors. Many others in the CBD also rely on outdoor dining therefore it can be assumed that there will be a widespread loss of income across all CBD dining businesses.

Smokefree clause

12. The smokefree clause, the current policy is more than sufficient, its needs to stay practical as while a business can manage to enforce the non-smoking within its boundaries, once the patron steps outside the boundaries and then has a smoke, it is not then the License holders responsibility, the only recourse they would have is to not let that person back onto the premises.

General comments

13. The policy refers to 'high quality material' but does not state that this is in the opinion of the Council officer. We suggest this is defined in the policy.
14. In my opinion the Ashburton CBD (if you can call it that) is at the crossroads. It needs to be modernised to attract the public by creating a vibrant atmosphere. Failing to do so will mean we lose the CBD to the new River Crossing complex - helped by ADC putting poor policy in place, policy that could adversely affect one area of town yet benefit another.
15. Council should consider where the vibrant part of the town should be when making policy decisions. This will not be helped if ADC allows placing of multiple concrete bollards in shop fronts, causing serious pedestrian inconvenience and yet setting policy that narrows the area for Alfresco dining.

Yours sincerely

W. D. Thomas