



**Assoċjazzjoni
Kunsilli Lokali**

Local Councils' Association Malta



Subject: Temporary and Reversible Measures to help Catering Establishments

Local Councils' Association proposals, terms and conditions

Considerations;

1. In principle, the LCA acknowledges that the provision of Outdoor Catering Areas on Public Open Space is an essential element of the entertainment and tourism product, as well as an important value-adding asset for catering establishments. The LCA understands that due to the upcoming Health Authority restrictions related to the COVID, outdoor catering areas may be a lifeline to the hard-hit catering establishments that had to close their premises for the safety of the community.
2. Public Open Space is a limited resource. The challenges in general accessibility, the lack of pedestrian open recreational space and severe health and safety deficiencies makes most decisions questionable. For years, the LCA has expressed its reservations about the current policy regulating the designation of outdoor catering areas which, in many cases, left adverse effects on the quality of life for our residents in our localities.

In most cases, planning applications are adjudicated on general policy-related considerations instead of site-specific conditions and the overall context on a case by case basis. The Open Public Recreational space available to each locality should be the measure for the whole number of outdoor commercial seats and the total area designated for outdoor catering. A large number of NGOs, several government ministries and the residents themselves have converging views on the matter. The Planning Authority also expressed their reservations.

3. From experience, most 'temporary' measures become permanent. All permits being granted together with land encroachments will be hard to reverse if they become incompatible with a bigger strategy.
4. Notwithstanding all efforts by the Maltese government to kick start the economy, the on-location catering market demand has shrunk owing to worldwide travel restrictions, the local economic reality and a decrease in personal income and increase in food take out services. An unjustified and uncontrolled growth in the outdoor catering capacity may increase the unsustainability of the market and may give way for an increase in property rents.



Our Proposals for Terms and Conditions;

Under this extraordinary situation created by this pandemic, the LCA is in favour of 'temporary and reversible' measures to help catering establishments operate under the new 'social distancing' regulations imposed by the Health Authorities.

1. The scheme will make possible the 'Lending of Public Space' to improve the business viability of some establishments (where physically possible). It will partly compensate for the loss of the currently licensed seating capacity as a result of the new social distancing measures imposed by the Health Authorities. The scheme will be in place until such the COVID measures are in place.
2. A permit by MTA, endorsed by the respective Local Council is required. No further encroachment permit from Lands nor a Planning Authority permission will be necessary as long as;
 - a. the establishment removes ALL outdoor furniture during non-operational hours and stores them in the premises on a day to day basis,
 - b. does not block pedestrian carriageways (min 1.5mtrs),
 - c. tables and chairs are placed on paved spaces and do not occupy vehicle traffic roads, bicycle or bus lanes or parking spaces.
 - d. no platforms, shading structures (other than removal umbrellas) are permitted. Outdoor furniture should be of good quality and adequately maintained.
 - e. obtains a non-objection letter from third-party property owners if seating arrangement falls outside the establishment property line
 - f. Is in line with the OCA policy and respects all other trading permit conditions.
3. The permit has an expiry of three months. Either MTA or Local Councils have the right to refuse renewal in case of general and specific trading conditions. The lifting of COVID measures revokes all licenses.

