

## Pavement Licence – Standard Conditions

Please note that these conditions are not an exhaustive list. Each application will be considered on its own merits and individual, specific conditions may be attached where deemed appropriate.

- 1) Furniture placed on the pavement after the granting of a licence must be in accordance with the details and plans provided at the time of the application. No changes are permitted without prior approval from the council.
- 2) The licence may be suspended where necessary to allow highway maintenance, any other necessary remedial work and special events to take place at the location covered by the licence. A reasonable period of notice will be given to the licence holder where possible. The council will not be liable for any loss of earnings arising out of the suspension of a licence.
- 3) Tables and chairs must not be placed in position outside of permitted times. When the licence is not in use, all tables and chairs and other furniture must be stored securely inside a premises away from the highway.
- 4) Unless otherwise specified on the licence, the furniture is only permitted to be placed in the licensed area from 07:30 – 22:00 hours Monday to Sunday.
- 5) The licence holder should ensure that the area operates in a safe and orderly manner, thereby ensuring that any safety risk or nuisance to customers, other users of the public highway or any adjacent land or premises, is minimised.
- 6) The licence holder must ensure that furniture is positioned in such a way so as to ensure compliance with the relevant Government guidance on social distancing that is in place at any particular
- 7) Any furniture shall be kept in a clean, safe and well maintained condition. Any canopies or umbrellas must be adequately secured.
- 8) The area of the highway covered by the licence must be kept clean and tidy at all times. This will include washing down the area, and removing any refuse and litter on the highway in the vicinity of the removable furniture.
- 9) The area of the highway covered by the licence must be kept clean and tidy at all times. This will include washing down the area, and removing any refuse and litter on the highway in the immediate vicinity of the furniture.
- 10) The licence holder shall not use or allow to be used any music playing, music reproduction or sound amplification apparatus or any musical instruments, radio, or television receiving sets in the area of the highway covered by the licence.
- 11) The licence holder must ensure that the area covered by the licence is monitored regularly by staff to ensure compliance with the licence conditions and to ensure that the area operates in a safe and orderly manner to reduce the risk of crime, nuisance and antisocial behaviour.

- 12) During the hours of darkness, suitable and sufficient lighting must be provided to ensure safe use of the area. Any proposals to provide additional lighting to the licensed area must be approved in writing by the Highway Authority.
- 13) The licence holder is not permitted to make any fixtures or excavations of any kind to the surface of the highway without prior written approval from the Highway Authority. Any costs incurred as a result of damage to the highway or council property, due to the use of the area under this licence, will be recovered in full from the licence holder by the Highway Authority.
- 14) If the premises does not hold a premises licence under the Licensing Act 2003 which authorises the sale of alcohol, the licence holder must not allow the sale or consumption of alcoholic liquor within the licensed area.
- 15) Any sales of alcohol within the licensed area must be authorised by a premises licence issued under the Licensing Act 2003.
- 16) The licence must be prominently displayed on the premises with a plan of the agreed layout.
- 17) The licence holder shall maintain a policy of public liability insurance indemnifying the council and Highway Authority against any injury or damage to any person or property and against any claim, liability, expense or damage arising by reason or in consequence of the use of the area under this licence. The policy shall provide cover of not less than £5 million in respect of any one incident.
- 18) If the licence holder or employee is requested to move the tables and chairs within the licensed area by a Council Officer they shall immediately comply with that request.
- 19) The licence is not transferable.
- 20) The council reserves the right to revoke this licence at any time if there is a failure to comply with any of the above conditions or any other reasonable cause.
- 21) Whilst this pavement licence relieves the applicant of the requirement for planning permission to temporarily place tables and chairs on the public highway whilst the licence is in effect, planning permission and a street café licence would both be required when the pavement licence has expired to enable the continued use of the area for the placement of tables and chairs (and any other furniture).