

Pavement Licence – Conditions

- 1 This permission is not transferrable.
- 2 This permission will be in force for the dates stated on the consent or where no limit have been placed on its duration, it will expire on 30th September 2021, unless it is previously surrendered, suspended or revoked
- 3 The area so permitted to be used solely for the purpose of consuming food and drink purchased on the premises. It is strictly forbidden to prepare any food and drink in this area.
- 4 A 1.5 meter wide unobstructed pedestrian route shall be maintained for those passing the premises. In no circumstances will a license be issued where this would result in a remaining usable width of pavement of less than 1.5 metres.
- 5 The Holder(s) shall not cause any obstruction to the highway (outside the licensed area) or danger to persons using it and shall not permit persons to gather so as to cause a nuisance or annoyance or danger to any persons lawfully using the highway.
- 6 *Notwithstanding the specific requirements in condition 5 above the Holder(s) shall not do or suffer anything to be done in or on the highway which in the opinion of the Council may be or become a danger, nuisance or annoyance to or cause damage or inconvenience to the said Council or to the owners or occupiers of any adjacent premises or to members of the public*
- 7 The Holder(s) shall not make any excavations or indentations of any description whatsoever in the surface of the highway or place or fix any equipment of any description in the said surface.
- 8 The licence holder shall indemnify the Council against all actions, proceedings, claims demands and liability which may at any time be taken, made or incurred in consequence of the use of the chairs and tables and other objects and for this purpose must take out at the permit holder's expense a policy of insurance approved by the Council in the sum of at least £2 million in respect of any one event and must produce to the Council on request the current receipts for premium payments and confirmation of the annual renewals of the policy.
- 9 This permit does not relieve the holder from any requirements under licensing law for appropriate authorisation where it is required.
- 10 A duly authorised Officer of the Council or Police Officer shall have the right to inspect the licensed area and make any suitable changes to the layout of the area if deemed necessary in the interests of highway safety.
- 11 The Holder(s) shall maintain the licensed area and the immediate adjacent area, in a clean and tidy condition during the Permitted hours and shall leave the same in clean and tidy condition and unobstructed, which shall include (1) washing down the area, and (2) removing any refuse and litter deposited on the highway in the vicinity of the licensed area. This will be carried out whenever necessary and in a way which does not create a nuisance to other parties and neighbouring premises. Food waste must not be washed down a storm water drain

- 12 Upon request Holder(s) will be required to clearly define the permitted area by the use of barriers of a type agreed with the Council. Barriers shall not be placed so as to obstruct any entrance or exit to buildings.
- 13 The Holder (s) shall not display any signs, adverts or banners anywhere on the Highway or around the perimeter of the licensed area without the permission of the Council.
- 14 The Holder(s) shall remove all furniture or equipment, litter bins, perimeter railings or other articles placed on the licensed area in accordance with this Permission at the expiry, surrender or revocation of the Permission and at the end of the Permitted Hours each day.
- 15 The Holder(s) may from time to time be notified of temporary suspension of the permission granted to allow for maintenance, installation works or any other lawful activity (including Street Works and Road Works) to take place. In other cases, where the use of the highway alters, the permit may be revoked by issue of a notice. Permission may also be revoked for non-compliance with the above conditions and the Council shall not in any circumstances be liable to pay compensation to the Holder(s) in respect of such suspension or revocation.
- 16 Anything done by the licence holder pursuant to the holder, or any activity of other persons which is enabled by the licence, must not have an effect of:
 - (a) Preventing traffic, other than vehicular traffic from, from –
 - (i) Entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
 - (ii) Passing along the relevant highway, or
 - (iii) Having normal access to premises adjoining the relevant highway,
 - (b) Preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
 - (c) Preventing statutory undertakers having access to any apparatus of theirs under, in on or over the highway, or
 - (d) Preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.