



**Standard Conditions attached to all Pavement Licences issued under the
Business and Planning Act 2020**

1. This licence is non-transferable and its permissions are restricted to the use of the business occupying the premises named on the licence.
2. The area named on the licence is permitted solely for the purpose of consuming food and drink purchased from the premises named on the licence.
3. The preparation of any food and drink in the area named on the licence is prohibited.
4. Nothing contained within this licence gives the licence holder permission to make fixtures to, or excavations of any kind in, the surface of the highway which shall be left entirely undisturbed.
5. The holder of the licence shall make no charge for the use of the permissions granted by this licence.
6. This permission will be effective for the dates stated on the licence or, where no restriction has been placed on its duration, from the date of grant until 30 September 2021 unless subsequently surrendered, suspended or revoked.
7. The Council reserves the right to add/amend conditions to, suspend or revoke the licence if the licence holder breaches, or does not prevent breaches, of any of the licence conditions.
8. Licence holders will be required to clearly define the permitted area using barriers or other furniture approved by the Council.
9. 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/or other objects, and for this purpose must take out at the licence 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.
10. The licence holder shall make no claim or charge against the Council in the event of the chairs or tables, and/or other objects, being lost, stolen or damaged in any way from whatever cause.
11. All waste, refuse or litter directly associated with the use of the area permitted by this licence must be cleared from the permitted area and the immediate vicinity at the end of each trading day and periodically throughout daily use as required.



12. All tables and chairs, and/or other objects, placed on the highway under the permission of this licence must be kept in good repair and condition at all times.
13. The licence holder shall remove the tables and chairs, and/or other objects, from the highway:
 - (a) outside the hours permitted by the licence; and
 - (b) immediately if required to do so in order to permit works on, or the use of, the highway by the Council, County Council, police, fire service, ambulance service, any utility contractor, hearses or removal vans.
14. The licence holder must ensure that anything they do in pursuant of this licence, or any activity of other persons which is enabled by this licence, must not cause an obstruction to:
 - (a) preventing traffic, other than vehicular traffic, 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.

In ensuring compliance with (a) above, the licence holder must have particular regard to the needs of disabled persons, in particular:

- (e) ensuring a minimum clear space of 1500mm between any obstacle and the edge of the footway,
- (f) any tables and chairs, and/or other objects, placed on the highway should not prevent or discourage disabled persons, older persons or those with mobility needs from using the footway,
- (g) any barrier around an area permitted under the licence should be such that it is easily navigable by a visually impaired person, and



- (h) any tables and chairs, and/or other objects, placed on the highway should be of reasonable substance such that it cannot be easily pushed or blown over by the wind causing further obstruction.
15. The licence holder should ensure that there is suitable provision for tables and chairs where smoking is not permitted by customers. This should include:
- (a) clearly identifiable smoking and non-smoking areas with no smoking signage displayed in the non-smoking areas,
 - (b) no ash trays or similar receptacles to be provided or permitted on furniture in non-smoking areas, and
 - (c) a minimum distance of 2000mm between smoking and non-smoking areas wherever practicable