

# Pavement Licences

## Standard licence conditions for Pavement Licences

Effective from 30<sup>th</sup> July 2020

1. These conditions may be varied, modified or dispensed with by the Council in any individual case.
2. The licence holder may not take any action pursuant to the licence that has the effect of
  - 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.
3. Where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must make reasonable provision for seating where smoking is not permitted.
4. Pavement trading may only be conducted on the days and between the hours specified in the licence. The type and layout of furniture within the licensed area must be only as approved in the licence application.
5. The licence holder must comply with any reasonable request of an authorised officer of the Council or a police officer, providing such request does not require excessive additional expenditure.
6. The licence holder must remove all furniture from the highway outside trading hours (unless previously agreed with the Council) and immediately if required to do so to permit works in or the use of the highway by the Council, the Police, fire and ambulance services, any statutory undertaker or telecommunications code operator.

7. The licence holder must maintain valid public liability insurance with a minimum liability cover of at least £5,000,000 (five million pounds).
8. The licence must be displayed in the window of the premises to which it pertains so that it may be read from outside of the premises.
9. The licence does not permit the playing of music, singing or performance of entertainments, or the use of an external public address system or speakers, on the highway, including within the licensed area. The licensee must make all reasonable efforts to ensure that any noise disturbance to the neighbourhood, including noise from patrons, is kept to a minimum.
10. The licence holder must ensure that a manager or other responsible member of staff at the premises has successfully completed the nationally recognised counter terrorism training product referred to as ACT eLearning package **OR** can demonstrate that the ACT eLearning product has been successfully completed a manager or other responsible member of staff within the preceding 12 month period of the pavement licence being granted.
11. The licence holder must ensure that existing CCTV systems are correctly working, benefit from a maintenance contract whereby any outage or loss of capability will be resolved within a maximum period of 24 hours; and are compliant with the Data Protection Act 1998, Information Commissioners requirements and any other CCTV Code of Conduct referred to in the Premise Licence. Reasonable efforts should be made to endeavour to ensure that the area subject to the pavement licence is captured. Imagery must be retained for a at least one (1) calendar month and images produced upon reasonable request by a Police Officer or Local Authority Enforcement Officer.