

## Pavement Licence Conditions Business & Planning Act 2020

A pavement licence is granted or deemed granted subject to the following published conditions:

<b>PL1</b>	The pavement licence holder to require clear routes of access to be maintained, taking into account the needs of disabled people and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people.
<b>PL2</b>	The licence holder shall ensure that the pavement licence activities do not: <ul style="list-style-type: none"> <li>a. prevent traffic, other than vehicular traffic, from— <ul style="list-style-type: none"> <li>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),</li> <li>ii. passing along the relevant highway, or</li> <li>iii. having normal access to premises adjoining the relevant highway</li> </ul> </li> <li>b. prevent any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,</li> <li>c. prevent statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or</li> <li>d. prevent 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.</li> </ul>
<b>PL3</b>	Where the removable furniture consists of seating for use by persons for the purpose of consuming food or drink, the pavement licence holder must make reasonable provision for seating where smoking is not permitted.
<b>PL4</b>	The pavement licence holder may use the licensed area for the placing of removable furniture in the course of business only during the hours permitted by the licence, within the defined area specified and in accordance with the details provided at the time of the application and the plans attached to the licence.
<b>PL5</b>	Designated areas should keep within the premise frontage. Any removable furniture provided must not protrude beyond the designated boundary of the licensed area and shall be kept in good condition so as not to detract from the appearance of the street.
<b>PL6</b>	Statutory and Emergency services will be permitted 24hr emergency access – without notice. The local authority may temporarily revoke the licence where an alternative use for the highway is required for example emergency highway maintenance, emergency scaffold access or use of the highway during events that are supported by the local authority. The local authority will not be liable for any loss of earnings arising from the suspension of the licence.
<b>PL7</b>	The pavement licence holder must retain access for residents, disabled and accessibility – at all times.
<b>PL8</b>	The pavement licence holder must undertake to make good any damage caused on the allocated highway area and is responsible for carrying out the reinstatement of the highway in the event of any damage occurring as a result of the operation of the pavement licence. The permanent surface reinstatement shall be carried out to the satisfaction of the local authority.
<b>PL9</b>	The pavement licence holder shall provide Public Liability insurance cover for the pavement licence and shall indemnify the local authority against all claims in respect of injury, damage or loss arising out of the granting of permission, (e.g. damage to the highway or highway furniture) to a minimum value of £5,000,000 unless such claims arise out of the local authorities' own negligence.
<b>PL10</b>	The pavement licensed area shall not be used by customers after 22:00hrs.
<b>PL11</b>	The pavement licence holder will be required to take responsibility for and supervise their licensed areas.

<b>PL12</b>	The pavement licence holder must strictly comply with the extant social distancing measures – as advised by Government – at any given time.
<b>PL13</b>	The pavement licence area should be segregated with suitable temporary barriers during the permitted hours of operation.
<b>PL14</b>	No barbecues, fire pits, naked flames, heaters, lights or other items may be placed on the highway.
<b>PL15</b>	No vertical drinking or eating shall be permitted. All customers must remain seated and table service should be facilitated at all times during the permitted hours of operation.
<b>PL16</b>	Where authorised by a licence issued under the Licensing Act 2003, alcohol must only be served in plastic containers.
<b>PL17</b>	Toilet provision will be serviced from the fixed premises.
<b>PL18</b>	There should be no noise from the pavement licensed area that could cause a disturbance to local residents. No amplified outside music, entertainment or broadcast of sporting events will be permitted.
<b>PL19</b>	The pavement licence holder or his representative shall conduct periodic assessments of the noise coming from the pavement licensed area and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action, all records shall be retained for one year.
<b>PL20</b>	The pavement licence holder must keep their licensed area clean and tidy. The public area immediately surrounding the licensed area shall be regularly cleared of waste food containers, wrappings etc., during the stated operating hours and at the end of each trading day.
<b>PL21</b>	All removable furniture must be removed from the pavement licence area and securely stored within 30 minutes from the end of the permitted hours.

### Local Unpublished Conditions

In addition, the local authorities may impose reasonable conditions whether or not they are published upfront conditions with justification for this, applications will be considered on their own individual merits taking into account the details disclosed by the applicant as well as any representations received during the public consultation.