



HIGHWAYS ACT 1980 SECTION 115E

STANDARD LICENCE CONDITIONS

TABLES AND CHAIRS ON THE HIGHWAY

The following conditions will be applied to every licence granted under the above Act:

- 1 This licence is granted in accordance with compliance with the advice given in the guidance notes issued at the time of application.
- 2 The tables and chairs placed on the highway 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 of the Council.
- 3 All tables and chairs authorised by the licence must be removed by midnight on the day the licence expires unless a renewal licence has been applied for and granted. Renewals must be applied for at least 2 months prior to expiry to allow sufficient time for the application to be considered.
- 4 The Licensee shall maintain a public liability insurance policy up to the value of £10m against any liability, loss or damage, claim or proceeding whatsoever arising under Statute or Common law in respect of the placing and maintaining of the tables and chairs on the highway or their removal there from.
- 5 The Licensee shall be responsible for keeping the designated area in a clean and tidy condition at all times. Under your duty of care you must ensure that any waste produced is handled safely and in accordance with the law. You must keep all waste safe, prevent it from escaping from your control and ensure that it is only handled or dealt with by persons that are authorised to deal with it.
- 6 The Licence may be suspended where necessary to allow highway maintenance and any other necessary remedial work to be carried out at the location covered by the licence. A reasonable period of notice will be given to the licensee where possible. The Council will not be liable for any loss of earnings arising out of the suspension of a licence.
- 7 Any umbrellas provided must not protrude beyond the designated boundary of the licensed area. They shall be kept in good condition so as not to detract from the appearance of the street.
- 8 The placing of speakers or any other equipment for the amplification of music within the licensed area is strictly prohibited unless authorised by a premise licence issued under the Licensing Act 2003. Any such authorised music must not cause a nuisance or annoyance to others.
- 9 Any sales of alcohol within the licensed area must be authorised by a premises licence issued under the Licensing Act 2003. Areas of alcohol consumption only must be included on the premise licence.



- 10 Any material alteration to the Means of Escape, which affects people using the Means of Escape, inside or in the immediate vicinity outside the premises must be recorded in the premises' Fire Risk Assessment as a significant finding. Control measures should be put in place to reduce risk within the area as well as recording them. A review of the hazards and risks should be ongoing throughout the period the premises are in use.
- 11 Facilities provided in accordance with the licence are for seated customers only. Vertical consumption of food and drink is prohibited and the designated area must be used solely for the purpose of consumption of refreshments.
- 12 No additional charge shall be made to customers for the use of the tables and chairs within the licensed area.
- 13 The licensee may only use the land for the placing of tables and chairs in the course of his business only during the hours permitted by the licence and only within the defined area applied for.
- 14 The use of the land is personal to the licensee only.
- 15 The licensee may only use the area for the purpose of consuming refreshments in connection with the business only and not for any other purpose whatsoever.
- 16 No tables and chairs or barriers may be placed in the area until a licence has been granted.
- 17 No other items may be placed on the highway within the licensed area other than that approved in accordance with the application and the licence when granted.
- 18 The licence is granted for a period of 12 months. This licence will not be renewed automatically. Compliance with the terms of conditions of any previous licence will be taken into account at any application for renewal. The Council reserves the right to refuse renewal applications where appropriate.
- 19 The licensee is responsible for carrying out the reinstatement of the highway in the event of any damage to the highway occurring as a result of the activity. The permanent surface reinstatement shall be carried out to the satisfaction of the Council.
- 20 The license is issued to the applicant only and is not transferable.
- 21 These conditions may be varied where appropriate to reflect any changes in local circumstances.
- 22 The fee is for the administration and grant of the license. No refunds will be made in the event of a surrender of the license before expiry.

Should an application be considered for refusal, the applicant will be given an opportunity to make representation regarding the refusal to the Head of Governance in writing.

There is no automatic right to appeal against refusal of consent. However, any applicant may appeal to the Head of Governance in writing and within 21 days of the refusal.