

Pavement Licence Part 1 Business and Planning Act 2020

This licence permits the licence-holder to place removable furniture on the pavement adjacent to the premises: to sell or serve food or drink supplied from, or in connection with the premises and for use by other persons for the purpose of consuming food or drink supplied from, or in connection with relevant use of, the premises.

Conditions of Licence

1. Anything done by the licence-holder pursuant to the licence, or any activity of other persons which is enabled by the licence, must not have 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.
2. The licence-holder is responsible for managing the conduct of people permitted to make use of the furniture within the area covered by the licence. No food or drink shall be consumed whilst standing in the area covered by the licence.
3. Furniture must not be placed outside of the area covered by the licence as described in the agreed plan.
4. A minimum of 2 metres unobstructed width must be maintained along the width of the footway, footpath or pedestrian area.
5. Furniture must be of a sturdy nature and not liable to movement by wind.
6. Where a barrier is used to distinguish the area covered by the licence, it must be between 1-1.2metres high with a tapping rail not more than 20cm above the ground to aid partially sighted pedestrians who use a long cane.
7. Barbecues, fire pits and naked flames are not permitted in the area covered by the licence.
8. Equipment that amplifies sound is not permitted in the area covered by the licence.
9. A minimum of 2metres shall be provided between any furniture for use by smokers, and furniture for use by non-smokers. Where 2metres is not possible, the entire area covered by the licence shall be smoke-free.
10. A litter bin shall be provided in the area covered by the licence, and where smoking is permitted, receptacles for cigarettes. The area covered by the licence must be kept free of litter, and litter from the area covered by the licence must not escape onto adjacent land. The area covered by the licence must be cleaned daily to remove detritus.
11. The licence-holder must, for the duration of the licence, hold public liability insurance to the amount of £5 million in respect of any one incident, and indemnify Lichfield District Council against all actions, proceedings, claims, demands and liability arising from the use of the highway by the licence-holder.
12. The licence-holder must remove all furniture from the area covered by the licence:
 - (a) outside the permitted hours stated on the licence,
 - (b) immediately when instructed to by an authorised officer of Lichfield District Council or Staffordshire County Council, or a constable or police community support officer,
 - (c) for any purpose pursuant to condition 1 of this licence, or
 - (d) when given a minimum of 24 hours' notice by Lichfield District Council of a public event that encompasses the area covered by the licence.
13. This licence shall be displayed in the window of the premises it relates to so that it is visible from the area covered by the licence.