

Application for a Pavement Licence



Page 1

this cover page

Page 2-4

Application form - complete and send to us at
highwaylicensing@bolton.gov.uk

Page 5

Instructions for completing the public notice

Page 6

Public notice to print and display

Application for Pavement License

Business and Planning Bill 2020



Highways & Engineering Division
3rd Floor Paderborn House, Civic Centre, Bolton BL1 1UA
email: highwaylicensing@bolton.gov.uk www.bolton.gov.uk

Please read Ministry of Housing, Communities and Local Government “**Pavement Licenses: Outdoor Seating Proposals**” document along with the conditions of Licence set out overleaf before completing this application form.

Complete the following information in block capitals and return the form to the address above.

1. Applicant Details

Name:
Address:
.....
.....
Postcode:
Daytime Tel. no:
Mobile / Alt no:
email:

Agent Details

Name:
Address:
.....
.....
Postcode:
Daytime Tel. no:
Mobile / Alt no:
email:

2. Site Details (*Location of the proposed area*)

Name of establishment / business:
Nature of business undertaken:
Area of highway to be used (*Please state measurements in metric*): Width Length
Width of private forecourt (if any) from building line: Width
Distance from building line to edge of kerb: Width
Proposed hours of operation: from a.m to p.m Number of Tables:

Note: Licenses will not be granted later than 11.00pm

Days on which it is proposed that the street café will operate (*tick as appropriate*):

Mon Tue Wed Thu Fri Sat Sun Bank Hol's

3. Plans and Drawings

Please submit a copy of a detailed scaled plan showing the exact location and dimensions of the proposed area of public highway to be used, indicating any private forecourt, building line, width of the footway, together with any fixed highway furniture, e.g. street lighting columns, barriers, bollards along with any public utilities inspection chambers or boxes.

4. Declaration

I/We apply for permission to place tables and chairs on the public highway within the defined area specified within this application, at the location stated above. I/We declare that, to the best of my/our knowledge, all the information on this application form and contained in the submitted plans is correct.

Signature of Applicant / Agent: Date:

General Conditions of Licence

1. The pavement license hereby approved shall only be operative on the public highway during the agreed operating hours stated on this Pavement Licence. Outside these stated hours all furniture shall be removed and stored off the public highway.
2. The general cleaning and appearance of the licensed area will become the responsibility of the Licensee during the hours of operation of the Pavement Licence.
3. The Licensee will be required to revert the area for normal highway use outside the agreed operating hours in a clean and unobstructed state.
4. All tables & chairs shall be suitable for the purpose, clean, tidy and maintained to a high standard. There shall be no overhanging or obstruction of any item on or over the public highway whatsoever, other than in the permitted area specified in this Pavement Licence.
5. Tables must be cleaned as soon as they become vacant, if not before.
6. If umbrellas or parasols are proposed, they must be adequately secured and positioned so as not to project beyond the designated area.
7. Litter receptacles will be required within the licensed area which should be maintained in a clean and tidy condition.
8. The playing of amplified music outside the premises will not be allowed under the Pavement Licence.
9. If the sale of alcohol is proposed then it is the responsibility of the Licensee to ensure that the appropriate License is in place. Further information can be found on the Councils website at **<https://www.bolton.gov.uk/alcohol-gambling/alcohol-entertainment-late-night-refreshments>**
10. For outdoor alcohol sales the use of glass containers is not permitted. Where food together with alcohol is served the use of glass containers is permitted.
11. In situations whereby there is an increased risk of disorder or risk to public safety, the premises supervisor, at the request of the police or Council will remove the furniture immediately.
12. All patrons are to be seated and the use of the area as a smoking area is not permitted.
13. The sale of takeaway food or drink from outside the premises will not be allowed under the Pavement Licence.
14. A minimum distance of 0.75m from the face of the building is required to adequately accommodate tables and chairs plus seated persons.
15. In Pedestrianised Areas generally a 5.0m wide corridor should remain as a clear and unobstructed route for pedestrians and emergency vehicles.
16. In partially pedestrianised areas, tables and chairs must only be placed on the highway, which is shared with vehicles, inside the times designated for pedestrian use. Street furniture will be allowed on licensed areas 30 minutes after vehicular access is closed. All street furniture must be removed 30 minutes before vehicle access commences.
17. A minimum width of 1.8m unobstructed footway is required for safe pedestrian movement, and their needs must be paramount, nor should they be diverted from their main route. In areas of heavy pedestrian flows or on bus routes a minimum width of 2.3m unobstructed footway is required.
18. In a situation where there is a significant amount of street furniture (eg Lighting Columns, Bus Stops etc), a minimum width of 1.8m will be required from the line of the street furniture rather than the face of the kerb edge or other defined edge.
19. The area must be defined by a barrier at all times whilst the tables & chairs are placed on the public highway. The barriers shall be provided with a 'tapping rails' at a maximum of 0.2m above ground level and a minimum 0.05m thickness.
20. Street tables must be served directly from adjacent building premises where the food is prepared and sold.
21. The license holder and management are to complete the free ACT E-learning within 10 days of being granted a Pavement License and all other staff to complete the training within 3 months unless they can

demonstrate they have successfully completed the ACT E-learning within the preceding 12 months

<https://ct.highfieldelearning.com/>

Certificates of the training must be retained for the duration of the Pavement Licence and be available to the Council upon request.

22. The Licensee must ensure that any existing CCTV systems are health checked to ensure they are both compliant with all relevant legislation and work correctly.
23. The Licensee is fully responsible for ensuring that the area is covered by a valid Pavement Licence at all times, ensuring that the Licence is renewed, on or before the due date.
24. The Licensee must be covered by Public Liability Insurance which should be available for inspection, minimum cover £3 million and should indemnify Bolton Council from and against all actions, claims, losses and expenses whatsoever in respect of personal injury or damage to property, however, caused, arising out of or in anyway attributed to the granting of the pavement license.

NOTE

Failure to comply with any of the terms & conditions listed above may result in the Pavement Licence being revoked.

Ministry of Housing, Communities and Local Government “**Pavement Licenses: Outdoor Seating Proposals**” document Section 6 sets out the duties placed on the applicant in respect of consultation and the requirement to demonstrate that this has been met.

Guidance notes for completing the Public Notice (overleaf)

Insert the following information at the numbered points:

(1) name of applicant

(2) date the application is made (sent to the Council)

(3) postal address of premises

(4) name the premises is known by (eg 'The Red Lion')

(5) brief description of application (eg Outdoor seating to the front of the premises for serving of food and drink)

(6) last date for representations. This is the date 5 working days (weekdays, excluding public holidays) after date entered in (2)

(7) date the notice was first displayed (same as date entered in (2))

Notice of the Application for a Pavement Licence

Clause 2 of The Business and Planning Act 2020

I/We, (1)

do hereby give notice that on (2) have applied to Bolton Council for a 'Pavement Licence' at

..... (3)

known as (4)

The application is for:

..... (5)

Any person wishing to make representations to this application may do so by contacting **highwaylicensing@bolton.gov.uk**

by: (6)

The application and information submitted with it can be viewed on the Council's website

www.bolton.gov.uk/street-licenses/street-cafe-licence

Signed

Dated (7)

bolton.gov.uk/highways

