

All applicants should read the following carefully as any breach may result in the non-issuing or immediate withdrawal of a licence.

**IMPORTANT – The information below must accompany the Application Form**

- Full details of the envisaged use
- Confirmation of consultation with – Police; Highway Authority, The Planning Authority, Fire and Rescue Department, Environment & Regulatory Services Dept and Local Town or Parish Council, if one exists
- Size of the area required (m<sup>2</sup>)
- An accurate (OS base) plan outlining the application site in red and land in the applicant's ownership in blue (1:1250 or 1:500 scale plan as appropriate)
- A site plan of at least 1:200 showing the precise location and proposed setting out of the tables and chairs
- Considerations for access to underground apparatus such as water valves, stopcocks, Fire Hydrants and meter chambers.
- Confirmation of notice sent to any person(s) residing above and to the side of the proposed location.
- Confirmation of display of public notice.
- Indemnity and insurance details (minimum public liability cover for £10 million)
- A copy of the licence to serve alcohol in the area (if applicable)

Failure to supply the above information will lead to a delay in processing your application.

**Barriers**

Barriers and means of enclosure may be required for any furniture sited outside the premises. This is primarily to guide the visually impaired. These need to be at least 1000mm in height with no more than 150mm between the base rail and the ground. They must be able to resist pedestrian collision e.g. by fixing to substantial planters or being temporarily fixed to the ground during opening hours. All items including planters must be removed when closed. They also need to be in keeping with the visual appearance of the area. Designs for all items must be agreed.

Ideally barriers should be –

- Stable and sturdy, not flimsy; but light in weight (for ease of movement / storage as they will be taken in and out each day)
- Light in colour (painted, natural colouring or similar) - a contrast to the furniture

- Close textured, fence like in appearance, with a tapping rail (i.e. a length of wood positioned at the base of the barrier, designed to assist the visually impaired)

Barrier designs not to be used –

- *Post and Chain barriers* - potentially hazardous to pedestrians, particularly the visually impaired
- *Hoop top garden fencing* – This is too flimsy and not tall enough thus posing a serious trip-hazard
- The use of a variety of small plant tubs – This is untidy and inadequate as a means of enclosure or guide for the visually impaired

## **Furniture**

Pavement furniture **must not** be stored on the highway when the premises are closed. When premises are open, tables, chairs and barriers must be either fully set up ready for use **or** stored within the premises. The latter is preferred when it is not intended or practical to use these tables.

Tables, chairs, parasols and means of enclosure should be removed and securely stored inside your premises. In order to facilitate this, none of the furniture or barriers can be permanently fixed to the ground.

## **Hygiene, amenity and public health**

The defined area and the area between the premises and the furniture must be kept free of litter. Spillage of any kind must be removed immediately and the surface washed if necessary. All tables and chairs and the outdoor area must be regularly cleaned, and food debris and waste must be removed immediately. There must be no excessive levels of noise, disturbance, smell, or other nuisances. Amplified music will not be permitted

## **Management and other issues**

The area must be maintained to a high standard at all times. All trays, crockery and utensils, take-away packaging and any other litter must be removed at regular and frequent intervals. The furniture must be kept clean and in a good state of repair to the satisfaction of the Council.

If the Highway Authority's or Council's property is damaged or defaced as a result of the structures on the Highway, the owner shall be responsible for the cost of repairs which shall be carried out by the Highway Authority. There

shall be no use made of any street furniture, trees etc for any purpose whatsoever in connection with the establishment.

Where alcoholic drinks are served in areas outside licensed premises advice should be sought from the police and or local authority regarding the Designated Public Places Order (DPPO).

No patio heaters will be permitted on the highway.

### **Enforcement**

Where apparatus is placed outside of the licence arrangements action may be taken to ensure the highway is free from hazards. This may mean that obstructions shall be moved or removed and the highway made safe. Any costs incurred in this operation will be passed on to the apparatus owner. The Highway Authority/ District Council reserves the right to give notice to remove all items associated with the licence at any time for highway improvements, highway maintenance purposes, utility works or for any purpose concerning the public highway.