



Business and Planning Act 2020 Standard Licence conditions for Pavement Licences

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 license is issued to the applicant only and is not transferable.
3. No tables and chairs or barriers may be placed in the area until a licence has been granted.
4. 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. If the premises has a pavement licence , then any Advertising Board must be contained within the agreed seating area and not outside the area.
5. Furniture placed on the pavements 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 from Cambridge City Council.
6. The licence holder must ensure clear routes of access are 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 as set out in Section 3.1 of [Inclusive Mobility](#), the licence is granted subject to those requirements.
7. The Licence holder must comply with all requirements of the government's latest guidance on social distancing, in response to the Covid 19 pandemic.
8. The premises must have reasonable crowd management plan to ensure social distancing is compiled with and be able to produce the plan on request to the Council.

9. Licence holder must provide a non-smoking area for customers (or vice versa), with clear signage illustrating this area. As recommended by government guidance, Licence holders should provide a minimum 2M distance between non-smoking and smoking areas, wherever possible.
10. The amenities must be removed from the public highway at the end of the permitted period each day.
11. All furniture 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.
12. The Licensee shall maintain a public liability insurance policy up to the value of £5 million pounds 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.
13. 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.
14. The Licence holder must comply with any request to allow highway maintenance and any other necessary remedial work to be carried out at the location covered by the licence. The Licence Holder must also comply with any request to remove the furniture due to an emergency situation or special event. A reasonable period of notice will be given to the licensee where possible. Cambridge City Council and/or The Highway Authority will not be liable for any loss of earnings arising out of use of a licence whilst complying with request.
15. 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, and also must be adequately secured. You are advised that enclosed structures (including gazebos) and the like will not be permitted within the proposed boundary of the licensed area.
16. If you intend to use space heaters, their metric dimensions, materials and colour must be specified as part of the application. You will also be required to submit a formal risk assessment as required by the Management of Health and Safety at Work Regulations 1999 in support of your application. This

should be carried out by a competent person i.e. someone who has knowledge of the law, British Standards, and Health and Safety Executive Codes of Practice and Guidance. In considering an application, the Council will have regard to the inherent safety of the equipment, its location, storage of Liquid Petroleum Gas Cylinders, maintenance and training arrangements. Cambridge City Council will consider the adequacy of the risk assessment which must:

- Identify the hazards e.g. fire, explosions, burns, impact from falling equipment/cylinders
- Decide who may be harmed and
- Evaluate the risks and decide whether proposed precautions will be adequate or whether more could be done. Record findings, review assessment and revise on an annual basis or more frequently if the situation requires it e.g. a significant change in equipment, etc.

17. In areas of significant footfall (to be determined by Cambridge City Council), when in use, the pavement licenced area will need to be enclosed, to demarcate the licensed area and contain the specified furniture, thus making it distinguishable to other pavement users, and to assist blind and visually impaired pedestrians.
18. No form of entertainment (incl. background music) is permitted in the licensed area, this includes the placing of speakers or any other equipment for the amplification of sound.
19. During the hours of limited light, suitable and sufficient lighting must be provided to ensure safe use of the area. Any proposals to provide additional lighting to the licensed area must be approved in writing by the Council.
20. 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 on going throughout the period the premises are in use.
21. This Licence covers the use of amenities by customers for consuming food or refreshment which have been purchased from the licenced establishment. This Licence does not permit the use of the amenities for any other purposes at any time.
22. No additional charge shall be made to customers for the use of the tables and chairs within the licensed area.

23. The licensee may only use the land for the placing of specified furniture in the course of his business only during the hours permitted by the licence and only within the defined area applied for.
24. 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. If the premises has a pavement licence , then any Advertising Board must be contained within the agreed seating area and not outside the area.
25. The licence is granted for the period specified on licence.
26. 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 (if requested to do so by the Highway Authority). The permanent surface reinstatement shall be carried out to the satisfaction of the Highway Authority.
27. These conditions may be varied where appropriate to reflect any changes in local areas, and will come into effect upon written notification by the Council.
28. The footway must not be obstructed by patrons standing between tables, chairs and the kerb, or by the personal possessions of patrons.
29. Periodic inspections of premises granted with Pavement Licences will be made by the Council to ensure compliance with the Pavement licence conditions and Guidance.
30. The 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 Licensing Authority reserves the right to refuse renewal applications where appropriate.
31. Renewals must be applied for at least 2 weeks prior to expiry to allow sufficient time for the application to be considered.
32. There is no automatic right to appeal against refusal of licence grant.
33. The Licensing Authority may withdraw this consent at any time upon giving the licensee seven days' notice in writing. Upon withdrawal of the consent the licensee shall remove the amenities from the public highway, and, in default, the Highway Authority may remove the amenities and recover from the licensee its cost in so doing