

## **TABLES AND CHAIRS LICENCE CONDITIONS as at 31 October 2022**

1. The Licence holder must ensure that clear routes of access along the highway are maintained, taking into account the needs of disabled people, and the recommended minimum footway widths (1.8m) and distances required for access by mobility impaired and visually impaired persons are provided at all times the licence is in operation.
2. The Licence holder must allow patrons access to their toilets and other welfare facilities.
3. The licence holder shall not in any way interfere with the surface of the public highway.
4. The licence holder shall indemnify the Council from and against any claim in respect of any injury, damage or loss arising directly or indirectly out of the grant of this consent and the use by the public of the amenities.
5. The Licensee shall not use this licence unless it has public liability insurance cover in the sum of not less than £5 million and has provided a copy of that policy to the Licensing Authority.
6. If the Council serves a Notice on the licence holder requiring him/her to take such steps as are necessary to remedy any breach of the terms of this consent, and the licence holder fails to comply with the notice the Council may itself take the steps required by the Notice and recover from the licence holder any expenses incurred.
7. This consent may be withdrawn by the Council at any time upon the Council giving to the licence holder seven days notice in writing. Upon withdrawal of the consent the licence holder shall remove the amenities from the public highway and, in default, the Council may remove the amenities and recover from the licence holder its costs in so doing.
8. Any notice to be given to the licence holder shall be deemed to be sufficiently served if addressed to the licence holder and sent by post or left at the premises.
9. This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended).
10. The licence holder shall not place any item on the public highway or attempt to exercise any permission unless he/she has obtained both a valid licence to place the said objects on the public highway and has a current planning permission for the land use, if necessary.
11. The licence holder will ensure that the pavement area around the premises occupied by the tables and chairs used in accordance with this consent shall be inspected, swept and cleaned regularly so as to be free of litter at all times whilst the premises are open for business to members of the public. The licence holder will provide litter bins within the area designated under this consent of a number and type as may be specified by the Council, and shall remove all such bins from the designated area for storage within the premises by the terminal hour. A windproof receptacle for cigarette butts and ash will be provided on smoking tables.
12. The licence holder shall ensure that any spillages are promptly removed from the highway and restore the affected area of highway to a clean and safe condition. It is the responsibility of the licence holder to ensure that the premises frontage is washed down on a daily basis. The Council will recharge the licence-holder the full cost of any remedial work to remove any residual staining of the highway outside his or her premises, including the replacement of the paving stones if necessary, by pavement stones of an equivalent quality and to an equivalent standard.

13. The licence holder shall remove the amenities from the public highway immediately if requested to do so by the Council, its agents, contractors or licensees or by a Police Officer if the area occupied by the amenities is required to facilitate safe pedestrian passage. The licence holder shall not reposition the amenities on the public highway until notified by the Council, its agents, contractors or licensees or the Police that he/she may do so.
14. The licence holder must ensure that the licence is displayed at all times within the window of the property, so that it is clearly visible from the public highway.
15. The licence holder shall remove or store the tables and chairs so that they are unable to be used outside of the hours of the licence.
16. The licence holder shall ensure that tables and chairs are removed by the terminal hour.
17. Where the furniture on the relevant highways consists of seating for use by persons, for the purpose of consuming food or drink, the licence holder must make reasonable provision for seating where smoking is not permitted
18. The licence holder(s) shall not cause any unnecessary obstruction of the highways or danger to persons using it and shall not permit persons to gather so as to cause a nuisance or annoyance or danger to any persons lawfully using the highway.
19. The licence holder(s) shall ensure that customers who purchase food or drink for consumption on the premises shall not consume such items outside of the permitted area.
20. The licence holder(s) shall ensure that all drinking glasses in which drinks are served shall be of either plastic or strengthened glass and that no drink shall be served in a glass bottle from which it is intended or likely that a customer will drink.
21. The licence holder(s) shall not use or suffer or permit any music playing, music reproduction or sound amplification apparatus or any musical instruments, radio or television receiving sets whilst exercising privileges granted by this permission.
22. The licence holder(s) shall not place on the highway any furniture or equipment or advertisement other than as permitted by the Council and must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance to or exit from any premises.
23. The licence holder(s) shall not do or suffer anything to be done in or on the highway which in the opinion of the Council may be or become a danger, nuisance or annoyance to or cause damage or inconvenience to the said Council or the owners or occupiers of any adjacent or neighbouring premises or to members of the public.
24. This licence only permits the use of table and chairs or other authorised furniture on the highway in the area designated on the plan attached to the licence.
25. The number of tables and chairs or other authorised furniture detailed on the pavement licence shall not be exceeded.
26. All furniture must be safe for public use and must be kept in good repair and condition.
27. Operators are required to manage their premises and outdoor seating areas in accordance with current social distancing measures and government guidance.
28. The Licensee must ensure that good order and behaviour is maintained at all times by people using any tables and chairs or other authorised furniture pursuant to this licence and that no nuisance is caused to residential or business neighbours.
29. The number of persons seated in the licensed area shall not exceed either the maximum capacity stated in the application form or on the pavement licence or the total number identified in the Covid-19 risk assessment, whichever is the lowest.

30. All customers consuming refreshments within the licensed area shall be seated.
31. The trading area shall not exceed the dimensions specified on the pavement licence or any limits marked on the ground during trading hours.
32. The layout of tables, chairs and other authorised furniture must be in accordance with the plan appended to the licence at all times that the licence is in use.
33. Trading may only take place on the days and during the times specified on the licence.
34. The Council reserves the right to add additional conditions to individual licence applications where it is appropriate to do so.
35. NON-COMPLIANCE with any Condition of this permission resulting in any complaint to the Council or to the Police will render the holder(s) liable to a written Notice under Section 115K of the Highways Act 1980 and failure to comply with such Notice immediately AND ANY SUBSEQUENT breach or non-compliance as aforesaid shall render the holder(s) liable to a written Notice under Condition 27 hereof REVOKING this permission forthwith (see attached notes).