

REDCAR & CLEVELAND BOROUGH COUNCIL PAVEMENT LICENCE CONDITIONS

Where an application for a pavement licence is made in accordance with the local authority's requirements, the local authority will carry out a 7 day public consultation. This consultation period begins with the day after that on which the application is made.

Following the public consultation, the local authority will determine the application taking into account any representations received during the consultation period.

If the local authority does not make a determination within 7 days beginning with the first day after the public consultation period, the licence for which the application was made is deemed to be granted subject to the conditions below.

In addition, the local authority proposes to issue all licences subject to the conditions below. However, applications will be considered on their own individual merits taking into account the details disclosed by the applicant as well as any representations received during the public consultation.

1. The licence holder may use the land specified in the plan which is attached at Appendix 2 for the placing of removable furniture in the course of the business during the permitted hours.
2. The permitted hours of operation are from 12:00 hrs until 22:00 hrs daily.
3. The licence holder shall ensure that the pavement licence activities do not:
 - a. prevent 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. prevent any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
 - c. prevent statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
 - d. prevent 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.
4. In condition (3), words and expressions which are also used in Part 7A of the Highways Act 1980 have the same meanings as in that Part of that Act.
5. Where the furniture to be put on the relevant highway 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.
6. The pavement licence area should be segregated with suitable barriers during the permitted hours of operation.
7. The removable furniture must not protrude beyond the defined area.
8. The removable furniture must be kept in good condition so as not to detract from the appearance of the street.
9. All removable furniture must be removed from the pavement licence area and securely stored within 30 minutes from the end of the permitted hours.
10. The licence holder is responsible for the supervision of the pavement licence area.

11. The pavement licence area must only be used for the purposes of consuming food and beverages in connection with the business.
12. The licence holder must ensure that the pavement licence area and the immediate vicinity are kept clean and tidy during the permitted hours of operation.
13. All customers must remain seated and table service should be facilitated at all times during the permitted hours of operation.
14. No vertical drinking or eating shall be permitted.
15. The licence holder shall maintain a register of all customers and their contact details to facilitate a test and trace system in the event of an outbreak.
16. The licence holder must maintain a written Covid Risk Assessment following current Government Guidelines.
17. Where authorised by a licence issued under the Licensing Act 2003, alcohol must only be served in plastic containers.
18. No amplified outside music, entertainment or broadcast of sporting events will be permitted.
19. The licence holder shall undertake regular assessments of the external licensed areas to ensure that noise from the pavement licence activities does not cause a nuisance to neighbouring residential and commercial premises. The licence holder shall maintain a record of the checks completed and any action taken to reduce noise where applicable.
20. Notices shall be displayed at the exit of the premises and around the pavement licence area advising patrons to be mindful of the location and to respect neighbouring properties.
21. The licence holder is required to allow highway maintenance and any other necessary remedial work to be carried out at the location covered by the licence. The Council will not be liable for any loss of earnings arising from the suspension of the licence.
22. The licence holder must take out public liability insurance to the sum of £5,000,000.