

Pavement Licence – Standard Conditions 2023

1. The licence document must be displayed at all times in clear view for inspection by officers of the Council or Police.
2. The licence only gives permission for the use of the area and/or items specified in the licence document as agreed. No outside area will be permitted for use outside the hours of 08:00 and 22:00. All items should be removed from the highway to a secure location or be rendered un-useable by 22:00.
3. The Licensee must have obtained public liability insurance to the value of £5 million or more prior to their occupancy of the public highway.
4. The Licensee shall not in any way interfere with the surface of the public highway and shall be responsible for the cost of any remedial works resulting from damage caused by any such interference. The Licensee agrees to 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 pavement licence and the use by the public of the licensed street furniture.
5. Unless specified otherwise in the Licence document, a minimum of 1.5 metres of space either on the footpath/footway or to the public highway kerb edge will be kept free of any obstructions. This clear space is reserved for the movement of pedestrians and wheelchair users and must not be blocked by street furniture or by customers.
6. The licence granted will be exercised in such a manner as not to cause a nuisance, disturbance or danger to the occupiers of adjoining properties or the users of the highway. Any traffic or pedestrian management equipment required in conjunction with the granted licence will be placed in the appropriate location at all times during operation of the pavement licence.
7. Any tables or area where smoking is allowed must be at least 2 metres away from any non-smoking area.
8. The Licensee shall remove street furniture from the public highway immediately if requested to do so by Southwark Council, its agents, contractors or by a statutory undertaker. Additionally, the Licensee must abide by instructions from the Police and emergency services to remove street furniture. In these circumstances a request should be made to Southwark Council before street furniture is replaced.
9. If a condition imposed on a licence, either by the local authority or nationally, is breached the local authority can issue a notice requiring the breach to be remedied and the authority can take action to cover any costs. The authority may revoke a licence in the following circumstances: For breach of condition, (whether or not a remediation notice has been issued) or where: <ul style="list-style-type: none"> a) There are risks to public health or safety – for example by allowing users to breach government guidance on social distancing by placing tables and chairs too close together; b) The highway is being obstructed (other than by anything permitted by the licence) c) There is anti-social behaviour or public nuisance – for example, the use is increasing the amount of noise generated late at night and litter is not being cleaned up; d) It comes to light that the applicant provided false or misleading statements in their application – for example they are operating a stall selling hot food and had applied for tables and chairs on which drinks could be consumed; or e) The applicant did not comply with the requirement to affix the notice to notify the public for the relevant period.
10. The Council may serve a Notice on the Licensee requiring them to remedy any breach of the terms of this licence. In the event that the Licensee fails to comply with the Notice, the Council may itself take the steps required by the Notice and recover from the Licensee any reasonable cost incurred.
11. Any notices served by the Council pursuant to this licence shall be deemed to have been sufficiently served if addressed to the Licensee and sent by email, post or left at the premises.
12. The Licence is issued for a specific square meterage and number of items. If any items are found outside the licenced area they may be removed under the Highways Act 1980.

<p>13. Staff or security personnel must be present to monitor outside areas at all times, at a ratio of 1 marshal for 100 customers or less. It is acceptable to share this responsibility with neighbouring premises if appropriate.</p>
<p>14. Cutlery and glassware must only be present in any outside area when in use by a customer. Cutlery and glassware must not be left unattended. Plastic or re-useable plastic are preferred for use in outdoor areas.</p>
<p>15. Reasonable Local Conditions can be added or amended at any time by the Local Authority. A local condition is one that improves the amenity of the area around the premises. The conditions of the pavement licence may be amended at any time.</p>
<p>16. It is a condition that clear routes of access along the highway must be 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.</p>
<p>17. The responsible person (Applicant) must ensure that ALL Personal Licence Holders, those with delegated authority, and staff employed by or contracted to the relevant licensed premises; register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package within 10 days of the Pavement Licence application being made OR can demonstrate that the ACT eLearning product has been successfully completed by those employed or contracted to the relevant licensed premises within the preceding 12 month period of the pavement licence being granted (ACT eLearning Certificates are provided on successful on-line completion).</p>