Businesses who want to place street furniture on the highway within the London Borough of Southwark must apply for a licence to Southwark Council.

Street furniture is defined as any ‘equipment’ placed outside of a premises or business including items used for advertising or display of goods.

This application document should be fully considered alongside the Highway Licensing Guidance before completing and sending to the Council’s Highways Licensing Team.

The licence start date will be advised once the application is received by the Highway Licensing Team.

All of the following documents are required as part of an application.

1. A completed & signed application form
2. Pedestrian Management Plan
3. A signed letter of Indemnity
4. Company Bank Details and VAT number on letter headed paper. This is needed to set your company up on our systems and to pay back any deposits on your account.
5. A copy of your public liability insurance
6. Any relevant site plans or diagrams

Payment will need to be received before any licence is issued. Payment can be made online or by phone once we have sent you an invoice.

Fees: For a 12 month period
- Standard Licence Fee - £100

**Complete applications must be submitted via either:**

Email: highwayslicensing@southwark.gov.uk

Where an invalid licence or failure of compliance to licence conditions is found, Southwark Council can issue a Fixed Penalty Notice under the Local London Authorities Act 2003 and the Highways Act 1980. If a Fixed Penalty Notice is issued, you have 28 days to pay £50.00 at a discounted amount. If you fail to pay the discounted amount of £50.00 you then have an a further 14 days in order to pay the Fixed Penalty Notice at the full cost of £100.00. If you fail to pay the Fixed Penalty Notice within the 42 day period the London Borough of Southwark may wish to prosecute.
<table>
<thead>
<tr>
<th><strong>Applicant Details</strong></th>
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<tbody>
<tr>
<td>Full name of applicant</td>
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<td>Full address of applicant</td>
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<td>Contact telephone number</td>
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<td>Mobile telephone number</td>
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<td>24 hour contact number</td>
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<tr>
<td>Email address</td>
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<tr>
<td>Name of premises to be licenced</td>
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<tr>
<td>Address of premises to be licenced</td>
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**Nature of business requiring street furniture licence, (Café, Restaurant, Public House etc)**

**Does the applicant have day to day management control of the business**

| Yes | No |

**Is the applicant the freeholder / lease holder or owner of the premises**

| Yes | No |

**(If not please provide details of interest within the premises below)**

**Do you have planning permission?**

| Yes | No |

*(if you do have planning permission please provide copy within your application)*

**Have you secured public liability insurance for the additional area of trading?**

| Yes | No |

*(If you have please include a copy of certification within your application)*

**Does the business have a Premises Licence (alcohol etc)? If so, please state what time alcohol etc can be taken outside.**
1. The licence document must be displayed at all times in clear view for inspection by the Council’s Highways Licensing Inspectors.

2. The licence only gives permission for the use of the area specified in the Licence document as agreed.

3. Street furniture should be stored in an appropriate place away from the highway when not in use.

4. The Licensee must have obtained public liability insurance to the value of £5 million prior to their occupancy of the public highway.

5. 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.

6. 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 consent and the use by the public of the licensed street furniture.
7. Southwark Council requests the licensed street furniture shall be safe, stable, fit for the purpose intended and properly maintained.

8. Unless specified otherwise in the Licence document, a minimum of 1.5 metres of space either on the footpath or to the public highway kerb edge will be kept free of any obstructions. This space is reserved for the movement of pedestrians and should at no times not be blocked by street furniture or by patrons.

9. 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.

10. Toilet facilities managed by the premises must be available for patrons using the area stated within the pavement licence and those taking advantage of off sales.

11. Hand sanitizer of an effective standard must be provided to those using the premises, this must be easily available to those using the area stated within the pavement licence.

12. Age related premises license conditions apply in the outside area.

13. The area occupied by street furniture must be cleaned frequently and be kept in a fit state at all times. If requested to do so by Southwark Council, the Licensee will provide mobile litter bins on the public highway in such locations and for such time periods as Southwark Council may specify. Any waste deposited in such mobile litter bins will be treated as commercial waste, to which an additional fee may be levied. Litter and any detritus shall be cleared from the street around the premises.

14. 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.

15. If a condition imposed on a licence, either by the local authority or nationally, is breached the local authority will be able to 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:
   i) For breach of condition, (whether or not a remediation notice has been issued) or
   ii) Where:
       a) There are risks to public health or safety – for example by encouraging 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.

16. 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.

17. 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.

18. Upon termination of the Licence the fee paid for any remaining licence period will not be refunded.

19. The Licence is issued for a specific square meterage. If any items are found outside the licenced area they may be removed under the Highways Act 1980.

20. 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 by 22:00. Items on the highway must only be used in line with the hours of opening stated on the relevant premises licence. All street furniture should be removed from the highway to a secure location by 22:00 hours or be rendered un-useable by 22:00 hours.

21. Stewards or marshals shall 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.

22. Signage will be clearly posted within and around the licenced area, this signage must encourage hand washing and the use of hand sanitiser, reinforce social distancing rules, alert customers to reduce noise and the resulting disturbance to neighbours of the premises.

23. 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.

24. Reasonable Local Conditions can be added or amended at any time by the Local Authority.
Street Furniture Licence - Indemnity

(“The Licensee”) hereby agrees to indemnify, the London Borough of Southwark (“The Council”), their officers and agents from and against all actions in law or equity, damages, statutory or common law losses, costs, charges and expenses arising in any manner whatsoever:

(i) in respect of personal injury or death of any person or persons and
(ii) in respect of damage or injury to any property whether real or personal (including the property of the Council) arising out of the transportation, erection, dismantling and or use of the equipment whether by means of defect (latent or otherwise) in the equipment or by an act (omitted or committed) the Company, its officers, its servants or its agents.

The above indemnity shall be enforceable against the Company in its operation (as aforesaid) of the equipment, whether such information was a result or express authority from the Council or otherwise, unless due to any act or neglect of the Council or any person for whom the Council is responsible.

In the above indemnity, “the equipment” means any equipment, machinery, or load which is or was, at the time of any street furniture licence operation on the highway in the Council’s administrative area and is the responsibility of the company or being used by the Company, its officers or its agents, for any such street furniture licence operation.

The above indemnity shall be in force from __________ until __________ The Company undertakes to give the council advance notice of any proposed street furniture licence operation on any highway in the Council’s administrative area.

The Company undertakes to maintain public liability insurance for at least five million pounds sterling for any one accident with a reputable insurance company and to produce a copy of the policy and evidence of payment of premium as and when requested from time to time to the Council.

I also confirm that I have the authority to issue the above indemnity on behalf of the Company.

Signed ………………………………
Print name ………………………………
Position ………………………………
Company ……………………………….. Date …………………………….

I also confirm that I have the authority to issue the above indemnity on behalf of the Company.

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I also confirm that I have the authority to issue the above indemnity on behalf of the Company.
Please enclose a plan/illustration which shows the area of the highway to which the application relates to. Please state all dimensions of street furniture in relation to the premises and where appropriate please indicate where street furniture comes within proximity of premises, adjacent buildings, columns or trees. Please use area below to provide site plan/illustration.

(If application does not clearly show where street furniture is intended to be used Southwark Council may request further clarification which may delay the approval process)