

CITY OF
WOLVERHAMPTON
COUNCIL

Standard Pavement Licence Conditions

1. Any conditions published by the Secretary of State apply to this licence, including those published after the grant of this licence.
2. The conditions attached to this licence may be varied and added to by the Council at any time.
3. The licensable area must not prevent pedestrians from entering or passing along the highway.
4. A minimum of 1.5 metres from the furniture placed on the highway to the nearest obstruction and/or carriageway must be available to pedestrians on the pavement. Where the highway is restricted to 1.5 metres between the licensable area and an obstruction, the maximum length of restricted width is six metres.
5. The licensable area must not prevent normal access to premises adjoining the relevant highway.
6. The licensable area must not prevent statutory undertakers having access to any apparatus of theirs under, in, on or over the highway.
7. The licensable area must not 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.
8. The licensable area must not prevent any use of vehicles which is licensed by a pedestrian planning order or which is not prohibited by a traffic order.
9. The furniture must not cause a visual obstruction likely to cause injury to pedestrians or drivers.
10. The licence holder must always have a valid public liability insurance policy for at least £5,000,000 covering the licensable area.
11. The licence holder must indemnify the Council against any claim in respect of injury, damage or loss arising out of the grant of the licence except where any claim in respect of such injury damage or loss is attributable to the negligence of the Council.
12. The licence holder must not allow the area to be used for any purpose other than that detailed in the granted licence. The layout of the area as detailed at the time of application must be maintained, unless expressly licensed otherwise in writing by the Council
13. Tables and chairs must be sited so that they are always clearly visible from inside the premises. Alternatively, the licensable area must always be supervised.
14. No music or entertainment is to be provided in the area licensed for tables and chairs.
15. If the premises is licensed to sell alcohol under The Licensing Act 2003 and the premises is situated within an area where there is an order prohibiting the consumption of alcohol, signage advertising the prohibition of consuming alcohol outside of the licensable area must be displayed so as to be visible when exiting the licensable area. The licensable area must be supervised at all times.

16. If the premises is licensed to sell alcohol under The Licensing Act 2003, no alcohol is to be served less than 30 minutes prior to the end of the Pavement Licence's operating hours.
17. All furniture must be cleared away no later than an hour after the Pavement Licence's operating hours.
18. No glassware must be permitted in the licensable area.
19. The licensable area must be kept clean and clear of all debris and litter during the licensed hours. The provision of suitable litter bins or ashtrays must be made available.
20. Any furniture used in the licensable area must be removed at the end of the licensable hours.
21. Any furniture used is safe, including but not limited to:
 - a. all tables and chairs are in good repair and stable;
 - b. any parasol and umbrella are fully secured to prevent them being dislodged;
 - c. the area to be used is defined and protected in the manner prescribed by the Council with regards to material, colour and dimensions.
22. Any damage to Council property caused as a result of the licence holder's activity will be repaired by the Council with all costs recharged to the business in question.
23. The licence holder must ensure adherence to any direction from the Council on livery, advertisements and logos.
24. A copy of the licence must be displayed in a prominent position as near as reasonably possible to the licensed area ideally on the door or window of the premises.
25. The licence holder agrees that the licence may be suspended if the Council is required to make the licensed area available for any event, works, or issues of public safety or any other reason it requires the area for.
26. Any heaters and/or electric lighting must be installed by a competent person and conform to IP65 for outdoor use.
27. The hours of trading must be as determined on the licence.
28. The licence holder must remove all or part of the tables and chairs for an identified period at the request of an authorised officer of the Council or a police constable.
29. All items placed on the highway must be free-standing. No drilling or excavation of the highway must be licensed.
30. The business must assist with any reasonable request, including inspection, from an authorised officer of the Council or police at any time when the business is open.
31. The Council may withdraw this licence at any time for any other reason than those stated above.