

# PAVEMENT LICENCE POLICY

FROM 1<sup>ST</sup> AUGUST 2024

## 1 INTRODUCTION

A pavement licence allows businesses such as cafes, restaurants and bars to place removable furniture on the highway in order to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

Stroud District Council is the appropriate local authority for issuing pavement licences in Stroud district.

Pavement licences were first introduced as a temporary measure under the Business and Planning Act 2020 to promote economic recovery and growth in response to the economic impacts of the global Covid-19 pandemic.

The Levelling Up and Regeneration Act 2023 has made the temporary legislation permanent with some enhancements. The key features of the Business and Planning Act 2020 are retained but changes include an increase in the fee cap, provision that licences can be issued for up to two years, increased length of time for consultation from 7 days to 14 days, provision for a renewal process and enforcement powers for local authorities.

This policy takes account of the [Guidance issued by the Department for Levelling up, Housing and Communities](#) dated 2<sup>nd</sup> April 2024

This policy was adopted by Community Services and Licensing Committee on 27 June 2024 and implemented on 1 August 2024

## 2 SCOPE OF PAVEMENT LICENCES

### Types of Businesses

Any business which sells or proposes to sell food or drink for consumption (on or off the premises) can apply for a pavement licence. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops and ice cream parlours, including where this is ancillary to another main another use, for example supermarkets, or entertainment venues which sell food and drink. The area of pavement must be adjacent to the business location.

### Activities Permitted

A pavement licence permits the business to place removeable furniture on the pavement to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

### Locations Permitted

Licences can only be granted in respect of highways listed in section 115A(1) Highways Act 1980. Generally, these are footpaths restricted to pedestrians or are roads and places to which vehicle access is restricted or prohibited. Highways

maintained by Network Rail or over Crown land are exempt (so a licence cannot be granted).

A pavement licence can only be granted on sites where there the placing of removable furniture will enable clear access routes for pedestrians considering the needs of all users, including disabled people.

### Furniture Permitted

The furniture which may be used is:

- counters or stalls for selling or serving food or drink;
- tables, counters or shelves on which food or drink can be placed;
- chairs, benches or other forms of seating; and
- umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.

The furniture is required to be removable and must be related to the serving, sale and consumption of food or drink. This means it is not a permanent fixed structure, and is able to be moved easily, and stored away at night.

Applicants that wish to place furniture on the highways that does meet the criteria in this policy should contact Gloucestershire Council and apply for permission under the Highways Act 1980.

## 3 ON AND OFF SALES OF ALCOHOL

Temporary amendments were made to the Licensing Act 2003 to allow businesses, that had a premises licence under the Licensing Act 2003, which included sale of alcohol for consumption on the premises, to automatically be given permission for off-sales of alcohol. This enables them to allow their customers to take alcohol, which they have bought in the premises as an on-sale, outside and be consumed in the area covered by the pavement licence as an off-sale. This only applies where the premises licence was issued before 22 July 2020. This is currently in place until 31 March 2025 but may not be extended. Businesses who have applied for a premises licence after 22 July 2020 will need to ensure that they include off-sales of alcohol in their application under the Licensing Act 2003 if they want to allow customers to drink alcohol in the area covered by a Pavement licence (unless the outside area is already covered by the premises licence for sale of alcohol).

## 4 PLANNING PERMISSION

Where a pavement licence is granted, the licence holder will also benefit from deemed planning permission to use the land for anything done under the pavement licence.

## 5 STREET DRINKING BANS

Stroud and Dursley have Public Places Protection Orders which prohibit the drinking of alcohol in the street. These orders will not apply for the area covered by a pavement licence.

## 6 FEES

The fee for new and renewal pavement licence applications are set locally. There is a Government Cap. Stroud District Council has set its fees on a cost-recovery basis. In setting them the Council considered the costs incurred in processing and issuing licences, taking into account costs from:

- administration work
- carrying out pre-grant inspections
- completing any background checks that have to be undertaken
- developing policies for pavement licensing
- the need for any special equipment, materials or resources required
- where permitted, a proportion of the costs of ensuring compliance by licensed businesses
- the overhead costs incurred by the licensing service

The licensing fees are reviewed on an annual basis. Please see Stroud District Council's website to see the current fees for Pavement Licences <https://www.stroud.gov.uk/business/licensing-permits/pavement-licences/>

## 7 APPLICATION PROCESS FOR A NEW PREMISES LICENCE

### Submission of the Application

An application for a Pavement Licence must be made to the Council on the appropriate form, and accompanied by:

- A plan showing the location of the premises marked by a red line, so the application site can be clearly identified.
- A plan clearly showing the proposed area covered by the licence in relation to the highway, if not to scale, with measurements clearly shown. The plan must show the positions and number of the proposed tables and chairs, together with any other items of furniture to be placed on the highway. The plan shall include clear measurements of, for example, pathway width/length, building width and any other fixed item in the proposed area.
- Photos or brochures showing the proposed type of furniture and information on potential siting of it within the area applied.
- A photo showing that the applicant has met the requirement to put up a notice.

The applicant must also have public liability insurance that covers the activity for third party and public liability risks, to a minimum value of £5 million before the licence can be utilised.

An application will not be considered complete (valid) until the application form, all required documents and the application fee have all been received. The public consultation period will not commence until the day after a complete application has been made.

The Application Form is Appendix 1

### Site Notice

An applicant for a pavement licence must on the day the application is made, fix a notice of the application to the premises so that the notice is readily visible to, and can be read easily by, members of the public who are not on the premises. The notice must be constructed and secured so that it remains in place until the end of the public consultation period. Evidence of the site notice requirement having been complied with must be supplied to the Council.

The Site Notice must:

- state that the application has been made and the date on which it was made;
- state the statutory provisions under which the application is made;
- state the address of the premises and name of the business;
- describe the proposed use of the furniture;
- indicate that representations relating to the application may be made to the Council during the public consultation period and when that period comes to an end;
- state the Council's website where the application and any accompanying material can be viewed during the consultation period;
- state the address to which representations should be sent during the consultation period; and
- the end date of the consultation (14 days, excluding public holidays, starting the day after the application is submitted to the authority).

A template Site Notice is shown as Appendix 2.

### Consultation

Applications are consulted upon for 14 days excluding public holidays, starting on the day after which a valid application is received by the Council.

The Council will publish details of the application on its website at [www.stroud.gov.uk](http://www.stroud.gov.uk)

The Council is required by law to consult with the Highway Authority. In addition, to ensure that there are no unacceptable detrimental effects arising from the application proposals, the Council will consult with:

- Gloucestershire Highways
- Relevant Town or Parish Council
- Relevant Ward Councillors
- Gloucestershire Police

- Stroud District Council's Environmental Protection Team
- Stroud District Council's Health and Safety Team
- Stroud District Council's Neighbourhood Wardens

From the day after the consultation period ends the Licensing Team has 14 days excluding public holidays, to make a decision. If the Council fails to make a decision within the 14 days, the pavement licence will be deemed to be granted.

Members of the public and others listed above can contact the Council to make representations.

The Council must take into account representations received during the public consultation period and consider these when determining the application.

### Site Assessment

The following matters will be used by the Council and consultees in considering the suitability of the proposal:

- public health and safety – for example, ensuring that uses conform with latest guidance on social distancing and any reasonable crowd management measures needed as a result of a licence being granted and businesses reopening;
- public amenity – will the proposed use create nuisance to neighbouring occupiers by generating anti-social behaviour and litter;
- accessibility – taking a proportionate approach to considering the nature of the site in relation to which the application for a licence is made, its surroundings and its users, taking account of:
  - any other temporary measures in place that may be relevant to the proposal, for example, the reallocation of road space. This could include pedestrianised streets and any subsequent reallocation of this space to vehicles;
  - whether there are other permanent street furniture or structures in place on the footway that already reduce access;
  - the impact on any neighbouring premises;
  - the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people are under normal circumstances a width of 2000mm is the minimum that should be provided. In cases where this is not possible, a width of 1500mm could be regarded as the minimum acceptable distance. Stroud District Council will take a proportionate approach when measuring this.
  - other users of the space, for example, if there are high levels of pedestrian or cycle movements.
  - considerations under the no-obstruction condition including the cumulative impact of multiple pavement licences in close proximity, in particular considering the needs of disabled people.

Applicants are strongly encouraged to talk to neighbouring businesses and occupiers prior to applying to the Council, and so take any issues around noise, and nuisance into consideration as part of the proposal. Discussions with neighbours should

consider any plans neighbouring businesses have to also place tables and chairs on the highway and plans for customers to queue outside.

### Determination

Once the application is submitted the Council has 28 days from the day after the application is made, excluding public holidays, to consult on and determine the application. This consists of 14 days excluding public holidays for public consultation, and then 14 days excluding public holidays to consider and determine the application after the consultation.

The determination will be made by the Licensing Manager or Senior Licensing Officer.

If the Licensing Manager or Senior Licensing Officer determines the application before the end of the determination period they can:

- grant the licence in respect of any or all of the purposes specified in the application,
- grant the licence for some or all of the part of the highway specified in the application, and impose conditions, or
- refuse the application.

If they do not determine the application within the 28 day period, excluding public holidays, the application will be deemed to have been granted for two years and the business can place the proposed furniture such as tables and chairs within the area set out in the application for the purpose or purposes proposed.

### Approval of Applications

The Council may approve applications meeting the criteria contained within these guidelines.

On approving the application, the Council will issue a Pavement Licence to which conditions will be attached. The licence will also contain specific terms such as days and hours when tables and chairs are permitted and the appearance and location of the furniture corresponding to the application.

A copy of the Council's standard conditions, which will be attached to all Pavement Café Licences are shown at Appendix 3. Additional conditions may be attached if the Council considers it appropriate in the circumstances of any particular case.

The Council generally will only permit Pavement Cafés to operate between 08:00 and 22:00hrs. Applicants are encouraged to not apply outside of these times.

Applications outside these hours will be assessed in terms of the criteria detailed above regardless of whether objections have been made or not. The Council however retains the right to specify permitted hours of trading that are less than those specified above in appropriate circumstances.

## **8 LICENCE DURATION**

If the Council determines an application before the end of the determination period (which is 14 days, beginning with the first day after the public consultation period, excluding public holidays) the Council can specify the duration of the licence, subject to a minimum duration of 3 months.

Licences will normally be granted licences for two years unless there are good reasons for granting a licence for a shorter period such as plans for future changes in use of road space.

If a licence is 'deemed' granted because the authority does not make a decision on an application before the end of the determination period, then the licence will be valid for two years.

## **9 REFUSAL OF APPLICATIONS**

If the site is deemed unsuitable for a pavement licence, or if relevant representations are made which cannot be mitigated by conditions, then the Licensing Manager or the Senior Licensing Officer can make the decision to refuse the application.

There is no statutory appeal process against a decision to refuse an application.

If not satisfied with a decision an applicant or other relevant person, can make written representation to the Head of Environmental Health within 14 days of being notified. The Head of Environmental Health will review the decision within 28 days.

## **10 CONDITIONS**

The Council's standard conditions can be found at Appendix 3. In some cases, extra measures may be required. This will be determined when assessing any application, on a case-by-case basis, and the council will confirm the reasons why any additional conditions have been imposed.

The Act contains two national conditions that all granted and deemed granted licences must adhere to if the council fails to publish their own conditions, or the published conditions fail to make provision for observing the national conditions. The two conditions are:

- a no-obstruction condition
- a smoke free seating condition

The council's conditions include the national conditions. The Act also allows for the Secretary of State to produce via regulations conditions for pavement licences, and to stipulate whether these conditions have effect as well as, or instead of, the conditions placed on a licence by the council. If such conditions are created, this guidance will be amended to reflect them, and all licence holders will be notified of any changes this may create.



Where a Council sets a local condition that covers the same matter as set out in national conditions, then the locally set condition takes precedence over the national condition where there is reasonable justification to do so.

## 11 RENEWAL APPLICATIONS

### Submission of the Renewal Application

An application to renew a Pavement Licence must be made to the Council at least 28 days before the current pavement licence expires. It must be made as follows:

- The appropriate renewal form
- A recent dated photograph showing the chairs and tables and/or other furniture in situ. Or if this is not possible, eg it is out of season, then a plan showing where the chairs and tables are being situated when in use.
- Public liability insurance that covers the activity for third party and public liability risks, to a minimum value of £5 million.
- Renewal application fee

### Consultation

The Council will consult with:

- Gloucestershire Highways
- Relevant Town or Parish Council
- Environmental Protection Officer
- Neighbourhood Wardens

### Determination

Once the renewal application is submitted the Council has 28 days from the day after the application is made excluding public holidays to consult on and determine the renewal application. This consists of 14 days for consultation, and then 14 days to consider and determine the application after the consultation.

The determination will be made by the Licensing Manager or Senior Licensing Officer.

If the Licensing Manager or Senior Licensing Officer determines the application before the end of the determination period they can:

- grant the renewal licence
- refuse the renewal application.

If they do not determine the renewal application within the 28 day period, the application will be deemed to have been granted. Consultees will therefore be informed that failure to respond within the stated timeframe will be considered as consent.

The Council will take account the matters in this policy when considering a renewal application. Where a renewal is refused the applicant will be notified with the reasons for the decision.

If not satisfied with a decision an applicant or other relevant person, can make written representation to The Head of Environmental Health within 14 days of being notified. The Head of Environmental Health will review the decision within 28 days.

## 12 ENFORCEMENT

The Council aims to work closely with other enforcement authorities to enforce the provisions of all appropriate legislation. It remains the case that an obstruction of the Highway is an offence under The Highways Act 1980 and will be dealt with by the Highways Authority or the Police.

Obtaining a licence does not confer the holder immunity in regard to other legislation that may apply, e.g. Public Liability, Health & Safety at Work, Food Hygiene and Safety, Alcohol and Entertainment Licensing, Social distancing controls, and applicants must ensure all such permissions are in place prior to applying.

### Breach of Condition

If a condition imposed on a licence (either by the Council or nationally) is breached, the Council will be able to issue a notice requiring the breach to be remedied. If the licence-holder fails to do so, the Council may amend the licence, with the consent of the licence-holder, revoke the licence or itself take steps to remedy the breach and can take action to recover any costs of so doing.

### Revocation

The Council may revoke a licence, or amend it with the consent of the licence holder, in the following circumstances:

1. If it considers that the highway is no longer suitable for the use as granted by or deemed to be granted by the licence. For example, the licenced area (or road adjacent) is no longer to be pedestrianised.
2. Or if there is evidence that:
  - there are risks to public health or safety – for example where it comes to light that there are significant security risks which have not been sufficiently considered, or addressed in a proportionate fashion (this should be reassessed as necessary, particularly in the event of changes to the terrorism threat level);
  - this use of the highway is causing an unacceptable obstruction, breaching the no-obstruction condition – for example, the arrangement of street furniture prevents disabled people, older people or wheelchair users to

pass along the highway or have normal access to the premises alongside the highway; or

- the use is causing, or risks causing, 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.
- 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 but had applied for a licence where tables and chairs on which drinks could be consumed; or
- the applicant did not comply with the requirement to affix the notice to notify the public for the relevant period.
- Failure to rectify a breach of licence

The Council will give reasons where these powers are used.

The decision to revoke a licence will be made by the Licensing Manager or Senior Licensing Officer.

If not satisfied with a decision a pavement licence holder can, make written representation to The Head of Environmental Health within 14 days of being notified. The Head of Environmental Health will review the decision within 28 days.

### Unauthorised removable furniture on the Highway

In cases where furniture which would normally be permitted by a pavement or other licence has been placed on a relevant highway without the required licence, the Council can give notice requiring the business to remove the furniture before a date specified and to refrain from putting furniture on the highway unless they gain a licence.

If furniture continues to be placed on the highway, in violation of the notice, the Council may remove and store the furniture, recover the costs from the business for the removal and storage of the furniture and refuse to return the furniture until those costs have been paid. If within 3 months of the notice, the costs are not paid, the authority can dispose of the furniture by sale or other means and retain the proceeds.

## 13 TRANSITIONAL ARRANGEMENTS

Existing licence-holders can retain their pavement licences granted under the temporary regime until the expiration date on their licence. After these existing licences expire, businesses can reapply under the renewals process and be charged the renewal fee.

Businesses that have been operating under 'grandfather rights', and do not have a pavement licence under the temporary regime, will need to make a new application for a pavement licence.

# APPENDIX 1 – APPLICATION FORM

<b>BUSINESS AND PLANNING ACT 2020 LEVELLING UP AND REGENERATION ACT 2023</b>	<b>APPLICATION FOR THE GRANT OF A PAVEMENT LICENCE</b>
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(Pavement Licences are processed in accordance with Stroud District Council's  
Pavement Licence Policy available on [www.stroud.gov.uk](http://www.stroud.gov.uk))

<b>APPLICANT DETAILS</b>		
Title:	First name(s):	Surname:
Postal Address:		
Post Town:		Post Code:
Phone (Home):		Phone (Mobile):
e-mail address:		
Date of Birth:		NI number:

<b>BUSINESS PREMISES DETAILS</b>
Trading Name:
Postal Address:

<b>USE OF THE BUSINESS PREMISES</b>	
Which of the following is the above business premises used for? (please select <b>ONE</b> of the following options)	
Use as a public house, wine bar or other drinking establishment	
Other use for the sale of food or drink for consumption on or off the premises	
Both of the above uses	

<b>AREA OF HIGHWAY PROPOSED TO BE USED</b>
<p>Please provide a description of the area of the highway to which this application relates: (Please note you are required to submit a scale plan of this area with your application)</p>          

<b>RELEVANT PURPOSE THE APPLICATION RELATES TO:</b>	
Which of the following relevant purposes do you wish to put furniture on the highway for? (please select <b>ONE</b> of the following options)	
To sell or serve food or drink supplied from, or in connection with relevant use* of, the premises	
For the purpose of consuming food or drink supplied from, or in connection with relevant use* of, the premises	
Both of the above purposes	
*Relevant use is use as a public house, wine bar or other drinking establishment or other use for sale of food or drink for consumption on or off the premises	

<b>DAYS AND TIMES</b>			
During what times do you propose to place furniture on the highway on each of the following days: Please use the 24hr clock.			
Mondays	to	Fridays	to
Tuesdays	to	Saturdays	to
Wednesdays	to	Sundays	to
Thursdays	to		

<b>FURNITURE TO BE PLACED ON THE HIGHWAY</b>
<p>Please provide a description of the furniture you propose to place on the highway for example type and materials, quantity. (Please note you are required to provide photographs or brochures of the proposed furniture with your application)</p>

<b>DATE OF APPLICATION</b>
<p>Please state the date that this application for a Pavement Licence is being submitted</p>

**DECLARATIONS BY APPLICANT**

I understand that I am required to give notice of my application in accordance with the requirements of the Business and Planning Act 2020 and the Levelling Up And Regeneration Act 2023 and that failing to do so will lead to the revocation of any licence granted.

I understand I must hold and maintain public liability insurance up to a value of £5million.

I understand my application will not be considered to be complete until all the required documents and information have been provided and the application fee has been paid.

I understand that the application fee paid is non-refundable if my application is refused or if any licence granted is subsequently surrendered or revoked.

I understand that the Authority is under a duty to protect the public funds it administers, and to this end may use the information I have provided on this form for the prevention and detection of fraud. I understand that it may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

I declare that the information given above is true to the best of my knowledge and that I have not wilfully omitted any necessary material. I understand that if there are any wilful omissions, or incorrect statements made, my application may be refused without further consideration or, if a licence has been issued, it may be liable to revocation.

I understand that the Authority is collecting my data for the purposes described on this form and will not be used for any other purpose, or passed on to any other body, except as required by law, without my consent.

Signature:

Print Name:

Date:

**Data Protection Statement:**

We will only use your personal information gathered for the specific purposes of your application. We will not give information about you to anyone else or use information about you for any other purpose, unless the law allows us to. Further privacy information can be found on our website [www.stroud.gov.uk](http://www.stroud.gov.uk)

Please email this form with all relevant documents listed below to [licensing@stroud.gov.uk](mailto:licensing@stroud.gov.uk)

The following Documents should be submitted with this form

1. A plan showing the location of the premises marked by a red line
2. A plan clearly showing the proposed area to be covered by the pavement licence in relation to the highway, if not to scale, with measurements clearly shown. The plan must include:
  - o positions and number of the proposed tables and chairs and any other items of furniture to be placed on the highway.

- building line
  - kerb line
  - furniture layout
  - points of access and egress
  - position of any lighting columns, litter bins, road signs or other existing street furniture
3. Photos or brochures showing the proposed type of furniture
  4. Evidence of public liability insurance that covers the activity for third party and public liability risks, to a minimum value of £5 million
  5. Photograph showing that the public notice has been placed at the proposed site
  6. Evidence of payment of fee which will be either on-line payment receipt or telephone payment receipt



## APPENDIX 2 - TEMPLATE SITE NOTICE

### **BUSINESS AND PLANNING ACT 2020 and LEVELLING UP AND REGENERATION ACT 2023 NOTICE OF APPLICATION FOR GRANT OF A PAVEMENT LICENCE**

I / We .....(1)

Do hereby give notice that on ..... (2)

I / we have applied to Stroud District Council for a pavement licence at:

.....

..... (3)

Known as.....(4)

The application is for:

.....

.....

..... (5)

Any person wishing to make representations to this application may do so by emailing [licensing@stroud.gov.uk](mailto:licensing@stroud.gov.uk) before the end of :

.....(6)

The application and information submitted with it can be viewed at:  
[www.stroud.gov.uk](http://www.stroud.gov.uk)

Signed .....

Date ..... (7)

### **Guidance notes on completing this notice of application**

Complete the notice by putting the following information in the numbered spaces:

- (1) Name of the applicant
- (2) Date the application is made (submitted)
- (3) Postal address of the premises
- (4) Name the premises is known by
- (5) Brief description of application (e.g outdoor seating to the front of the premises for serving of food and drink).
- (6) Last date for representations being the date 14 days after the date the application is submitted to the Council (excluding public holidays)
- (7) The date the notice was placed (must be the same date as (2) above)

On the same day that the application is made, a completed copy of this notice must be fixed to the premises so that it is readily visible to, and can be read easily by, members of the public who are not on the premises. It should be secured so that the notice remains in place until the end of the 14-day public consultation period which will start the day after the application is made

**Failure to comply with this requirement will make the application invalid or may lead to the revocation of any licence granted or deemed granted.**

## APPENDIX 2 - STROUD DISTRICT COUNCIL CONDITIONS FOR PAVEMENT LICENCES

Please note that these conditions are not an exhaustive list. Each application will be considered on its own merits and individual, specific conditions may be attached where deemed appropriate.

Where a licence is deemed granted, the applicant is deemed to be a 'licence holder' and is required to comply with all of the below conditions. In such circumstances, references to 'licensed area' should be understood to mean the area proposed for licensing within the application.

### National Conditions

1. The licence holder must ensure that no activity undertaken by them by the placing of furniture on the highway will:

(a) prevent traffic, other than vehicular, 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.

2. The licence holder must ensure clear routes of access are 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 the Department for Transport's Inclusive [Mobility document](#).

3. 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.

## Local Conditions

4. Permission to operate a pavement café does not imply an exclusive right to the area of public highway. The licence holder must be aware that Stroud District Council and others (e.g. town and parish councils, police, highways authority, statutory undertakers) will need access at various times (including emergencies) for maintenance, installation, special events, improvements or any other reasonable cause. This may mean that the pavement café will need to cease operating and/or be removed for a period of time. On these occasions there would be no compensation for loss of business.

5. Tables and chairs must not be placed in position outside of permitted times. When the licence is not in use, all tables and chairs and other furniture must be stored securely inside a premises away from the highway.

6. The licence holder must ensure that furniture is positioned in such a way so as to ensure compliance with the relevant Government guidance on social distancing that is in place at any particular time and that staff can service the space in a manner that does not compromise their health and safety or the health and safety of customers.

7. Unless another more restrictive condition has been attached to the licence in response to particular concerns raised during the public consultation period, the licence holder must not place any furniture on the highway in pursuance of this licence before 08:00hrs on any day and must remove all furniture placed on the highway in pursuance of this licence when the premises closes or by 22:00hrs on any day, whichever is the earliest.

8. The licence holder must at all times hold a current certificate of insurance that covers the activity for third party and public liability risks, to a minimum value of £5 million.

9. The area of the highway covered by the licence must be kept clean and tidy at all times. This will include washing down the area, and removing any refuse and litter on the highway in the vicinity of the removable furniture.

10. The licence holder shall not use or allow to be used any music playing, music reproduction or sound amplification apparatus or any musical instruments, radio, or television receiving sets in the area of the highway covered by the licence.

11. The licence holder is not to make or cause to be made any claim against the District or County Council in the event of any property of the licence holder becoming lost or damaged in any way from whatever cause.

12. An unimpeded pedestrian route must be maintained at all times for people wishing to use the footway as per the National Licence Conditions

13. The licensee should ensure that the area operates in a safe and orderly manner, thereby ensuring that any safety risk or nuisance to customers, other users of the public highway or any adjacent land or premises, is minimised.

14. During the hours of darkness suitable and sufficient lighting must be provided to ensure safe use of the area. Any proposals to provide additional lighting to the licensed areas must be agreed with the Highway Authority.

15. The licence holder is not permitted to make any fixtures, or excavations of any kind, to the surface of the highway without prior written approval. Any costs incurred as a result of damage to the highway, due to the positioning of tables and chairs etc, will be recovered in full from the licence holder by Stroud District Council or the Highway Authority.

16. The premises must ensure that if alcohol is sold from the business that all necessary permissions under the Licensing Act 2003 are in place.

17. The licence must be displayed on the premises with a plan of the agreed layout of the pavement café and the types of furniture that have been agreed to be used on the highway.

18. Stroud District Council reserves the right to revoke this licence at any time if any of the above conditions are not fulfilled and maintained.

19. The licence holder must ensure that the area covered by the licence is monitored regularly by staff to ensure that all of the conditions above are being adhered to.