

Appendix 1



NORWICH
City Council

Notice of application for a Pavement Licence Business and Planning Act 2020

I _____ (*name of applicant*) do hereby give notice that on _____
_____ (*date*) I have applied to Norwich City Council for a
'Pavement Licence' at (*premises name, address & site location*)

Please provide a brief description of application [*e.g. outdoor seating to the front of the premises for serving of food and drink*]:

Details of the application can be viewed online at www.norwich.gov.uk

Any person wishing to make representations to this application may do so in writing to licensing@norwich.gov.uk or Licensing, Norwich City Council, City Hall, St Peters Street, Norwich NR2 1NH by: _____ (*end date of 7 day consultation period*)

Signed

Dated _____



Pavement Licence – Norwich City Council conditions

These are in addition to the national conditions that apply to all granted pavement licences (no obstruction, smoke free area)

The council may revoke this licence pursuant to the powers contained in section 6 of the Business and Planning Act 2020.

- 1 The licence holder shall indemnify the Council against any claim whatsoever, in respect of injury, damage or loss arising out of the grant of this permission other than injury, damage or loss which is attributable to the negligence of the Council.
- 2 The licence holder shall ensure that public liability insurance cover to the value of £5 million is in effect to cover the Pavement Licence and maintained for the duration of the licence period
- 3 The objects or structures shall be placed only on the licensed area shown on the plans and on no other part of the public highway.
- 4 The objects or structures shall be used only for the purposes specified in the licence and only in connection with the premises and will be maintained in a tidy condition.
- 5 The objects or structures shall be immediately removed from the public highway upon the direction of an authorised officer or police constable in uniform.
- 6 The objects or structures shall be placed in a position that will not hinder the clear passage of any emergency service vehicles or any vehicle engaged on the repair or maintenance of the public highway or apparatus within the public highway or any other vehicle authorised by the Council to proceed on the public highway.
- 7 Permission for the furniture and other objects is granted from **(time of day/month of year)** to **(time of day/month of year)** (subject to early or temporary termination under clause 14 or early termination of the licence under section 6 of the Business and Planning Act 2020).
- 8 No amplified music or live music shall take place on the licensed area.
- 9 The objects and structures permitted by this licence, shall be removed from the licensed area each day by the end of the licence period and stored securely.
- 10 The licence holder shall ensure that the licensed area is mainly enclosed by a barrier that is in keeping with the visual appearance of the area, not less than 800mm high and with no more than 150mm between the base rail and the ground, or other design as previously agreed in writing by the Council. Neither the barrier nor other furniture

should carry strident advertising that goes beyond the purpose of discreetly identifying that the pavement cafe is associated with a particular business.

- 11 The licence holder shall ensure that the licensed area is closely monitored and kept clean and tidy at all times.
- 12 The licence holder shall ensure that the footway or any other areas outside the licensed area must not be obstructed by patrons standing, or by the personal possessions of patrons.
- 13 No alteration to the highway surface shall be permitted to be carried out by the licence holder in implementing this licence
- 14 The Council may, by service of a notice in writing on the licence holder withdraw the licence temporarily:-
 - (a) in an emergency or should the Council consider the exercise of the licence is causing a substantial and unreasonable obstruction of the right of the public to pass or re-pass on the public highway,
 - (b) if the Council considers it to be necessary in connection with the exercise of any of its functions or the functions of any statutory undertaker or public utility,
 - (c) or any other reasonable cause.
- 15 Objects and structures must be sufficiently spaced to enable patrons to safely walk between them.
- 16 The cost of rectifying any damage to the highway surface or to street furniture caused by any activity connected with the Pavement Licence will be recharged to the licence holder.
- 17 The licence is issued to the applicant only and is not transferable.
- 18 Where the licensed area extends beyond the frontage of the application premises and requires consent from a third party, the licence, in as much as it relates to the area requiring the consent of the third party only, will remain in force only whilst the consent remains valid.
- 19 For licensed areas used for the consumption of food or drink, the licence holder shall make provision for seating where smoking or vaping is not permitted.
- 20 Licence holders should provide a minimum 2m distance between non-smoking and smoking areas, wherever possible.

- 21 Clear 'smoking' and 'non-smoking' areas, with 'no smoking' signage displayed in designated 'smoke-free' zones in accordance with Smoke-free (Signs) Regulations 2012.
- 22 No ash trays or similar receptacles to be provided or permitted to be left on furniture where smoke-free seating is identified.
- 23 The licence holder shall take all reasonable steps to ensure that any furniture, items or persons associated with the use of the licence 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) preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
 - (c) preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
 - (d) preventing 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.
- 24 Any patio heaters or similar devices authorised by this licence shall not be used at any time between the 1st April and 30th September inclusive. It is recommended that low-carbon outdoor heaters are used for this purpose.