

# **GUIDANCE NOTES FOR APPLICATION FOR TEMPORARY HIGHWAY PAVEMENT LICENCE**

**Pursuant to The Business and Planning Act 2020 –  
Use of the highway in connection with the provision and sale of refreshments.**

All temporary highway pavement licences are valid from 1<sup>st</sup> October 2023 until the 30 September 2024. This date will be kept under a review and may be extended subject to Government guidance. There is a £100 administration charge for this licence which can be made online.

## **New Applications**

The application will be assessed as quickly as possible within 10 working days excluding public holidays, and if considered to be safe and not affecting the ability for pedestrians to pass and not affect other land uses, a temporary licence will be issued.

If objections are received during the formal 5 day consultation, or complaints are received regarding the temporary period, the consent or lease maybe be terminated, or the temporary withdrawn until such time that the objections and/or complaints are resolved.

## **Changes to existing licences**

Businesses who have existing pavement café licences and wish to consider expanding the area to accommodate customers, whilst following social distancing guidelines, will be able to follow the same process.

A temporary informal licence will be issued for the expanded area if the application is considered to be in accordance with the guidance notes, safe and not unduly imposing on the ability for pedestrians to pass whilst socially distancing.

No additional licence fee will be a payable. If no objections are received during the 5 day notice period the expanded area will be incorporated into the existing consent. Any additional area granted will cease after 30 September 2023, but you will continue to use your existing consent.

## **Guidance notes for applicants**

- In order to access your application quickly please complete the form with as much detail as possible. Incomplete applications forms or missing additional documentation will be rejected.
- You must provide a plan of the proposed area. The plan does not have to be professional drawn, but must clearly show the area of highway or public space you require and if possible, showing how the furniture is to be arranged.
- Applicants are requested to provide photographs of the furniture to be used on the highway.

- A minimum 2m width of unobstructed footway must remain available to passing pedestrians (taking into account street furniture, street lights etc.) In areas of high foot fall more than 2m of unobstructed highway may be required to allow for social distancing of pedestrian traffic.
- It will be the applicants' responsibility to assess the layout of the customer seating area in relation to any government social distancing guidelines. Barriers with tapping bars could be required. You will be advised during the application process of any specific requirements you may need to adhere to.
- Tables and chairs should be selected to ensure:
  - that you can store them securely on your premises
  - that their visual impact is in keeping with the area
  - they are easy to clean, and are kept clean
  - they do not pose any risk to the public
- Gazebos or any type of canopy covering are not permitted except for parasols.
- You may wish to consider the use of parasols as part of your street café. Parasols need to be securely fastened. They must be high enough (minimum 2.1m) not to injure pedestrians and must not overhang the highway beyond the consent area.
- Patios heaters may be allowed but applicants will be asked to provide additional safety documentation.
- Furniture must not be stored on the highway or open space outside of the times specified on the licence or when the premises are closed.
- The available space on a highway or public space is in high demand to facilitate social distancing of pedestrian traffic and other highway users. The Councils ask applicants to be respectfully and mindful of other users so that all pedestrians and consent holders can comply with social distancing guidance.
- Amplified music either live or recorded is not permitted on public Highways.
- The hours of operation to permit tables, chairs and other furniture to be placed on the highway cannot be any earlier than 06:00 am and remain on the highway after 2230 hours Sunday to Thursday and 2300 hours Friday and Saturday. . If the proposal is located near to residential uses we would limit the hours of operation to 8.30 to 18.30 Monday to Saturday and 10.00 to 17.00 on Sundays and Bank Holidays.

- If a consent holder does not comply with the terms and conditions of the licence it will be withdrawn. Any furniture or other articles placed on the highway will be removed by the Authority and the owner charged for removal and storage.
- .The applicant should be aware the highway authority, statutory undertakers and the emergency services may require access at any time, for routine maintenance, access to underground services, and any emergency. In the event of the licensed pavement area being required for streetworks, no compensation will be made for any subsequent loss of business.