

Appendix 1

Conditions Attached to a Pavement Licence

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

General

- 1.0 The Licence will have effect for 12 months unless surrendered or revoked earlier.
- 2.0 The issue of a Licence does not give, or imply any permission to supply intoxicating liquor in the street.
- 3.0 The Licence shall be displayed in the window of the premises to which it relates.
- 4.0 The Licensed Area shall be vacated immediately if requested by the, Lancashire County Council as Highway Authority, Lancashire Constabulary or other emergency service, statutory undertaker etc. without any liability for compensation, refund of application fee, or damage arising.
- 5.0 The Council may request the clearing of the Licensed Area if required for special one-off events without any liability for compensation, refund of application fee, or damage arising.
- 6.0 The Licence shall be rendered invalid, should the Licensee cease to own the premises or cease employment.
- 7.0 The Licensee must maintain public liability insurance which includes the Licensed Area at all times while the licence remains in force, such insurance to be for at least £2 million for any claim or series of connected claims.
- 8.0 Upon expiry or revocation of the permission the Licensee shall remove any structures from the highway and reinstate the highway to its former state and condition and in default thereof, the Council will be empowered to carry out such work of reinstatement and recover the expense in so doing from the Licensee.

Operational

- 9.0 For streets with footways and carriageways, the maximum width of any licensed area shall not exceed one third of the usable width of the footpath. A minimum unobstructed footpath width of 1.8 metres must be provided for safe and convenient pedestrian movement. This distance being, measured from the edge of the licensed area to any significant amount of street furniture (such as lamp posts, bollards, parking meters etc.). Where there is a heavy pedestrian flow additional footpath space may be required.
- 10.0 A clear direct pathway of at least 1.2 metres wide shall be maintained to allow entry and exit from building premises.
- 11.0 Only the Licensed Area shall be used for trading.
- 12.0 Where tables and chairs are proposed directly outside a shop front, a well designed and constructed physical barrier or roped area of approximately 0.8 metres in height is required to designate the area and to guide persons with sight disability around the use. Such barriers must not be permanently fixed to the ground and must be of a style, design and type to be agreed by the Councils Planning Department.
- 13.0 Only items applied for during the application process shall be placed within the Licensed Area. No other furniture other than receptacles shall be placed within this area. Items that can be included in the application process are prescribed in the legislation and are as follows:-
- 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.
- This furniture is required to be removable, which in principle means it is not a permanent fixed structure, and is able to be moved easily, and stored away when the licensed area is not being used.
- 14.0 Tables and chairs shall be durable and suitable for outside use. No damaged furniture should be used.
- 15.0 The design of all chairs, tables, umbrellas, etc. shall be subject to the approval of the Council's Licensing Department, and such street furniture together with associated outdoor and pavement areas including an area of 1 metre around the Licensed Area must be regularly cleansed and floor debris and other' waste immediately removed to the satisfaction of the Council's Head of Environment.

- 16.0 Tables, chairs and umbrellas shall not be positioned so as to obstruct sight lines for drivers of vehicles at junctions.
- 17.0 No canopy or umbrella shall be lower than two metres in height and shall be adequately secured.
- 18.0 All street cafe furniture, including barriers shall be removed at the end of trading each day, or at the end of the approved trading hours as defined by the Licence, whichever is the earliest.
- 19.0 There must be adequate provision made for the collection and containment of litter and, where directed, the Licensee must provide suitable litter bins.
- 20.0 The Licensee will ensure that the Licensed Area is maintained in a clean and tidy condition. The Licensee shall also take appropriate precautions to prevent the immediate highway from becoming littered as a result of trading activities.
- 21.0 The Licensee will be responsible for the conduct of customers. They must not be a nuisance to other users of the highway or tenants of adjoining premises.
- 22.0 No speakers or playing of music shall be permitted in the Licensed Area.
- 23.0 No electrical cables shall be run along the ground in such a way that they create a trip hazard or are susceptible to mechanical damage.

Alcohol licenses only

- 24.0 Where intoxicating liquor is permitted to be served or consumed in the licensed area polycarbonate glasses must be used at all times.