



## APPLICATION FOR A PAVEMENT LICENCE

The pavement licence process introduces a streamlined consent route to allow businesses to obtain a licence to place temporary furniture such as tables and chairs outside of cafes, bars and restaurants quickly

- Use black ink and block capitals or type written entries
- Failure to supply information may render your application invalid
- Please submit 1 copy of the completed application by **e-mail only** and retain a copy for your records.

### Details of individual(s) or others applying for a licence -

1	Full name and address of applicant 1 (individual only):	
2	Full name and address of applicant 2 (individual only):	
3	Full name and address of applicant other than an individual (Company, Partnership etc):	
4	e-mail address: (all correspondence will be via e-mail)	
5	Telephone Number:	

## Details of the application site and proposed use -

6	Name and address of the establishment/business:	
7	Nature of the establishment/business:	
8	Address of the application site and postcode:	
9	Description of the application site:	
10	What will the furniture be used for:	
11	Number of persons to be seated:	
12	Number of tables applied for:	
13	Number of chairs applied for:	
14	Other permitted furniture applied for: (you must specify the numbers of each piece of furniture you are requesting)	
15	Dimensions of the area of the street/highway to be used (in metres)	Width: Depth:
16	Specify the place of storage of tables, chairs and other furniture when not placed on the street/highway	

### Details of the hours of proposed use -

17	The hours it is proposed to have furniture on the street/highway:	Day	From	To
		Monday		
		Tuesday		
		Wednesday		
		Thursday		
		Friday		
		Saturday		
		Sunday		
18	Do the premises have a pending application for Highways Tables and Chairs?	<input type="checkbox"/> Yes <input type="checkbox"/> No		

### Supporting information : social distancing measures

19	Provide further information, in the form of a risk assessment, to the following questions to support your application:		
A	Outline how the tables & chairs will be managed		
B	Outline how local nuisance will be managed		
C	Will the placement of tables and chairs allow for a minimum 2m distance between non-smoking and smoking areas?	YES / NO	
D	Is there clear signage to identify 'smoking' and 'non-smoking' areas?	YES / NO	

E	If the answer to either C or D above is no, please outline what other measures you will take to comply with the national smoke free seating condition.

### Checklist -

The following documents **must** be submitted with the application;

Documentation required		Included?
A	Proof of public liability insurance to include the use of the proposed furniture on the street/highway	
B	A plan showing the exact location of the premises shown by a red line	
C	A plan clearly showing the proposed area covered by the license in relation to the street/highway, if not to scale, with measurements clearly shown	
D	Evidence of the right to occupy the premises e.g. the lease	
E	Photos or brochures showing the proposed type of furniture and information on potential siting of it within the area applied	
F	Evidence that the applicant has met the requirement to give notice of the application (for example photograph of the site notice in place)	
G	The application fee paid online	

## Section 6: Declaration

I/We declare that, to the best of my/our knowledge the above information contained in this application form and on the submitted plans are correct.

Signature of applicant 1 (individual):	
Print Name:	
Signature of applicant 2 (individual):	
Print Name:	
Signature of authorised person on behalf of a company or partnership:	
Name of Company/Partnership:	
Company registration number:	
Position in Company:	
Date of application:	



## Guidance Notes

This guidance should be read in conjunction with the Government guidance which is available via the link below;

<https://www.gov.uk/government/publications/pavement-licences-draft-guidance>

### All applications –

Applications for Pavement Licenses must be made in writing on the form prescribed by the Council (as published on [www.bedford.gov.uk](http://www.bedford.gov.uk)).

The fee for applying for a Pavement License is £500 for new and £350 for renewal applications and the consultation period is 14 days.

Licenses will be granted for a period of up to two years.

All correspondence will be sent via e-mail.

### Details of individual(s) or company applying for a license –

- (1) The name and residential address of applicant 1.
- (2) The name and residential address of applicant 2 (if applicable).
- (3) The name and registered office address of the limited company or partnership.
- (4) All correspondence will be sent via e-mail in the first instance.
- (5) The telephone number we can contact you to discuss the application if required.

### Details of the application site and proposed use -

- (6) Provide the name and postal address of the establishment/business in relation to which the application is being made.
- (7) The nature of the business at the premises. A business which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a license. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlors.
- (8) Address of the application site (the application site must be adjacent to your premises)
- (9) Provide a description of the placement of the furniture in relation to the premises. For example the area of land in front of your premises, the pavement on the street in front/to the side of your premises etc. Licenses 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 the Crown land are exempt (so a license cannot be granted).

***Questions 10–14 The furniture is required to be removable, this means it is not a permanent fixed structure, and is able to be moved easily, and stored away of***

***an evening. The furniture which may be used is:***

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

- (10) Provide a detailed description of what the furniture will be used for. A Pavement License allows the license-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, 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.
- (11) Number of persons to be seated.
- (12) Number of tables to be placed on the highway.
- (13) Number of chairs to be placed on the highway
- (14) Describe any other furniture.
- (15) Provide the dimensions of the area (in metres) to be used and this must be reflected in the accompanying plan.
- (16) Specify where the furniture will be stored when not in use.
- (17) Specify the days of the week on which and the hours between which it is proposed to have furniture on the highway
- (18) If an applicant has already applied for permission to place furniture on the highway under the existing regime and their application has not been determined they may proceed with that application. However, that applicant may opt to make a fresh application for a pavement license under the new process. In those circumstances the pending application will be deemed to have been withdrawn. If the fee for the pending application was paid the authority will not be permitted to charge a fee for the new application for a pavement license.
- (19) Provide supporting information from your risk assessment to address;
  - a. The management of the tables and chairs, for example cleaning in between customers, tidying and moving where required.
  - b. How you will address nuisance customers, e.g. asking people to leave, reporting to management, keeping logs, reporting to Police.
  - c. If you will not have a smoking area please confirm this in section E.
  - d. If you will not have a smoking area please confirm this in section E.
  - e. If the answer to either C or D above is no additional information is required.

## **Checklist**

You must provide all of the documentation as per the checklists. Failure to do so will result in your application being rejected.

- (A) Public liability Insurance in the amount of £5,000,000.00 to include the use of the proposed furniture on the highway as per the details of the application form. This insurance policy must be in the name of the applicant as shown in section 1.
- (B) The plan must show the exact location of the application site as detailed in section 8, so that the application site can be clearly identified.
- (C) The plan must show the area within which you intend to place the street furniture as detailed in section 9.
- (D) You may provide a copy of your lease or tenancy agreement.
- (E) Photographs of all furniture to be used, as detailed in section 10-14, or copies of the brochures if these have not yet been purchased must be submitted with this

application.

(F) The applicant is required to affix a notice to the premises, so it is easily visible and legible to the public on the day they submit the application to the local authority. The Notice must be in the form prescribed by the Authority and you must ensure the notice remains in place for the public consultation period which is the period of 14 days beginning with the day after the day the application is submitted to the authority. Applicants are encouraged to keep evidence of this. You must supply a photograph, or photographs of the site notice in situ with your application.

## **Declaration**

If the applicant(s) as named in section 1 & 2 is an individual then they must sign.

If the applicant is a company as named in section 3 then the person who signs must be an authorised signatory of that company as listed on Companies House.

## **Are there any exclusions from this provision?**

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 the Crown land are exempt (so a licence cannot be granted).

## **Does the applicant need planning permission as well as the licence?**

No. Once a licence is granted, or deemed to be granted, the applicant will also benefit from deemed planning permission to use the land for anything done pursuant to the licence while the licence is valid.

## **What happens once the information is submitted to the local authority?**

Once the information is submitted to the local authority the authority 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 for public consultation, and then 14 days to consider and determine the application after the consultation.

If the local authority does not determine the application within the above 28 day period, the application will be deemed to have been granted.

## **Requirements to display a notice on the premises.**

Once you have submitted your application you are required to display a notice of your application which is in a prescribed form required by the council. This Notice is available to download from our website <https://www.bedford.gov.uk/licencing/>

## **Conditions**

There are specific requirements for the fast track pavement licence application

- there will be an application fee;
- the table and chairs licence will be granted for a period of up to two years.;



- where road closures are required the hours applied for must match the hours where road closures are in place, but not exceed the stated hours above (where applicable);
- the proposed area for tables and chairs must give enough space allow people to pass whilst keeping the appropriate social distances - from 31 March 2024 businesses should ensure that a minimum width of 2000mm is provided under normal circumstances. In cases where this is not possible, a width of 1500mm could be regarded as the minimum acceptable distance.

A risk assessment for the operation of the business identifying any mitigation to reduce risk to the public and their staff, will be completed and submitted with the application - failure to include the risk assessment will invalidate your application

## Data Protection Privacy Advice

Through the relevant application/notice forms, accompanying documentation and payment facilities associated with this licensing function the Council (the data controller) collects personal data. Personal data may also be collected in respect of further related requests for information from the applicant/person submitting the notice. This is necessary for the performance of legal obligations on it in respect of the relevant licensing function or otherwise necessary for the performance of a task carried out in the public interest or in the exercise of official authority. These also form the basis for the further processing of the personal data by the Council in connection with the application/notice, any determination of the same and any subsequent authorisation/appeal and issues that arise during the period of the authorisation/appeal. Beyond that, the Council will retain the records for 5 years and then destroy them securely. The Council will maintain and retain public registers and these are not destroyed. The Council may from time to time extract information itself from those public registers. The Council will share with and receive information from the following:

- Home Office (right to work)
- Disclosure & Barring Service
- Other Council Services (where appropriate)
- Blue Lamp Trust
- Other Licensing Authorities (where appropriate)

in respect of data subjects who are applicants/notice givers and those who hold authorisations. It holds the personal data in a way designed to secure it from unauthorised use, loss or destruction. These measures include recruitment and training of staff, procurement of services and physical/cyber security. The Council's privacy statement for this function is available at [www.bedford.gov.uk](http://www.bedford.gov.uk) or upon request from the Council using the address and telephone contact details elsewhere on this form. The Council will update its privacy statement from time to time and you are urged to read that statement. You have information rights that are explained at <https://tinyurl.com/y7uccndm>. You can exercise your information rights by contacting the Council's Data Protection Officer at [dpo@bedford.gov.uk](mailto:dpo@bedford.gov.uk) or writing to - Information Governance, Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford MK42 9AP. If you believe that the Council has failed to comply with its data protection obligations you may contact the ICO at 0303 123 1113 or at [www.ico.org.uk](http://www.ico.org.uk). Further contact details are available upon request. The full Privacy Statement can be viewed here: [www.bedford.gov.uk/gdprprivacy](http://www.bedford.gov.uk/gdprprivacy)

If submitting a DBS application:

Please confirm that you have read the Standard/Enhanced Check Privacy Policy for applicants <https://www.gov.uk/government/publications/dbsprivacy-policies> and understand how DBS will process your personal data and the options available to you for submitting an application.