



North Tyneside Council

**These conditions are published under the Business and Planning Act 2020 and will be attached to pavement licences granted by the Authority.**

### **Conditions of Licence**

1. Clear routes of access along the highway must be maintained, considering the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people.
2. A detailed plan must be provided to North Tyneside Council (“the Authority”), clearly showing the extent of the area you wish to use (including dimensions). Tables, chairs, and street furniture must always remain within the designated area.
3. Every table, chair and item of temporary street furniture shall be positioned so that it does not impede the surface water drainage of the highway nor obstruct access to any premises unless the consent of the occupier of these premises has been obtained.
4. The tables, chairs, and temporary street furniture shall be positioned in the area agreed with the Authority. All tables, chairs and items of street furniture shall be sited adjacent to your premises and not obstruct access to any other premises unless the consent of the occupier of these premises has been obtained.
5. Any infringements of the licence or problems arising out of the use of the site must be immediately rectified to the satisfaction of the Authority. The Authority reserves the right to terminate a licence without notice.

6. Smoking is not permitted in the pavement licence area; these are designated as 'smoke-free' zones in accordance with the Smoke-free (Signs) Regulations 2012.

7. No amplified music shall be permitted.

8. 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.

9. Tables, chairs and temporary street furniture shall not be positioned to obstruct sight lines at junctions for drivers of vehicles or people cycling.

10. No tables, chairs, or temporary street furniture shall be left on the highway longer than is necessary, and in any event shall be removed or repositioned if required by the Police or the Authority.

11. All canopies and umbrellas shall be at least two metres in height, shall be adequately secured and shall not oversail an unlicensed area.

12. No tables, chairs or temporary street furniture shall remain on the highway pursuant to this permission after the period of this permit has expired.

13. In strong winds or other adverse weather conditions umbrellas should be removed. In particularly poor weather all furniture should be removed.

14. The owner will hold Public Liability Insurance indemnity up to the value of at least £5 million against any liability, loss or damage, claim of proceeding whatsoever arising under Statute or Common Law in respect of the placing and maintaining of the tables, chairs and temporary street furniture on the highway or their removal therefrom. The applicant is required to submit proof of this insurance prior to the licence being issued.

15. A clear pedestrian route must be maintained for those walking past the premises. This would normally **not be less than 2 metres in width.**

Where this is not possible, a minimum gap of 1.5 metres *may* be considered acceptable, depending upon location and surrounding

conditions.

These dimensions must be clear of existing street furniture, signs, and planters etc. However, every application site will be inspected, and each case will be determined on its own merits.

16. The licensee shall always be responsible for keeping the designated area in a clean and tidy condition, shall provide an external bin within the designated area and shall ensure that any associated debris is removed at the end of each day and make good any damage caused to the surface area.

17. The licence holder will be responsible for the conduct of customers. They must not be a nuisance or annoy users of the highway or neighbouring occupiers or generate anti-social behaviour.

18. Hours of operation: - These shall be specific to the Licence but will not be outside the period of **08:00 hours until 21:00 hours each day**.

19. The licence shall be displayed in the window of the premises to which it relates.

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

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