

## Annex 2– Standard Conditions applicable to all Pavement licences

- ~~1. The licence holder shall ensure that they conform with the latest guidance on social distancing and any reasonable crowd management measures needed as a result of this licence being granted.~~
- ~~2. The licence holder shall ensure that a 'Covid Secure' risk assessment is carried out and reviewed regularly.~~
3. Permission to operate a pavement café does not imply an exclusive right to the area of public highway. The licence holder must be aware that the London Borough of Hillingdon Council and others (e.g. police, highways authority, statutory undertakers) will need access at various times (including emergencies) for maintenance, installation, special events, improvements etc or any other reasonable cause. This may mean that the pavement café will need to cease operating and/or be removed for a period of time. On these occasions there would be no compensation for loss of business.
4. Tables and chairs must not be placed in position outside of permitted times. When the licence is not in use, all tables and chairs and other furniture must be stored securely inside a premises away from the highway.
5. London Borough of Hillingdon Council are empowered to remove and store ~~or dispose of~~ furniture from the highway, at the cost of the licensee, if it is left there outside the permitted hours, or should any conditions of the licence be ignored. The Council will not be responsible for its safekeeping.
6. The licence holder is not to make or cause to be made any claim the London Borough of Hillingdon Council in the event of any property of the licence holder becoming lost or damaged in any way from whatever cause.
7. An unimpeded pedestrian route must be maintained at all times for people wishing to use the footway.
8. Emergency routes to the premises and adjacent buildings must not be obstructed by the Pavement Licence, which should not, in normal circumstances, extend beyond the width of the premises frontage.
9. Tables and chairs should be of an approved type and should be kept in a good state of repair. Furniture should be placed so as not to obstruct driver sightlines, or road traffic signs. Placement of tables and chairs must allow pedestrians to use the footway parallel to the frontage of the premises. Care should be taken in the use of hanging baskets, awnings, protruding umbrellas etc. Alternative items may not be used without first seeking the written authority of the Council.
10. The licensee should ensure that the area operates in a safe and orderly manner, thereby ensuring that any safety risk or nuisance caused by customers, other users of the public highway or any adjacent land or premises, is minimised.
11. The operation of the area must not interfere with highway drainage arrangements.
12. All detritus (food and drink remnants, spillages, bottles, cans, wrappers etc) be regularly removed from the footway surface to reduce hazards to pedestrians. The licence holder must make arrangements to regularly check for and to remove litter and rubbish on pedestrian walkways, caused by persons using the licensed area, for a distance of up to 10 metres from the boundary of the licensed. The licence holder must ensure that any

tables are cleared in an efficient manner during the hours of operation. The licence holder must clean any spillages that may occur.

13. The licence holder is not permitted to make any fixtures, or excavations of any kind, to the surface of the highway without prior written approval. Any costs incurred as a result of damage to the highway, due to the positioning of tables and chairs etc, will be recovered in full from the licence holder by the London Borough of Hillingdon Council.
14. The Licensee of a premises not licensed under the Licensing Act 2003 or any modification or re-enactment thereof, must not allow the consumption of alcoholic liquor within the licensed area.
15. The Licensee of a premises licensed under the Licensing Act 2003 or any modification or re-enactment thereof, must not allow the consumption of alcoholic liquor within the licensed area outside the hours in force for the premises itself.
16. The licence must be displayed on the premises with a plan of the agreed layout of the pavement café.
17. The licensee is responsible for ensuring that the conditions of the licence and any other necessary permissions and regulations are adhered to. The Licence holder is to use the highway solely for the purpose of the licence in line with the provisions of this licence and for no other purpose whatsoever.
18. London Borough of Hillingdon Council reserves the right to revoke this licence at any time if any of the above conditions are not fulfilled and maintained.

### **Annex 3 - National Conditions**

#### **No Obstruction**

19. Clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#).
20. Section 4.2 of [Inclusive Mobility](#) sets out that footways and footpaths should be as wide as practicable, but under normal circumstances a width of 2000mm is the minimum that should be provided. If this is not feasible due to physical constraints. A minimum width of 1500mm could be regarded as the minimum acceptable distance between two obstacles under most circumstances

#### **Smoke-Free Seating**

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. Licence holders should provide a minimum 2M distance between non-smoking and smoking areas, wherever possible.