

Appendix B2

Local conditions for a pavement licence

You are required to follow the conditions below when holding a pavement licence in Welwyn Hatfield.

1. A summary of this licence, as provided by the licensing authority, must be displayed on the premises where it can be seen from outside of the premises at all times that the premises are open to the public. Should the licence summary be lost or damaged, a replacement licence summary must be requested from the council as soon as possible.
2. This licence permits the holder to use the licensed area, as defined on the licence plan delineated in red attached to the licence summary, only for the purposes and times described on the licence by customers who have purchased food and drink from the licensed establishment.
3. This permission shall expire on the date specified on the licence.
4. The licence holder shall not place on the highway any furniture or equipment other than as specified in this licence and shall maintain the same in a neat tidy and safe condition and shall not place them so as to obstruct the access to or exit from any premises.
5. All furniture shall be removed from the highway within 30 minutes of the end of the licensed hours, and shall not be placed on the highway until a maximum of 30 minutes before permitted hours start.
6. All furniture shall be removed from the licensed area whenever the premises are not open to the public.
7. All furniture must be stored on private property and cannot be kept on the Highway when not in use.
8. The licence holder shall leave the highway clear and unobstructed after removing all furniture from the highway at the end of permitted hours.
9. The licence holder shall not cause any unnecessary obstruction of the highway or danger to persons using it.
10. Access to neighbouring premises and the proximity of their customers must also be considered.
11. Use of the space authorised by the pavement licence must not cause nuisance to neighbouring occupiers.
12. The licence holder shall not permit persons using the outside furniture to cause a public nuisance or anti-social behaviour. Where the licence holder employs any

person to ensure the safety and security of the premises and its customers, such persons must be licensed by the Security Industry Authority.

14. The Licence holder shall not make any excavations or indentations of any description whatsoever in the surface of the highway or place or fix equipment of any description in the surface of the highway. Neither may you attach anything to street furniture in particular lighting columns.

15. The Licence holder shall maintain the permitted area and the immediately adjacent area in a clean and tidy condition during the permitted hours and shall provide litter bins or similar receptacles for the disposal of rubbish.

16. Refuse and litter from the tables or deposited on the highway in the vicinity of the chairs and tables must be collected regularly and not be allowed to blow across to neighbouring premises or onto the Highway.

17. Litter is not to be placed in the litter bins situated on the highway for use by the general public, but in the trade refuse bins. Ashtrays must be provided where applicable.

18. All tables must be cleared as soon as practicable after being vacated by customers.

19. No paper cups, disposable sachets or containers shall be provided within the licensed area.

20. All menus shall be enclosed in laminated weighted holders or the use of QR codes should be employed.

21. If paper serviettes are to be provided they must be enclosed within a dispenser and be specifically identifiable to the Premises.

22. No leaflets or other forms of advertisement or other printed material shall be left or distributed within the licensed area.

23. Any use of glass for the consumption of food or drink in the area covered by the permission must be made of toughened glass or of plastic.

24. Glasses must be regularly collected and any broken glass cleared immediately.

25. Any heaters must be to BS Standards (BS EN 60529:1992 (Electric heaters) and BS EN 14543:2005 (Gas heaters))

26. Access to the controls/ pipe/ cylinder on the heaters must be restricted to authorised employees of the premises only

27. The licence holder shall provide suitable barriers around the licensed area but only such as shall have been firstly approved by the council.

28. If additional heaters and umbrellas are to be added after permission has been given, written approval from the Council is required.

29. Any umbrellas provided must not protrude beyond the designated boundary of the licensed area. They shall be kept in good condition so as not to detract from the appearance of the street. You are advised that enclosed structures (including gazebos) and the like will not be permitted within the proposed boundary of the licensed area.

30. The licence holder shall not use or permit any playing of music, reproduction or sound amplification apparatus or any musical instruments radio or television receiving sets in the area covered by this licence and must not provide such for persons within the licensed area from outside the licensed area.

31. The placing of speakers or any other equipment for the amplification of music within the licensed area is strictly prohibited unless authorised by a premises licence issued under the Licensing Act 2003. Any such authorised music must not cause a nuisance or annoyance to others.

32. The number and type of public sanitary accommodation provided by a business is based on the number of potential customers. The applicant should ensure that the sanitary provision remains appropriate for the increase in customer numbers resulting from additional seating if necessary.

33. No outdoor food preparation will be permitted under the terms of this licence.

34. Any sales of alcohol within the licensed area must be authorised by a premises licence issued under the Licensing Act 2003.

35. Any material alteration to the Means of Escape, which affects people using the Means of Escape, inside or in the immediate vicinity outside the premises must be recorded in the premises' Fire Risk Assessment as a significant finding. Control measures should be put in place to reduce risk within the area as well as recording them. A review of the hazards and risks should be ongoing throughout the period the premises are in use.

36. The license is issued to the applicant only and is not transferable.

37. Nothing herein contained shall be construed as the grant or purported grant by the council or any tenancy protected by the Landlord and Tenant Act 1954 or any statutory modification or re-enactment thereof for the time being in force save as for those set out in the Business and Planning Act 2020 or other relevant legislation.

38. If so requested in an emergency by an authorised officer of the council, Police officer, Fire Brigade officer, paramedic, statutory undertaker, or communications network operator, the licence holder shall immediately remove the furniture permitted under this licence from the highway.

39. There may be the occasion when there are planned works on the Highway and the licence may need to be temporarily suspended.

40. The council may remove and store or dispose of (a) any structures placed by the licence holder on the highway but not authorised by this Licence, and (b) any structures authorised by this licence but placed by the Licence holder on the highway outside the permitted hours or outside the permitted area and the Council shall not be responsible to the Licensee for the safe-keeping thereof.

41. The licence holder shall comply with the "no-obstruction condition" set out in section 5(5) of the Business and Planning Act 2020 and all conditions made under section 5(6) of the Business and Planning Act 2020. The licence holder shall comply with the 'smoke free seating' condition set out in section 5(6) of the Business and Planning Act 2020.

42. The licensee shall indemnify and keep indemnified the Council against all actions proceeding claims demand and liability in respect of personal injury, damage to goods or property, or any loss arising out of the grant of this licence and the licensee's use of the land and for this purpose must take out at the licensee's expense a policy of insurance approved by the council in the sum of at least £5 million in respect of any one event.

43. These conditions may be varied where appropriate to reflect any changes in local circumstances.