

BUSINESS AND PLANNING ACT 2020

## APPLICATION FOR A PAVEMENT LICENCE

***USE THIS FORM****:*

*If you wish to renew a previous Pavement Licence or you wish to apply for an area on the pavement/highway adjacent to your premises in order to place removable furniture for the sale or consumption of food and drink from the premises.*

***DO NOT USE THIS FORM****:*

*If you wish to place removable items/equipment on the pavement for the sale of non food related items. A pavement permit will be required. The appropriate forms to renew or apply for a new pavement permit can be found on the councils website*

|  |
| --- |
| Name of Applicant:  Name/s of Business Owner/s:  (also state whether sole trader, partnership or Limited Company:  In case of a Limited Company please state Company registration number: |
| Trading Name of business and address of premises where licence required: |
| Address for correspondence (if different from above): |
| Telephone number: |
| Email: |
| Name and address of Agent details (if applicable): |
| Do you have an existing Pavement Licence? YES  NO  Existing Pavement Licence Reference No. (where applicable):  Expiry date of existing Licence (where applicable):  **Please note any renewal of a pavement licence must be submitted at least 28 days before the expiry of the current licence.** |
| Please provide a description of the area of the highway to which this application relates, including the non-smoking provisions, any permanent street furniture (lampposts, public benches etc.) in the immediate area: |
| Please provide a **representative site plan** of the area with your application with all measurements in metric, this can also include digital photographs:  In your plan please include the following:   1. The location of the premises, so the application site can be clearly identified; 2. The proposed area covered by the licence in relation to the highway; 3. The dimensions of the proposed area covered by the licence; 4. The dimension of the highway/pavement in the area of the licence; 5. The presence of any permanent street furniture and posts in the immediate area; 6. The section within the proposed area covered by the licence which will be non-smoking.   **Plan included with application…..** |
| Please provide details of removable furniture/equipment/barriers to be used in the area (stating dimensions), please also include digital images of the proposed equipment.  **Digital images of removable furniture/equipment included with application** |
| Please specify which days of the week and times of day you wish to use the proposed licensed area: |
| Please confirm how you intend to enclose the proposed licensed area taking into consideration the needs of and safety of disabled and partially sighted pedestrians that may wish to use the pavement: |
| Do you intend to serve alcohol within the new area subject to this application?  Yes  No |
| Do you have the appropriate premises license to serve alcohol within the area subject to the application?  Yes  No  If Yes, please provide your Premises Licence Number: |

|  |
| --- |
| *A Licence granted under this application* *will be valid from the date of determination by the Council or in the case of a renewal from the date after the expiry of the previous licence provided the renewal application was made in time.* |
| **Public Liability Insurance Details**:  Name of Insurer: ……………………………………………………………………………………………  Policy Number: ……………………………………………………………………………………………...  Expiry Date: ………………………………………………………………………………………………….  Cover (min £5million): ……………………………………………………………………………………… |
| **DECLARATION:**  I declare that I have read, understood and agree to the pavement Licence guidelines and all associated conditions and that the details contained within this application are correct:  Signature of applicant: …………………………………………….. Date: ………  Print Name:  Position within Company (if applicable): |
| **If you are submitting a renewal this must be received at least 28 days before your existing Pavement Licence expires, to ensure that the area concerned is licensed at all times.**  **By BACS** – Account details are Account Name: Shropshire Council Licensing A.C, Sort code: 55-50-05, Account Number: 55904440, Bank Address: Natwest, Mardol Head, Shrewsbury.  **On-line** by debit/credit card at [www.shropshire.gov.uk/Licensing](http://www.shropshire.gov.uk/Licensing)  **By telephone** Monday to Friday on 0345 678 9026 between the hours of 9am and 5pm. |



**Summary of General Conditions for Placing Items on the Highway**

**Business and Planning Act 2020**

Shropshire Council, acting as the Highways Authority, grants a licence for tables, chairs and associated equipment (‘the equipment’) to be placed on the public highway subject to the requirements of the current **Pavement Licence guidelines** including the general licence conditions specified at Appendix A of the guidelines and in particular:

1. The applicant understands that this Licence is only relevant to equipment placed on the public highway and does not refer to or include planning or licensing permission which may also be necessary for the business.
2. The applicant shall indemnify Shropshire Council and provide insurance for the sum of £5,000,000 against any accidents or claims which may arise or be attributable to the presence of the equipment on the public highway either during the time they are being erected, in position, or being removed.
3. The licensed area shall be clearly identifiable and shall be in close proximity to the applicant’s commercial premises. All associated equipment and goods may only be positioned within this defined area.
4. Equipment must not be erected or positioned in such a manner as to:

* Impede the safe passage of vehicles, cyclists or pedestrians along the public highway;
* Prevent access to bus stops, taxi ranks or other frontages;
* Cover any signs or markings relevant to the highway;
* Obscure any signs, especially on or near junctions;
* Obscure the visibility of users of the highway on or near junctions;
* Prevent access to any service covers or apparatus;
* Be placed on or near to tactile paving and dropped kerbs;
* Be permanent fixtures or involve the excavation of, or the fixing of anything to, the highway which must be left entirely undisturbed.

1. The Licence Holder shall remove all associated equipment and goods from the highway at all times the premises is closed to the public and during times when the licence is not permitted.
2. A minimum available width of at least 1.5m on footpaths and 4.0m on pedestrianized areas must be maintained for pedestrians at all times.
3. All equipment shall be removable and shall be kept in good repair and condition at the applicant’s expense. The equipment must comply with health and safety requirements.
4. The Licence Holder shall ensure that a section of the licensable area will be designated and maintained as non-smoking at all times.
5. The Council reserves the right to remove from the public highway any unauthorised equipment which creates a danger, or in the case of an emergency, to permit highway works: in such cases, the applicant may be liable for any costs incurred to the Council in so removing the equipment.
6. Shropshire Council reserves the right to alter, amend or revoke the conditions applicable to Pavement Licences at any time.

**This form should be completed and returned to:**

[**licensing@shropshire.gov.uk**](mailto:licensing@shropshire.gov.uk)

**Application Checklist**

Fully completed application form.

Copy of any existing Premises Licence and/or planning permissions you hold.

A representative site plan detailing your proposals, including barriers, etc.

(Please show the area applied as requested including the measurements to demonstrate that there is sufficient space around the proposed area to enable proper consideration of the application. Please indicate on the plan the location of other nearby street items such as bus stops, litter bins, other street furniture, pedestrian/tactile crossings etc.)

Details of the equipment/furniture to be used with digital images provided

(Include details of and sizes of any counters/stalls etc used for selling or serving food/drinks, chairs, tables, umbrellas, barriers, heaters, etc, to be used).

Proof of £5 million Public Liability insurance cover:

(Ensure this information is added to the application form as required.)

Receipt of the appropriate fee:

Details of how the boundary of the Pavement Licence is to be defined:

(Please consider how visually impaired and mobility impaired individuals will be able to navigate/identify the permitted area).

**Shropshire Council Pavement Licence - FAQs**

**Q. What is the difference between a Pavement Licence and the normal Pavement Permit?**

A. A pavement Licence permits a business where its premises use includes a relevant use (i.e. use as a public house, wine bar or other drinking establishment or other use for the sale of food or drink for consumption on or off the premises) to put removable furniture on part of the highway adjacent to the premises and to use the furniture to sell or serve food/drink or to allow customers to use the furniture to consume food/drink supplied from the premises. A pavement permit only permits businesses to place items, e.g. racking/shelving, that would be used to display non-food goods/products,

**Q. How long does a pavement licence last?**

A. Pavement Licences are issued with a duration of 2 years.

**Q. Can I still apply for a new Pavement Permit for an area outside my shop or renew my existing Pavement Permit?**

A. Yes, but if you will be using the area to place removable furniture and other equipment in order to facilitate the sale, supply or consumption of food and drink from the premises then only a Pavement Licence can be applied for and a pavement permit will be refused.

**Q. How can I determine whether an area is being requested by another business?**

A. Any business may apply for a Pavement Licence but where suitable locations are identified, all businesses are encouraged to engage with other local businesses and, where available their local BID, in order to try and coordinate and agree the most appropriate location that each business would wish to use before making any application.

**Q. Do we need insurance cover?**

A. We do ask for public liability insurance cover for a minimum of £5 million.

**Q. Am I allowed to serve alcohol?**

A. Please check the restrictions on your premises licence. Please contact the Licensing Team for further details.

**Q. Is planning permission required?**

A. Planning permission is not required for a Pavement Licence. Only removable furniture is permitted within any licensed area.

**Q. Do we need to clean up the highway by our premises?**

A. Yes, you will need to clean up any litter which is as a direct result of your business. Itis your highway, so keep your local area clean and tidy. It may be best if you provide a litter bin for your customers which you empty regularly.

**Q. How do I pay for the pavement Licence?**

A. **By BACS** – Account details are Account Name: Shropshire Council Licensing A.C, Sort code: 55-50-05, Account Number: 55904440, Bank Address: Natwest, Mardol Head, Shrewsbury.

**On-line** by debit/credit card at www.shropshire.gov.uk/Licensing

**By telephone** Monday to Friday on 0345 678 9026 between the hours of 9am and 5pm.

**Q. Can I transfer my Licence if I sell my business?**

A. The licence is not transferable to another party.

**Q. I have submitted my application can I use the pavement whilst my application is being considered?**

A. No. The whole application process will take 28 days as the process has been streamlined to ensure business have their licence in as short a time as possible. You must not use any part of the highway without a licence having been issued.