

Pavement Licence Terms and Conditions (New)

These Terms and Conditions apply to the Pavement Licence granted by Lambeth Council under the ‘The Levelling Up and Regeneration Act 2023’ which makes permanent the provisions set out in the ‘Business and Planning Act (BPA) 2020’. A pavement licence is granted without prejudice to and shall not be construed as derogating from any of the rights, powers and duties of the Council’s pursuance of any of its statutory functions or in any capacity.

1. This Licence is valid for twelve months from the date of issue.
2. This licence permits only the specified number and type of furniture as shown on the face of the licence.
3. Where the terms and conditions on this document differ from those set out by the Gov.uk, Pavement licences: guidance, the licence holder must comply with the terms and conditions on this document.
4. This licence does not apply to A-Boards, gas-fired patio heaters and any other furniture that are not specified on this licence.
5. This licence permits the business to only place the approved furniture on the highway in order 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. This licence does not permit the use of the furniture for any other purpose at any time.
6. The Licence holder shall clearly display their copy of the licence at all times and shall present it for inspection when required to do so by an Authorised Officer of the Council or by a Police Officer. Failure to do so may result in the revocation of the licence by the Council.
7. All street furniture should be removed from the highway by 10pm.
8. Any items left on the street outside of the permitted hours may be removed by the Council. The licence holder will be liable for any costs incurred to the Council as a consequence.
9. The furniture must not extend further than the boundaries agreed and leave a minimum foot path clearance of 2 metres or 3 meters in accordance with the guidance.
10. The Licence holder must hold public liability insurance to the value of at least £5 million.
11. The licence holder shall be responsible for cleaning the area specified on the licence at the end of each day. The licence holder may be required to provide suitable litter bins and cigarette bins, on the public highway, in suitable positions and for time periods as the Council may specify. This waste will be treated as commercial waste and is to be disposed of appropriately by the licence holder.

12. The licence holder shall remove the furniture from the public highway immediately if requested to do so by the Council, its agents, contractors, the police or by a statutory undertaker. The applicant shall not reposition the furniture on the public highway until notified by the Council, the Statutory Undertaker, or the Police, that he/she may do so.
13. This Licence does not grant exclusive right to use the public highway and the Council may revoke the licence at any time upon giving the licence holder notice in writing. Upon revocation of the Licence the applicant shall remove all furniture from the public highway. The Council may remove the furniture and recover costs from the applicant.
14. Any Notice serviced to the licence holder, or business named on the licence shall be deemed to have been sufficiently served if addressed to the licence holder and sent by post or left at the premises.
15. The footway must not be obstructed by patrons standing on the public highway adjacent to the tables and chairs or any furniture and the kerb.
16. Cutlery and glassware must only be present in any outside area when in use by a customer. Cutlery and glassware must not be left unattended.
17. The use of tables, chairs, benches or other street furniture shall be monitored throughout trading. This will be to ensure no cutlery, vessels, bottles or condiments are left unattended.
18. All emergency routes to the premises and access to adjoining building is to be left unobstructed at all times.
19. Premises not licensed under the Licensing Act 2003 to sell alcohol must not permit the sale or consumption of alcohol in the area covered by this licence.
20. Premises that are licensed to sell or serve alcohol must not permit the consumption of alcohol in the area specified on the licence outside of the hours permitted for the sale of alcohol on the Licensing Act 2003 premises licence.
21. Clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths distances, and standards required for access by people using mobility aids such as wheelchairs and rollators; 'invalid carriages' including mobility scooters designed for use on the footway, and people with physical, sensory or cognitive impairments who are travelling on foot. Please see Section 3.1 of Inclusive Mobility guidance for minimum standards.
22. The licence holder shall ensure that there are clearly designated 'smoking' and 'non-smoking' areas.
23. There shall be 'no smoking' signage displayed in designated 'smoke-free' zones in accordance with The Smokefree (Signs) Regulations 2012.
24. No ash trays or similar receptacles are to be provided or permitted to be left on furniture where smoke-free seating is identified.
25. Licence holders should ensure a minimum distance of two metres between non-smoking and smoking areas.