

# Thurrock Council

## Licence to place tables and chairs on the pavement – standard terms and conditions

1. The licensee shall ensure that there is a minimum clear width of 2.0 metres between the edge of the seating area and the inside edge of the kerb.
2. The furniture and its surrounding area shall at all times be maintained in a clean and tidy condition.
3. Furniture shall not be placed in any other area than that stated in the licence.
4. Furniture and temporary barriers shall be in accordance with the guidance issued by the council.
5. The licensee shall ensure, so far as reasonably practicable, that the tables and chairs and the persons using them, do not at any time obstruct the free pedestrian flow or cause any danger to persons lawfully using the highway.
6. The licensee shall ensure that the tables and chairs and use thereof by members of the public are at all times supervised so as to avoid nuisance being occasioned to members of the public lawfully using the highway.
7. The council may suspend the permission at any time in the event of work being carried out in, under or over the highway on which the tables and chairs are situated or any adjacent highway or in the case of any special event. There shall be no refund or reduction in annual fees associated with any suspension.
8. The licensee shall indemnify the council against any costs, claims, actions or damages arising out of the placing of the furniture on the highway.
9. The licensee shall bear absolute responsibility for ensuring that adequate public liability insurance is in place in respect of the permitted area and the cover obtained shall be not less than £5,000,000, for any one claim.
10. The permission is not assignable.
11. The licensee shall ensure that glasses, crockery, napkins, cutlery and any other items placed upon the tables and chairs by the person to whom the Licence is granted or by any other persons, are removed from the tables and chairs when they are not in use.
12. The licensee shall not allow music to be broadcast on to the street.
13. The licensee shall keep the licensed area free of litter and rubbish, including staining from food and drink spillages.
14. The licensee shall make arrangements to regularly check for and to remove litter and rubbish on pedestrian walkways, caused by patrons, for a distance of up to 10 metres from the boundary of the licensed area.

15. The licensed area shall be washed down thoroughly, at the end of every day, using a method sufficient to remove food debris, grease and other spillages that may occur.
16. The licensee shall ensure that customers consuming food or drink outside the premises (building) do not do so beyond the demarcated area.
17. The licence does not authorise the licensee to allow smoking or alcoholic drinks to be served or consumed at the tables and chairs where it is prohibited either by another licence or by law. It is the responsibility of the licensee to ensure they do not breach any other licensing requirements of the main trading activity.
18. The licensee shall not make any excavations or indentations of any description whatsoever in the surface of the highway.
19. Where portable heaters are used they must adhere to the general design requirements above. In addition they must be located within the designated area and not on its boundaries. They shall not be used as part of the means of enclosure.
20. When in use the permitted area must be enclosed and clearly distinguishable. The means of enclosure may consist of rigid or secure panels at heights specified by the officers of the council.
21. When selecting a means of enclosure, consideration must be given to the needs of people with impaired vision.
22. When the licensee is not using the permitted area or at the end of the consent time, all of the items associated with that use must be removed from the highway. Thus, it is essential that they be suitably portable and capable of storage elsewhere. It may also be necessary to remove items from the pavement in the case of an emergency and this should be borne in mind when considering handling procedures.
23. The council will take into consideration any organised events, planned works to the highway or apparatus within it. Consent may be withheld or temporarily withdrawn where conflict with an event / works is envisaged.
24. The council may at any time vary the licence or conditions thereof.
25. If the licensee breaches any one or more of the conditions thereof, the council may serve a "default" notice requiring the breach of conditions to be remedied in a particular way within a stated time. Should it be necessary in order to remedy the default, the council may require the furniture to be removed from the highway either temporarily or permanently.