



Pavement License Conditions

These conditions are published under section 5(2) of the Business and Planning Act 2020 and will be attached to Pavement Licenses granted by the Highway Authority.

Schedule of Conditions

National Conditions

1. Clear routes of access along the highway must be maintained, considering the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people.

Local Conditions

1. A detailed plan must be provided to Durham County Council, The Local Highway Authority (HA) clearly showing the extent of the area you wish to use (including dimensions). Tables, Chairs, and Street Furniture must always remain within the designated area.
2. Every table, chair and item of temporary street furniture shall be positioned so that it does not impede the surface water drainage of the highway nor obstruct access to any premises unless the consent of the occupier of these premises has been obtained.
3. Any infringements of the licence or problems arising out of the use of the site must be immediately rectified to the satisfaction of the HA. The HA reserve the right to terminate a licence without notice.
4. No amplified music shall be permitted, also no electrical cables shall be run along the ground in such a way that they create a trip hazard or are susceptible to mechanical damage.
5. A clear pathway of at least 1.2 metres wide shall be maintained to allow entrance and exit from shop premises.
6. Tables, chairs and temporary street furniture shall not be positioned to obstruct sight lines for drivers of vehicles at junctions.
7. No tables, chairs, or temporary street furniture shall be left on the highway longer than is necessary, and in any event shall be removed or repositioned if required by the Police or HA. Tables, chairs and temporary street furniture shall be taken inside and stored during the hours when business is not trading.

8. The premises owner must hold Public Liability Insurance indemnity up to the value of £5 million against any liability, loss or damage, claim of proceeding whatsoever arising under Statute or Common Law in respect of the placing and maintaining of the tables, chairs and temporary street furniture on the highway or their removal there from. The applicant is required to submit proof of this insurance prior to the licence being issued.
9. For streets with footways and carriageways, the maximum width of any licensed area shall not exceed one third of the usable width of the footpath. A minimum unobstructed footpath width of 1.6 metres must be provided for safe and convenient pedestrian movement. This distance being, measured from the edge of the licensed area to any significant amount of street furniture (such as lamp posts, bollards, parking metres etc). Where there is a heavy pedestrian flow additional footpath space may be required.
10. For fully pedestrianised streets a minimum width of 1.8 metres or two thirds of the total width of the public highway, whichever is the greater, must remain free and unobstructed to facilitate pedestrian movement. This figure may be increased where there is a heavy pedestrian flow. The unobstructed route shall fall equally either side of the centre line of the highway to ensure the space available for tables and chairs is shared equally between premises on each side of the street.
11. Any litter and spillages deposited on the highway, whether within the limits of the consent area or the area surrounding, in consequence of, or emanating from, the use of the consent area, must be removed and the highway left in a clean and tidy condition. The licensee must take such steps as are practicable to prevent any litter emanating from the use of the consent area so as not to be a nuisance to the users of the highway and occupiers of adjacent premises.
12. The licensee shall ensure that customers conform with the latest guidance on social distancing and any reasonable crowd management measures needed as a result of a licence being granted and businesses reopening.
13. Seating arrangements must comply with current social distancing guidelines. Also, the tables and chairs must be cleaned regularly, in accordance with the current Covid-19 guidelines.
14. The licence holder will be responsible for the conduct of customers. They must not be a nuisance or annoy users of the highway or neighbouring occupiers by generating anti-social behaviour.
15. Consent may be suspended for any reasonable cause, at any time at the request of a Police Officer or any officer of the Statutory Authorities, including Durham County Council, to enable them to carry out any of their statutory duties.

16. Consent will be suspended during special events, within the City/Town Centre, at the direction of the County Council. Failure to comply with this direction will result in the termination, without notice, of your licence.
17. **For premises on Elvet Bridge** - The licensee must ensure tables and chairs do not block the emergency access at the centre of Old Elvet Bridge.
18. No smoking is permitted in the pavement licence area, these are designated as 'smoke-free' zones in accordance with Smoke-free (signs) regulations 2012.
19. The licence shall be displayed in the window of the premises to which it relates.

I, the undersigned, agree to abide by the above conditions.

Signed:

Print:

Date: