

BUSINESS AND PLANNING ACT 2020

PAVEMENT LICENCE CONDITIONS

National conditions

Anything done by the licence-holder pursuant to this licence, or any activity of other persons which is enabled by the licence, must not have the effect of:

1. Preventing traffic, other than vehicular traffic, from:
 - entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
 - passing along the relevant highway, or
 - having normal access to premises adjoining the relevant highway.
2. Preventing any use of vehicles, which is permitted by a pedestrian planning order or which is not prohibited by a traffic order.
3. Preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
4. Preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.
5. Where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence holder must make reasonable provision for seating where smoking is not permitted.
6. Clear 'smoking' and 'non-smoking' areas, with 'no smoking' signage must be displayed in designated 'smoke-free' zones in accordance with Smoke-free (signs) regulations 2012. (<https://www.legislation.gov.uk/ukxi/2012/1536/made>)
7. No ash trays or similar receptacles to be provided or permitted to be left on furniture where smoke-free seating is identified.
8. Licence holders should provide a minimum 2M distance between non-smoking and smoking areas, wherever possible.
9. The licence holder must ensure clear routes of access are maintained, taking into account the needs of disabled people and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of Inclusive Mobility, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/3695/inclusive-mobility.pdf the licence is granted subject to those requirements)

Standard local conditions

1. This licence is valid only for the dates given until 30 September 2021.
2. Only objects listed in the licence are permitted to be placed on the highway.
3. The authorised objects and structures shall only be permitted between the hours stated on the licence. Outside of those hours, the objects and structures shall be removed and placed on or within your business premise.
4. You must regularly clear the area of any potential litter, and leave the pavement in a neat and tidy condition at the end of each day.

5. Unless agreed in advance by a Licence and Enforcement Officer, any conditions placed upon the licence must be complied with at all times. Failure to do so could be considered a breach and may result in the revocation or suspension of the licence.
6. You must not cause any unnecessary obstruction of the pavement/highway or danger to people using the pavement/highway.
7. You must not allow people to gather and cause a nuisance or annoyance or danger to any person lawfully using the pavement/highway.
8. You must not play music amplified or unamplified or any musical instruments, radio or television whilst your licence is in operation.
9. You must not allow any excavations or indentations of any description in the surface of the highway or place or fix equipment of any description to the surface of the highway.
10. You must not allow the use of the highway for any other purpose at any time other than during the hours permitted by your licence.
11. You must not place any furniture or equipment or advertisement on the highway that is not specified in your licence. You must not obstruct the access and exits to your premises.
12. You must remove all furniture, litter bins and other equipment placed on the highway at the expiry, surrender or revocation of the licence.
13. You must remove the permitted obstructions from the highway if instructed to do so by us or the Highway Authority.
14. During an emergency you must remove the permitted structures from the highway, if instructed to do so by a:
 - Police Officer
 - Fire Officer
 - Paramedic
 - Undertaker
 - Utility Companies
 - Any other authorised persons
15. You must display the licence at the premises so it can be clearly seen from the highway.
16. You must comply with any reasonable requests in relation to the use of the highway by officers on behalf of Bedford Borough Council.
17. You must provide suitable barriers around the permitted area where required by us.
18. You must indemnify Bedford Borough Council against all actions, proceedings, claims demands and liability which may be taken, made or incurred in the consequences of the use of the chairs and tables and other objects and for this purpose must take out at your expense a policy of insurance approved by us in the sum of at least £5,000,000 (five million pounds) in respect of any one event and must produce to us on request the current receipts for premium payments.
19. You must not charge for the use of the chairs and table and other furniture.
20. No heaters of any kind are to be placed on or over the highway.
21. You must not obstruct access to any fire hydrant or defibrillator in the area.
22. You must not obstruct, obscure or hinder access from any emergency escape route
23. The licence holder shall implement the Government guidance on social distancing and other measures to limit potential spread of the coronavirus (COVID-19).