

CAFÉ OUTSIDE TABLES AND CHAIRS AUTHORISATION

1. For streets with footways/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 street furniture (such as lamp posts, bollards, parking metres etc). Where there is a heavy pedestrian flow additional space may be required.
2. 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.
3. Only the licensed and designated area shall be used for trading. A clear pathway of at least 1.2 metres wide shall be maintained to allow entrance and exit from shop premises.
4. Trading shall be restricted to the times approved by the Council.
5. Only tables/chairs /umbrellas shall be placed within the designated area. No other furniture other than receptacles shall be placed within this area.
6. The licence holder of this authorisation will ensure that the designated area is maintained in a clean and tidy condition. The licence holder shall also take appropriate precautions to prevent the highway from becoming littered as a result of trading activities.
7. If the Council's property is damaged or defaced as a result of the street café, the holder of this authorisation shall be responsible for the cost of repairs which shall be carried out by the Council.
8. The licence holder will be responsible for the conduct of customers. They must not be a nuisance or annoy users of the highway or tenants of adjoining premises.
9. Tables and chairs shall be durable and suitable for outside use. No damaged furniture should be used.
10. All tables and chairs shall be removed at the end of each trading day and not stored outside on the public highway
11. Tables, chairs and umbrellas shall not be positioned so as to obstruct sight lines for drivers of vehicles at junctions.
12. Barriers and means of enclosure are required for any furniture sited outside your premises. These barriers need to be not less than 800mm high with no more than 150mm between the base rail and the ground. They must be able to resist a pedestrian collision.
13. The barriers must be stable and sturdy, but light weight (for ease of movement/storage). The barriers must be close textured, with a tapping rail (to assist the visually impaired)

and be of a contrasting colour to the café furniture. All barrier post bases used in cordoning off an area should not infringe on the area kept clear for pedestrians.

14. No canopy or umbrella shall be lower than two metres in height and shall be adequately secured.
15. No speakers or music shall be permitted.
16. 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.
17. At the end of each day's trading, the trader shall ensure that all waste is removed from the area occupied by the tables and chairs. In appropriate cases, as determined by the Assistant Director (Regulatory Services), the trader shall provide suitable receptacles for litter and arrange for the disposal of any litter from the trading location. In the event that a litter receptacle is required, a notice shall also be displayed requesting customers to deposit litter in the receptacle.
18. If the trader or his/her employee is requested to move the tables and chairs by an authorised Council Officer, a Police Officer, an Officer of the Bedfordshire Fire and Rescue Service or an Ambulance Service Officer he/she shall immediately comply with that request without any liability for compensation, refund of application fee, or damage arising.
19. All traders shall have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be determined in each case by the Director of Finance and Corporate Services shall cover the traders table and chairs and any additional equipment under his control such as generators etc. If food is sold, the insurance shall specifically include cover against food poisoning to the same amount. The insurance certificate or cover note shall be produced to the Head of Democratic & Registration before the tables and chairs are used and at any other time during the currency of the authorisation on demand. The public liability insurance in respect of this consent has been determined by the Director of Finance to be £5 million.
20. Adequate precautions shall be taken by the trader to prevent the risk of an outbreak of fire at the outside tables and chairs. Where a power source or heating appliance is present, e.g. a generator or bottled gas container, then a suitable fire extinguisher shall be provided.
21. At all times the trader shall comply with all statutes, statutory instruments and byelaws currently in force. Particular attention should be paid to the requirements of the Health and Safety at Work Act 1974, the Shops Act 1950, the Food Safety Act 1990 and the Environmental Protection Act 1990. Advice on these requirements can be obtained from the Assistant Director (Regulatory Services).
22. Traders shall not be persons under the age of 18 years and no person employed by the trader to assist him/her in their street trading shall be under the age of 17 years.
23. In the normal course of trading the trader shall not use any form of artificial lighting, electrical generator or gas cylinder without the prior consent of the Head of Democratic & Registration.
24. The trader shall ensure that waste liquids at the authorised location are not disposed of

into any highway channel, gully or manhole or in any other manner likely to cause pollution of any surface water drainage system.

25. In the normal course of trading, the trader shall take all reasonable care to avoid staining, contaminating, breaking or otherwise damaging the surface of the highway.
26. No advertising will normally be permitted on the furniture, parasols or barriers.
27. The issue of a licence does not give, or imply any permission to supply intoxicating liquor in the street.
28. The licence shall be displayed in the window of the premises to which it relates.
29. The licence shall be rendered invalid, should the licence holder cease to own the premises or cease employment.
30. Planning permission must be obtained for any structural alterations (associated with the street café) to the building or its appearance. This includes the fitting of electrical signs and canopies.
31. If the proposed Pavement Café area is situated adjacent to any other property than the applicants, then the written consent of the interested frontagers is required, under Section 115 of the Highways Act 1980.
32. The trader will not place A boards or other signs on the public highway.