

## **GUIDANCE FOR BUSINESSES – PAVEMENT LICENCES**

This document provides details on the pavement licence process which is required for the siting of street furniture such as tables/chairs on the public highway. Licensed areas will normally be situated directly outside the main premises leaving an unobstructed clear gap between the highway and the designated area for people to pass and re-pass and adhere to social distancing guidance.

For the use of these items on the public highway:

- Counters or stalls for selling or serving food or drink
- Tables, counters or shelves on which food or drink can be placed
- Chairs, benches or other forms of seating
- Umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.

### **Street Furniture and Social Distancing**

Three Rivers District Council are committed to protecting the health and wellbeing of our residents and those using our streets, this includes your patrons and workers.

If you already have a street furniture/tables and chairs licence you must apply social distancing measures to the area stated in the licence, as stated in current Government guidance.

The Council want to help businesses wherever we can. We must also balance the needs of businesses with the needs of residents who may be affected by noise.

We must also ensure there is enough space for the public who need to socially distance on our highways. We understand that some businesses may like to use more space outside on the public highway. There are conditions that must be met to allow a street furniture/pavement licence to be issued. Below is information for those who wish to apply for a new street furniture licence or amend a current licence.

### **New legislation introduced by Government**

The Business and Planning Bill 2020 was introduced to streamline the process for premises to apply for street furniture licence, now known as a pavement licence. This new legislation is temporary and applies until September 2021. Licence applications are determined within 14 days.

For the purpose of this document, a street furniture licence, tables and chairs licence and pavement licence are the same.

It is necessary to obtain a pavement licence to place items outside a business on the public highway; this includes tables, chairs, barriers and advertising boards.

It is also necessary to let us know if you want to increase the size of an area you already hold a pavement licence for.

If you already hold a street furniture or tables and chairs licence and do not wish to make any changes to the space you are using or change the use of the space, you do not need to take any action. Please contact us if you have any questions please email [licensing.team@threerivers.gov.uk](mailto:licensing.team@threerivers.gov.uk)

It is the responsibility of the business to put measures in place to keep customers safe, this includes the provision of any equipment (barriers/signage/etc) required to aid social distancing on the highway. It is also the responsibility of the business to maintain the safety of the equipment and to monitor the area in and around the licenced area. Social distancing must be maintained in accordance with the latest government advice. For the purposes of the pavement licence it is assumed you have permission to provide alcohol for consumption as 'off sales'. Contact our Licencing team if you have queries about your premises licence email [licensing.team@threerivers.gov.uk](mailto:licensing.team@threerivers.gov.uk)

### **Application and Consultation**

There is a requirement for consultation with new and amended pavement licence applications. This consultation process takes 10 working days. The process is as follows:

**Day 0:** Applicant submits a Pavement Licence application with required supporting documents and payment to the Council via [my.threerivers.gov.uk](http://my.threerivers.gov.uk) and displays a notice that is visible outside the premises. An example Notice is shown at the end of this document for reference. The consultation starts the day after the application is submitted.

**Day 1 – 7:** The application is made valid (provided all necessary documents & payment as has been received). The consultation lasts for 5 working days (7 calendar days). The Council will send the notice to relevant authorities to allow for representations to be made.

**Day 8 – 10:** The Council assesses the application, reviews any representations received. A site meeting may be requested if it has not already been carried out.

**Day 11-14** The Council determines the application, recommends any extra conditions or reasonable adjustments to the application.

The Council inform the applicant of the result. The licence will be granted with additional conditions (where required, for example, to limit the maximum number of chairs and tables, or type of furniture and the time and days of operation to limit the impact on the local area) or will be refused for reasons that will be clearly explained. If the Council does not respond to the application by the end of day 14 (10 working days) the licence is deemed to have been granted.

The pavement licence can be used once it is granted and is confirmed in writing by a Licensing Officer at any point after the consultation period has ended.

The grant of a pavement licence will also avoid the requirement to apply for planning permission for a change of use of the highway as it would be given "deemed consent" from a planning perspective for the duration of the licence.

Inspections will be carried out regularly. If you do not comply with reasonable requests of a Licensing Officer or Police Officer the licence may be revoked.

Please contact us at [licensing.team@threerivers.gov.uk](mailto:licensing.team@threerivers.gov.uk) if you would like any information or guidance. We look forward to helping you wherever we can.



**PUBLIC NOTICE  
APPLICATION TO PLACE TABLES AND  
CHAIRS  
ON THE PUBLIC HIGHWAY**

An Application has been made to Three Rivers District Council need to update the legislation.

[Name of applicant]

on behalf of the occupier of the premises currently known as

[Name and address of premises]

Postcode

for permission to place

[state how many chairs and how many tables]

on the public highway known as

[name of road on which premises are situated]

on the following days and times:

[state proposed days and times]

Plans showing the proposed layout of the tables and chairs are available for inspection at <https://www.threerivers.gov.uk/>

Any person wishing to make representations to the Council regarding the proposal should send them in writing to Licensing Team, [licensing.team@threerivers.gov.uk](mailto:licensing.team@threerivers.gov.uk)

[insert date, 10 days from the date the application was made to the Council]

Signed:

[signature of applicant/authorised representative]