



Three Rivers District Council
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BUSINESS AND PLANNING ACT 2020, PART 1
HIGHWAYS ACT 1980, SECTION 115E

TEMPORARY PAVEMENT LICENCE

Licence No. 21/00102/PAVE

THREE RIVERS DISTRICT COUNCIL pursuant to the powers conferred upon them by the BUSINESS AND PLANNING ACT 2020, PART 1 and HIGHWAYS ACT 1980, SECTION 115E hereby licences:

Wishful Drinking
124 High Street
Rickmansworth
Hertfordshire
WD3 1AB

This licence grants temporary permission for the applicant Mr Stephen Harlow to place:

3 x tables and 12 x chairs at the front of the premises allowing sufficient space for pedestrians to pass and seated customers to observe the social distancing measures required in accordance with plan submitted with the application.


Days of operation: Monday to Thursday 12:00 to 23:00, Friday to Saturday 11:00 to 23:30 and Sunday 12:00 – 23:00

Licence issued: 12 April 2021

Licence Expires: 11 April 2022

Dated: 9 April 2021

Signed:


Lorna Fryer
Lead Licensing Officer

Standard Conditions

1. The licence document must be displayed at all times in clear view for inspection by the Council's Licensing team
2. The licence only gives permission for the use of the area specified in the licence document as agreed
3. Street furniture should be stored in an appropriate place away from the highway when not in use
4. The Licensee must have obtained public liability insurance to the value of £5 million prior to their occupancy of the public highway
5. The Licensee shall not in any way interfere with the surface of the public highway and shall be responsible for the cost of any remedial works resulting from damage caused by any such interference
6. The Licensee agrees to indemnify the Council from and against any claim in respect of any injury damage or loss arising directly or indirectly out of the grant of this consent and the use by the public of the licensed street furniture
7. Three Rivers District Council requests the licensed street furniture shall be safe, stable, fit for the purpose intended and properly maintained
8. Unless specified otherwise in the Licence document, a minimum of 2.5 metres of space either on the footpath or to the public highway kerb edge will be kept free of any obstructions. This space is reserved for the movement of pedestrians and should at no times not be blocked by street furniture or by patrons
9. The licence granted will be exercised in such a manner as not to cause a nuisance, disturbance or danger to the occupiers of adjoining properties or the users of the highway
10. Toilet facilities managed by the premises must be available for patrons using the area stated within the pavement licence and those taking advantage of off sales
11. Hand sanitizer of an effective standard must be provided to those using the premises, this must be easily available to those using the area stated within the pavement licence.
12. Age related premises license conditions apply in the outside area
13. The area occupied by street furniture must be cleaned frequently and be kept in a fit state at all times. If requested to do so by Three Rivers District Council, the Licensee will provide mobile litter bins on the public highway in such locations and for such time periods as Three Rivers District Council may specify. Any waste deposited in such mobile litter bins will be treated as commercial waste, to which an additional fee may be levied. Litter and any detritus shall be cleared from the street around the premises
14. The Licensee shall remove street furniture from the public highway immediately if requested to do so by Three Rivers District Council, its agents, contractors or by a statutory undertaker. Additionally, the Licensee must abide by instructions from the Police and emergency services to remove street furniture. In these circumstances a request should be made to Three Rivers District Council before street furniture is replaced
15. If a condition imposed on a licence, either by the local authority or nationally, is breached the local authority will be able to issue a notice requiring the breach to be remedied and the authority can take action to cover any costs

The authority may revoke a licence in the following circumstances:

- i) For breach of condition, (whether or not a remediation notice has been issued); or,
- ii) Where:

- a) There are risks to public health or safety – for example by encouraging users to breach government guidance on social distancing by placing tables and chairs too close together;
 - b) The highway is being obstructed (other than by anything permitted by the licence)
 - c) There is anti-social behaviour or public nuisance – for example, the use is increasing the amount of noise generated late at night and litter is not being cleaned up;
 - d) It comes to light that the applicant provided false or misleading statements in their application – for example they are operating a stall selling hot food and had applied for tables and chairs on which drinks could be consumed; or
 - e) The applicant did not comply with the requirement to affix the notice to notify the public for the relevant period.
16. The Council may serve a Notice on the Licensee requiring them to remedy any breach of the terms of this licence. In the event that the Licensee fails to comply with the Notice, the Council may itself take the steps required by the Notice and recover from the Licensee any reasonable cost incurred
 17. Any notices served by the Council pursuant to this licence shall be deemed to have been sufficiently served if addressed to the Licensee and sent by email, post or left at the premises
 18. Upon termination of the Licence the fee paid for any remaining licence period will not be refunded
 19. The Licence is issued for a specific square meterage. If any items are found outside the licenced area they may be removed under the Highways Act 1980
 20. This is a temporary licence only valid up to 30 September 2021
 21. Signage will be clearly posted within and around the licenced area, this signage must encourage hand washing and the use of hand sanitiser, reinforce social distancing rules, alert customers to reduce noise and the resulting disturbance to neighbours of the premises
 22. Cutlery and glassware must only be present in any outside area when in use by a customer. Cutlery and glassware must not be left unattended
 23. Reasonable Local Conditions can be added or amended at any time by the Local Authority
 24. National Conditions. The Secretary of State publishes this condition in exercise of his powers under [clause 5(6)] of the Business and Planning Act 2020:

Condition relating to clear routes of access:

1. It is a condition that clear routes of access along the highway must be 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.

Guidance on the effect of this condition

1. To the extent that conditions imposed or deemed to be imposed on a pavement licence do not require the licence holder to require clear routes of access to be 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, the licence is granted subject to those requirements.

2. To the extent that a licence is granted subject to a condition which imposes requirements to maintain clear routes of access that are inconsistent with the requirements set out in this condition, this condition is not imposed on the licence.

Conditions attached after consultation

1. Café Deli at 122 High Street Rickmansworth WD3 1AB have priority in using the loading bay for their table and chairs, as per the Street Café Licence granted to them by Hertfordshire County Council. For reference the hours and days that Café Deli are permitted to place their furniture in this loading bay are displayed on the licence on their premises window.

Therefore Wishful Drinking will only be permitted to place their tables and chairs out as shown on the plan submitted with their application;

- a. During the times when Café Deli are **not** licensed to have furniture in loading bay whilst still adhering to above times as shown on licence;
- b. During the times when Café Deli are licensed to have furniture in loading bay but have decided not to use the space on that date/time for any reason – mutual agreement must be reached between Café Deli and Wishful Drinking in such cases so as to avoid issues. Wishful Drinking must still adhere to times as shown on above licence.

