

Highways Act 1980 (Miscellaneous Provisions) Section 115E

PAVEMENT CAFÉ LICENCE APPLICATION

The following information is designed to set out, in detail, what regulations apply to pavement café licence holders and how they are enforced.

Introduction

Any business who wishes to put tables and chairs outside their premises for the purposes of providing a seating area for customers requires a pavement café licence.

It is the responsibility of the applicant to obtain a licence to extend their business onto the highway, (which may include planning permission), and where appropriate, any amendment to their existing Premises Licence. It is also the applicant's responsibility to comply with any other legislation in force.

Where the applicant is not the owner of the premises, written confirmation is required from the owner/freeholder or managing agent, that a Pavement Café can be operated from the premises.

Do I Need a Pavement Café Licence?

If a business wishes to place tables and chairs on the public highway outside their premises for the purpose of providing an outside seating area for customers, a licence **MUST** be applied for.

This allows the Council to manage pavement cafés to ensure that they do not cause an obstruction to pedestrians and do not detract from the surrounding environment.

How do I apply for a Pavement Café Licence?

Before submitting an application to the Planning Section, the application form must detail the following:

- Who is applying for the licence
- What the area is intended to be used for
- The exact location where you propose to trade
- Size of the area requested (on a scaled plan)
- The days and hours you wish to trade
- The number of tables and chairs
- Details on additional street furniture (eg. parasols, planters etc)
- Types of barriers (if any)

Photographs, sketches and technical details (dimensions, colours, materials etc) are required for all additional street furniture and barriers.

How long does an application take?

Applications go through a 28 day consultation period. The Council will affix a notice of the application in a prominent position at or near to the place to which the proposal relates and serve a copy of the notice on the owner and occupier of any premises appearing to the Council to be materially affected.

City Planning will also consult with other interested parties, and stakeholders including the Police, Network Management, the Council's Access Officer and Elected Members of Hull City Council.

Applicants will be notified of any objections and are encouraged to engage with the objector in order to try and seek a resolution to the objection. After the consultation period, any unresolved objections will be considered and the application determined.

You will be advised if the Council require any modifications to the proposed layout of your pavement cafe licence application before it can be approved.

If your application has been successful, you will be notified of this in writing and also be contacted by telephone asking when you wish the licence to be in force.

What if my application is refused?

There is no statutory right of appeal.

Pavement Café Licence Fees

Pavement Café licence applications will be subject to a non-refundable £30 application fee. This payment should be made online at www.hull.gov.uk by selecting 'Make a Payment' and following on-screen instructions for 'Pavement Café Licence Fees'. Alternatively, you can make a payment by calling 01482 300300 and ask for Planning Services.

Licence fees are recovered annually, with the first being payable following a successful application.

Area less than 20m² - £206.00

Area exceeding 20m² - £206.00 + £10.00 per sqm thereafter

Renewal of Pavement Café Licences

Pavement Café Licences are renewed on an annual basis. Reminders will be sent out prior to the renewal date. **Renewal is not guaranteed and may be subject to further consultation.** Payment should be made online at www.hull.gov.uk by selecting 'Make a Payment' and following on-screen instructions for 'Pavement Café Licence Fees'. Alternatively, you can make a payment by calling 01482 300300 and ask for Planning Services.

Refund of Pavement Café Licence

There is no mechanism for any type of refund upon grant of a pavement café licence.

Surrender of Pavement Café Licences

If licence is surrendered, this must be confirmed in writing together with the licence you were given to display upon grant. Any subsequent application for the same site will be regarded as a fresh application and will start from the beginning of the process.

If you require any further information with regards to Pavement Café Licences, please do not hesitate to contact Planning on 01482 615505, visit the Wilson Centre, Alfred Gelder Street, Hull HU1 2AG or email: dev.control@hullcc.gov.uk

Pavement Café Licence Grant Application Form

Please read the guidance notes that will help you to complete this form.

1. Name and Location of the Business Premises

Premises Name & Address

.....
.....
.....

Telephone Number

Email Address.....

Nature of the business (e.g. public house, café, licensed restaurant etc)

.....

Proposed days and hours of use of the Pavement café:

.....
.....

Maximum number of tables

.....

Proposed number of chairs

.....

Any other street furniture (please specify, e.g. parasols, planters etc)

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.....
.....

Do you intend to use barriers? Yes No

If yes, please give details

.....

If no, please give reason

.....

2. Name and Address of the Applicant (Proposed Licence Holder)

Applicant's name

Business name (if different)

.....

.....

Address

Address

.....

.....

.....

.....

Telephone number

Telephone number

.....

.....

Are you registered with Hull City Council for food sales? Yes No

Will the sale of alcohol take place within the proposed area? Yes No

Will alcohol be consumed within the proposed area? Yes No

Does the applicant hold a Premises Licence? Yes No

If yes, please give the Premises Licence Number

3. Supporting Information Checklist

Please ensure the following are attached:

Proof of payment (receipt number)

Certificate of Public Liability Insurance to the minimum value of £5,000,000

Scaled Location Plan

Photographs and details of tables, chairs, any additional street furniture and barriers

4. Declaration

Please read the following declaration carefully before signing

I confirm that the information included with this application is correct.

I confirm that, prior to the pavement café being brought into use, the appropriate permissions and health and safety requirements (including, where required, planning consent, third party liability insurance, Premises Licence, Food Safety and Health and Safety certificates) will be in place and that these will be made available for inspection by the Council upon request.

I understand that the pavement café area shall be vacated immediately if requested by officers of the Council, Police, or other emergency services and that no compensation will be payable.

I agree to abide by the terms and conditions written into the licence.

I understand that the licence is renewable annually at the Council's discretion.

I enclose the payment receipt number.

Signature

Date

Name

Position

Please send the completed form and supporting information to:

dev.control@hullcc.gov.uk

Or alternatively post to:

**Hull City Council
Planning Services
2nd Floor
Guildhall
Alfred Gelder Street
Hull
HU1 2AA**

Data Protection Act 2018. The Council is fully compliant with all aspects of the Data Protection Act 2018 and will not release any information to third parties unless required to do so by law. The information that you provide will be processed for the purpose of determining this application, and during the currency of any licence issued for the purpose of maintaining accurate records and to write to you regarding matters that are related to such a licence. The information provided may be shared with other Council data partners and other bodies in accordance with the Act, including the Cabinet Office.