

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 will require consent and a licence must be applied for. This licence is renewable annually and fees can be found below.

It is the responsibility of the applicant to obtain all the consents required in connection with the proposed extension of their business onto the highway including, planning permission and where appropriate, any amendment to their existing Premises Licence. It is the applicants' sole responsibility to ensure compliance with any other legislation in force.

Where the applicant is not the owner of the premises, written confirmation is required of the consent of the owner/freeholder or managing agent to the operation of a Pavement Café from those premises

Do I Need a Pavement Café Licence?

Where 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, the above consent is required and **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?

You need to complete the relevant application form, and submit to the Licensing Section for processing. The form asks for details of:-

- 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.
- The days and hours you wish to trade.

Applicants are required to supply as much detail as possible, for all items proposed. Photographs, sketches, clear photocopies and technical details (dimensions, colours, materials etc). All items need to be specified / detailed on the main site plan

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. The Licensing Section will also consult with other interested parties, such as the Police, Highways, Planning and Elected Members of Hull City Council.

Should the Licensing Section receive written representations against your application, it will be referred to the Licensing Committee for determination.

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

If your application has been successful, you will be notified of this in writing and the Licensing Section will also contact you by telephone asking when you wish to begin trading and answer any other questions you may have.

What if my application is turned down?

There is no statutory right of appeal against a refusal to grant a pavement café licence.

Pavement Café Licence Fees

Pavement Café licence applications will be subject to a non refundable application fee of £30.00 however should the application be successful this charge will be deducted from the first yearly licence fee payment.

The yearly licence fee will be calculated per square metre. This will be at a charge of £10 per square metre; however there will be a minimum charge of £200 per annum.

Licence fees will be recovered by annual invoice, the first being payable following successful application.

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.**

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 the Licensing Section on 300300 or alternatively at 33 Witham, Hull, HU9 1DB or via email: licensing.requests@hullcc.gov.uk



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

1. Name and Location of the Business Premises

Premises Name and Address

Post Code

Telephone Number

Email Address

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

Proposed days and hours of use of the Pavement café:

Proposed number of tables:

Proposed number of chairs:

2. Name and Address of the Applicant (Proposed Licensee)

Applicant's name

Business name (if different)

Address

Address

Post Code

Post Code

Daytime telephone number

Daytime telephone number

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

Do you intend to allow the sale of alcohol within the pavement café? Yes No

Do you intend to allow the consumption of alcohol within the pavement café? Yes No

Do you currently hold a Premises Licence? Yes No

If yes, please give the Premises Licence Number

3. Supporting Information Checklist

Please attach the following information:

- Certificate of Public Liability Insurance to the minimum value of £5,000,000
- Location Plan (1:1250 scale)
- Layout Plan (1:100 scale) of the existing situation, including details of any street furniture, accesses, pedestrian crossing points, etc., in the immediate vicinity of the site
- Layout Plan (1:100 scale) showing the proposed pavement café, including details of any street furniture, accesses, pedestrian crossing points, etc., in the immediate vicinity of the site
- Details of the number, position and type of tables and chairs
- Details of the number, position and type of other furniture, e.g. parasols, planters, advertising boards, etc.

4. Declaration

Please read the following declaration carefully before signing

- 4.1 I confirm that the information included with this application is correct
- 4.2 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
- 4.3 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
- 4.4 I agree to abide by the terms and conditions written into the licence
- 4.5 I understand that the licence is renewable annually at the Council's discretion
- 4.6 I enclose the correct fee

Signed _____

Date _____

Name (please print)

Position _____

3 copies of the completed form and supporting information should be sent to:

Hull City Council
Licensing Section
33 Witham
Hull
HU9 1DB

Data Protection Act 1998. The Council is fully compliant with all aspects of the Data Protection Act 1998 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 in accordance with the Act.