



North
Northamptonshire
Council

Application for a Pavement Licence

The Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2022

I have read the guidance information for applicants which accompanies this application form and hereby submit the following application:

SECTION 1: APPLICANT DETAILS

Title	Mr	Mrs	Miss	Other (Please state)	
Surname:					
Forenames:					
Correspondence Address (including postcode):					
Telephone /Mobile numbers:					
Email Address:					

Please tick ✓ to confirm:

This is the person who has or proposes to have 'relevant use' of, the premises identified in this application as either or both of the following:

(a) use as a public house, wine bar or other drinking establishment

(b) other use for the sale of food or drink for consumption on or off the premises

Who is applying as: An individual:
Other e.g. company/partnership:

If other please provide details of the business:

Name:	
Registered Address (including postcode):	
Registration Number:	
Telephone/Mobile numbers:	
Email Address:	

SECTION 2 PREMISES DETAILS

Premises Trading Name:	
Premises Address:	

Postcode:								
Telephone Number:								
Do you hold a Premises Licence (Licensing Act 2003):	Yes <input type="checkbox"/>				No <input type="checkbox"/>			
If yes please provide the premises licence/certificate number:								
SECTION 3: AREA OF HIGHWAY PROPOSED TO BE USED								
Please identify the part of a Highway, adjacent to the above premises, intended to be used for the siting of furniture: (please note you are required to submit a plan of this area with your application)								
Is a Provisions of Amenities permit from North Northamptonshire Highways (permit under Highways Act 1980, Part 7A) in place in relation to this premises or has one been applied for?	Yes <input type="checkbox"/>				No <input type="checkbox"/>			
If a permit is held, please provide permit number and details of type and number of furniture that can be sited:								
If not yet granted provide date of application to North Northamptonshire Highways:								
If the highway you intend to use does not currently prohibit or restrict vehicle access have you obtained a road closure order?	Yes <input type="checkbox"/>				No <input type="checkbox"/>			
Days and Times when furniture will be in use, if different to business opening hours (must not be longer):		Mon	Tue	Wed	Thu	Fri	Sat	Sun
From								
To								
Description, type and number of each piece of furniture to be used:								
Will the furniture be used by the licence holder to sell, or serve, food or drink supplied from, or in connection with the relevant use of the premises:	Yes <input type="checkbox"/>				No <input type="checkbox"/>			
Will the furniture be used by other persons for the purpose of consuming food or drink supplied from, or in connection with the relevant use of the premises:	Yes <input type="checkbox"/>				No <input type="checkbox"/>			

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SECTION 4: CHECKLIST DECLARATIONS

Please tick ✓ to confirm:

- I have attached a notice to the premises so that the notice is readily visible to and can easily be read by members of the public who are not on the premises and enclose a picture of the notice in situ
- I have enclosed a copy of required public liability insurance in the sum of at least £5 million
- I have enclosed evidence of the right to occupy the premises
- If applicable, I have enclosed a copy of a road closure order
- I have enclosed pictures of the design of furniture to be used
- I have enclosed a site plan clearly showing the premises location, the relevant part of the highway to be used and the precise locations the furniture will be positioned in the highway

SECTION 5: FURTHER DECLARATIONS

Please tick ✓ to confirm:

- I agree that the public notice will remain in place until the end of the public consultation period (this date will be advised by your local authority)
- I understand that this application will not be considered complete and the public consultation period of 7 days will not begin unless all required documents and fee have been submitted and my application is completed in full
- I understand that if I do not comply with the above requirements my application will be rejected

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For us to process your data for the aforementioned purpose, we are required to have your consent. By providing your consent, your rights under current data protection legislation are unaffected.

By ticking this box, you give your consent for us to process your data for the purposes of processing this application and ensuring future compliance

I declare that the information given by me in this application is correct to the best of my knowledge and belief. I understand that if there are any wilful omissions, or incorrect statements made, my application may be refused without further consideration or, if a licence has been issued, it may be liable to revocation.

Signed

Print Name

Capacity

Date of application

North Northamptonshire Council Guidance Information for Applicants for a Pavement Licence

The Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2022

Please ensure that you read all of the following information and the local conditions, before completing and submitting your application form.

1. Your local authority has been granted powers, under the Business and Planning Act 2020 as amended by The Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2022, to grant Pavement licences. Licences can only be granted in respect of highways listed in section 115A (1) Highways Act 1980. Generally, these are footpaths restricted to pedestrians or are roads and places to which vehicle access is restricted or prohibited. Highways maintained by Network Rail or over the Crown land are exempt (so a licence cannot be granted).
2. You may not be granted a licence to put furniture on a highway that does not currently prohibit or restrict vehicle access unless you have confirmed and evidenced on application that you have obtained a road closure order.
3. Your council may specify the period of your licence but no licences under this act may be in force beyond 30 September 2023.
4. If we issue you with a pavement licence any permits subsequently issued by Northamptonshire Highways will cease to have effect for the duration of the pavement licence.
5. Any person wishing to apply for a pavement licence must do so on our official form.
6. On the day you submit an application for a pavement licence you must fix a notice of the application to the premises so that the notice is readily visible to, and can be easily read by, members of the public who are not on the premises, and ensure that the notice remains in place until the end of the specified public consultation period.

A template notice is provided at appendix B.

7. The public consultation period starts on the day after you have made a complete and valid application to us and lasts for seven days.

If your application is incomplete the consultation period will not start until it becomes valid. If your application is deemed invalid we will notify you by email. A revised end of consultation date will be issued once your application is made valid.

8. Your application form must be accompanied by:

- A copy of the applicant's public liability insurance in the sum of at least £5 million.
- A picture of the site notice in situ.

And if we do not already hold relevant details:

- A site plan clearly showing: the location of the premises, the area of the adjacent highway in which it is proposed to site the furniture and precise locations of where all furniture will be positioned.
- A clear picture of the furniture to be used.

Furniture means:

- 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 and
- Umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.

- Evidence of the right to occupy the premises e.g. a lease.

9. All permits will be subject to a schedule of general conditions which can be found at appendix A and to such other site specific conditions as may be issued with the permit.
10. Details of insurance requirements are set out in the general conditions. No licence will be issued unless an appropriate insurance certificate or cover note is submitted.
11. Once you have submitted a complete application and supporting documents it will be sent to the following responsible authorities for consultation:
 - Highways Authority
 - Police
 - Environmental Health
 - Planning Authority
 - Fire Authority
 - Parish or Town Council (where applicable)

12. There is no fee for this application

13. Please email your completed application form and supporting information to

licensingunit.ENC@northnorthants.gov.uk

North Northamptonshire Council is committed to protecting your privacy when using our services. For details of how we use information about you and how we protect your privacy please see our [Privacy Notice](#) available on the council website at www.northnorthants.gov.uk .

PAVEMENT LICENCE: NORTH NORTHAMPTONSHIRE LOCAL CONDITIONS

1. This licence is not transferrable.
2. This licence will be in force for the dates stated on the licence.
3. A licence may not be in issue beyond 30 September 2023. All pavement licences will expire on this date unless previously surrendered, suspended or revoked.
4. The area so permitted is to be used solely for the purposes of the sale and service of food and drink from the relevant premises or for consuming food and drink purchased from the premises. It is strictly forbidden to prepare any food and drink in this area.
5. The furniture shall be of such a design as approved by the council in writing and be kept in good repair and condition at the permit holder's expense.
6. The furniture should be set out in a manner that ensures its use conforms with all government guidelines for social distancing.
7. Nothing contained in this licence gives the holder permission to make fixtures to or excavations of any kind in the surface of the highway which shall be left entirely undisturbed.
8. The licence holder shall make no claim or charge against the council in the event of the chairs or tables or other objects being lost, stolen or damaged in any way from whatever cause.
9. The licence holder shall indemnify the council against all actions, proceedings, claims demands and liability which may at any time be taken, made or incurred in consequence of the use of the chairs and tables and other objects and for this purpose must take out, at the permit holder's expense, a policy of insurance approved by the council in the sum of at least £5 million in respect of any one event and must produce to the council on request the current receipts for premium payments and confirmation of the annual renewals of the policy.
10. No charge shall be made by the licence holder for the use of the chairs and tables and other objects.
11. Waste from the licence holder's operations must be disposed of in accordance with their commercial waste agreement.
12. The licence holder must make reasonable provision for seating where smoking is not permitted and clear 'no smoking' signage must be displayed in such designated areas.
13. No ash trays or similar receptacles to be provided or permitted to be left on furniture where a smoke-free seating is identified.
14. Licence holders should aim for a minimum 2 metre distance between non-smoking and smoking areas, wherever possible.
15. Refuse and litter deposited on the highway in the vicinity of chairs, tables and other objects must be removed each day by the permit holder at their expense or at more frequent intervals as may be required by or under the Environmental Protection Act 1990.
16. The licence holder must ensure that they monitor for any potential noise nuisance or anti-social behaviour from within the licensed area and undertake suitable remedial action to rectify any issues noted.
17. The licence holder must ensure that any government guidelines regarding social distancing, in place during the period for which the licence is valid, are observed by all patrons and staff at all times.

18. The licence holder shall remove all furniture from the highway outside the hours permitted by the licence, and immediately if required to do so in order to permit works in or the use of the highway by:
the council, the county council, the police, fire and ambulance services, any utility operator or builders' vehicles, hearses and furniture removal vans.
19. The council reserves the right to condition, suspend or revoke a licence if the licence holder breaches any of the conditions.
20. Upon request licence holders will be required to clearly define the permitted area by the use of barriers of a type agreed with the council. Details of barriers applicable to a licence are given under its site specific conditions.
21. The licence holder must ensure that anything they do in pursuant of the licence, or any activity of other persons which is enabled by the licence must not cause an obstruction:
22. preventing traffic, other than vehicular traffic, from:
 - entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
 - passing along the relevant highway, or
 - having normal access to premises adjoining the relevant highway,
23. preventing any use of vehicles permitted by a pedestrian planning order or not prohibited by a traffic order,
24. preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
25. preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.
26. The licence holder must take 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](#).

Notice of application for a Pavement Licence

Section 2 Business and Planning Act 2020

I/We	(1)
give notice that on	(2) dd/mm/yyyy
I/we have applied to	North Northamptonshire Council
for a 'Pavement Licence' at:	(3)
known as	(4)
The application is for:	(5)
Any person wishing to make representations regarding this application may do so by writing to:	Licensingunit.ENC@northnorthants.gov.uk
by:	(6) dd/mm/yyyy

The application and information submitted with it is published on the Council's website:	www.northnorthants.gov.uk
Signed:	
Dated:	(7) dd/mm/yyyy

Notice Guidance notes:

Substitute the numbers with the following information:

(1) name of applicant

(2) date the application is made (i.e. submitted)

(3) postal address of premises (inc. post code)

(4) name premises is known by (trading name)

(5) brief description of application, area to be utilised and for what purpose (e.g. outdoor seating to the front of the premises for serving of food and drink).

(6) last date for representations being the date 7days after the date the application is submitted to the local authority (excluding public holidays).

Note: this date will extend if your application is not accepted as complete.

(7) date the notice was placed (must be the same date as (2

