

Pavement Licence Application Guidance Notes

Pavement Licence

If you have a business selling food and drink that provides an outside seating area on the public highway, you must have a valid pavement licence.

Businesses that can apply for a licence include:

- public houses
- cafes
- bars
- restaurants
- snack bars
- coffee shops
- ice cream shops
- some entertainment venues which sell food and drink

Advertising boards are not included in a pavement licence and they are not allowed on the High Street.

If you want to add permanent furniture to the highway, you must apply for permission under the Highways Act 1980.

About the process

We consider each application on individual merit. We will not process an application until you have given us all the information we need. This also applies to variations and renewals.

The Levelling Up and Regeneration Act 2023 makes the changes introduced in the Business and Planning Act 2020 permanent. This means that we can streamline the application process to allow businesses to secure these licenses quickly.

The act also introduces:

- a standard cap on all fees
- an increased consultation period
- an increased decision period
- an increase to how long the licence is valid for
- the ability for us to remove unlicensed furniture

During the application process, we have up to 28 days to determine a valid application. This includes a mandatory 14 day public consultation period.

Full guidance for pavement licences is available on

<https://www.gov.uk/government/publications/pavement-licences-guidance>

Before you apply

Before you apply you must read:

- Tendring District Council Pavement Licence Policy
- Standard Conditions

Fees

The fee for a pavement licence is £250.00.

If you already have a licence with us before 31 March 2024, your licence will continue as it is until it's due for renewal. Our standard renewal fee will apply to you when you need to renew your licence.

When you apply

To apply for a licence, you need to complete the application form and submit it.

On the day you apply, you will also need to display a public notice in a prominent position next to the highway. You can download a public notice template.

As part of your application, you will need to provide:

- a plan showing the location of the premises outlined by a red line
- a plan showing the proposed area and furniture covered by the licence in relation to the highway. This must be to scale or include measurements of the area and the furniture.
- a copy of your public liability insurance with a minimum cover of £10 million
- pictures showing the proposed types of furniture
- information showing how the furniture will be placed within the area
- evidence that you have provided notice of the application

After you apply

Once we receive your application, we will:

- advertise your application on the Council's public register
- allow people to make comments about or object to the application
- allow people to make representations or objections to the application

We will also send consultation letters and ask for comments from:

- Essex County Council Highways
- Essex Police
- Essex Fire and Rescue Service
- our planning and building control teams
- our environmental team
- any other relevant people

If we do not receive any comments or objections, we will grant the licence, subject to our standard conditions. If we do receive any comments or objections, we will consider them and may add further conditions or consider refusing the application.

Granting your application

If we grant your licence, we will monitor your café or restaurant, to make sure you are complying with the terms of the licence.

Your licence will be valid for two years from the date we approved it.

Licensing Team
Tendring District Council
Town Hall
Station Road
Clacton on Sea
Essex CO15 1SE

Email: licensingsection@tendringdc.gov.uk

TENDRING DISTRICT COUNCIL

**APPLICATION FOR A PAVEMENT LICENCE TO BE GRANTED
UNDER THE LEVELLING UP AND REGENERATION ACT 2023**

Please read the following instructions first.

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

Applicant Name(s) [1]	
Applicant Contact Address [2]	
Applicant Contact Telephone Number and Email Address [3]	

I/We hereby apply for a Pavement Licensing under the Levelling Up and Regeneration Act 2023 at the following premises:

Premises Name [4]	
Premises Address [5]	
Premises Telephone Number [6]	

The application is for [7]	
----------------------------	--

The days/times for the proposed pavement licence to be in effect [8]

Day	From [0000 hours]	To [0000 hours]
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		

Saturday		
Sunday		

Description of the type of furniture to be used [9]	
Number of tables	
Number of chairs	
Number of barriers	
Is there a minimum 1.5m width of unobstructed pavement remaining for passing pedestrians, prams and wheelchairs?	

The application has been submitted to Tendring District Council on [10]

I/We confirm that the following supporting documents have been included with this application [9]

- ☐ Public liability insurance for the sum of £10 million for the proposed outside area.
- ☐ Plan showing the location of the proposed outside area (Marked in RED outlined) also showing layout of tables, chairs, barriers, patio heaters, plants and other furniture and indicating distance between smoking and non smoking tables.
- ☐ Photo showing the location of the proposed outside area.
- ☐ I can confirm that a Notice will be displayed outside the premises during the consultation period.
- ☐ I can agree for this information to be shared with other authorities for consultation.

I will make a payment of the application fee (£250); I understand that if I do not comply with the above requirements my application will be rejected.

Contact name (where not previously given) and postal address for correspondence associated with this application)

I understand that if the application is successful the licence is valid for the time period specified on the licence and will be subject to any specific conditions imposed by the local authority.

Signed:

Capacity:

Date:

Signed:

Capacity:

Date:

Notes:

1. Insert applicants name
2. Insert applicants address
3. Insert applicants contact number and email address
4. Insert premises name
5. Insert premises address
6. Insert premise telephone number
7. Brief description of application (e.g. outdoor seating to the front of the premises for serving food and drink)
8. List all days that you propose to make the outdoor seating available. If the premises holds a licence issued under the Licensing Act 2003 the opening days/times listed on your application cannot exceed these.
9. Give a description of the type of furniture to be used (e.g. wooden picnic benches with fixed seating)
10. Insert the date the application was submitted to Tendring District Council

PAVEMENT LICENCE
Levelling Up and Regeneration Act 2023

An application has been submitted to TENDRING DISTRICT COUNCIL as follows;

Type of Application:	Pavement Licence
Name of Applicant: [1]	
Premises Name: [2]	
Address of Premises: [3]	
The application is for: [4]	

Any person wishing to make any representation regarding this application may do so by writing, to The Licensing Office, Tendring District Council, Licensing Section, Town Hall, Station Road, Clacton on Sea, Essex CO15 1SE.

Any such representation must be received by the Licensing Office by the following date: [5]

.....

Signed: [6]	
Dated:	

Guidance Notes

Substitute the numbers with the following information:

- (1) name of applicant
- (2) name premises is known by
- (3) postal address of premises
- (4) brief description of application (e.g. outdoor seating to the front of the premises for serving of food and drink]).
- (5) last date for representations being the date 14 consecutive days after the date the application is submitted to the local authority
- (6) Sign and date the notice was first displayed