

Appendix C

Haringey Council's Standard Conditions for Pavement Licences

1. The use of the pavement must not commence before 8am or conclude later than 10pm on any day.
2. Authorised Area must be supervised at all times. The Licence Holder must ensure that there are sufficient staff at any one time to supervise and control the Authorised Area to:
 - deter and prevent noise nuisance, antisocial behaviour and criminal activity
 - ensure the safety of customers and staff
 - ensure that the area is kept clean, tidy and free of litter
3. The licence holder is responsible for controlling antisocial behaviour, noise and other nuisance such as smoke, odour of light from the premises and outside area to an absolute minimum so as not to cause nuisance to adjoining properties or nearby residents.
4. The licensee must at all times leave free from any furniture and customers an area of pavement adjacent to the carriageway at least 1.8 metres wide unobstructed pavement for pedestrians to be able to pass along the pavement unimpeded.
5. No permission will be granted that would allow customers to be seated in or on the carriageway unless vehicle traffic has been prohibited by a specific traffic order.
6. All customers must be seated, with no vertical drinking permitted in the pavement licensed area.
7. No barbecues/grilling, fire pits or naked flames permitted in the pavement licensed area.
8. No A boards permitted in the pavement licensed area.
9. All seating areas must be set in 0.5 metres from an adjoining/adjacent premises unless written consent is given by the owner or operator of that premises to allow additional space to be used.
10. Any furniture must not prevent access from or egress to the premises or the pavement including in the event of an emergency.
11. No shisha smoking activity is permitted in the pavement licensed area.

12. The licensee shall have for the duration of the licence public liability insurance to the amount of £5,000,000 and shall indemnify the Council against any and all claims for damage or injury arising out of the use of the pavement.
13. The licensee shall provide Haringey Council with a copy of their certificate of public liability insurance with the application form.
14. The licensee shall make no claim against the Council in the event of the chairs or tables or other furniture or objects being lost, stolen or damaged from whatever cause.
15. The Licensee shall use the defined pavement areas for the purpose of consuming refreshments in connection with his restaurant business only and not for any other purpose whatsoever.
16. No charge to customers shall be made by the licensee for the use of the tables and in the pavement licensed area.
17. The licensee shall make adequate provisions for the collection and disposal of litter from the pavement so as not to cause a public nuisance. Staff must periodically collect glasses/receptacles left by customers.
18. All emergency exits and routes must be kept clear.
19. Any damage sustained to the highway resulting from furniture being placed on the highway in accordance with this permission shall be repaired at the expense of the licensee to the requirements and satisfaction of the Council.
20. All street furniture, equipment, receptacles and commodities must be removed from the pavement within 30 minutes of the finishing time stated on the pavement licence.
21. No additions or alterations to the furniture shall be made without prior written consent of the Council.
22. The licensee shall erect barriers around the table and chairs to cordon them off from the remaining pavement. Such barriers to be approved by the Council.
23. The maximum height of any barrier shall not exceed 1.5 metres.
24. Any authorised officer of the Council may require the licensee to comply with any order or directive to prevent a breach of these conditions and/or any special conditions.
25. The Council reserves the right to require the removal of furniture to allow for:
 - Maintenance
 - Emergencies
 - Public events, exhibitions and markets

- Access
 - Any other reasonable cause
 - Prevention of anti social behaviour
 - Prevention of noise nuisance
26. Items displayed or used in the licensed area should be of sufficient solidity or properly secured to prevent them falling or being blown onto the highway.
 27. The licensee shall prominently display the prescribed pavement licence approval notice from the frontage of the premises in order to be plainly visible to the public. This notice MUST be returned to the council in the event of a licence being suspended or revoked.
 28. The sale of alcohol from the premises shall be in compliance with an authorisation granted by Haringey Council, as the Licensing Authority, in accordance with the Licensing Act 2003.
 29. Licensees and their staff must give every reasonable assistance to Council Officers and their contractors in carrying out their duties.
 30. The Licensee must not sub-let the licensed area or any part of the licensed area.
 31. No external speakers, background music, recorded or live music shall be played into or from the designated pavement area.
 32. During the hours of darkness, suitable and sufficient lighting must be provided to ensure safe use of the area. Any proposals to provide additional lighting to the licensed areas must be agreed with the Highway Authority.
 33. For premises within the Tottenham Hotspur match and event day footprint the licensee is not permitted to make use of the pavement licence on match or event days.
 34. Television screens (including projectors) must not be provided in or adjacent to the licensed area.
 35. The licence holder must ensure that no alterations are made to the highway surface.
 36. No transfer of a licence permitted.
 37. **Advertising:** advertising of alcoholic or smoking products or their manufacture will not be permitted on the barriers or furniture within the Pavement Café area. Advertising may only relate to the premises or business and will require the approval of the Council.

National Conditions

The following National Conditions apply to every Pavement Licence granted or deemed granted unless otherwise specified on the Licence:

1. Default No Obstruction Condition: Anything done by the licence-holder pursuant to the licence, or any activity of other persons which is enabled by the licence, must not have an effect specified in Section 3(6) of the Act, which are:
 - a. preventing traffic, other than vehicular traffic, from:
 - i. 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)
 - ii. passing along the relevant highway, or
 - iii. having normal access to premises adjoining the relevant highway
 - b. preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order
 - c. preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
 - d. 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
2. Default Smoke-free Seating condition: Where the furniture on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must make reasonable provision for seating where smoking is not permitted. For the purpose of this condition, reasonable provision may include:
 - a. Clear 'smoking' and 'non-smoking' areas, with 'no smoking' signage displayed in designated 'smoke-free' zones in accordance with Smoke-free (signs) regulations 2012
 - b. No ash trays or similar receptacles to be provided or permitted to be left on furniture where smoke-free seating is identified
 - c. A minimum 2 metre distance between non-smoking and smoking areas, wherever possible