

**BUSINESS & PLANNING ACT 2020**



**APPLICATION FOR THE GRANT OF A PAVEMENT LICENCE**

| <b>1. APPLICANT DETAILS (This must be a person NOT a company)</b> |                 |          |
|---|-----------------|----------|
| Title:  | First name(s):  | Surname: |
| Postal Address:   |                 |          |
| Post Code:  |                 |          |
| Telephone no.:  | Phone (Mobile): |          |
| E-mail address:   |                 |          |
| Date of Birth:  | NI number:      |          |

| <b>2. BUSINESS PREMISES DETAILS</b>  |     |
|--|-----|
| Business/Trading Name:   |     |
| Business Address:  |     |
| Post Code:   |     |
| Telephone number at premises:  |     |
| Existing pavement licence number (if applicable granted under the Business and Planning Act 2020)      | LN/ |
| Existing street trading licence number (if applicable granted under London Local Authorities Act 1990) | LN/ |
| Existing Premises licence number (if applicable granted under the Licensing Act 2003)                  | LN/ |
| Existing Club premises certificate number (if applicable granted under the Licensing Act 2003)         | LN/ |

### 3. FURNITURE TO BE PLACED ON THE HIGHWAY

Please provide a **description and photographs** of the removable furniture you propose to place on the highway. Please note the following:

- Removable furniture must be able to be moved easily and stored away at the end of the licensed period and is not a permanent fixed structure.
- Any items of removable furniture must be within the licensed area, including any overhang from parasols, and feet of barriers.
- Parasols when opened must be a minimum height of 2.1 m above the adjacent highway surface.
- Barriers must fill the area between 0.1m to a minimum of 0.8m from the ground, and the barrier must not measure more than 1 m.

Please complete table below:

| Removable Furniture   | Number | Length (m) | Width (m) | Height (m) |
|---|--------|------------|-----------|------------|
| <b>Tables</b>   |        |            |           |            |
| <b>Chairs</b>   |        |            |           |            |
| <b>Barriers</b>   |        |            |           |            |
| <b>Parasols/Umbrellas</b>   |        |            |           |            |
| <b>Heaters</b>  |        |            |           |            |
| <b>Planters</b>   |        |            |           |            |
| <b>Other furniture (e.g. A-boards, benches), please specify here:</b> |        |            |           |            |

#### 4. AREA OF HIGHWAY PROPOSED TO BE USED IN FRONT OF YOUR PREMISES

State the measurements of the proposed licensed area into this table:

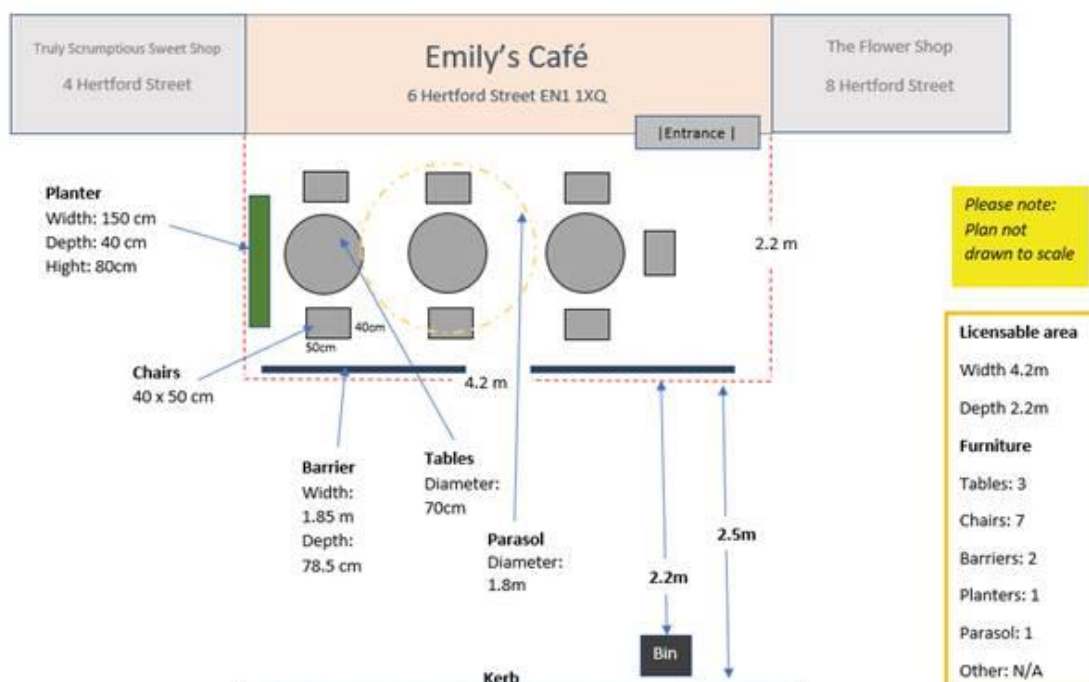
|                          | Width (m) of proposed licensed area | Depth (m) of proposed licensed area | Total square metres of proposed licensed area | Available space between proposed licensed area and edge of the kerb (m) |
|--------------------------|-------------------------------------|-------------------------------------|---|---|
| <i>Example</i>           | 2.4 m                               | 6.8 m                               | 16.32 m                                       | 2 m   |
| <b>Your measurements</b> |                                     |                                     |   |   |

#### 5. PLAN OF PROPOSED LICENSED AREA

You must submit a scale plan and photographs (as supplementary documents) of the proposed licensed area together with dimensions. The plan must include the following information:

- The location of the premises and the proposed licensed area. The location of the premises should be clearly marked by a red line;
- The position of your premises in relation to other premises;
- A clear width of 2 m from the outside of the proposed licensed area to the back of the kerb as shown below. In exceptional circumstances, this may be reduced to 1.5 m;
- The width and depth of the proposed licensed area;
- Distance between any existing street furniture (e.g. bin, lamp post);
- Proposed layout and dimensions of removable furniture (tables, chairs, barriers etc).

*Example Plan:*



## 6. RELEVANT PURPOSE THE APPLICATION RELATES TO:

Which of the following relevant purposes do you wish to put removable furniture on the highway for?  
(please tick one of the following options)

|  |  |
|--|--|
| Use of the furniture by the licence-holder to sell or serve food or drink supplied from, or in connection with relevant use of, the premises |  |
|--|--|

|   |  |
|---|--|
| Use of the furniture by other persons (e.g. customers) for the purpose of consuming food or drink supplied from, or in connection with relevant use of, the premises. |  |
|---|--|

|                   |  |
|-------------------|--|
| Both of the above |  |
|-------------------|--|

## 7. DAYS AND TIMES

During what times (between 08:00 and 23:00 only) do you propose to place removable furniture on the highway on each of the following days:

Please use the 24hr clock.

|            |    |           |    |
|------------|----|-----------|----|
| Mondays    | to | Fridays   | to |
| Tuesdays   | to | Saturdays | to |
| Wednesdays | to | Sundays   | to |
| Thursdays  | to |           |    |

## 8. PUBLIC LIABILITY

|   |  |
|---|--|
| Tick to confirm you have a valid public liability insurance policy which makes clear that it covers the area of highway licensed by the Pavement Licence and is valid for the duration of the licence <b>and a copy must be supplied.</b><br>The policy must cover the external seating area. |  |
|---|--|

## 9. RIGHT TO OCCUPY THE PREMISES

|  |  |
|--|--|
| Tick to confirm that you have the right to occupy the premises e.g. own the lease. |  |
|--|--|

**10. DATE OF APPLICATION - The consultation date will commence the day after receipt of completed application and proof or payment.**

Please state the date that this application for a Pavement Licence is made:

**11. CHECKLIST**

**Tick the appropriate boxes. I have:**

1. Attached photos showing the proposed type of furniture and proposed licensed area (Sections 3 and 4).

2. Attached plan to show the licensed area and siting of removable furniture (section 5).

3. Supplied a copy of my Third-Party Public Liability Insurance (Section 8).

4. I have made the online payment of £500 by following these instructions:

- Open Council website at [www.enfield.gov.uk](http://www.enfield.gov.uk)
- Scroll down to "Business Rates and Licensing"
- Scroll down and click on 'Licensing Fees'
- Click on 'pay all other licence fees'
- Enter name of premises into the first box
- Enter "Pavement Licence" into the second box
- Email payment confirmation to [licensing@enfield.gov.uk](mailto:licensing@enfield.gov.uk)

5. I will display the Site Notice (two pages plus additional pages showing the plan) in a prominent position at the premises of the proposed licensed area, so that is visible externally to members of the public. The Site Notice must be displayed on the day the application is submitted until the end of the consultation period (14 days beginning the day after the application is sent to the Council). Please provide photographic evidence that this has been done.

6. I have signed the declaration in Section 12 below.

## 12. DECLARATIONS BY APPLICANT

- I understand that I am required to give notice of my application in accordance with the requirements of the Business and Planning Act 2020 and that failing to do so will lead to the revocation of any licence granted.
- I understand I must hold a valid public liability insurance policy which makes clear that it covers the area of highway licensed by the Pavement Licence and is valid for the duration of the licence.
- I understand that if the licence is granted, I, the licence holder, do not have any entitlement over the pavement area, should any maintenance work or other Highways matters be required in this area, which will always take precedence.
- I understand that conditions will be applied to the licence and must be complied with at all times the Pavement Licence is in use.
- I understand that smoking is prohibited in the licensed area.
- I understand my application will not be considered to be complete until all the required documents and information have been provided and the application fee of £500 has been paid.
- I understand the local and national conditions will be applied to my Pavement Licence and must be complied with at all times the Pavement Licence is in use. *(The conditions are available at the end of this application form.)*
- I understand that the application fee paid is non-refundable if my application is refused or if any licence granted is subsequently surrendered or revoked.
- I declare that the information given above is true to the best of my knowledge and that I have not wilfully omitted any necessary material. 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.
- I understand that the Authority is collecting my data for the purposes described on this form and will not be used for any other purpose, or passed on to any other body, except as required by law, without my consent. This is in accordance with the Council's [Privacy Notice](#).

Signature:

Print Name:

Date:

Please return this application form with all relevant documents and proof that the application fee has been paid to: [licensing@enfield.gov.uk](mailto:licensing@enfield.gov.uk)

## **Pavement Licence (Business and Planning Act 2020)**

### **Local and national conditions to be applied to the licence**

#### **National Conditions Made by the Secretary of State**

1. Clear routes of access along the highway must be maintained, taking 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](#).

#### **Local Conditions**

2. Smoking is prohibited in the licensed area.
3. The licence holder must provide a valid public liability insurance policy which makes clear that it covers the area of highway licenced by the Pavement Licence and is valid for the duration of the pavement licence.
4. Furniture must not project beyond or be placed alongside or around the extremities of the licensed area.
5. The licence holder must immediately remove any furniture placed outside the licensed area if requested to do so by an authorised officer of the Council and/or a Police officer.
6. All furniture must be removed within half an hour of the terminal hour as stated on this licence.
7. A copy of the licence must be prominently displayed at the licensed area and immediately made available upon request by an Authorised Officer of the Council and/or the Police.
8. Furniture used in the licensed area must be well maintained and of sufficient solidity to prevent falling or being blown onto the highway.
9. Barriers must stand on the ground and be removable. All feet and supports must be within the defined licensed area.
10. The maximum height of any barrier shall not exceed 1 m.
11. The licence holder must ensure that the use of the pavement licence conforms to the latest Government guidance on;
  - (a) Social distancing;
  - (b) Any reasonable crowd management measures;
  - (c) Cleaning procedures
12. The licence holder must ensure that all litter and waste generated is moved to a place from where it will be collected for transport to an authorised place of disposal.

13. The licence holder must keep the licensed area (and its surroundings up to 5 metres in any direction from the licensed area) clean and swept free of any remaining debris throughout the operation of the licence.
14. No live or recorded music shall be played within any part of the licensed area.
15. The licence holder must not cause or permit any alterations to the highway surface in the licensed area.
16. Parasols, when opened must not overhang the boundary of the licensed pavement area and must remain closed in periods of high winds.
17. Where repair or maintenance of any utility apparatus within the pavement/highway is to be undertaken, the Council and/or Utility Company will not be liable for any loss of trade and/or income whilst repair/maintenance is carried out. The Licence Holder/s must allow the Council and/or Utility Company reasonable access for such works.

### **Interpretation of Terms**

In addition to the “interpretations” cited in the Business and Planning Act 2020 the following interpretations also apply:

**The Local Authority** means the London Borough of Enfield

**Licensed Site/Area** means a place in any street where a pavement licence has been granted and includes any temporary alternative place approved by the Council or a duly authorised Officer of the Council.

**Licence Holder** means the person who has been granted the pavement licence.





# BUSINESS AND PLANNING ACT 2020

## SITE NOTICE FOR A PAVEMENT LICENCE APPLICATION

**NAME OF PREMISES**  
**ADDRESS**  
**POSTCODE**

NOTICE is hereby given that an application has been made to the London Borough of Enfield Council from **INSERT NAME OF APPLICANT**, for consent under the above Act to place removable furniture on the highway outside the said premises as follows:

| Width (m) of proposed licensed area | Depth (m) of proposed licensed area | Total square metres of proposed licensed area |
|-------------------------------------|-------------------------------------|---|
|                                     |                                     |   |
| Type of furniture                   |                                     | Number  |
| Tables                              |                                     |   |
| Chairs                              |                                     |   |
| Barriers                            |                                     |   |
| Parasols/Umbrellas                  |                                     |   |
| Heaters                             |                                     |   |
| Planters                            |                                     |   |
| Other – please state:               |                                     |   |

| <b>Proposed times for the removable furniture to be placed on the highway:</b> |           |                  |           |
|--|-----------|------------------|-----------|
| <b>Mondays</b>   | <b>to</b> | <b>Fridays</b>   | <b>to</b> |
| <b>Tuesdays</b>  | <b>to</b> | <b>Saturdays</b> | <b>to</b> |
| <b>Wednesdays</b>  | <b>to</b> | <b>Sundays</b>   | <b>to</b> |
| <b>Thursdays</b>   | <b>to</b> |                  |           |

To request a copy of the application, email [licensing@enfield.gov.uk](mailto:licensing@enfield.gov.uk) within 14 days from the date of this notice.

Any person who wishes to object or make representation about the application may do so in writing by no later than **INSERT CLOSING DATE FOR REPRESENTATIONS** via email at [licensing@enfield.gov.uk](mailto:licensing@enfield.gov.uk) .

Any representations received are liable to be made available for public inspection in accordance with the provisions of the Local Government (Access to Information) Act 1985.

Dated: **INSERT DATE OF APPLICATION**

**Plan:**