



Pavement Licence Application under section 2 of the Business and Planning Act 2020

Please ensure that you read all of the information for applicants and the general conditions, before completing and submitting the renewal application form.

Information for applicants

- 1.** Under the Business and Planning Act 2020, West Northamptonshire Council (Daventry Area) has been granted powers to issue Pavement licences.

Licences granted under this act will be in force until no later than 30 September 2022. At which point they will cease to have effect and any person wishing to retain their licence will need to apply to the Highways Authority.
- 2.** Licences granted under this act will be in force until no later than 30 September 2022. At which point they will cease to have effect and any person wishing to retain their licence will need to apply to the Highways Authority.
- 3.** The licence fee is £100.00
- 4.** There is a 7 days public consultation period starting the day after West Northamptonshire Council (Daventry Area) have received a complete application and the relevant fee.
- 5.** On the day you submit an application for a pavement licence you must fix a notice of the application (appendix B) 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 secure that the notice remains in place until the end of the public consultation period.
- 6.** The application form **MUST** be accompanied by:
 - Photo ID and Proof of Address.
 - A copy of the applicant's public liability insurance up to £5 million.
 - A site map showing the precise locations the tables, chairs and umbrellas will be positioned.
 - A picture of the furniture to be used.
 - A picture of the site notice in situ.
- 7.** Furniture means: -
 - Counters, or stalls for selling or serving food or drink
 - Tables, counters, shelves on which food or drink can be placed
 - Chairs, benches or other form of seating and
 - Umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.
- 8.** Any provisions of amenities, permits issued by Northamptonshire Highways will cease to have effect for the duration of this pavement licence, should it be granted.
- 9.** All permits will be subject to a schedule of general conditions which can be found in Appendix A and to such other conditions as may be listed on the permit.
- 10.** Once you have submitted your application, it will be sent to the following authorities for consultation:
 - The Highways Authority
 - The Police
 - The Planning Authority



PAVEMENT LICENCE APPLICATION FORM

I have read the information for applicants which accompanied this application form, and hereby submit the following application;

| | | | | | | | | | |
|--|--|---------------|------------|------------|------------|------------|------------|------------|------------|
| 1. | Title Mr Mrs Miss Other (Please state) | | | | | | | | |
| | Surname | | | | | | | | |
| | Forenames | | | | | | | | |
| | Applicant's home address (including postcode) | | | | | | | | |
| | Telephone Number | | | | | | | | |
| | Email Address | | | | | | | | |
| <p>In order for West Northamptonshire Council (Daventry Area) 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, I give my consent for West Northamptonshire Council (Daventry Area) to process my data for the purposes of processing the attached application and any future enforcement. <input type="checkbox"/></p> | | | | | | | | | |
| 2. | Premises Name | | | | | | | | |
| | Premises Address | | | | | | | | |
| | Postcode | | | | | | | | |
| | Section of Highway to be used for siting of tables and chairs | | | | | | | | |
| | Telephone Number | | | | | | | | |
| 3. | Days and Times when Table and Chairs are in use | | Mon | Tue | Wed | Thu | Fri | Sat | Sun |
| | | Start | | | | | | | |
| | | Finish | | | | | | | |
| 4. | Description of type of furniture to be used | | | | | | | | |
| 5. | Number of tables, chairs and umbrellas to be sited | | | | | | | | |

CHECKLIST:

Please tick ✓ yes

- I have enclosed a copy of my public liability insurance between £2 million and £5 million
- I have enclosed pictures of the design of furniture to be used
- I have enclosed a site map showing the precise locations the tables and chairs will be positioned in
- I understand that if I do not comply with the above requirements my application will be rejected
- I have attached an Appendix B Notice to the premises so that it is readily visible to and can easily be read by members of the public who are not on the premises. I agree that the notice will remain in place until the end of the public consultation period
- I will contact West Northamptonshire Council (Daventry Area) upon submission of my application to pay the relevant fee

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| 6. | I declare that the information given by me in this application is correct to the best of my knowledge and belief. | |
| | Signed | |
| | Dated | |

Note to applicants: 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 to West Northamptonshire Council (Daventry Area) Licensing Team for inspection. If this is available at the time of application, it should be submitted with this application form.

PAVEMENT LICENCE GENERAL CONDITIONS

- This permission is not transferrable.
- This permission will be in force for the dates stated on the consent or where no limit have been placed on its duration, it will expire on 30th September 2021, unless it is previously surrendered, suspended or revoked
- The area so permitted to be used solely for the purpose of consuming food and drink purchased on the premises. It is strictly forbidden to prepare any food and drink in this area.
- The tables, chairs, umbrellas (and other furniture) shall be of such a design as may be approved by West Northamptonshire Council (Daventry Area) in writing and be kept in good repair and condition at the permit holder's expense.
- 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.
- The licence holder shall make no claim or charge against West Northamptonshire Council (Daventry Area) in the event of the chairs or tables or other objects being lost, stolen or damaged in any way from whatever cause.
- The licence holder shall indemnify West Northamptonshire Council (Daventry Area) 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 West Northamptonshire Council (Daventry Area) in the sum of at least £2 million in respect of any one event and must produce to West Northamptonshire Council (Daventry Area) on request the current receipts for premium payments and confirmation of the annual renewals of the policy.
- No charge shall be made by the licence holder for the use of the chairs and tables and other objects.
- Waste from the licence holder's operations must be disposed of in accordance with their commercial waste agreement.
- Clear 'no smoking' signage must be displayed in designated areas.
- No ashtrays or similar receptacles to be provided or permitted to be left on furniture where a smoke-free seating area is identified.
- Licence holders should aim for a minimum 2 metre distance between non-smoking and smoking areas, wherever possible.
- Refuse and litter deposited on the highway in the vicinity of the chairs and 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.
- The Licence holder must ensure they monitor for any potential noise nuisance or anti-social behaviour from within the licenced area and undertake suitable remedial action to rectify any issues noted.
- The Licence holder must ensure that all government guidelines regarding social distancing, in place during a period for which the licence is valid, are observed by all patrons and staff at all times.
- 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:

West Northamptonshire Council, the police, fire and ambulance services, any utility operator or builders' vehicles, hearses and furniture removal vans.

- West Northamptonshire Council (Daventry Area) reserves the right to condition, suspend or revoke a licence if the licence holder breaches any of the conditions.
 - Upon request licence holders will be required to clearly define the permitted area by the use of barriers of a type agreed with West Northamptonshire Council (Daventry Area).
 - 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 to
 - 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.
 - The Licence holder must take into account the needs of disabled people, recommended minimum footway widths and distances required for access by mobility impaired people.
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**Notice of application under Business and Planning Act 2020 for a
Pavement Licence**

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| Full name of applicant | |
| Number of furniture items to be sited on the highway | |
| Address of premises application relates | |
| Location of where furniture will be sited | |
| Description of items to be sited | |
| Date application was made | |
| End date for consultation | |
| <p>Any representations relating to this application should be made to Licensing at West Northamptonshire Council (Daventry Area)</p> <p>Representations should be made in writing to licensing.ddc@westnorthants.gov.uk</p> <p><i>Please note postal representations are not accepted for this application due to the short consultation period.</i></p> | |

Privacy Notice

LICENSING - Privacy Notice

What is Licensing?

Administering, enforcing and regulating licences, registrations, permits and related permissions (called "authorisations") within the remit of the Licensing service

Contact details specific to service

If you have any queries that are specific to Licensing please contact us via the following:
licensing.ddc@westnorthants.gov.uk

How we use your information for Licensing

The information we request is only used for the intended licensing purpose but if we intend to use it for any other purpose we will normally ask you first. In some cases, West Northamptonshire Council (Daventry Area) may use your information for another purpose if it has a legal duty to do so, to provide a complete service to you, to prevent and detect fraud, or if there is a risk of serious harm or threat to life.

Who will have access to my personal data?

Information is shared with other regulatory and enforcement authorities including, but not limited to, other Council services; the police; HM Revenues and Custom; Home Office Immigration; NHS services, and other local authorities when allowed to by law for the purposes of the administration and enforcement of authorisations, and for the purposes of the prevention and detection of crime, public safety, public health, protection of the environment and prevention of fraud.

Certain information about authorisations (including in particular your name and the address of any premises to which an authorisation applies) may be published on a public register on our website when we are required to by law. Authorisations that have to be determined by our Councilor's will be published in minutes on our website.

What information is processed?

We collect confidential personal information where required by law including names; addresses; dates of birth; contact details; details of qualifications and occupations; nationality; ownership of land, premises or property; previous criminal convictions; medical status; bank account and other financial account details; details of family and other relationships where necessary.

Retention period

All information will usually be retained in line with current Council retention policies.

Some information, for example criminal conviction information relating to an application for an authorisation will be disposed of as soon as the relevant decision has been made in relation to that application.

We will keep information about any enforcement action we take for three years from the date of the enforcement. Enforcement action means but may not be limited to warnings, requirements, simple cautions, statutory notices, or prosecutions.

Summary of rights

You have a number of statutory rights to the information we hold on you, which include access, these are explained in the "Summary of the data subject's rights" section of our website found under

<https://www.westnorthants.gov.uk/your-council/data-protection-and-gdpr>

this page includes West Northamptonshire Council (Daventry Area) privacy policy.

Alternatively you can request this information by email: dataprotection@westnorthants.gov.uk

Or by post:

Data Protection Officer
West Northamptonshire Council (Daventry Area)
Lodge Road
Daventry
Northamptonshire
NN11 4FP

Useful information:

The licensing team can be contacted on the generic email address:

licensing.ddc@westnorthants.gov.uk alternatively, you can email individual officers on their direct email addresses: andrea.hill@westnorthants.gov.uk; mikolaj.waligorski@westnorthants.gov.uk; coral.taylor@westnorthants.gov.uk; benita.stroud@westnorthants.gov.uk

The main switchboard number has changed to 0300 126 7000, but our direct dial numbers remain the same. To make payment or seek further advice about Pavement Licensing, please call any of the following numbers: 01327 302546 / 302316 / 302317 / 302574.

A payment of £100 must be made via telephone at the time your application is being submitted. Please call one of the team to make the payment via debit or credit card. All applications and accompanying documents should be emailed to licensing.ddc@westnorthants.gov.uk