

HIGHWAYS AMENITY LICENCE APPLICATION FORM

Section One – General Details

- Applicants Name and Name of Business:

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- Address of Business:

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Tel. Number Day

Mobile Number.....

E-mail address.....

- Address for correspondence (if different from above):

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- Precise Location of Area/Pavement Café to be Licensed & Dimensions –include site plan to scale

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* Proposed Number of Tables:

* Proposed Number of Chairs:

* Proposed Times of Operation: until

* Proposed Days of Operation:

- Proposed Other Items of Furniture/Equipment:

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Section Two – Details of Furniture, Means of Enclosure and Other Proposed Items

Notes: Applicants are requested to supply as much detail as possible, for all items proposed. Photographs, sketches, clear photocopies and technical details (dimensions/colours/materials, etc) are welcomed in support of the application.

- Details of Proposed Street Furniture:

Please give brief description, photographs and supplier/technical details where appropriate of proposed furniture (please see notes on furniture types in information guide):

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- Details of Means of Enclosure:

Please give brief description and supplier/technical details where appropriate of proposed barriers (please see note on enclosures in information guide):

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- Details of Any Other Items To Be Included Within Enclosed Area, e.g. Umbrellas, Menu Boards, Gas Heaters, etc:

Please give brief description and supplier/technical details where appropriate of proposed items:

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Section Three – Additional Details Required

- Location/Site Plan: Please supply a scale plan showing the proposed seating area in relation to your premises and the street in question.
- Insurance: Please supply a certificate of proof for Public Liability Insurance to the value of £5,000,000 for this additional area of trading.
- Payment: ***You will be advised of the fee payable on approval of your application.***

Section Four – Acceptance

The Council has the power to grant a person consent to provide and operate facilities for refreshment on a highway under **Section 115E of the Highways Act 1980**. Subject to the following criteria a person to whom consent has been granted must be aware of, and comply with, the requirements of the Section.

I hereby consent to the following conditions:

1. The conditions attached to the amenities licence may be varied and added to by the Council at any time. The Council may terminate or suspend the licence with 14 days notice in writing and without notice in cases of emergencies.
2. The licence holder must always have a valid insurance policy for public liability for at least £5,000,000, and the consent holder must notify the insurance company of their application and receive confirmation they are covered as required by the Application Form.
3. In considering the applications the Council will take account of the need to maintain emergency vehicle access at all times.
4. A holder of this licence shall not provide any refreshments other than food and non-alcoholic drink normally obtainable within the consent holders premises.

Alcohol may though be permitted if an establishment has already obtained the appropriate Premise Licence for the designated pavement café area.

5. Tables and chairs must be sited so that they are clearly visible from inside the premises. Licence holders shall ensure that during the period of use and at the conclusion of any period of use the area of the highway that is the subject of this licence shall be kept clean and tidy and free from litter. A suitable litter/refuse bin must be provided. All street furniture must be removed from the Highway at the end of the permitted time of opening according to the individual licence.
6. No omission from, or addition to, or variation of, the licence shall be valid of any effect unless it is agreed in writing and signed by the supervising officer of the Council and by the consent holder.
7. The licence holder shall ensure that any equipment used for the purposes of providing these facilities are safe and present no risk to members of the public and in particular:
 - (i) that all chairs are in good repair and are stable.
 - (ii) any parasols and umbrellas are fully secured to the ground and weighted to prevent them being dislodged by the wind.
 - (iii) the area to be used is protected and separated from the rest of the highway in such a way that a blind or visually sighted person runs no risk of injury from their use.
8. The licence holder shall indemnify the Council against any claim in respect of injury, damage or loss arising out of the grant of the licence except where any claim in respect of such injury, damage or loss is attributable to the negligence of the Council.
9. Clear pedestrian routes are required for those walking past the premises. Emergency exits from adjacent buildings must not be obstructed by a seating area.
10. The layout of the tables, seats, access points and any enclosure will have to be approved by the Herefordshire Council Street Trading Panel made up of senior council representatives. It is essential that the layout of these areas do not provide any obstructions, inconvenience or danger to those customers with disabilities and particularly that adequate space is left between tables for wheelchair access.
11. Any damage to local Authority Property caused as a result of street furniture placed on the highway will be repaired by the Authority with all costs recharges to the business in question.

It must be emphasised that the Council in giving consent cannot, and does not, seek to absolve anyone from any statutory risk which they may incur in placing or depositing any thing on the highway.

I confirm that I am fully conversant with the Highways Amenity Licence conditions.

Signature..... Date.....

In support of this application, please attach the following:

- two passport photographs (proof of identification);
- a copy of a recent utility bill (proof of address);

**WHEN COMPLETED PLEASE FORWARD THIS FORM
TOGETHER WITH SUPPORTING DOCUMENTATION TO:**

**LICENSING OFFICER
HEREFORDSHIRE COUNCIL
MARKETS, FAIRS AND STREET TRADING SECTION
UNIT 38
THREE ELMS TRADING ESTATE
HEREFORD
HR4 9PU**

OR EMAIL IT TO:

MARKETS@HEREFORDSHIRE.GOV.UK

DATA PROTECTION ACT:

Herefordshire Council is the Data Controller under data protection law and will use the information you provide on this form in order to process your application. The legal basis for processing this data is our legal obligations for regulating the highways amenity licensing scheme. We will keep your data for up to 6 years or as long as the licensable area exists. Where necessary we may share this personal data with partner organisations for the protection of public funds administered which may include the prevention or detection of fraud and auditing purposes. Individuals have a number of rights under data protection law, including the right to request their information. You also have a right to make a complaint about our handling of your personal data to the Information Commissioner's Office

<https://ico.org.uk/>