HIGHWAYS ACT 1980 SECTION 115E

APPLICATION FOR A LICENCE TO PLACE TABLES AND CHAIRS ON THE HIGHWAY

This application will also deal with planters, umbrellas and portable heaters where a Company wishes to enhance their site. No fees are currently payable for this service.

NAME OF COMPANY: ........................................................................................................................................

CONTACT NAME AND POSITION: ................................................................................................................

ADDRESS OF COMPANY: ....................................................................................................................................
.............................................................................................................................................................

TELEPHONE NO.: ................................................. FAX NO.: .................................................................

If you are not the freeholder of the premise please state the name, address and contact details of the freeholder:

Name: ........................................................ Contact details: .................................................................

Address: ..........................................................................................................................................................
..........................................................................................................................................................

IF RENEWAL PLEASE STATE REFERENCE NUMBER: .................................................................

LOCATION/ADDRESS OF WHERE TABLES AND CHAIRS WILL BE SITED (see notes attached):
........................................................................................................................................................................

NUMBER OF TABLES APPLIED FOR: ...........................................................  

NUMBER OF CHAIRS APPLIED FOR: ...........................................................

NUMBER OF PLANTERS OR OTHER ITEMS APPLIED FOR (please state items):
........................................................................................................................................................................

Please indicate the proposed days and times of operation for the tables and chairs:

<table>
<thead>
<tr>
<th>DAY</th>
<th>MON</th>
<th>TUE</th>
<th>WEDS</th>
<th>THURS</th>
<th>FRI</th>
<th>SAT</th>
<th>SUN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Time</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finish Time</td>
<td></td>
<td></td>
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</tbody>
</table>

DETAILS OF OVERNIGHT STORAGE: ........................................................................................................

DETAILS OF TRADE WASTE AGREEMENT: .................................................................................................

INSURANCE DETAILS: .................................................................................................................................

(Minimum public liability cover must be to the sum of £5,000,000 and a copy of your certificate must be submitted with this application)

ENVIRONMENTAL HEALTH & REGULATORY SERVICES
A sketch, brochure or photograph must be enclosed with the application form showing the proposed design and layout of the furniture. It is recommended you seek approval of any new furniture or changes to an existing licence prior to manufacture because the application could be refused.

Upon approval of the application a licence will be issued and a permit supplied which shall be kept at the premises and be available at any time for an authorised officer from the Local Authority to inspect. The Council will remove any unauthorised items and the costs incurred to carry out this matter will be recharged to the business concerned.

This licence when issued will be valid for 12 months providing the site does not become a danger or a nuisance to other highway users.

FAILURE TO HOLD A PERMIT OR TO COMPLY WITH THESE REGULATIONS WILL RESULT IN THE ITEMS BEING REMOVED

DECLARATION:

I understand that the information I have given in this form and in any supporting information in respect of my application will be taken into account by the Council when determining the application. I declare that all such information is true and complete to the best of my knowledge and belief and acknowledge that if I have made a false statement or omitted any relevant fact, any licence determined and issued in connection with it may be modified, suspended or revoked.

I understand and consent that the information given on this form may be issued to other enforcing agencies and consulting bodies to determine this application. I also consent to the Council retaining my application and details and I understand that the Council is obliged to pass on information to other statutory bodies if so requested.

I have received a copy of the Council’s policy for licensing Tables and Chairs on the Highway. I have read and understood them and I undertake to comply with them if a licence is granted.

Applicant’s Signature:  ................................................................. Date:  .........................

Final Application Checklist

I confirm I have enclosed the following: (Please tick)

1. Application form completed and signed by the applicant

2. A Location plan at 1:50 or larger which clearly defines the premises and shows the precise location of the tables and chairs ‘outlined in red’ in relation to the premises and kerb line including the precise location of any umbrellas, planters, and litter bins. (drawings must also show the position of any dropped kerbs, pedestrian crossings, parked bays, market pitches, cellar hatches, points of access and fire escapes within 3 metres).

3. A photograph or brochure detailing the furniture to be used and means of enclosure to be placed on the highway including details of any proposed advertising.

4. A copy of Public Liability Insurance demonstrating a minimum of £5 Million in respect of any one incident.

Please note that incomplete applications will be returned.

It may take up to 6 weeks to process an application. Following receipt of a completed application the Licence Team will post a Public Notice at the premises and serve copies to the adjoining neighbours as part of the consultation process, other consulting bodies will also be notified and given 28 days to make representations.
The Council in pursuance of the powers under the Highways Act 1980 Section 115E may grant consent for the placing of approved furniture at a site allocated and defined by them on a street plan.

Consent will only be considered where a Company submits an application form and meets the criteria stated below:-

1. Street furniture must be of a type and quality approved by the Council, it must be safe and intended for commercial use, it should be uniform in appearance but not too bright, garish or overly reflective.

2. All furniture must be kept clean, in a good condition and replaced as necessary.

3. Details of insurance cover must be supplied.

4. The site allocated to the company must be adhered to and clearly defined by a means of enclosure. Ornamental fencing should have a minimum top rail height of 800mm but no taller than 1000mm. At no time must the furniture be placed outside the designated space. This gives a clear warning to pedestrians and also supports the Byelaws in relation to consumption of intoxicating liquor within the City of Gloucester.

5. At all times the site must be kept free of litter and swept and washed down to the satisfaction of the Council.

6. Ensure that the use of the site does not prevent free pedestrian access to all other properties or cause any inconvenience from the use of the site to the adjacent properties. The available route past a premises must be straight, obvious and unobstructed. An unobstructed width of 1.8 metres is preferred in most areas, however 1.5 metres will be the minimum required for the unimpeded use of pedestrians.

7. Allow an unobstructed access route for Emergency Services vehicles over and along the carriageway at all times. A minimum width of 4 metres is required to allow emergency vehicles to pass.

8. Ensure that no damage is caused to the highway by the use of the site in connection with their business.

9. Allow access to the site by the Council and other statutory undertakers for the performance of their statutory duties.

10. Where alcohol is consumed at the premises, CCTV must be provided to cover the external area by at least one camera operating as part of the premises own CCTV system.

11. Café Furniture must not be placed on the highway before 7am to assist regular street cleaning.

12. At the close of business each evening the furniture must be cleared from the site and stored safely inside the premises or within an alternative safe environment.

13. The licence must be on display and be visible from the highway at all times.