

**Pavement Licence
Business and Planning Act 2020
Application Form**

Licensing Section
City Hall
Plater Way
Sunderland
SR1 3AA

**Important
Information:**

- Before completing this Application Form please read the document headed: Guidance Notes for Applying for a Pavement Licence;
- This Application Form must be completed in full in TYPE or BLOCK CAPITALS and submitted to the Council by e-mail, (together with the requested supporting documentation), to the following e-mail address: licensing@sunderland.gov.uk;
- Failure to complete your Application Form in full, or a failure to provide the requested supporting documentation will mean that your Application cannot be processed. The missing information, or documents will need to be provided before your Application can be processed;
- Your Application Form cannot be processed until the Council has received your Fee. The fee for a new licence is £500 and for a renewal licence £300. You can pay this Fee by telephoning (0191) 5205550 and
- If you have any queries about how to complete this Application Form then please e-mail licensing@sunderland.gov.uk,

| Part A: | Details of Applicant(s) (Intended Licence-holder(s)) | |
|--|---|------|
| Title : | | |
| Full Name(s) : | | |
| Address(es) : | | |
| Postcode(s) : | | |
| Telephone Numbers : | | |
| E-mail : | | |
| Does the Applicant(s) have day to day control of business? : | Yes : | No : |
| | | |

Part B: Identification of the Premises and the Highway

Please confirm the address of the Premises in respect of which a Pavement Licence is being sought and attach a 1:1250 scale location plan showing the premises and the relevant part of the highway for which a Pavement Licence is being sought, with these being shown by a red line :

Please provide evidence of right to occupy the Premises, such as under a freehold, or leasehold interest :

Please confirm the dimensions of the proposed Pavement Licence area :

Please tick one box only to confirm the duration for which a Pavement Licence is being sought :

The statutory minimum period of three months; or

The statutory maximum period of 2 years; or

Please confirm whether you currently have an existing street café licence granted under the Highways Act 1980 and its expiry date:

Please confirm if there is an outstanding application with the Council for a “pavement licence”, “street café licence”, or “tables and chairs licence” under the Highways Act 1980 which is yet to be determined and, if so, please confirm the date of the submitted application :

Part C: The Proposed Use of the Highway

Please tick the boxes which apply to confirm the purposes for which the Pavement Licence is to be used :

To use furniture to sell, or serve food, or drink supplied from, or in connection with relevant use of the Premises; and / or

[] To use the furniture by other persons for the purpose of consuming food, or drink supplied from, or in connection with relevant use of the Premises.

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|---|-------------|------------|
| Operating Period : the proposed hours and days of the week that it is proposed to put removable furniture on the highway under the Pavement Licence. Please note that the maximum period must be 9am – 10pm | Monday : | Friday : |
| | Tuesday : | Saturday : |
| | Wednesday : | Sunday : |
| | Thursday : | |

How many tables and chairs do you propose to place on the highway under the sought Pavement Licence? :

Please describe the type of furniture you propose to place on the highway. You may attach photographs, or provide extracts from a brochure :

Where will the Pavement Licence furniture and other items be stored outside the Operating Period? :

Please show how the furniture will be sited on the highway under the Pavement Licence area by using a 1:100 plan :

Please indicate on the plan where tables and chairs etc. come within the proximity of premises, adjacent building, lighting columns, or trees.

How will the boundary of the Pavement Licence area be defined?

Please provide details of the barriers, or other fencing to be used as a boundary :

Please describe how you intend to mitigate any noise, or disturbance from customers using the proposed Pavement Licence area to the occupiers of nearby commercial and domestic properties :

Please provide photographic evidence to show that a Notice of Application for a Pavement Licence has been fixed to the Premises :

Please confirm the date when your Application Fee was paid to the Council :

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| Part D : Details of Public Liability Insurance that will apply to the intended pavement licence |
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| Name of Insurance Company : |
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| Policy Number : |
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| Start date of Policy : |
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| Expiry Date of Policy: |
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| Amount insured under the Policy : this must be no less than £5 |
|--|

million. A Pavement Licence will not be issued without valid public liability insurance cover being in place :

Please provide a copy of the Policy :

Indemnity

In the event that a Pavement Licence is issued to the Applicant(s), the Applicant(s) will indemnify Sunderland City Council against all proceedings, actions, claims, demands, or costs whatsoever, (including, but not limited to personal injury), or for loss, or damage to property arising out of, or incidental to, or in connection with the right granted by the Pavement Licence which is not attributable to the negligence of the Council.

Please provide any further additional information in support of your Application for a Pavement Licence :

Read and complete the declaration on the next page and also refer to the checklist on the last page prior to submitting the application form.

Declaration :

I, the Applicant, or We, the Applicants, certify and understand that, :-

1. All information contained in this Application Form for a Pavement Licence is correct and is not false, or misleading;
2. It is understood that Conditions may be attached to any Pavement Licence that is issued by the Council;
3. Any Conditions that apply to the Pavement Licence will be consented to and complied with;
4. If granted a Pavement Licence and the Council considers that there has been a breach of any Condition of the Licence the Council may :; (a) serve a notice requiring the taking of such steps to remedy the breach as specified in the notice within the stated time. If the breach is not remedied following the service of the notice, the Council may : (a) revoke the notice; or (b) take the steps itself identified in the notice to remedy the breach and the Council can recover the costs of doing so against the Licence-holder(s); or revoke the Pavement Licence.
5. If granted a Pavement Licence it may also be revoked if the Council considers that : (a) if some, or all of the part of the relevant highway to which the Licence relates has become unsuitable for any purpose in relation to which it was granted; (b) as a result of the Pavement Licence : (i) there is a risk to public health, or safety; (ii) anti-social behaviour, or public nuisance is being caused, or risks being caused; or (iii) the highway is being obstructed, (other than by anything done pursuant to the Licence); (c) anything material stated by the Licence-holder(s) in their Application Form was false, or misleading; or (d) on the day that the Licence-holder(s) submitted their Application Form to the Council they did not comply with the Notice of Application duties;
6. The duration of a Pavement Licence granted by the Council during the determination period will be valid until the date as determined by the Council; and
7. The duration of a Pavement Licence deemed to be granted by the Council will be valid for 2 years starting with the first day after the determination period.

Signed by the Applicant(s), or authorised signature on behalf of the Applicant(s) :

Print Name

Dated :

Please see next page for the Checklist of requirements

Checklist for Applicants:

- [] Application Form completed in full?;
- [] Application Fee paid?;
- [] 1:1250 scale location plan provided : showing Premises and highway?;
- [] Evidence of right to occupy Premises?;
- [] Intended furniture : photographs, or extracts from a brochure?;
- [] 1:100 scale plan showing siting of furniture and proximity of the Premises, adjacent building, lighting columns, or trees?;
- [] Evidence provided to show Notice of Application for a Pavement Licence fixed to Premises?; and
- [] Copy of public liability insurance provided?.