

Pavement Café Licence Conditions

Business and Planning Act 2020 as amended by S229 of & Schedule 22 to the Levelling Up and Regeneration Act 2023

1. Outside drinking to be restricted to the area covered by the pavement licence.
2. Tables, chairs and other furniture covered by this licence must be removed from the highway, and securely stored, outside of the times stated on the licence. Securely stored means off the highway and away from any area accessible by the public.
3. Sufficient management controls and monitoring should be in place for the collection of glasses, bottles, plates etc. at regular intervals, removal of discarded food wrappers etc. to prevent litter from blowing onto the adjacent highway, including regular sweeping of the area throughout the trading day.
4. At the end of each trading period following the removal of the tables, chairs and other furniture covered by this licence, you must ensure the area covered by this licence, and the area in the immediate vicinity (i.e. to the side and/or front) are clear of any waste/debris.
5. Any spillages onto the Highway must be cleaned immediately, the tables and chairs to be kept tidy, at all times.
6. The premises shall be responsible for the cost of making good any damage to the highway caused by street furniture or usage area.
7. Music must not be played outside the premises at any time. Additionally, windows and doors should not be kept open to facilitate the passage of sound to customers using the external tables and chairs.
8. Sufficient controls should be in place to manage any incidents of disorder.
9. Clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footways widths and distances required for access by mobility impaired and visually impaired people as set out in section 3 of the [Inclusive Mobility. A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/guidance/inclusive-mobility-a-guide-to-best-practice-on-access-to-pedestrian-and-transport-infrastructure) guidance.
10. During the hours of operation, the pavement café area authorised by this licence must remain enclosed with adequate openings to permit access. The function of this enclosure is to demarcate and contain the café but also to give a clear warning particularly to people with visual impairments.

11. Reasonable provisions need to be made for seating where smoking is not permitted. This means that where businesses provide for smokers, they are also required to provide an option for customers to sit in a non-smoking area.
 - There should be clear ‘smoking’ and non-smoking’ areas, with ‘no-smoking’ signage displayed in your designated ‘smoke-free’ zones in accordance with the smoke-free (signs Regulations) 2012.
 - No ash trays or similar receptacles to be provided or permitted to be left on furniture where smoke-free seating is identified.
 - You should provide a minimum 2m distance between non-smoking and smoking areas, wherever possible.
12. You must temporarily remove your tables, chairs and any other furniture authorised by this licence upon the request of a statutory undertaker (i.e. utility / communications companies) to allow them to access their equipment / services, or an authorised officer of the Council or West Yorkshire Police. Where possible you will be given prior notice of this.
13. You are required to carry out a health and safety risk assessment to take reasonable steps to mitigate the risks identified. This risk assessment shall be made available to authorised officers of the Council or West Yorkshire Police upon request.
14. Advertisement boards and furniture that is not removable are not permitted by this pavement café licence.
15. You must complete a site security plan which is available inspection at any time by authorised officers of the Council, West Yorkshire Police Officers, and Counter Terrorism Officers (working with, for or on behalf of the Police).
16. All management and staff employed are required to undertake the online ACT Awareness Training and evidence of completion of this by management and staff should be kept with the site security plan and be available for inspection by authorised officers of the Council, West Yorkshire Police Officers, and Counter Terrorism Officers (working with, for or on behalf of the Police).