

Business and Planning Act 2020 – Pavement Licence

This licence authorises the person(s) or company named below to place tables and chairs on the public highway for a period specified below.

Full name of Licencee Gail's Ltd

Name/ Address of Premises
Gail's
64 Hampstead High Street
London
NW3 1QH

Permitted Furniture	6 Tables and 18 Chairs 1 x bin box on Oriel Place 2 Tables and 4 Chairs on Hampstead High Street Monday-Sunday 08:00-20:00 <i>All furniture must be removable</i>
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Day	Start Time	End time
Monday	08:00	20:00
Tuesday	08:00	20:00
Wednesday	08:00	20:00
Thursday	08:00	20:00
Friday	08:00	20:00
Saturday	08:00	20:00
Sunday	08:00	20:00

	From	To
Licence Valid	11/10/2024	10/10/2025

This Licence is granted subject to the Council's Standard Conditions and to any special condition(s) given below. This licence is not transferable.

The amenities must not be placed on the Public Highway before the start of the time specified.

This consent must be displayed in a prominent position.

In the event of any complaint about the amenities placed on the public highway under the grant of the licence, please contact London Borough of Camden on 020 7974 4444

CONDITIONS OF PAVEMENT LICENCE

1. Except with the previous written consent of the Council, only the amenities detailed on the licence are to be placed on the public highway, and the amenities detailed are only to be placed on the public highway between the times detailed on the licence.
2. A minimum clear footway width of 1.8 metres is to be provided at all times for through pedestrian movement.
3. The licensee shall indemnify the Council from and against any claim in respect of any injury damage or loss arising directly or indirectly out of the grant of this consent and the use by the public of the amenities.
4. The tables are to be regularly cleared of glasses, plates, etc. and the surrounding area to be swept clear of litter, food and smoking deposits etc. Waste deposited on the Highway must be removed each day at the Licensee's expense or at more frequent intervals as may be required by the Council under the Environmental Protection Act 1990.
5. The Licensee shall remove the amenities from the public highway immediately if requested to do so by the Council, its agents or contractors or licensees or by a statutory undertaker, its agents or contractor, or by a Police officer. If unimpeded access to the surface of the public highway is required to enable the Council, the Statutory Undertaker or the Police to carry out any of their statutory duties or to enable a licensee of the Council to put into effect the terms of the license. The licence holder shall not reposition the amenities on the public highway until notified by the Council, the Statutory Undertaker, or the Police, that he/she may do so.
6. If the Council serves a Notice on the licensee requiring him/her to take such steps as are necessary to remedy any breach of the terms of this licence, and the licence holder fails to comply with the Notice, the Council may itself take the steps required by the Notice and recover from the licence holder any expenses incurred.
7. The Council may withdraw this licence at any time upon giving the licensee seven days notice in writing. Upon withdrawal of the licence the licensee shall remove the amenities from the public highway and, in default, the Council may remove the amenities and recover from the applicant its costs in so doing.
8. Any Notice to be given to the licence holder shall be deemed to be sufficiently served if addressed to the applicant and sent by post or left at the premises.
9. The licence hereby granted is for a period as specified above. At the end of the period, the Council may extend the licence for a further period.
10. This license must be displayed in a prominent position, so that users of the amenities may see it. Failure to do so will result in the withdrawal of the license by the Council.
11. The amenities must be removed from the public highway at the end of the permitted period each day.
12. The licence holder shall ensure that the level of noise created by use of these facilities shall not reach a level that will cause a nuisance. The outside of the premises shall be regularly monitored to ensure that noise levels from patrons do not cause a nuisance to any nearby residents.
13. Uniform tables and chairs must be used.
14. No items may be placed in front of any adjoining property unless specified on the

licence.

15. This licence excludes A boards and any other amenities that are not specified on the licence.
16. The footway must not be obstructed by patrons standing between tables, chairs and the kerb.
17. The licence holder shall not in any way interfere with the surface of the public highway.
18. The licence does not give permission to serve alcohol unless your premises licence granted under the Licensing Act 2003 states that you have permission.
19. The sale and supply of alcohol for consumption in the area authorised under the Pavement Licence shall be restricted to alcohol consumed by persons who are seated in the area and where the supply of alcohol is by waiter or waitress service only. Where the premises usually has an on-sale condition requiring that the alcohol is ancillary to a table meal or similar then the same condition shall also apply within the authorised outside area.
20. The Licensee shall be responsible for keeping up to date and adhering to all relevant government guidelines around social distancing and covid-19 regulations.
 - a) Tables and chairs must be arranged to ensure the required social distancing measures are maintained within the footprint of the licensed area as specified on the plan.
 - b) Tables and chairs shall be re-arranged and/ or removed if instructed by an officer of the council or the police.
21. The licensee shall ensure that a comprehensive risk assessment is maintained and updated accordingly in line with government guidance and covid-19 regulations. This risk assessment must be made available to council officers and the police on request.
22. Signage shall be placed on each of the tables requesting that patrons respect local residents and keep noise to a minimum.
23. The layout of tables and chairs must be in accordance with the plan approved with this licence at all times that the licence is in use with exception to measures taken to adhere to condition 20 above.
24. No other furniture (including electric heaters and/or gazebos etc) is permitted on the public highway other than what is permitted by the licence
25. Where the pavement licence permits the use of heaters, the heaters must be electrical, the wiring safely secured using pedestrian cable covers no higher than 15mm with tapered edges and hazard strip and the cables must be IP rated. A HSE risk assessment must be completed, kept onsite and made available upon request to an officer of the Council for inspection.
26. The Pavement Licence Holder agrees that they are responsible for the behaviour of customers using the area authorised under this Pavement Licence to the same extent as would be the case if they were inside the premises.
27. Loudspeakers shall not be located in or adjacent to the area authorised under this Pavement Licence and no live or recorded music will be played in or adjacent to this area. This includes the playing of music from within the premises which is audible in the outside area.

28. No external lighting will be used for the Licensed area which gives rise to a nuisance for surrounding properties
29. The Pavement Licence holder shall ensure that any patrons smoking outside the premises, do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
 - a) Clear 'smoking' and 'non-smoking' areas, with 'no smoking' signage displayed in designated 'smoke-free' zones in accordance with Smoke-free (signs) regulations 2012.
 - b) No ash trays or similar receptacles to be provided or permitted to be left on furniture where smoke-free seating is identified.
 - c) Licence holders should provide a minimum 2M distance between non-smoking and smoking areas, wherever possible.
30. Customers using the area authorised under this Licence will have access to the sanitary facilities usually made available to customers inside the premises of the Licence Holder.
31. The Pavement Licence Holder will publish in the window of the premises a telephone number and email address which can be used by members of the public to point out any concerns with the operation of the Pavement Licensing regime.
32. The pavement licence holder must ensure that the management team of the business to which the pavement licence is attached; register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning within 10 days of the notification of the grant of the Pavement Licence OR can demonstrate that the ACT eLearning product has successfully been completed within the preceding 12 months and that all staff employed by OR at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the notification of the grant of the Pavement Licence. (ACT eLearning certificates are provided on successful on-line completion). The ACT eLearning certificate shall be made available for inspection to the Police and Council officers upon request. Guidance: To obtain further ACT eLearning information (FAQ) visit <http://www.NaCTSO.GOV.UK> or to register as a business or individual for ACT eLearning visit <https://ct.highfieldelearning.com/>
33. The Pavement Licence holder must ensure that existing CCTV systems are correctly working, are compliant with the Data Protection Act 1998, Information Commissioners requirements and any other local CCTV Code of Conduct produced by the Police or Local Authority. Imagery must be retained for at least 28 days and images produced to a Police Officer or Local Authority Enforcement Officer upon reasonable request. Faults which render the CCTV system or parts of it inoperable should normally be rectified within 24 hours.
34. Premises must ensure the adequate clearway is maintained as chairs back onto the public highway, should it hinder access to the footpath users this licence maybe amended.
35. Pavement licence will be granted on a 6-month probation.
36. Premises must ensure the outside is always managed and there is to be NO standing at all.
37. Service to be by Waiter/Waitress
38. Should we receive further complaints we have the right to reduce the number of table and chairs or revoke the licence with immediate effect.

