

Pavement café – standard conditions

RESPONSIBILITY OF LICENCE HOLDER

1. The Licence holder shall be at all times responsible for the compliance with the terms and conditions of the licence.

DISPLAY OF LICENCE

2. The Licence holder shall ensure that a copy of the licence is displayed in a prominent public position in the premises.

PUBLIC LIABILITY

3. The Licence holder shall ensure that Public Liability insurance cover is in effect to cover the Highways Amenities Licence (Street Café).
4. Good order and decent behaviour shall be maintained at all times the Street Café is open.

CONTINUITY OF CONDITIONS

5. On expiry of the licence, where there has been an application to renew the licence prior to its expiry, these conditions shall be deemed to remain in force whilst the premises lawfully continue to operate as if a licence was in force.

GIVING OF NOTICE

6. Any change of Licence holder shall be notified in writing to the Leicester City Council.

GENERAL

7. The licence is personal to the Licence holder.
8. The Licence holder shall provide a waiter / waitress service, where hot drinks are served in open containers.
9. The Licence holder shall ensure that the Street Café is kept clean and free from litter at all times.
10. Waste from the Licence holder's operation must not be disposed of in the permanent litter bins provided by the Leicester City Council.
11. The Licence holder shall at all times ensure that the Street Furniture and other items are not placed outside the area of highway shown on the plan ("the Licensed Area").
12. The Licence holder shall remove the Street Furniture from the Licensed Area outside the Permitted Hours and:-
 - (a) immediately if required by reasonable request at any time from a Police Officer.
 - (b) as necessary to permit works in or the use of the highway by

- 12.1 the City Council, Police, Fire Brigade, Ambulances and any service undertakers
- (c) specifically where permitted by the City Council as Highway Authority
 - 12.2 vehicles accessing premises for the purpose of loading/unloading of goods;
 - 12.3 builders' vehicles, hearses and furniture removal vans
- 13. The Licence holder shall make no claims or charge against the City Council in the event of the street furniture being lost, stolen or damaged in any way from whatever cause except where the same is attributable to negligence of the part of the Council or any of its officers.
- 14. If for whatever period or reason a public liability insurance policy is not in force, the City Council shall be deemed to have withdrawn this Licence for the period during which the said policy is not in force and the Licence holder may be held liable for obstruction of the highway and prosecution under Section 137 of the Act.
- 15. The Licensed Area must be used solely for the purpose of consuming refreshments such as food and/or drink.
- 16. The barriers, table and chairs and layout shall be as agreed by the Council and conforms to the plan at all times.
- 17. No alcohol shall be consumed within the Licensed Area except in compliance with the appropriate licensing laws.
- 18. The Licence holder's attention is drawn to Section 115K of the Act which refers to failure to comply with the terms of permission:
 - 18.1 If it appears to the City Council that the Licence holder to whom the City Council have granted permission under Section 115E of the Act has committed any breach of the terms of that permission, they may serve a notice on the Licence holder requiring the Licence holder to take such steps to remedy the breach as are specified in the notice within such time as is so specified;
 - 18.2 If the Licence holder on whom a notice is served under Clause 18.1 fails to comply with the notice, the City Council may take steps themselves to remedy the breach;
 - 18.3 Where the City Council have incurred expenses in the exercise of the power conferred on the City Council by Clause 18.2, those expenses, together with interest at such reasonable rate as the City Council may determine from the date of service of a notice of demand for the expenses, may be recovered by the City Council from the Licence holder.
 - 18.4 If during any six month period of the term of the licence the Licence holder receives two or more notices in accordance with the provisions of section 115K of the Act, the Council may revoke this licence with immediate effect upon giving written notice of revocation to the Licence holder.
- 19. The issuing of this licence does not in any way permit the playing of live or recorded music for the entertainment of customers using the external area, in order to prevent public nuisance to nearby residents.