

Appendix B

Temporary Pavement Licence – (EXAMPLE)

HALTON BOROUGH COUNCIL

BUSINESS AND PLANNING ACT 2020 PART 1

In accordance with the Business and Planning Act 2020 Halton Borough Council ('the Council') grants permission to **xxxxxxxxxxxxx** ('the Licensee') to use the apparatus described in the schedule below ("the apparatus") and to place the apparatus on the highway in the positions shown on the attached plan Outside of **xxxxxxxxxxxxxxxxxxxxxxxxx** ("the Premises")

1. This permission is personal to the Licensee
2. This permission shall apply solely for the hours of business each day / mentioned in schedule 1, from 12th April 2021 to 31st March 2022
3. The apparatus shall be mobile apparatus complying with the requirements of the Council's Chief Environmental Health Officer design as described in schedule 2 or as may be approved in writing by the Council thereafter, and be kept in good repair and condition at the Licensee's expense
4. The apparatus shall be free standing and the Licensee shall make no fixtures to or excavations of any kind in the surface of the highway which shall be left entirely undisturbed
5. The Licensee shall make no claim or charge against the Council in the event of the apparatus being lost, stolen or damaged in any way from whatever cause
6. The Licensee shall indemnify the Council against all actions, proceedings, claims, demands and liability which may at any time be taken, made or incurred in consequence of the use of the apparatus and for this purpose has taken out and will keep for the duration of this licence, at the Licensee's expense, a policy of insurance approved by the Council in the sum of at least £5M in respect of any one claim and must produce to the Council on request the current receipts for premium payments and confirmation of the required renewals of the policy
7. The area so permitted to be used must be used solely for the purpose of selling / consuming non / alcoholic refreshments / food
8. No charge shall be made by the Licensee for the use of the apparatus
9. Waste from the Licensee's operations must be disposed of appropriately via the licencee's own waste disposal agreement and should not, at any time, be disposed of in the permanent litter bins provided by the Council

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10. Refuse and litter deposited on the highway in the vicinity of the apparatus must be removed each day by the Licensee at the Licensee's expense or at more frequent intervals as may be required by or under the Environmental Protection Act 1990
11. The Licensee shall refund to the Council on demand the cost of services used from the Council's service bollards in the area
12. The Licensee shall remove the apparatus from the highway outside trading hours and immediately if required to do so as to permit works in or the use of the highway by:
 - 12.1 the Council, the police, fire and ambulance services, any statutory undertaker or telecommunications code operator or
 - 12.2 builders' vehicles, hearses and furniture removal vans
13. No alcohol shall be consumed on the highway unless an alcohol licence has been issued by the Council
14. The Licensee shall be responsible for any rates, taxes and other outgoings which may be charged.
15. The fee of £100.00 for the provision of this permission has been received
16. The permission shall run from 12.04.2021 to 31.03.2022 for a term of one year
17. The Licensee's attention is drawn to section 6 of the Business and Planning Act 2020 (failure to comply with conditions of licence)
18. There is no statutory right of appeal to this decision.

Siting of apararatus should not exceed the plan boundary as per your submitted application (attached)

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Dated: **01.04.2021**

Signed:

Operational Director – Policy, Planning and Transportation Department
Enterprise, Community & Resources Directorate

Schedule 1 – days and hours when pavement licence operational

Schedule 2 – description of the street furniture to be displayed

Schedule 3 – location plan of the street furniture