

Appendix A

National Conditions Made by the Secretary of State

Clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#).

Haringey Council's Standard Conditions for Pavement Licences

1. The use of the pavement must not commence before 8.00am or conclude later than 10.00pm.
2. No smoking is to be permitted in the Pavement licenced area
3. The licensee must at all times leave free from any furniture and customers an area of pavement adjacent to the carriageway at least 1.8 metres wide unobstructed pavement for pedestrians to be able to pass along the pavement unimpeded.
4. No permission will be granted that would allow customers to be seated in or on the carriageway unless vehicle traffic has been prohibited by a specific traffic order.
5. All customers must be seated, with no vertical drinking permitted in the pavement licensed area.
6. No barbecues/grills, fire pits or naked flames permitted in the pavement licensed area.
7. No cooking is permitted in the pavement licensed area
8. Any outdoor heating is to be provided by halogen or infra-red heaters only.
9. No shisha smoking activity is permitted in the pavement licensed area.
10. The licence holder must ensure that the use of the Pavement Licence conforms to the latest Government guidance on;
 - (a) Social distancing;
 - (b) Any reasonable crowd management measures;
 - (c) Cleaning procedures
11. No A boards permitted in the pavement licensed area.

12. The licensee shall have for the duration of the licence public liability insurance to the amount of £5,000,000 and shall indemnify the Council against any and all claims for damage or injury arising out of the use of the pavement.
13. The licensee shall provide Haringey Council with a copy of their certificate of public liability insurance with the application form.
14. The licensee shall make no claim against the Council in the event of the chairs or tables or other furniture or objects being lost, stolen or damaged from whatever cause.
15. The Licensee shall use the defined pavement areas for the purpose of consuming refreshments in connection with the business only and not for any other purpose whatsoever.
16. No charge to customers shall be made by the licensee for the use of the tables and chairs in the pavement licensed area.
17. The licensee shall make adequate provisions for the collection and disposal of litter from the pavement so as not to cause a public nuisance. Staff must periodically collect glasses/receptacles left by customers
18. All emergency exits and routes must be kept clear.
19. Any damage sustained to the highway resulting from furniture being placed on the highway in accordance with this permission shall be repaired at the expense of the licensee to the requirements and satisfaction of the Council.
20. All street furniture, equipment, receptacles and commodities must be removed from the pavement within 30 minutes of the finishing time stated on the pavement licence.
21. No additions or alterations to the furniture shall be made without prior written consent of the Council.
22. The licensee shall erect barriers around the table and chairs to cordon them off from the remaining pavement. Barriers will need to separate furniture from the rest of the footway so that the visually impaired can navigate around the furniture. These barriers should consider factors such as colour contrast and/or a tap rail for long cane users. Such barriers to be approved by the Council.
23. The maximum height of any barrier shall not exceed 1.5 metres.
24. Any authorised officer of the Council may require the licensee to comply with any order or directive to prevent a breach of these conditions and/or any special conditions.
25. The Council reserves the right to require the removal of furniture to allow for:
 - Maintenance
 - Emergencies

- Public events, exhibitions and markets
- Access
- Any other reasonable cause
- Prevention of anti social behaviour
- Prevention of noise nuisance

Where repair or maintenance of any utility apparatus within the pavement/highway is to be undertaken, the Council and/or Utility Company will not be liable for any loss of trade and/or income whilst repair/maintenance is carried out. The licence holder must allow the Council and/or Utility Company reasonable access for such works.

26. Items displayed or used in the licensed area should be of sufficient solidity or properly secured to prevent them falling or being blown onto the highway.
27. The licensee shall prominently display the prescribed pavement licence approval notice from the frontage of the premises in order to be plainly visible to the public. This notice MUST be returned to the council in the event of a licence being suspended or revoked.
28. The licensee shall ensure that the use of the pavement licence is risk assessed as part of the Covid secure measures. A copy of this risk assessment to be submitted with the application form. The risk assessment should include consideration for crowd management and counter terrorism security and awareness of the NaCTSO guidance.
29. The sale of alcohol from the premises shall be in compliance with an authorisation granted by Haringey Council, as the Licensing Authority, in accordance with the Licensing Act 2003.
30. The Licensee must not sub-let the licensed area or any part of the licensed area.
31. No external speakers, background music, recorded or live music shall be played into or from the designated pavement area.
32. During the hours of darkness, suitable and sufficient lighting must be provided to ensure safe use of the area. Any proposals to provide additional lighting to the licensed areas must be agreed with the Highway Authority.
33. For premises within the Tottenham Hotspur match and event day footprint the licensee is not permitted to make use of the pavement licence on match or event days.
34. Television screens (including projectors) must not be provided in or adjacent to the licensed area.
35. The licence holder must ensure that no alterations are made to the highway surface.
36. No transfer of a licence permitted
37. **Advertising:-** Advertising of alcoholic or smoking products or their

manufacture will not be permitted on the barriers or furniture within the Pavement Café area. Advertising may only relate to the premises or business and will require the approval of the Council

- 38 CCTV must be installed and cover the pavement licensed area. Imagery must be retained for at least one (1) calendar month and images produced upon reasonable request by a Police Officer or Local Authority Enforcement Officer.
- 39 CCTV - The responsible person **must** ensure that existing CCTV systems are correctly working, benefits from a maintenance contract whereby any outage or loss of capability will be resolved within a maximum period of 24 hours, be compliant with the Data Protection Act 2018, Information Commissioners requirements, and any other CCTV Code of Conduct referred to in the Premise Licence. Imagery must be retained for at least one (1) calendar month and images produced upon reasonable request by a Police Officer or Local Authority Enforcement Officer.

NOTES

These conditions should be read in conjunction with any mandatory national conditions concerning pavement licences, if the premises is licenced under the Licensing Act 2003, any relevant conditions attached to the premises licence, the latest government requirements concerning coronavirus and social distancing and any other relevant requirements of the Business and Planning Act 2020.

The licensee is responsible for ensuring that the conditions of the licence and any other necessary permissions and regulations are adhered to. The Licensee shall to use the highway solely for the purpose of the licence in line with the provisions of this licence and for no other purpose whatsoever.

Haringey Council reserves the right to revoke this licence at any time if any of the above conditions are not complied with.

All Premise particularly those located in the main High Roads, should have regard to the National Counter Terrorism Security Office (NaCTSO) publication 'Counter Terrorism Protective Security Guidance

Staff training shall include procedures to deal effectively with emergency incidents, including:

- i) reporting an emergency to the relevant emergency service
- ii) safe evacuation of customers
- iii) dealing with terrorist threats or incidents.
- vi) Preservation of crime scenes

Interpretation of Terms

In addition to the “interpretations” cited in the Business and Planning Act 2020 the following interpretations also apply:

The Local Authority means the London Borough of Haringey.

Licensed Site/Area means a place in any street where a pavement licence has been granted and includes any temporary alternative place approved by the Council or a duly authorised Officer of the Council.

Licence Holder means the person who has been granted the pavement licence.

Interpretation cited in the legislation.

<https://www.legislation.gov.uk/ukpga/2020/16/section/9/enacted>