



North Tyneside Council

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Pavement License Service

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18th June 2021

Pavement Licence Business and Planning Act 2020

PLICTC 0057.

The COUNCIL OF THE BOROUGH OF NORTH TYNESIDE in the County of TYNE AND WEAR, by virtue of the provisions of the Business and Planning Act 2020

Hereby Licence: Retro Bay Café, 52 Eastbourne Gardens, Whitley Bay, NE26 3LX

To ply a temporary pavement licence which enables businesses to place temporary furniture, such as tables and chairs within the said borough, for the consumption of food or drink outside of their premises under the Business and Planning Act 2020 from the date hereof until **30th September 2021**

Valid From: **18th June 2021**

Phil Scott
Head of Environment, Housing and Leisure

**Conditions attached to a
Pavement Licence**

Dated: **18th June 2021**

The following conditions are attached to the grant the following pavement licence:

Business name: Retro Bay Café
Valid From: 18th June 2021

Licence No: PLICTC 0057
Expiry Date: 30th September 2021

Name of licensee(s) Michael Smith

Failure to comply with the conditions may lead to action being taken against your licence.

Conditions of Licence

1, Clear routes of access along the highway must be maintained, considering the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people.

2. A detailed plan must be provided to North Tyneside Council, The Local Authority (LA) clearly showing the extent of the area you wish to use (including dimensions). Tables, Chairs, and Street Furniture must always remain within the designated area.

3. Every table, chair and item of temporary street furniture shall be positioned so that it does not impede the surface water drainage of the highway nor obstruct access to any premises unless the consent of the occupier of these premises has been obtained.

4. The tables, chairs, and temporary street furniture shall be positioned in the area agreed with the LA. All table, chairs and items of street furniture shall be sited adjacent to your premises and not obstruct access to any other premises unless the consent of the occupier of these premises has been obtained.

5, Any infringements of the licence or problems arising out of the use of the site must be immediately rectified to the satisfaction of the LA. The LA reserve the right to terminate a licence without notice.

6, Smoking is not permitted in the pavement licence area, these are designated as 'smoke-free' zones in accordance with Smoke-free (signs) regulations 2012.

7. No amplified music shall be permitted.

8. No electrical cables shall be run along the ground in such a way that they create a trip hazard or are susceptible to mechanical damage

9. A clear pathway of at least 1.2 metres wide shall be maintained to allow entrance and exit from shop premises.

10. Tables, chairs and temporary street furniture shall not be positioned to obstruct sight lines for drivers of vehicles at junctions.

11, Barriers: - A barrier approximately 1.0m high incorporating a tapping rail not more than 150mm above the ground must be provided where specified to guide persons safely around the tables, chairs and temporary street furniture, Barriers must not be permanently fixed to the ground where this is public highway. The barriers shall be designed to resist collapse or movement by being blown over or accidentally stumbled into. The specification of the barriers must be approved by the LA.

12. No tables, chairs, or temporary street furniture shall be left on the highway longer that is necessary, and in any event shall be removed or repositioned if required by the Police or LA. Tables, chairs and temporary street furniture shall be taken inside and stored during the hours when business is not trading.

13. No canopy or umbrella shall be lower than two metres in height and shall be adequately secured and shall not oversail an unlicensed area.

14. No tables, chairs or temporary street furniture shall remain on the highway pursuant to this permission after the period of this permit has expired.

15. In strong winds or other adverse weather conditions umbrellas should be removed, in particularly poor weather all furniture should be removed

16. The owner will hold Public Liability Insurance indemnity up to the value of £5 million against any liability, loss or damage, claim of proceeding whatsoever arising under Statute or Common Law in respect of the placing and maintaining of the tables, chairs and temporary street furniture on the highway or their removal there from. The applicant is required to submit proof of this insurance prior to the licence being issued.

17. For streets with footways and carriageways, the maximum width of any licensed area shall not exceed one third of the usable width of the footpath. A minimum unobstructed footpath width of 1.5 metres must be provided for safe and convenient pedestrian movement. This distance being, measured from the edge of the licensed area to any significant amount of street furniture (such as lamp posts, bollards, parking metres etc). Where there is a heavy pedestrian flow additional footpath space may be required.

18. For fully pedestrianised streets a minimum width of 1.8 metres or two thirds of the total width of the public highway, whichever is the greater, must remain free and unobstructed to facilitate pedestrian movement. This figure may be increased where there is a heavy pedestrian flow. The unobstructed route shall fall equally either side of the centre line of the highway to ensure the space available for tables and chairs is shared equally between premises on each side of the street.

19. The licensee shall always be responsible for keeping the designated area in a clean and tidy condition, provision of an external bin within the designated area and shall ensure that any associated debris is removed at the end of each day and make good any damage caused to the surface area.

20. The licence holder will be responsible for the conduct of customers. They must not be a nuisance or annoy users of the highway or neighbouring occupiers by generating anti-social behaviour

21. The licensee shall ensure that customers conform with the latest guidance on social distancing and any reasonable crowd management measures needed as a result of a licence being granted and businesses reopening.

22. Hours of operation: - These shall be specific to the Licence but will not be outside of 08:00 hours until 21:00 hours each day.

23. The licence shall be displayed in the window of the premises to which it relates.