



East Cambridgeshire District Council

## Business and Planning Act 2020

### APPLICATION FOR A PAVEMENT LICENCE

- **Please familiarise yourself with our terms and conditions and policy before completing this application**
- **It is an offence to give false information - all questions must be answered.**
- **Please note, an application may only be made under the above Act where:**

The applicant wishes to use land adjacent to their business for the purposes of setting out temporary furniture for the purposes of selling and/or serving food and drink, supplied by, or in connection with the relevant use of the connected premises, and for the purposes of allowing the consumption of that food and drink.

Relevant use is the use of the premises for the sale of food or drink for consumption on or off the premises.

Applications for any other purpose cannot be accepted, and no tacit consent will apply.

- **An application will not be deemed valid unless the Licensing Authority receives the following documents in addition to a completed and signed application form, and the relevant fee of £100:**
  1. Site plan to a suitable scale showing:
    - property boundary and proposed boundary of area to be covered by the pavement licence (with a red line to indicate the area to be licensed)
    - building and kerb lines
    - furniture layout
    - points of access and egress
    - position of any lighting columns, litter bins, road signs or other existing street furniture
    - measures to comply with the national smoke free seating condition
  2. evidence of the right to occupy the premises e.g. the lease;
  3. photos or pictures showing the proposed type of furniture
  4. photo evidence that the notice of the application is being displayed in accordance with section 2(5).

#### METHOD OF COMMUNICATION

- Pavement Licence applications can only be submitted electronically via an online form or by scanning a completed form, and submitting it via email in a .pdf format.
- The Council's primary method of communication is by email.
- The Council may also communicate with you via text message to your mobile phone. As the Council is not a telecommunications company it will be necessary to use the services of a 3<sup>rd</sup> party such as BT or Virgin to provide this facility. Where text messaging is used the Council will observe the principles of General Data Protection Regulations (GDPR) and the Data Protection Act 2018.
- By signing this application form you are agreeing to permit the Council to contact you using email, phone, text, and traditional paper based communication.

#### CONSENT PERIOD

Pavement Licences will be valid from the date of grant until the 30 September 2021, unless surrendered by the holder, or revoked by the Licensing Authority.

## SECTION 1: APPLICANT TYPE

Please indicate who will be the proprietor of the business:

- Sole trader  (complete sections 1 to 8, and 32 onwards)
- Partnership  (complete sections 1 to 16, and 32 onwards)
- Limited Liability Partnership (LLP)  (complete sections 17 to 23 and 32 onwards)
- Limited Company  (complete sections 17 to 23 and 32 onwards)
- Non-commercial Charity/Association/Committee  (complete sections 24 onwards)

## PROPRIETOR DETAILS

1. Surname:	2. Forename(s)
3. Current registered address:	
Postcode:	
4. Date of birth:	5. Telephone:
6. Mobile:	7. Email:
8(a). Are you permitted to work in the UK?: Yes <input type="checkbox"/> No <input type="checkbox"/>	
8(b). Are there any restrictions?: Yes <input type="checkbox"/> No <input type="checkbox"/> (If yes, please detail them below)	

## ADDITIONAL PROPRIETOR DETAILS

9. Surname:	10. Forename(s)
11. Current registered address:	
Postcode:	
12. Date of birth:	13. Telephone:
14. Mobile:	15. Email:
16(a). Are you permitted to work in the UK?: Yes <input type="checkbox"/> No <input type="checkbox"/>	
16(b). Are there any restrictions?: Yes <input type="checkbox"/> No <input type="checkbox"/> (If yes, please detail them below)	

## OTHER PROPRIETOR DETAILS

17. Ltd Company/LLP name:	
18. Current registered address of Ltd Company/LLP:	
Postcode:	
19. Ltd Company/LLP registration number:	
20. Mobile:	21. Telephone:
22. Email:	

23. Director/ Partner/Company Secretary names:

(please indicate all persons registered with Companies House, in the order you would like us to contact you)

### CHARITY/ASSOCIATION/COMMITTEE DETAILS

24. Charity/Association/Committee name:

25. Current registered address:

Postcode:

26. Charity registration number (if applicable):

27. Contact name:

28. Contact mobile:

29. Contact telephone:

30. Contact email:

31. Chairman/Secretary/Treasurer names:

(please indicate all persons, in the order you would like us to contact you)

### SECTION 2: BUSINESS PREMISES DETAILS

32. Trading Name:

33. Postal Address:

Post Code:

34. Please state the nature of your business, i.e. bar, restaurant, café etc

#### RELEVANT PURPOSE THE APPLICATION RELATES TO:

35. Which of the following relevant purposes do you wish to put furniture on the highway for? (please select ONE of the following options)

To sell or serve food or drink supplied from, or in connection with relevant use of, the premises

For the purpose of consuming food or drink supplied from, or in connection with relevant use of, the premises

Both of the above purposes

### SECTION 3: AREA OF HIGHWAY PROPOSED TO BE USED

36. Please provide a description of the area of the highway to which this application relates (NB you are also required to submit a plan with this application)

### SECTION 4: DAYS AND TIMES

37. During what times do you propose to place furniture on the highway on each of the following days: Please use the 24hr clock, e.g. 10:00 to 20:00. NB. Please note the general policy of the Council is not to grant permission beyond 21:00hrs.

	Mon	Tues	Wed	Thu	Fri	Sat	Sun
Start	:	:	:	:	:	:	:
Finish	:	:	:	:	:	:	:

### SECTION 5: FURNITURE TO BE PLACED ON THE HIGHWAY

38. Please provide a description of the furniture you propose to place on the highway – including quantity, brand, type and materials (please note you are required to provide photographs/pictures of the proposed furniture with your application).

39. Do you intend to alter any of the building and/or frontage to accommodate this proposal?

Yes  No

If YES, please give details:

**CONTACT DETAILS FOR CORRESPONDENCE  
(NB leave blank if same as applicant)**

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**SUPPORTING DOCUMENTS CHECKLIST**

<p>1. Photographs/pictures of the proposed furniture to be used.</p>	Enclosed: <input type="checkbox"/>
<p>2. Site plan to a suitable scale showing:</p> <ul style="list-style-type: none"><li>• property boundary and proposed boundary of area to be covered by the pavement licence (with a red line to indicate the area to be licensed)</li><li>• building and kerb lines</li><li>• furniture layout</li><li>• points of access and egress</li><li>• position of any lighting columns, litter bins, road signs or other existing street furniture</li><li>• measures to comply with the national smoke free seating condition</li></ul>	Enclosed: <input type="checkbox"/>
<p>3. Proof of public liability insurance for a minimum of £5 million pounds cover, which specifically covers the location indicated by point 2 above.</p>	Enclosed: <input type="checkbox"/>
<p>4. Photo evidence of notice of application</p>	Enclosed: <input type="checkbox"/>

**DECLARATION**

I hereby declare that:

**General**

- I understand that I am required to display a notice of my application in accordance with the requirements of the Business and Planning Act 2020 and that failing to do so and to maintain the notice throughout the consultation period may lead to the revocation of any licence granted.
- I understand I must hold and maintain public liability insurance for a minimum of £5 million.
- I understand my application will not be considered to be complete, and the consultation period will not start, until all the required documents and information have been provided and the application fee of £100 has been paid.
- I understand that the application fee paid is non-refundable if my application is refused or if any licence granted is subsequently surrendered or revoked.
- I understand that the Authority is under a duty to protect the public funds it administers, and to this end may use the information I have provided on this form for the prevention and detection of fraud. I understand that it may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

**Fraud Act 2006**

I understand, have read and checked the details and questions on this application form and the foregoing statements are true. I understand that it is a criminal offence if I or anyone else gives false information, or makes a false representation, or fails to disclose information in order for me to obtain a pavement licence. I am fully aware that the provision of a false statement, or information in order to obtain a licence is an offence under the above Act which may result in the refusal of this application and any subsequent applications for a period of one to three years. I am also aware that any licence granted as a result of breaching the above Act will be immediately withdrawn. A refusal or revocation decision is not reliant on a formal conviction under the above Act being secured.

I have read the Pavement Licensing guidance and conditions, and I undertake, in the event of a licence being granted, to observe and comply with such guidance and conditions.

Signed by or on behalf of the applicant<sup>2</sup>

Signed (by the applicant):.....Date:.....

Print name:.....Capacity:.....

Signed (by the applicant):.....Date:.....

Print name:.....Capacity:.....

<sup>2</sup> If signing on behalf of a Ltd Company, LLP or Charity/Committee/Association only one responsible person needs to sign.

## GDPR AND THE DATA PROTECTION ACT 2018

In line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, East Cambridgeshire District Council is fully committed to protect the privacy of our constituents, staff and members. We ensure the safe processing of personal data through strict guidelines for collection, storage and retention of information. Where appropriate, data sharing protocols are entered into and robust security measures are in place. The council maintains its Public Services Network (PSN) compliance, demonstrating its on-going commitment to supporting best practice in the maintenance and handling of data.

For further information contact: The Data Protection Officer, The Grange, Nutholt Lane, Ely, Cambs., CB7 4EE (email: [dataprotection@eastcambs.gov.uk](mailto:dataprotection@eastcambs.gov.uk))

The Licensing Authority maintains a data retention and sharing policy in accordance with GDPR rules, which explains how your information could be used by the Licensing Authority. Further details are available on the Council's website [www.eastcambs.gov.uk](http://www.eastcambs.gov.uk).