

Highways Act 1980

Conditions of Authorisation (Production of Income- Tables and Chairs)

1. Except with the previous written consent of the Council, only the amenities detailed on the authorisation are to be placed on the highway and only during the times specified.
2. The Council may mark a defined area detailing where the amenities shall be sited, but in any event a minimum footway width of 2.0 metres shall be maintained at all times to allow for pedestrian movement.
3. The applicant shall indemnify the Council from and against any claim in respect of any injury, damage or loss arising directly or indirectly out of the grant of this authorisation and the use by the public of the amenities provided.
4. The applicant shall be responsible for cleaning the public highway used under the authorisation at the end of each trading period and if requested by an authorised officer of the council, provide mobile litter bins on the public highway, in such a position and for such a period as the council specify.
5. The applicant shall ensure that the area and tables are kept clean and free from litter and accumulations of tableware and glass. The authorised area shall be managed so that its use does not cause a nuisance to neighbouring premises or users of the highway.
6. The applicant shall remove the amenities from the public highway immediately if requested to do so by the Council, its agents or contractors or by a statutory undertaker, its agents or contractor, or by a Police Officer. If requested to remove such amenities- the applicant shall not reposition them until they have been informed that he/she may do so by the Council.
7. If the Council serves a Notice on the applicant requiring them to take remedial steps necessary to remedy a breach of the terms of this authorisation and the applicant fails to comply with the said Notice, the Council may itself take the steps required by the Notice and recover from the applicant any expenses incurred.
8. The Council may withdraw the authorisation at any time upon giving the applicant seven days notice in writing. Upon withdrawal of the authorisation, the applicant shall remove the amenities from the public highway and in default- the Council may remove the amenities and recover from the applicant its costs in so doing.
9. Any Notice to be given to the applicant shall be deemed to be sufficiently served if addressed to the applicant and sent by post or left at the premises.
10. The authorisation is granted for a period of one year. An application for renewal must be made prior to the expiry date indicated on the said authorisation.
11. The authorisation shall be displayed in a prominent position in the window of the premises, so that it is clearly visible to users of the amenities and to persons using the highway. Failure to do so may result in the authorisation being withdrawn.

12. The amenities shall be removed from the public highway at the end of the permitted period each day in accordance with the authorisation, except with the written authorisation of the Council.
13. The applicant shall ensure that the patrons using the amenities do not cause a nuisance, either noise or other to persons using the highway or to neighbours of the premises.
14. The tables and chairs shall be uniform in appearance and shall be approved by the council. Plastic garden furniture will not normally be considered suitable.
15. No items may be placed in front of any adjoining premises.
16. The authorisation excludes A boards and any other amenities that are not specified. Any signage that is agreed shall be placed within the authorised area and shall not impede any persons using the highway.
17. The footway shall not be obstructed by patrons standing between table, chairs and the kerb.
18. The applicant shall not in any way interfere with the surface of the public highway.
19. Temporary fencing may be used to define the authorised area. Where it is intended to use such fencing- the detail and design shall be included on the application and shall be approved by the Council.
20. The amenities shall be so placed that they do not impair the visibility of road traffic.