



**WATFORD
BOROUGH
COUNCIL**

**HIGHWAYS ACT 1980, SECTION 115E
APPLICATION TO PLACE TABLES AND CHAIRS ON THE
PUBLIC HIGHWAY**

Notes to applicants:

1. Copies of this form must be sent when complete to:

Licensing Team
Watford Borough Council
Town Hall
WATFORD
WD17 3EX

T: 01923 278476
E: licensing@watford.gov.uk
W: www.watford.gov.uk

Licensing Enforcement Officer
Hertfordshire Constabulary
Community Safety Unit
Police Station
3 George Street
WATFORD
WD18 0BX

T: 01923 472938
E: Westernlicensing@herts.pnn.police.uk
W: www.herts.police.uk

Head of Planning and Development
Watford Borough Council
Town Hall
WATFORD
WD17 3EX

T: 01923 226400
E: developmentcontrol@watford.gov.uk
W: www.watford.gov.uk

Fire Protection Manager
Fire Protection
Hertfordshire Fire & Rescue Service
Mundells MU103
WELWYN GARDEN CITY
AL7 1FT

T: 01707 292310
E: administration.cfs@hertfordshire.gov.uk
W: www.hertsdirect.org

Licence and Enforcement Officer
Highways Section
Hertfordshire County Council
County Hall
Pegs Lane
HERTFORD
SG13 8DQ
T: 0300 123 4047

E:
countywide.licenceandenforcement@hertfordshire.gov.uk
W: www.hertsdirect.org

2. If you have any queries about completing it, you may telephone the Licensing Section on (01923) 278476 or email to licensing@watford.gov.uk.
3. The application must be submitted with the relevant fee. For information on the current fees, please see our website at www.watford.gov.uk/pavement.
4. No permit will be issued for longer than one year. On payment of the renewal fee the permit may be renewed for a further year, providing the council is satisfied there are no reasons not to renew it. Reasons for non-renewal include failing to comply with permit conditions, or due to highways works which may be planned to take place.
5. Specimen conditions normally included in permits are enclosed. Applicants should ensure that they are able to meet these conditions before applying for a permit.

Please answer all questions:

1) Applicant's name

Company name/address and postcode:

Telephone:

Email:

By ticking this box, you agree to us mainly communicating with you by email, including sending reminder letters and licences.

2) Agent's details if applicable

Company name/address and postcode:

Telephone:

Email:

By ticking this box, you agree to us mainly communicating with you by email, including sending reminder letters and licences.

3) Name and address of premises where it is proposed to place tables and chairs:

Telephone Number:

Please give the name of a contact person at these premises if different from Q1:

4) Please tick as appropriate:

Do you occupy these premises as freeholder leaseholder tenant other

5) **To be completed by the freeholder or their authorised representative if applying for the first time.**

I/We give our consent to this application being made:

Name:

Capacity:

Address:

Telephone Number:

Email:

Signature or official stamp:

6)	What is the nature of the business at these premises? (please be specific)
7)	How many tables and chairs do you propose to site?

8) Please indicate below the proposed days and times of operation for the tables and chairs:

Day	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Times from							
Times to							

9)	What date would you like the licence to start?
----	--

Notes:

1. Please enclose a copy of your current Public Liability Insurance Certificate to the sum of at least £5 million.
2. Your application must be accompanied by a scale plan of the area you wish to place the tables and chairs, showing the precise location of the tables and chairs on the highway. Please make sure that the scale used is shown on the plans. Inaccurate or illegible plans will be rejected. You do not need to submit plans if this is an application to renew the licence.
3. You must complete the attached Public Notice, and display it on or near the premises (in a location easily visible from the street) for a period of at least 28 days from the date you send your application to the council.
4. You must also send a copy of the attached Public Notice to the 15 properties that are nearest to your premises. Please state below which premises these were sent to:

--

5. By signing the box below you have indicated that you have complied with these steps.

10)	Your signature:
11)	Date:

DATA PROTECTION – Keeping your personal information safe
 Any data that you provide will be stored and processed by Watford Borough Council or its appointed agents in accordance with the law.
 Information collected may be shared with other Council departments and/or organisations the Council works with who assist us in the performance of our functions. It may also be shared with outside organisations such as the Police, DWP, and County Council, to prevent and detect crime. It may be shared with insurance companies and bodies responsible for auditing or administering public funds for the prevention and detection of fraud.
 Further information on the Council’s obligations to safeguard your personal information and your rights on accessing data held about you can be found on the Council’s website at:
<https://www.watford.gov.uk/privacynotice> and <https://www.watford.gov.uk/ehlprivacynotice> or by telephoning 01923 278000

NOTES TO APPLICANTS:

Policy

The Head of Community & Customer Services has delegated authority to determine applications for pavement licences in line with this policy.

Applications should be granted unless there are valid objections or reasons not to.

The standard hours for pavement licences should be between 8 am and 11 pm, with no alcohol being permitted to be drunk later than 30 minutes before the terminal hour of the pavement licence. Applications outside of those hours will be considered on a case-by-case basis, and only granted in the absence of objections or once such objections have been resolved or withdrawn.

When considering applications, the following matters will be taken into account:

(1) *Obstruction of the highway*

An absolute minimum unobstructed width of 2.5 metres of the highway, measured from the boundary line of the premises, must be available before a pavement licence is granted. Additional widths may be required in certain locations.

(2) *Public safety and equalities*

Applications will not be granted if pedestrians are forced or encouraged to cross a footway in a dangerous manner. Applications may be refused if there is insufficient space between tables and chairs to enable disabled people, particularly those in wheelchairs, to use the facilities, or if the proposed facility poses a risk to disabled people on the highway. Applications will not be granted where health and safety risks may arise that cannot otherwise be avoided. Licences are only issued to allow table service of food and drink.

(3) *Public nuisance*

Applications will be refused if they are likely to cause excessive amounts of litter, noise, disturbance, smell or other nuisance to users of the highway or adjacent properties, particularly residential properties.

(4) *Crime and disorder*

Representations from the police in relation to crime and disorder will be taken into account.

(5) *Access to plant and equipment*

Licences will not be granted where access to local authority or utility company plant and equipment will be severely restricted.

Applicants must submit details of the types of furniture that are to be used, and the types of barriers that will be erected to demarcate the licensed area, for approval by officers. Applications in conservation areas will be referred to conservation officers for consultation. Furniture and barriers must be of high quality and be in keeping with the characteristics of the area in which it will be used. Rigid barriers must be used and rope barriers will not usually be permitted.

Permissions will be granted on an on-going basis, subject to payment of an annual maintenance fee for inspection and compliance work. The council can revoke the permission within that time if there is a breach in the conditions, if the land is required for other purposes, or for any other reasonable cause. In these

circumstances the licence-holder will be given 28 days' notice of the council's intention to revoke the licence, and to make representations as to why revocation should not take place.

Council officers (including the Town Centre Manager in consultation with the licensing officers) or a police officer of at least Inspector rank may give seven days written notice requiring tables and chairs to be removed from the highway for the period of time specified in the notice, in order to temporarily accommodate other activities on the highway. The notice issued by the council may also temporarily amend the licence for a period stipulated in the notice.

The following enforcement regime will apply to pavement licences:

- (1) on the first breach of a licence condition a warning will be issued and the licensee requested to comply with the conditions within one hour of the warning. Failure to comply with the warning will lead to the licence being suspended until satisfactory compliance can be demonstrated;
- (2) a second written warning within a four week period will result in the suspension of the licence pending liaison with the licence-holder concerned and any further investigation if needed. The licence will be restored once the licence-holder has agreed to comply with the relevant conditions;
- (3) a third breach of condition within a six-week period from the lifting of the suspension in (2) above will result in the licence being revoked.

Once a licence has been revoked, any re-application will only be considered if the premises has had a change of owner/manager, or a period of one year has elapsed from the date of revocation.



**WATFORD
BOROUGH
COUNCIL**

PUBLIC NOTICE

**APPLICATION TO PLACE TABLES AND CHAIRS ON THE
PUBLIC HIGHWAY**
HIGHWAYS ACT 1980, SECTION 115E

An application has been made to Watford Borough Council under Part VIIA of the Highways Act 1980 from

[Name of applicant]

on behalf of the occupier of the premises currently known as

[Name and address of premises]

for permission to place

[state how many chairs and how many tables]

on the public highway known as

[name of road on which premises are situated]

on the following days and times:

[state proposed days and times]

Plans showing the proposed layout of the tables and chairs are available for inspection during normal office hours at the Town Hall, Watford for 28 days from the date of this notice.

Any person wishing to make representations to the council regarding the proposal should send them in writing to Licensing, Town Hall, Watford WD17 3EX (or by email to licensing@watford.gov.uk) by

[insert consultation end date, which is 28 days after the date the application was made to the council]

Signed:

[signature of applicant/authorised representative]

[date application submitted]