

HIGHWAYS ACT 1980 – SECTION 115E

## APPLICATION FOR THE RENEWAL OF A PAVEMENT PERMIT

***USE THIS FORM****:*

1. *if you are renewing an existing Pavement Permit in your name;*

***DO NOT USE THIS FORM****:*

1. *if any changes to the permitted area or use of a current pavement permit* *are required;*
2. *if you have not previously been granted a Pavement Permit and wish to apply for one;*

*(In both instances please use the form titled ‘****Application for a******Pavement Permit’)****.*

1. *If your business sells food and drink and will do so or allowing customers to consume food and drink in the permitted area.*

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| Existing Pavement Permit Reference No:  Expiry Date:  (please note renewals can be made up to 28 days before the expiry date) |
| Name of Applicant:  Name/s of Business Owner/s:  (also state whether sole trader, partnership or Limited Company:  In case of a Limited Company please state Company registration number: |
| Trading Name of business and address of premises where permit required: |
| Telephone number: |
| Email (all correspondence will be sent by email): |
| Address for correspondence (only if you do not have access to email): |
| Do you wish to alter the current permit including the size, location or equipment used?  Yes  No  If you have answered ‘Yes’ to this question you should not renew the current Permit. You should contact us and may need to submit an application for a new permit. |
| What goods are you intending to expose for sale: |

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| *If granted, your Pavement Permit will continue from the expiry date of your current pavement Permit. If there is any reason why you do not want this to occur, please advise us using the email address below.* |
| **Public Liability Insurance Details**:  Name of Insurer: ……………………………………………………………………………………………  Policy Number: ……………………………………………………………………………………………...  Expiry Date: ………………………………………………………………………………………………….  Cover (min £5million): ……………………………………………………………………………………… |
| **DECLARATION:**  I declare that I have read, understood and agree to the pavement guidelines and general conditions:  Signature of applicant: …………………………………………….. Date: ………  Print Name:  Position within Company (if applicable): |
| **The fee must be accompanied with the application.**  **You are able to make the renewal fee using one of the methods below.**  **Please check the Shropshire Council website for the current fee amount.** [**www.shropshire.gov.uk/licensing/licensing-fees/miscellaneous-licensing-fees/**](http://www.shropshire.gov.uk/licensing/licensing-fees/miscellaneous-licensing-fees/)  **By BACS** – Account details are Account Name: Shropshire Council Licensing A.C, Sort code: 55-50-05, Account Number: 55904440, Bank Address: Natwest, Mardol Head, Shrewsbury.  **On-line** by debit/credit card at [www.shropshire.gov.uk/Licensing](http://www.shropshire.gov.uk/Licensing)  **By telephone** Tuesday to Friday on 0345 678 9026 between the hours of 9am and 5pm.  **By post** to the Licensing Team at the address detailed overleaf (cheques made payable to Shropshire Council) |



**General Conditions and Regulations for Placing Items on the Highway**

**Highways Act 1980 – Section 115(E-K)**

Shropshire Council, acting as the Highways Authority, permits tables, chairs and associated equipment (‘the equipment’) and goods to be placed on the public highway subject to the requirements of the current **Pavement Permit Guidelines** including the permit conditions specified at **Appendix 1** and in particular:

1. The applicant understands that this permit is only relevant to equipment placed on the public footway and does not refer to or include planning permission which may also be necessary for the business.
2. The applicant shall indemnify Shropshire Council and provide insurance for the sum of £5,000,000 against any accidents or claims which may arise or be attributable to the presence of the equipment on the public highway either during the time they are being erected, in position, or being removed.
3. The permitted area shall be clearly identifiable and shall be adjacent to the applicant’s commercial premises. All associated equipment and goods may only be positioned within this defined area.
4. Equipment must not be erected or positioned in such a manner as to:

* Impede the safe passage of vehicles, cyclists or pedestrians along the public highway;
* Prevent access to bus stops, taxi ranks or other frontages;
* Cover any signs or markings relevant to the highway;
* Obscure any signs, especially on or near junctions;
* Obscure the visibility of users of the highway on or near junctions;
* Prevent access to any service covers or apparatus;
* Be placed on or near to tactile paving and dropped kerbs;
* Be permanent fixtures or involve the excavation of, or the fixing of anything to, the highway which must be left entirely undisturbed.

1. The Permit Holder shall remove all associated equipment and goods from the highway at all times the premises is closed to the public and during times not permitted under any planning regime.
2. A minimum available width of at least 1.5m on footpaths and 4.0m on pedestrianised areas must be maintained for pedestrians at all times.
3. All equipment shall comply with any applicable planning permission or otherwise and shall be kept in good repair and condition at the applicant’s expense.
4. The equipment must comply with health and safety requirements.
5. The Council reserve the right to remove from the public highway any unauthorised equipment which creates a danger, or in the case of an emergency, to permit highway works: in such cases, the applicant may be liable for any costs incurred to the Council in so removing the equipment.
6. Shropshire Council reserved the right to alter, amend or revoke the conditions applicable to pavement permits at any time.

**This form should be completed and returned to:**

**Trading Standards and Licensing, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury SY2 6ND**

[**licensing@shropshire.gov.uk**](mailto:licensing@shropshire.gov.uk)

**Application Checklist**

Fully completed application form. \*

Copy of any existing planning permissions you hold. \*

A site plan detailing your proposals. \*

(please also show the area applied for including the measurements to show

that there is sufficient area around the proposed area to enable proper

consideration of the application. Please indicate on the plan the location

of other street items such as bus stops, litter bins, pedestrian crossings

etc. nearby.)

Details of the equipment/goods to be used: \*

(include the whether any furniture, chairs, tables, umbrellas etc, to be used).

Proof of £5million Public Liability insurance cover: \*

(Ensure this information is added to the application form as required.)

The appropriate fee: \*

(depending on whether the application is for a new permit or a renewal of

an existing permit (cheques to be made payable to Shropshire Council.)

Details of how the boundary of the pavement permit is to be defined: \*

(need to consider how visually impaired and disabled individuals will be

able to identify the permitted area).

**Shropshire Council Pavement Permits- FAQs**

**Q. Do we need insurance cover?**

A. We do ask for public liability insurance cover for £5 million of Public Liability Insurance cover.

**Q. My equipment is not next to the road do I still need to make an application?**

A. The pavement is part of the highway which extends from the centre of the road to your property boundary. Any equipment on this needs a permit. If you are in doubt where the highway is please contact the Highways Development Control team.

**Q. Is there any limit to the amount of pavement I can apply to use?**

A. The pavement used needs to be proportional to your premises and not to restrict the footway beyond our requirements. A minimum width of pavement is to be maintained for public use at all times.

**Q. Am I allowed to serve alcohol?**

A. If you sell food or drink then you need to obtain a Pavement Licence. Please contact the Licensing Team for further details.

**Q. Is planning permission required?**

A. Planning permission will not be required for the addition of removable equipment on the pavement and associated goods for sale.

**Q. Do I need a pavement permit to place an Advertising Board on the pavement.**

A. No, A-boards are not managed through the pavement permit process and will need to be addressed by Shropshire Council’s Highways Team.

**Q. Can I use wooden benches to display my goods?**

A. Yes, any equipment may be used to display goods for example benches, shelving, storage units etc.. All items exposed for sale should be so arranged to ensure they do not pose a trip hazard to pedestrians.

**Q. What is defined as a pavement or footpath?**

A. A pavement (or footpath) is a through-fare for pedestrians, normally kerbed and separated from the carriageway. This also includes pedestrian zones. A minimum available width of at least 1.5 metres on footpaths and 4 metres on pedestrian areas must be maintained for pedestrians at all times.

**Q. Do we need to clean up the pavement by our premises?**

A. Yes, you will need to clean up any litter which is as a direct result of your business. It’s your pavement, so keep your local area clean and tidy. It may be best if you provide a litter bin for your customers which you empty regularly.

**Q. I will only use the pavement for my business in the summer months do I still need to apply?**

A. Yes. The permit is applicable for a period of 1 year from date of issue so you can choose when you want to use the permitted area during hours in which the business premises are open either all year round or for just part of the year.

**Q. Do I need to re-apply after the first year?**

A. Yes, to continue using the permitted area the permit must be renewed. Permits must be renewed annually and this can be undertaken within the renewal period which is any time in the period of 28 days before the expiry date of the permit. Whilst we will send you a renewal reminder prior to the expiry of your current permit it is the permit holder’s responsibility to renew the permit.

**Q What happens if I fail to renew my permit in the renewal period?**

A. If you wish to continue using the pavement then you will be required to submit a new application for a pavement permit including the applicable new application fee.

**Q. How do I pay for the pavement permit?**

A. Information on the fees applicable to apply for a new pavement permit or to renew an existing pavement permit can be found on the Councils website. Payment can be made in the following ways:

**By BACS** – Account details are Account Name: Shropshire Council Licensing A.C, Sort code: 55-50-05, Account Number: 55904440, Bank Address: Natwest, Mardol Head, Shrewsbury.

**On-line** by debit/credit card at www.shropshire.gov.uk/Licensing

**By telephone** Tuesday to Friday on 0345 678 9026 between the hours of 9am and 5pm.

**By post** to the Licensing Team at the address detailed overleaf (cheques made payable to Shropshire Council)

**Q. Can I transfer my permit if I sell my business?**

A. The permit is not transferable to another party. The new owner will need to apply for a new pavement permit providing all the required information within the new permit application form, providing proof of Public Liability insurance and paying the applicable fee.

**Q. Do I need to display my permit?**

A. Yes, this should be positioned so that it can be viewed from the outside.