



## BUSINESS AND PLANNING ACT 2020

### PAVEMENT LICENCE

Crawley Borough Council being the Licensing Authority of the above Act, **HEREBY GRANTS A PAVEMENT LICENCE** to:

Costa

To trade at:

COSTA  
Unit 1  
The Pavilion  
Queens Square  
Northgate  
Crawley  
West Sussex  
RH10 1DE

The size/specification of the trading area is:

5 m x 6.1m front of premises and 20.4m at the side of the premises

On the following days/times:

Monday to Saturday 07:00 to 18:00  
Sunday 09:00 to 17:00

Furniture of the following description:

Placement of 12 Tables 48 Chairs on the Highway for consumption of food and drink

Duration:

23 September 2022 - 22 September 2023

Signature:

A handwritten signature in black ink, appearing to read "A. Hill".

Head of Community Services  
Crawley Borough Council  
The Boulevard, Crawley, RH10 1UZ

**This licence is granted subject to the conditions and restrictions made by the Authority as detailed in the attached Annexes**

## **ANNEX 1**

### **STANDARD CONDITIONS APPLICABLE TO ALL STANDARD PAVEMENT LICENCES**

1. The grant of this pavement licence does not grant the licence-holder an exclusive right to use the highway site covered by the licence ("Licence Site"). Upon request, the licence-holder must give Crawley Borough Council and other public authorities including the Police, Highways Authority and other Statutory Undertakers) access to the Licence Site for emergencies, maintenance, installation, special events, improvements or any other reasonable cause. If the consequence of access is that the licence-holder is unable to use the Licence Site for any period, the licence-holder is not entitled to compensation from Crawley Borough Council or other public authority for any loss arising out of the access.
2. The licence-holder must have at all times during the currency of this pavement licence a valid Public Liability Insurance for the use of the Licence Site pursuant to this pavement licence. The insurance policy must indemnify Crawley Borough Council and West Sussex County Council against all actions, proceedings, demands, liability and claims for injury, damage or loss to users of the public highway, arising from the use of the Licence Site for the permitted purpose. The minimum level of indemnity must be £10 million respect of any one incident.
3. Furniture is only permitted to be placed on the Licence Site by this pavement licence within the permitted times as described in this licence. Outside these times the furniture must be removed from the highway.
4. Crawley Borough Council and West Sussex County Council may remove and store or dispose of furniture from the Licence Site if:
  - a. furniture is on the Licence Site outside the permitted times; or
  - b. furniture is on the highway outside the Licence Site at any time of the day.

Where furniture is removed by either council, the cost of the removal, storage and disposal must be paid by the licence-holder must be paid if it is left there outside the permitted hours, or should any conditions of the licence be ignored. The Council will not be responsible for its safekeeping.

5. The licence holder is not to make or cause to be made any claim against Crawley Borough Council in the event of any property of the licence holder becoming lost or damaged in any way from whatever cause.
6. An unimpeded pedestrian route must be maintained at all times for people wishing to use the footway.
7. Anything done by the licence-holder pursuant to this Licence, or any activity of other persons which is enabled by the Licence, must not have any of the following effects:
  - a. preventing traffic, other than vehicular traffic, from
    - i. entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
    - ii. passing along the relevant highway, or
    - iii. having normal access to premises adjoining the relevant highway,

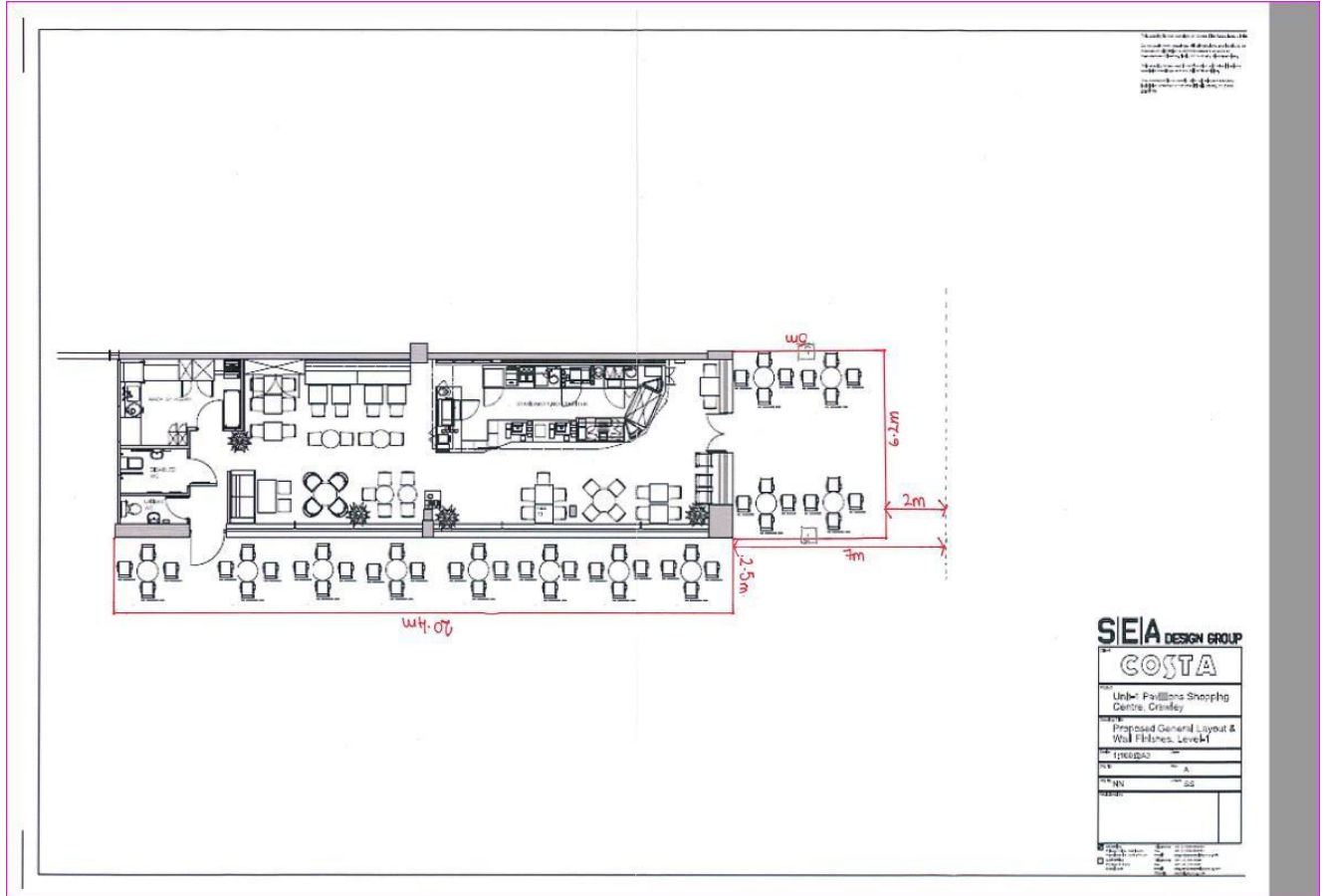
- b. preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
  - c. preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
  - d. preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.
8. Where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must make reasonable provision for seating where smoking is not permitted. This should include:
  - a. clearly identifiable smoking and non-smoking areas with no smoking signage displayed in the non-smoking areas; in accordance with Smoke-free (signs) regulations 2012
  - b. no ash trays or similar receptacles to be provided or permitted on furniture in non-smoking areas, and
  - c. Licence holders should provide a minimum 2 metre distance between non-smoking and smoking areas, wherever possible
9. The method of marking the boundary of the licensed area must be agreed between the licence holder and Officers of Crawley Borough Council. Whatever method is agreed a 2 metre clear walkway must be maintained for the use of pedestrians.
  - a. Clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.2 of [Inclusive Mobility. A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)
10. Emergency routes to the premises and adjacent buildings must not be obstructed by the Pavement Licence, which should not, in normal circumstances, extend beyond the width of the premises frontage.
11. The only furniture which may be placed on the Licence Site pursuant to this licence is that which was described as part of the application or subsequently approved by an officer of Crawley Borough Council.
12. The licence-holder must keep any furniture placed on the Licence Site pursuant to this licence in a good state of repair.
13. Crawley Borough Council will have no liability for any damages in the event of any of the furniture permitted to be placed on the Licence Site by this Licence is lost, stolen or damaged in any way from whatsoever cause.
14. Furniture should be placed so as not to obstruct driver sightlines, or road traffic signs.
15. Placement of furniture permitted to be placed on the Licence Site must allow pedestrians to use the footway parallel to the frontage of the premises. Alternative items may not be used without first seeking the written authority of the Licensing Team of Crawley Borough Council. Patio heaters must not be used.

16. All potential obstructions must be removed from the Public Highway when the premises are closed to prevent a safety hazard to pedestrians, particularly during the hours of darkness.
17. The licence-holder should ensure that they use the Licence Site in a safe and orderly manner, thereby ensuring that any safety risk or nuisance to customers, other users of the Public Highway or any adjacent land or premises, is minimised.
18. The licence-holder must ensure that their use of the Licence Site does not interfere with Highway drainage arrangements.
19. During the hours of darkness suitable and sufficient lighting must be provided to ensure safe use of the area.
20. All detritus (food and drink remnants, spillages, bottles, cans, wrappers etc) be regularly removed from the Licence Site. The licence holder must make arrangements to regularly check for and to remove litter and rubbish on pedestrian walkways, caused by persons using the premises, for a distance of up to 10 metres from the boundary of the Licence Site.
21. The licence holder must ensure that any tables placed on the Licence Site pursuant to this licence are cleared in an efficient manner during the hours of operation. The licence holder must ensure the licensed area and surrounding highway is to be washed down at the completion of each day's usage using a method sufficient to remove food debris, grease and other spillages that may occur.
22. All furniture covered by the Licence shall be freestanding. The licence holder is not permitted to make any fixtures, or excavations of any kind, to the surface of the highway and it must remain undisturbed. The licence-holder must pay to West Sussex County Council any costs incurred as a result of damage to the highway from the positioning of furniture.
23. The Licence Holder must not permit or allow the consumption of alcoholic liquor within the Licence Site unless there is a premises licence granted under the Licensing Act 2003 in respect of the premise adjacent to the Licence Site in respect of which this licence was granted.
24. The Premises Licence Holder of a premises licensed under the Licensing Act 2003 or any modification or re-enactment thereof, must not allow the consumption of alcoholic liquor outside of the hours in force for the premises itself.
25. All drinking receptacles must be of a shatterproof material.
26. The Pavement licence must be displayed on the premises with a plan of the agreed layout of the Licence Site.
27. The licence-holder is responsible for ensuring that the conditions of the licence and any other necessary permissions and regulations are adhered to.
28. The licence holder must remove any tables, chairs and other furniture immediately at the end of the licence period or on revocation of the licence.
29. This permission is for a limited period expiring on the date specified on the Pavement Licence, after which time if the Proprietor wishes to renew or continue the use they will need to submit a further application;
30. On expiration of licence, the table and chairs become an illegal obstruction of the highway if not removed.

31. The Licence Holder is required to display the attached Licence in a prominent position in a front window, or door, of the premises so that it is visible to any person.
32. Crawley Borough Council reserves the right to revoke this licence at any time if any of the above conditions are not fulfilled and maintained.
33. This licence is not transferrable.
34. The licence-holder must surrender this Licence within 7 days of the selling or transferring their interest in the Premises, such that they no longer have control over the Premises.

# ANNEX 2

## PLAN OF TRADING AREA



## **Crawley Borough Council Pavement Licence Conditions**

**The sale, supply and consumption of alcohol shall cease at 11.00 pm (23.00 hours) No alcohol of any sort shall be permitted in the area covered by the pavement licence after 23.00 hours.**

1. The grant of this pavement licence does not grant the licence-holder an exclusive right to use the highway site covered by the licence ("Licence Site"). Upon request, the licence-holder must give Crawley Borough Council and other public authorities including the Police, Highways Authority and other Statutory Undertakers) access to the Licence Site for emergencies, maintenance, installation, special events, improvements or any other reasonable cause. If the consequence of access is that the licence-holder is unable to use the Licence Site for any period, the licence-holder is not entitled to compensation from Crawley Borough Council or other public authority for any loss arising out of the access.
2. The licence-holder must have at all times during the currency of this pavement licence a valid Public Liability Insurance for the use of the Licence Site pursuant to this pavement licence. The insurance policy must indemnify Crawley Borough Council and West Sussex County Council against all actions, proceedings, demands, liability and claims for injury, damage or loss to users of the public highway, arising from the use of the Licence Site for the permitted purpose. The minimum level of indemnity must be £10 million respect of any one incident.
3. Furniture is only permitted to be placed on the Licence Site by this pavement licence within the permitted times as described in this licence. Outside these times the furniture must be removed from the highway.
4. Crawley Borough Council and West Sussex County Council may remove and store or dispose of furniture from the Licence Site if:
  - a. furniture is on the Licence Site outside the permitted times; or
  - b. furniture is on the highway outside the Licence Site at any time of the day.

Where furniture is removed by either council, the cost of the removal, storage and disposal must be paid by the licence-holder must be paid if it is left there outside the permitted hours, or should any conditions of the licence be ignored. The Council will not be responsible for its safekeeping.


5. The licence holder is not to make or cause to be made any claim against Crawley Borough Council in the event of any property of the licence holder becoming lost or damaged in any way from whatever cause.
6. An unimpeded pedestrian route must be maintained at all times for people wishing to use the footway.
7. Anything done by the licence-holder pursuant to this Licence, or any activity of other persons which is enabled by the Licence, must not have any of the following effects:
  - a. preventing traffic, other than vehicular traffic, from—
    - i. entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),

- ii. passing along the relevant highway, or
    - iii. having normal access to premises adjoining the relevant highway,
  - b. preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
  - c. preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
  - d. preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.
8. Where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must make reasonable provision for seating where smoking is not permitted.
  9. The method of marking the boundary of the licensed area must be agreed between the licence holder and Officers of Crawley Borough Council. Whatever method is agreed a 2 metre clear walkway must be maintained for the use of pedestrians.
  10. Emergency routes to the premises and adjacent buildings must not be obstructed by the Pavement Licence, which should not, in normal circumstances, extend beyond the width of the premises frontage.
  11. The only furniture which may be placed on the Licence Site pursuant to this licence is that which was described as part of the application or subsequently approved by an officer of Crawley Borough Council.
  12. The licence-holder must keep any furniture placed on the Licence Site pursuant to this licence in a good state of repair.
  13. Crawley Borough Council will have no liability for any damages in the event of any of the furniture permitted to be placed on the Licence Site by this Licence is lost, stolen or damaged in any way from whatsoever cause.
  14. Furniture should be placed so as not to obstruct driver sightlines, or road traffic signs.
  15. Placement of furniture permitted to be placed on the Licence Site must allow pedestrians to use the footway parallel to the frontage of the premises. Alternative items may not be used without first seeking the written authority of the Licensing Team of Crawley Borough Council. Patio heaters must not be used.
  16. All potential obstructions must be removed from the Public Highway when the premises are closed to prevent a safety hazard to pedestrians, particularly during the hours of darkness.
  17. The licence-holder should ensure that they use the Licence Site in a safe and orderly manner, thereby ensuring that any safety risk or nuisance to customers, other users of the Public Highway or any adjacent land or premises, is minimised.
  18. The licence-holder must ensure that their use of the Licence Site does not interfere with Highway drainage arrangements.



19. During the hours of darkness suitable and sufficient lighting must be provided to ensure safe use of the area.
20. All detritus (food and drink remnants, spillages, bottles, cans, wrappers etc) be regularly removed from the Licence Site. The licence holder must make arrangements to regularly check for and to remove litter and rubbish on pedestrian walkways, caused by persons using the premises, for a distance of up to 10 metres from the boundary of the Licence Site.
21. The licence holder must ensure that any tables placed on the Licence Site pursuant to this licence are cleared in an efficient manner during the hours of operation. The licence holder must ensure the licensed area and surrounding highway is to be washed down at the completion of each day's usage using a method sufficient to remove food debris, grease and other spillages that may occur.
22. All furniture covered by the Licence shall be freestanding. The licence holder is not permitted to make any fixtures, or excavations of any kind, to the surface of the highway and it must remain undisturbed. The licence-holder must pay to West Sussex County Council any costs incurred as a result of damage to the highway from the positioning of furniture.
23. The Licence Holder must not permit or allow the consumption of alcoholic liquor within the Licence Site unless there is a premises licence granted under the Licensing Act 2003 in respect of the premise adjacent to the Licence Site in respect of which this licence was granted.
24. The Premises Licence Holder of a premises licensed under the Licensing Act 2003 or any modification or re-enactment thereof, must not allow the consumption of alcoholic liquor outside of the hours in force for the premises itself.
25. The Pavement licence must be displayed on the premises with a plan of the agreed layout of the Licence Site.
26. The licence-holder is responsible for ensuring that the conditions of the licence and any other necessary permissions and regulations are adhered to.
27. The licence holder must remove any tables, chairs and other furniture immediately at the end of the licence period or on revocation of the licence.
28. This permission is for a limited period expiring on the date specified on the Pavement Licence, after which time if the Proprietor wishes to renew or continue the use they will need to submit a further application;
29. On expiration of licence, the table and chairs become an illegal obstruction of the highway if not removed.
30. The Licence Holder is required to display the attached Licence in a prominent position in a front window, or door, of the premises so that it is visible to any person.
31. Crawley Borough Council reserves the right to revoke this licence at any time if any of the above conditions are not fulfilled and maintained.
32. This licence is not transferrable.
33. The licence-holder must surrender this Licence within 7 days of the selling or transferring their interest in the Premises, such that they no longer have control over the Premises.

Dated 9<sup>th</sup> day of September 2022

Signed   
Head of Community Services

I hereby acknowledge receipt of the County Council's permission, which the above is a true copy and I accept the conditions contained therein.

Signed:.....  
On behalf of

Dated: