

Standard Consent Conditions – Highways Act 1980

1. Except with the previous written consent of the Council, only the amenities detailed on the consent ('the Amenities') are to be placed on the public highway, and the Amenities are only to be placed on the public highway between the times detailed on the consent on the permitted area specified in the consent ('the permitted area').
2. Any heaters must be to BS Standards (BS EN 60529:1992 (Electric heaters) and BS EN 14543:2005 (Gas heaters)). Access to the controls/pipe/cylinder on the heaters must be restricted to authorised employees of the premises only. .
3. The Council may require the boundary of the permitted area to be defined by shall be a fixed barrier system that is suitably stable not to be easily blown or knocked over.
4. Clear access to the entrance of the adjoining premises must be maintained at all times.
5. The permit holder is not permitted to make any fixtures, or excavations of any kind, to the surface of the highway without prior written approval of the Council.
6. The permit holder is not permitted to erect the Amenities other than in accordance with the provisions of the permit.
7. The permit holder is not to make or cause to be made any claim against the Council in the event of any property of the permit holders becoming lost or damaged in any way from whatever cause.
8. The permit holder is to indemnify and keep indemnified the Council from and against all actions, costs, claims, proceedings, demands and liability, which may at any time arise or be incurred in consequence of the placing and maintaining the Amenities on the highway or their removal from the highway.
9. The permit holder will hold a Public Liability Insurance indemnity policy throughout the term of the permit up to the value of £5 million against any liability, loss or damage, claim of proceeding whatsoever arising under Statute or Common Law in respect of the placing and maintaining the Amenities on the highway or their removal. The applicant is required to submit proof of this insurance prior to the licence being issued.
10. At the instruction of the Council to remove the Amenities during the permit period for the purpose of:
 - (a) Works in or under or over the highway or for using it in connection with works in, under or over land adjacent to or adjoining it as may be required by Epping Forest District Council, the local highways authority or any statutory undertaker or other person authorized by the Council.
 - (b) Use by emergency services.
 - (c) Any other reasonable cause.

11. Not to cause a nuisance to persons using the highway or any adjacent land or premises. The permit holder is responsible for the keeping of good order within the boundary of the permitted area.
12. To remove the Amenities immediately at the end of the permit period or on any sooner revocation of the licence.
13. To reinstate the highway in the event of a breach of the conditions of the permit. To reimburse Epping Forest District Council if, as a result of a breach of the permit conditions, it is required to carry out any reinstatement works itself.
14. To keep the permitted area free of litter and rubbish, including staining from food and drink spillages.
15. The permitted area must be washed down thoroughly, at the end of every day, using a method sufficient to remove food debris, grease and other spillages that may occur.
16. To make arrangements to regularly check for and to remove litter and rubbish on pedestrian walkways, caused by persons using the amenities, for a distance of up to 10 metres from the boundary of the permitted area.
17. The footway must not be obstructed by patrons standing between tables and between tables and chairs and the curb.
18. The permit holder shall not allow any drink in a glass container of any description to be consumed in the permitted area unless the container is made of toughened glass.
19. The Amenities must be removed from the public highway at the end of the permitted period each day and in any event they must be removed when the business is not trading.

Note: Permission to place tables and chairs on the highway does not exempt the applicant from complying with any other legislation applying to the premises. In particular, where the premises are licensed for the sale of alcohol, an extension to the liquor licence must be obtained. Planning permission may also be required.