

# BUSINESS & PLANNING ACT 2020

## Part 1

### Application form for a pavement licence

## Notes for applicants

### (1) Completing the application form:

- (a) Please read the guidance notes carefully before completing this application form.
- (b) Please complete this application form in full.
- (c) Once complete, please call 01252 398855 to make payment by card and e-mail your application to [licensing@rushmoor.gov.uk](mailto:licensing@rushmoor.gov.uk)

### (2) Accompanying documentation and enclosures:

In making an application for a pavement licence, this application form must be accompanied by the following:-

- (a) a copy of an Ordnance Survey site / location plan (scale 1:1250) showing the location of the premises (outlined in red) to which the proposals relate; together with its location relative to adjoining streets and other premises that may be affected by the proposal(s). **NB:** Ordnance Survey plans can be purchased at the Council for a fee.
- (b) a copy of a detailed site plan (scale 1:100 or larger where appropriate) that shows:
  - (i) the full boundary of the premises to which the proposals relate, including:-
    - the frontage(s) and/or building line(s) of the premises;
    - all main points of access to and egress from the premises;
    - the location of all fire exits and escape hatches (where different);
    - the area(s) and dimensions of any private forecourt to the premises;
    - the area where furniture / objects are intended to be stored; and
    - the area intended for storing refuse and associated facilities.
  - (ii) outline details of adjacent premises, including:-
    - the frontage(s) and/or building line(s) of adjacent and opposite premises;
    - the area(s) and dimensions of any private forecourt of adjacent premises (metres);
    - all points of access to and egress from adjacent premises (including fire exits and escape hatches) along each frontage to which the proposals relate;
  - (iii) the exact location(s) and dimensions (in metres) of the area of highway proposed to be used (in accordance with sections C2 and C3 of this form), including:-
    - the relevant footway width(s), kerb line(s) and centre line(s) of adjoining carriageways or pedestrianised areas (if applicable);
    - the exact location(s), area and dimension(s) of the objects proposed to be placed on the highway (and the space between them);

- (iv) the location of any other street furniture or objects already on the highway / footway in the vicinity of the premises and proposals to which the application relates (e.g. statutory undertaker plant or utilities, drainage gullies, trees, planters, benches, railings, post boxes, bollards, sign posts, lamp posts, traffic lights, cellar hatches, inspection covers, manholes, fire hydrants etc); and
  - (v) the position of pedestrian and other road user access facilities in the vicinity of the premises and proposals to which the application relates (e.g. dropped / raised kerbs, pelican crossings, cycle lanes, parking bays, market stall pitches, taxi ranks, bus stops, tactile paving areas etc).
- (c) Evidence of the right to occupy the premises concerned e.g. copy of lease.
  - (d) a copy of a valid certificate of liability insurance that indemnifies the licence holder, Rushmoor Borough Council and Hampshire County Council of not less than £5 Million against each and every claim in respect of injury, damage or loss arising out of any grant of permission to place objects on the highway.
  - (e) Full details of all objects / furniture proposed to be placed on the highway (including tables, chairs, space heaters, planters, umbrellas, barriers, lighting columns, signs, menu boards etc). **NB:** a copy of the manufacturer's brochure(s) and other such documentation / literature may be submitted for these purposes (see also section D of this form).
  - (f) A colour photograph of each type of object proposed to be placed on the highway as it would appear in the street, together with precise measurements (metric) of the height, width and depth of each object. **NB:** a copy of the manufacturer's brochure(s) and other such documentation / literature which shows the proposed object(s) in colour as they would appear in the street may be submitted for these purposes (see also section D of this form).
  - (g) Evidence that the required site notice is displayed outside the premises e.g. a photograph
  - (h) The fee or a suitable receipt showing that the fee has been paid.

**NB:** Failure to supply, provide or otherwise submit prescribed enclosures or any other such information requested may render the application invalid. Such applications may be regarded as void and may be returned to the applicant.

## Other notes for applicants

- (1) Licences may only be granted to individual(s) or a company for a business premises used as a public house, wine bar, other drinking establishment or any other use involving the sale of food or drink. A licence is not transferable.
- (2) If a licence ceases to be used for any period, no refund will be made by the Council for that period or any outstanding period remaining on the term of the permission.
- (3) Where appropriate, a licence will be issued for a maximum period of 12 months at any one time.
- (4) Should you require any further information in completing this application form, please contact any of our licensing officers on telephone: 01252 398855 or email [licensing@rushmoor.gov.uk](mailto:licensing@rushmoor.gov.uk) with your query.



12. Home telephone number

13. Mobile telephone number

14. Fax number (Optional)

15. Email (Optional)

Now go to **section C1**

## SECTION B3

### Other Applicant Details

(Complete this section only if applying in any capacity other than a private individual)

16. Name

17. Address

Town / City:

County:

18. Postcode

19. Telephone number

20. Fax number (Optional)

21. Email (Optional)

22. Is the above address, the registered office? YES  NO  If 'YES' please go to Q28. If 'NO' please complete Q23 to Q27.

23. Registered office address (where different to above)

Town / City:

County:

24. Postcode (i.e. of registered office)

25. Telephone number (i.e. of registered office)

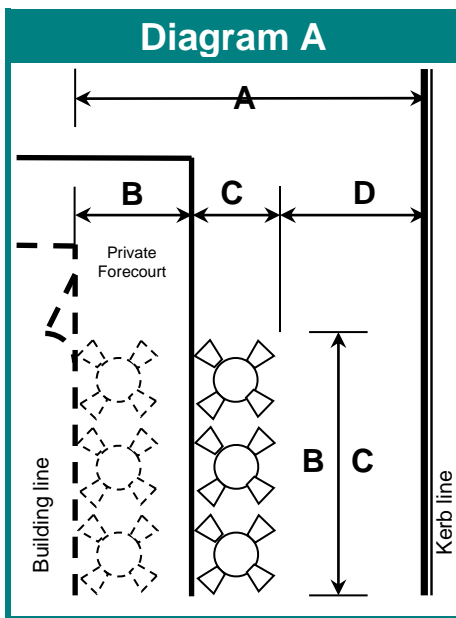
26. Fax number (Optional) (i.e. of registered office)

27. Email (Optional) (i.e. of registered office)

28. Registered number (i.e. company number)

29. Description (e.g. company, partnership etc)





**NB:** These diagrams are given by way of example only. Other configurations may apply.

**NB:** The detail of the dimensions shown here must be marked and shown on the detailed plan as appropriate.

## SECTION C2

### Location of Proposed Objects

(See Diagram A for reference)

37. For each frontage of your premises that you want to use, please specify the available space and dimensions (in metres) of the area(s) proposed to be used for placing objects on the highway

**NB:** The detail and dimensions requested here must be marked and shown on the detailed plan.

#### Frontage A

a) Distance to kerb edge (or street centre line*) from building line	(m)	<input type="text"/>
b) Dimensions of any private forecourt along building line**	Width (m)	<input type="text"/>
	Depth (m)	<input type="text"/>
c) Area proposed to be used for objects	Width (m)	<input type="text"/>
	Depth (m)	<input type="text"/>
d) Remaining distance to kerb edge (or street centre line*) accounting for proposed area	(m)	<input type="text"/>

\* Provide distance to kerb edge from building line or, in the case of pedestrianised area(s) to street centre line as may be appropriate.

\*\* If you do not have a private forecourt, please mark this box



See example **Diagram A** for reference

#### Frontage B

Only complete where a second frontage of the premises is proposed to be used

a) Distance to kerb edge (or street centre line*) from building line	(m)	<input type="text"/>
b) Dimensions of any private forecourt along building line**	Width (m)	<input type="text"/>
	Depth (m)	<input type="text"/>
c) Area proposed to be used for objects	Width (m)	<input type="text"/>
	Depth (m)	<input type="text"/>
d) Remaining distance to kerb edge (or street centre line*) accounting for proposed area	(m)	<input type="text"/>

\* Provide distance to kerb edge from building line or, in the case of pedestrianised area(s) to street centre line as may be appropriate.

\*\* If you do not have a private forecourt, please mark this box



See example **Diagram A** for reference

Complete as may be appropriate and, where necessary, continue on a separate sheet for each additional frontage proposed to be used.

# SECTION D

## Proposal Details i.e. details of the nature and extent of the licence sought

(To be completed only by new applicants and those looking to amend their previous licence)

**NB:** It is the policy of the Council that pavement licences be limited to a period of not more than 12 months. However, by way of ensuring flexibility, applications for time-limited licences (being not less than 3 months and not more than 12 months in duration) are also permitted. Please note that in line with the legislation no licence will be granted with an end date after 30<sup>th</sup> September 2022.

38. Do you want the licence to last a full term (i.e. 12 months)?

YES

NO

If 'YES' please go to **Q40** below  
If 'NO' please answer **Q39**.

39. If you wish the licence to be valid for a limited period, please specify dates.

**NB:** A licence application takes up to 14 days to be determined. Applicants must apply in sufficient time.

From

To

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

**NB:** You will need to apply separately for more than one defined period in any 12 months

**NB:** It is the policy of the Council that the hours during which objects may be placed on the highway be limited between 09:00am and 22:00pm. However, the Council may reduce these hours further where appropriate and will only approve hours beyond those stated in exceptional circumstances, and only where the application is accompanied by a suitable and sufficient noise management plan.

40. Using the 24:00 hour clock, please state the hours during objects are proposed to be placed on the highway.

<b>Monday</b>	From	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>	To	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>
<b>Tuesday</b>	From	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>	To	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>
<b>Wednesday</b>	From	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>	To	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>
<b>Thursday</b>	From	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>	To	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>
<b>Friday</b>	From	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>	To	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>
<b>Saturday</b>	From	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>	To	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>
<b>Sunday</b>	From	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>	To	<input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>

**NB:** It is the policy of the Council that all objects proposed to be placed on the highway conform to the minimum standards set out in our current design specification. See our website for details ([www.rushmoor.gov.uk](http://www.rushmoor.gov.uk)). It is also the policy of the Council that only those objects specified in a licence (where granted) may be placed on the highway and that the type and number of such objects shall not exceed those prescribed.

41. Please list the quantity, specification and manufacturer / supplier details of each type of object proposed to be placed on the highway (e.g. tables, chairs, space heaters, planters, umbrellas, barriers, lighting columns, signs, menu boards etc).

**NB:** Colour photographs of each type of object proposed to be placed on the highway as it would appear in the street, together with precise measurements of the height, width and depth of each object must be supplied. Manufacturer's brochures and other such documentation / literature may be submitted for the purposes of this section.

Quantity	Object / Furniture (type / description)	Manufacturer name and address	Manufacturer's specification and colour(s)
		<p>Name:</p> <p>Address:</p>	<p>(H) (W) (D)</p>
		<p>Name:</p> <p>Address:</p>	<p>(H) (W) (D)</p>
		<p>Name:</p> <p>Address:</p>	<p>(H) (W) (D)</p>
		<p>Name:</p> <p>Address:</p>	<p>(H) (W) (D)</p>
		<p>Name:</p> <p>Address:</p>	<p>(H) (W) (D)</p>



Quantity	Object / Furniture (type / description)	Manufacturer name and address	Manufacturer's specification and colour(s)
		<p><b>Name:</b></p> <p><b>Address:</b></p>	<p>(H) (W) (D)</p>
		<p><b>Name:</b></p> <p><b>Address:</b></p>	<p>(H) (W) (D)</p>
		<p><b>Name:</b></p> <p><b>Address:</b></p>	<p>(H) (W) (D)</p>
		<p><b>Name:</b></p> <p><b>Address:</b></p>	<p>(H) (W) (D)</p>
		<p><b>Name:</b></p> <p><b>Address:</b></p>	<p>(H) (W) (D)</p>

**NB:** It is the policy of the Council that objects be removed from the highway outside the permitted hours and dates granted and/or when it is not intended to operate, and that all such objects be stored in a place reserved for that purpose which must not be on the highway.

42. Will the objects be stored in the business premises?

YES  NO

If 'YES' please go to **Q44** below.  
If 'NO' please answer **Q43**.

43. Please specify the place of storage of the tables & chairs etc. when not on the highway

Dimensions of storage area

m<sup>2</sup>

**NB:** Subject to local byelaws and orders, alcohol may be sold / supplied on the highway when specifically authorised by a licence under the Licensing Act 2003.

44. Do you intend to sell / supply alcohol in or from any permitted area?

YES  NO

If 'YES' please answer **Q45** below.  
If 'NO' please go to **Q47**.

45. Do you hold a relevant licence for this purpose under the Licensing Act 2003?

YES  NO

If 'YES' please answer **Q46** below.  
If 'NO' go to **Q47**. **NB:** You may need to apply for grant / variation of a relevant licence under the Licensing Act 2003.

46. Licence number

/      /

47. Do you intend to sell / supply alcohol in or from the relevant business premises?

YES  NO

If 'YES' please answer **Q48** below.  
If 'NO' please go to **Q50**.

48. Do you hold a relevant licence for this purpose under the Licensing Act 2003?

YES  NO

If 'YES' please answer **Q49** below.  
If 'NO' go to **Q50**. **NB:** You may need to apply for grant / variation of a relevant licence under the Licensing Act 2003.

49. Licence number

/      /



- (c)  [I] [We] submit a detailed site plan (scale 1:100 or larger where appropriate)   
 Plan Reference Number:
- (d)  [I] [We] submit colour photographs and details of each type of object proposed to be placed on the highway as it would appear in the street
- (e)  [I] [We] submit a copy of a valid and appropriate certificate of liability insurance   
 Insurance Policy Number:
- (f)  [I] [We] submit evidence of the right to occupy the premises concerned
- (g)  [I] [We] submit evidence that the site notice is displayed at the premises
- (h)  [I] [We] submit the fee (£100) or suitable receipt showing that the fee has been paid

[I] [We] agree to be bound to the conditions applied to any such licence that may be granted.

[I] [We] declare that the information contained on this application form and on any submitted plans are true and correct to the best of [my] [our] knowledge and [I] [we] make it knowing that if it is tendered inaccurately, any licence determined and issued in connection with it may be revoked.

[I] [We] also consent to, and understand that, the information given on this application form and any other documents submitted herewith, may be issued to, verified with, and subject to assessment by other agencies for the purposes of determination of [my] [our] application and/or the prevention and detection of crime. In particular, such agencies may include Hampshire County Council, Hampshire Constabulary, Hampshire Fire & Rescue Service, the Planning Authority, the relevant enforcing authority for Health & Safety, Environmental Health and any other relevant bodies.

<b>Signature of applicant or authorised representative</b>

<b>Name of company (or company stamp / seal)</b>

<b>Print Name</b>

<b>Position</b>

**Date:**

## Privacy Statement

### 1. Identity of the Data Controller and contact details

Rushmoor Borough Council is the data controller for the personal information you provide on this form. You can contact the Council by phone on 01252 398855, via email to [licensing@rushmoor.gov.uk](mailto:licensing@rushmoor.gov.uk) or by writing to us at Council Offices, Farnborough Road, Farnborough GU14 7JU. You can contact the Council's Data Protection Officer at [data.protection@rushmoor.gov.uk](mailto:data.protection@rushmoor.gov.uk).

### 2. What we need your information for and the legal basis for it

We need your personal information to process and determine your application for (grant / renewal) of a pavement licence and, where appropriate, to ensure compliance with any licence issued and related licensing laws. As one of the Council's public tasks, undertaken in the public interest, it is necessary to use your personal information in this way to carry out our functions and responsibilities in accordance with these laws and the Council's licensing policies.

### 3. Use for any other purposes

If we need to use your information for any other purpose, we will normally inform you before using it, unless we believe you know about the new purpose already or there are legal reasons that prevent us from telling you.

### 4. Will you pass my information to anyone else?

In order to provide our services, carry out our public tasks and to keep our records up to date we may share your information with those that help us determine, advise on or otherwise have an interest in applications and authorisations of this type. This may include the Council's licensing officers, senior management, Licensing Committee (and/or Sub-Committee) together with other teams within the Council such as Environmental Health, Food / Safety, Planning, Business Rates, Legal and Democratic Services. If you ask a Councillor for help we may also pass information to them and other services to enable them to help you.

Where appropriate, some of your information may be published in the public domain as part of public consultation and/or hearing requirements to determine your application and, where appropriate, ensure compliance with any licence issued. Some of your information may also be published in a public register which provides details of the applications we receive and the authorisations we grant or refuse.

We may also pass information about you to third parties where permitted or required by law to do so. This may include other local authorities and government departments or agencies carrying out their public tasks, such as Hampshire County Council Highways, the Police and Fire Authorities.

### 5. How we will store and look after your information

Your data will be held electronically and will not be stored in a country outside the UK. All paper records containing your personal information will be held securely in our filing systems and archives.

### 6. How long we will retain your information

We will keep your information on our records for the period specified within our retention guidelines, or as long as we are required to do by law, or in accordance with our operational requirements. For further information on our policy for retaining personal information, see our retention guidelines as published on Rushmoor Borough Council's website.

### 7. Your rights concerning your information

The General Data Protection Regulation gives you a number of rights concerning your personal information. See the list below. Not all rights apply in every case – it will depend on the legal basis for collecting your information and how we use it.

- The right to be informed
- The right of access
- The right to rectification
- Rights related to automated decision making, including profiling
- The right to restrict processing
- The right to data portability
- The right to object
- The right to erasure

Further details on these rights can be found on our website <http://www.rushmoor.gov.uk/dataprotection>

## 8. Right to complain to the Information Commissioner's Office

If you are not happy with the way the Council is handling your personal information you have the right to lodge a complaint with the Information Commissioner's Office (ICO).

You will find details of how to do so on the ICO website at <https://ico.org.uk/> or by phoning their helpline on 0303 123 1113.

## 9. Why we need your information and the consequences of not providing it

We need your information to carry out our licensing functions and responsibilities in accordance with the law. If you do not provide it we will be unable to process and determine your application or otherwise maintain or ensure compliance with any authorisation granted to you; which we may consequently suspend, revoke, review or refuse to renew.