

HIGHWAYS ACT 1980

Section 115E

Application form for permit to place objects
(tables & chairs etc) on the highway

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, in BLOCK CAPITALS using **black** ink.
- (c) Once complete, please return the application and all relevant enclosures to the Licensing Officer at Rushmoor Borough Council, Environmental Health Services, Council Offices, Farnborough Road, Farnborough, Hampshire GU14 7JU.

(2) Accompanying documentation and enclosures:

In making an application to place objects (tables & chairs etc) on the highway, the completed application form must be submitted to the licensing authority, 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 tables & chairs and/or other 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) 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 £10 Million against each and every claim in respect of injury, damage or loss arising out of any grant of permission to place objects (including tables and chairs) on the highway.
 - (d) 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).
 - (e) 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).
 - (f) Where available, a copy of all relevant permission(s) authorising the use of the highway for provision of tables and chairs etc for the purposes intended. This may include planning permission and, in some cases written permission of the landowner / occupier(s).
 - (g) Where applicable to the application and subject to local byelaws, designations and other orders or restrictions, where alcohol is to be consumed within any proposed area, a full copy of the relevant licence (see Licensing Act 2003) authorising the sale / supply of alcohol and the consumption of such alcohol off the premises.
 - (h) The fee, payment of the fee can be made in person at the Council Offices, or if you would prefer to pay by card over the phone, please contact the Licensing Team directly on 01252 398855.

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) Permits may only be granted to individual(s) (aged 18 or over) or a relevant business. A permit is not transferable.
- (2) If a permit 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 permit 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 the Licensing Team on 01252 398855 or email licensing@rushmoor.gov.uk.

SECTION A

Application History

(To be completed by all applicants)

1. Are you applying for renewal of a permit for tables and chairs etc in Rushmoor? YES NO If 'YES' please answer Q2 to Q4 below.
If 'NO' please go to **section B1**.
2. Previous permit number / / HATAC
3. Expiry date
4. Are you seeking to vary the above numbered permit in any way? YES NO If 'YES' please continue at **section B1**.
If 'NO' please go to **section G**.

SECTION B1

Applicant Details i.e. details of the individual to be the permit holder

(To be completed only by new applicants and those varying an existing permit)

5. Please state whether you are applying for a permit as:-
- (a) An individual If applying as an individual please complete **section B2**.
- (b) A limited company
- (c) A limited liability partnership If applying in any capacity other than a private individual please complete **section B3**.
- (d) Other Please specify:

SECTION B2

Individual Applicant Details

(Complete this section only if applying as a private individual)

6. Title Mr Mrs Ms Miss Other Please specify:
7. Full name Forename(s):
Surname:
8. Home address

Town / City:
County:
9. Postcode
10. Date of birth
11. National insurance number
- NB:** These details may be used to check identity and eligibility.

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)

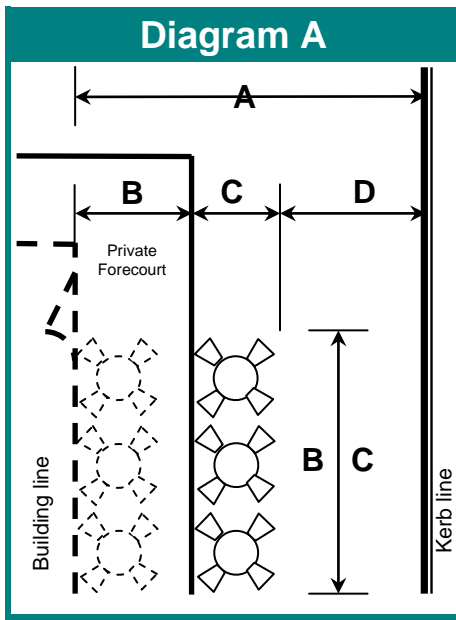
25. Telephone number (i.e. of registered office)

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

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

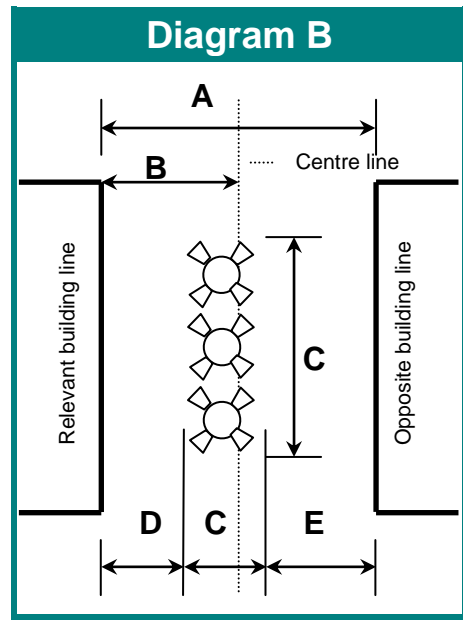
28. Registered number (i.e. company number)

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 Tables & Chairs etc

(See Diagram A for reference)

(Complete this section only if you have answered 'YES' to Q38 and are seeking to place tables & chairs along the building line i.e. adjacent to your premises)

40. 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 tables and chairs etc.

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)
- b) Dimensions of any private forecourt along building line**
- Width (m)
- Depth (m)
- c) Area proposed to be used for tables & chairs etc
- Width (m)
- Depth (m)
- d) Remaining distance to kerb edge (or street centre line*) accounting for proposed area (m)

* 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)
- b) Dimensions of any private forecourt along building line**
- Width (m)
- Depth (m)
- c) Area proposed to be used for tables & chairs etc
- Width (m)
- Depth (m)
- d) Remaining distance to kerb edge (or street centre line*) accounting for proposed area (m)

* 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 C3

Location of Proposed Tables & Chairs etc

(See Diagram B for reference)

(Complete this section only if you have answered 'YES' to Q39 and are seeking to place tables & chairs to the centre of a highway i.e. not along the building line of your premises)

41. (a) Please give the address(es) of each site proposed to be used for tables and chairs etc, or, if none, please provide ordnance survey map reference(s) and / or description.

To help ensure your application is processed quickly and efficiently, please detail the exact location of the tables and chairs etc. Please be as specific, precise and as accurate as possible.

(b) Please also specify the dimensions and available space of each area proposed to be used (metres).

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

Area A

Address / description:

Map Reference(s)

From Eastings

To Eastings

From Northings

To Northings

a) Distance from building line to opposite building line (m)

b) Distance to centre line from building line (m)

c) Area proposed to be used for objects (tables & chairs etc) Width (m)

Depth (m)

See example **Diagram B** for reference

d) Distance to building line from first line of proposed area (m)

e) Remaining distance from line of area to opposite building line (m)

Area B

Only complete where second area is proposed to be used

Address / description:

Map Reference(s)

From Eastings

To Eastings

From Northings

To Northings

a) Distance from building line to opposite building line (m)

b) Distance to centre line from building line (m)

c) Area proposed to be used for objects (tables & chairs etc) Width (m)

Depth (m)

See example **Diagram B** for reference

d) Distance to building line from first line of proposed area (m)

e) Remaining distance from line of area to opposite building line (m)

Complete as may be appropriate and, where necessary, continue on a separate sheet for any additional area(s) proposed to be used.

SECTION D

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

(To be completed only by new applicants and those varying an existing permit)

NB: It is the policy of the Council that permits for tables and chairs on the highway be limited to a period of not more than 12 months. However, by way of ensuring flexibility, applications for time-limited consents (being not more than 12 months in duration) are also permitted.

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

YES

NO

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

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

NB: A permit application may take up to 56 days to be determined. Applicants must apply in sufficient time.

From

To

D	D	M	M	Y	Y	Y	Y
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D	D	M	M	Y	Y	Y	Y
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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 tables and chairs 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. In all cases, any permitted hours will, in any event, be limited in accordance with any planning permission requirements and/or other lawful restriction(s).

44. Using the 24:00 hour clock, please state the hours during which tables and chairs etc are proposed to be placed on the highway.

NB: You are advised to check any planning permission and/or for other restrictions before completing Q44.

Monday	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"/>
Tuesday	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"/>
Wednesday	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"/>
Thursday	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"/>
Friday	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"/>
Saturday	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"/>
Sunday	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). It is also the policy of the Council that only those objects specified in a permit (where granted) may be placed on the highway and that the type and number of such objects shall not exceed those prescribed.

45. On the following page(s), 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>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>

NB: It is the policy of the Council that tables and chairs etc 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.

46. Will the tables and chairs etc be stored in the business premises?

YES NO

If 'YES' please go to **Q48** below.
If 'NO' please answer **Q47**.

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

Dimensions of storage area

m²

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 and a valid street trading consent under the Local Government (Miscellaneous Provisions) Act 1982. Subject to local byelaws and orders, alcohol may be sold / supplied from the relevant business premises for consumption at tables and chairs etc when specifically authorised by a licence permitting the sale / supply of alcohol for consumption 'off' the premises.

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

YES NO

If 'YES' please answer **Q49** below.
If 'NO' please go to **Q51**.

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

YES NO

If 'YES' please answer **Q50** below.
If 'NO' go to **Q51**. **NB:** You may need to apply for grant / variation of a relevant licence under the Licensing Act 2003.

50. Licence number

/ /

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

YES NO

If 'YES' please answer **Q52** below.
If 'NO' please go to **Q54**.

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

YES NO

If 'YES' please answer **Q53** below.
If 'NO' go to **Q54**. **NB:** You may need to apply for grant / variation of a relevant licence under the Licensing Act 2003.

53. Licence number

/ /

NB: Subject to planning permission, food and drink may be sold / supplied from the relevant business premises. However, the direct sale of food and drink on the highway is not permitted otherwise than in accordance with a valid street trading consent under the Local Government (Miscellaneous Provisions) Act 1982 and, where appropriate, a valid authorisation under the Licensing Act 2003 (see above) (subject to local byelaws and orders).

54. Do you intend to sell food / drink directly from any permitted area?

YES NO

If 'YES' please answer **Q55** below.
If 'NO' please go to **section E**.

55. Do you hold a relevant street trading consent?

YES NO

If 'YES' please answer **Q56** below.
If 'NO' you may need to apply for grant / variation of a street trading consent.

56. Trading consent number

/ /

SECTION E

Applicant Conditions & Continuation Sheet

(To be completed only by new applicants and those varying an existing permit)

57. (a) Please list any step(s) that you intend to take to help promote our licensing objectives. *Please note any steps detailed here may be transposed into conditions of the permit (if granted).*

(b) Please also use this space to provide further information about your application where necessary.

Our licensing objectives include:

- (a) Preventing public nuisance*
- (b) Ensuring public and highway safety*
- (c) Preventing crime and disorder*
- (d) Ensuring public and visual amenity*
- (e) Ensuring hygiene and public health*

Complete as may be appropriate

Continue on separate sheet if necessary

SECTION F

Data Protection

Rushmoor Borough Council will use the information given on this application form for the purpose of its statutory function(s) in its capacity as the relevant licensing authority in accordance with the provisions of the Highway Act 1980.

However, we may disclose your information to our agents or service providers. We may share your information with other Council Services (departments). You have the right to ask for a copy of the information we hold about you (for which we may charge a fee) and to correct any inaccuracies in your information. By returning this form to us you consent to our processing sensitive personal data about you where this is necessary.

SECTION G

Applicant Checklist & Declaration

(To be completed by all applicants)

[I] [We] the undersigned hereby request Rushmoor Borough Council to [grant] [renew] permission to place objects (tables and chairs etc) on the public highway.

For this purpose:-

- | | YES | N/A |
|---|-------------------------------------|-------------------------------------|
| (a) [I] [We] submit this completed application form | <input checked="" type="checkbox"/> | |
| (b) [I] [We] submit a location plan (scale 1:1250) | <input checked="" type="checkbox"/> | |
| Plan Reference Number: <input type="text"/> | | |
| (c) [I] [We] submit a detailed site plan (scale 1:100 or larger where appropriate) | <input checked="" type="checkbox"/> | |
| Plan Reference Number: <input type="text"/> | | |
| (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 | <input checked="" type="checkbox"/> | |
| (e) [I] [We] submit a valid and appropriate certificate of liability insurance | <input checked="" type="checkbox"/> | |
| Insurance Policy Number: <input type="text"/> | | |
| (f) [I] [We] submit a copy of (planning) permission (if appropriate) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (g) [I] [We] submit a full copy of the relevant premises licence (vis Licensing Act 2003) (if appropriate) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (h) [I] [We] submit a full copy of a relevant street trading consent (if appropriate) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (i) [I] [We] submit the appropriate fee or suitable receipt showing that the fee has been paid (see back page for payment details) | <input checked="" type="checkbox"/> | |

[I] [We] agree to be bound to the conditions applied to any such permit 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 permit determined and issued in connection with it may be modified, withdrawn / revoked.

I also acknowledge the attached privacy notice as regards the processing of my personal information obtained in the completion of this form.

Signature of applicant or authorised representative

Name of company (or company stamp / seal)

Print Name

Position

Date:

NB: Fees and charges are subject to regular review and may be increased during the financial year. While a current list of fees and charges is available for perusal at the Council Offices, applications received after any specified date of increase will require payment of any new charge levied.

Privacy Notice

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 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.

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 / variation of) a tables and chairs permit and, where appropriate, to ensure compliance with any permit 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 permit 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.