

LOCAL CONDITIONS

- (1) The tables and chairs shall be of such design as may be approved by the Borough Council and shall be kept in good repair and condition at the Proprietor's expense
- (2) The Proprietor hereby agrees to make no claim or charge against the Borough Council in the event of any of the tables and chairs being lost, stolen or damaged in any way from whatsoever cause. If any of the tables and chairs are lost or damaged, it shall be the Proprietor's obligation to replace them at their expense if they wish to do so
- (3) The tables and chairs shall be placed on the highway outside the premises ie they should not be permitted to be placed outside any other premises on either side of the premises and the tables and chairs shall be placed as near as possible to the property frontage so as to maintain the maximum width of the pavement (or specified 3-metre walkway if deemed appropriate)
- (4) The tables and chairs shall be free standing. No fixture shall be made to, or excavations of any kind made in the surface of the highway which shall be left entirely undisturbed
- (5) Refuse and litter deposits on the highway in the vicinity of the tables and chairs shall be removed regularly each day by the Proprietor or their employees or agent at their expense
- (6) The Proprietor shall indemnify the Borough Council against all actions, proceedings, claims, demands and liability which may at any time hereafter be taken, made or incurred in consequence of the erection, maintenance or use of the tables and chairs erected hereunder and for this purpose shall take out at the Proprietor's expense a policy of insurance in the sum of £5 million at least and shall produce to Havant Borough Council's Licensing Officer confirmation of the policy taken out in accordance with this paragraph
- (7) No charge shall be made by the Proprietor for the use of the tables and chairs
- (8) If the Proprietor sells or transfers their interest in the premises, to any other person, partnership or corporation this permit shall cease to have effect
- (9) The Proprietor will remove the tables and chairs from the highway immediately so as to permit the use or works in the highway by:
 - (a) The Borough Council, the County Council, the police, fire and ambulance services or any statutory undertaker; or
 - (b) Builders' vehicles, hearses and furniture removal vans, if the retention of the tables and chairs will obstruct the use of the highway by such vehicles.
- (10) This permit is given on the understanding that alcohol will not be consumed on the highway unless an alcohol permit has been issued by the Licensing Department granting such permission and until such a permit is issued the sale of alcohol for consumption on the highway is prohibited
- (11) This permit is for a period of 12 months after which time if the Proprietor wishes to continue the use a request for a further permit will need to be submitted
- (12) Furniture is not permitted to be placed on the highway on market days if the premises is on a highway where there is a market.

(13) In addition, it is not permitted to place furniture on the highway on any other days which are reserved for specialist markets and events, in these cases seven days' notice will be given by a Havant Borough Council's Licensing Officer unless agreed by prior arrangement with the Market Manager and Licensing Officer.

PERMIT CONDITIONS

Specific conditions on a case-by-case basis if appropriate.