



**Causeway
Coast & Glens
Borough Council**

Licensing of Pavement Cafés Act (Northern Ireland) 2014

Three Year Pavement Café Licence

Quick Guide for Applicants

Licensing of Pavement Cafés Act (Northern Ireland) 2014

Under the above legislation Causeway Coast and Glens will be ensuring compliance with the Licensing of Pavement Cafés Act (Northern Ireland) 2014

In order to obtain a licence the following is required:

- Planning Permission.
- If Planning Permission is granted then a completed pavement café application form must be submitted to the Environmental Services Department, Licensing Section at –
Causeway Coast and Glens Borough Council
Riada House
14 Charles House
Ballymoney
BT53 6DZ

This form must include the following information:

1. **Licence Fee** - £375.00
2. **Location plan** – A plan must be provided to a scale not less than 1:2500 (preferably ordnance survey) showing the proposed pavement café marked in red and the adjoining streets and properties to enable consideration of all related issues.
3. **Site plan** – A plan must be provided to a scale of not less than 1:100 of the proposed pavement café area, the streetscape and all utilities and services including lampposts, bollards, fire hydrants, manholes, cycle stands, litter bins and any other items of street furniture located within the immediate vicinity. The dimensions of the proposed pavement café area must also be shown. The number of tables and chairs and barriers must also be included.

4. **Barriers** - The pavement café area must be enclosed with the exception of a break for ingress/egress to prevent pedestrians with sight loss/visual impairment entering the café area, with proposed barriers tapered back to the building line at both ends. Details/photos of the barriers used to ensure enclosure must be forwarded too. Portable, sturdy barriers with a top rail are recommended. Bases should not cause an obstruction or tripping hazard to pedestrians.
5. **Details of the furniture** – Provide details of the number, materials and types of chairs, tables, umbrellas to be provided in the café. Include photographs, manufacturer, and detailed brochures of proposed furniture or photographs of existing furniture.
6. **Risk Assessment** - Applicants are reminded of their duties, to carry out a risk assessment, under the Health and Safety at Work (NI) Order 1978 as they relate to the area and activities covered by the pavement café. The risk assessment must include Covid - 19 measures.
7. **Public Liability Insurance** - With a minimum £5 million indemnity.
8. **Notice of Application Fixed to Premises** - To be erected on the day the application is submitted to Council and displayed for the whole of the period of 28 days in a prominent place at or near the premises so that it can be conveniently read by the public. An applicant must either email or include with application a photograph of this displayed notice as it appears at the premises. Interested parties can make representations to the Council in respect of an application. In addition, a Council will make the application details available to be viewed by the public on its website until the end of the period allowed for representations. You must complete the declaration on the application form stating that you have erected the required notice and that you will maintain it in place for 28 days from the date of application.

- As part of the application process Council will conduct a 28 day consultation with the Department for Infrastructure, The Planning Department and if a licensed premises with the PSNI and any other relevant organisations/individuals before a decision is made as to whether or not a Temporary Pavement Café Licence will be issued. Council aims to make a determination within 8 weeks from the receipt of a completed application.
- If an application is refused the applicant will be informed and refunded the application fee less any administrative costs.
- An applicant can appeal to the Magistrate's Court within 21 days of Council's notification of refusal.
- Failure to obtain a pavement café licence and to continue to operate an unlicensed pavement café is an offence and may be liable to a fine of up to £1,000 on summary conviction.

For any further information please contact our Licensing Section:-
Tel: 028 2766 0233

FLOWCHART

Pavement Cafés –Licence Application Process

Apply for Planning Permission

Planning Permission Granted

Planning Permission **Refused**

Apply for Pavement Café to Council

Pavement Café licence will not be issued

Fix Public Notice at Premises

Offence to operate a Café without a licence

Council consult with *DFI and **PSNI

Legal Proceedings instigated

DFI/PSNI consent given

DFI/PSNI **consent not given**

Pavement Café Licence Issued

Pavement Café Licence **not issued**

APPEAL to Magistrates Court within 21 days of notification of decision

APPEAL
SUCCESSFUL

APPEAL
UNSUCCESSFUL

* Department for Infrastructure

** PSNI to be consulted where the premises is licensed to sell alcohol