

**HIGHWAYS ACT 1980 – STREET FURNITURE PERMIT
 PERMISSIONS FOR THE PLACING OF TABLES, CHAIRS AND
 OTHER OBJECTS ON THE HIGHWAY
 Permit Number: XXXXX**

In pursuance of Section 115E of the Highway Act 1980 the Isle of Wight Council hereby
 grant Street Furniture Permit to:

XXX

at: XXX

For the period: | XXX

SPECIAL CONDITIONS *(Include any additional conditions relevant to this permit– check any comments received and previous permit)*

GENERAL CONDITIONS

1. A copy of this Permit shall be kept onsite by the holder and available immediately for inspection by an authorised officer of the Council, or a Police Officer.
2. Should a representative from the Council or Island Roads request at any point and without notice that the items require removing then this request must be adhered to, to allow for any emergency works in the area to be undertaken should they occur, or if any other planned activities are due to take place with regards events/activities etc. until such time as the applicant is informed the items can be returned. Under such circumstances the Council shall not be liable to pay any compensation to the permit holder.
3. The permit holder is responsible for all costs associated with this permit.
4. The objects placed on the highway must be in accordance with the details and plans contained within this permit. No changes are permitted without prior approval of the Council.
5. The permit is issued to the applicant only and is not transferable.
6. Nothing contained in these conditions shall relieve the Permit Holder or his employees or agents from any legal duty or liability and the Permit Holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from this Permit.
7. The Council may vary the Conditions attached to the Permit at any time.
8. The permit holder shall indemnify the Council from and against any claim in respect of any injury, damage or loss arising directly or indirectly out of the grant of this permit and the use by the public of the amenities.
9. The permit holder shall not in any way interfere with the surface of the public highway.

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10. The permit holder will ensure that the pavement area around the premises occupied by objects with this permit shall be swept and cleaned regularly so as to be free of litter at all times whilst the premises are open for business to members of the public.
11. The permit holder must provide litter bins within the area designated and shall remove all such bins from the designated area for storage within the premises at the close of business
12. A windproof receptacle for cigarette butts and ash will be provided on each table.
13. The permit holder shall ensure that any spillages are promptly removed from the highway and restore the affected area of highway to a clean and safe condition.
14. It is the responsibility of the permit holder to ensure that the premises frontage is washed down on a daily basis. The Council will recharge the permit-holder the full cost of any remedial work to remove any residual staining of the highway outside his or her premises, including the replacement of the paving stones if necessary, by pavement stones of an equivalent quality and to an equivalent standard.
15. The permit holder shall remove the objects from the public highway immediately if requested to do so by the Council, its agents, contractors or licensees or by a Police Officer if the area occupied by the objects is required to facilitate safe pedestrian passage. The permit holder shall not reposition the objects on the public highway until notified by the Council, its agents, contractors or licensees or the Police that he/she may do so.
16. The permit holder shall remove all objects from the designated area so that they are unable to be used outside of the hours of the permit.

FIRE CONDITIONS

17. Access is to be maintained at all times for emergency vehicles (min 3.3m).
18. All fire hydrants will be kept clear and free from obstruction.
19. Fire exits and escapes from neighbouring buildings must be kept clear at all times.
20. Any signs used are to be movable by the emergency services if required.
21. Any temporary structures providing shelter/shade i.e. canopies, large parasols etc. that might prevent access for emergency vehicles, should be easily retractable/removable and are to be removed at the close of business each day.

LEGAL PROVISIONS

22. Nothing contained in these conditions shall relieve or excuse the Permit Holder or his employees or agents from any legal duty or liability.
23. At all times the Permit Holder shall comply with the legislation in force. Particular attention, where appropriate, should be paid to the Health and Safety at Work etc. Act 1974, The Food Safety (General Food Hygiene) Regulations 1995 and the Food Safety Act 1990.

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REVOCATION OR SURRENDER OF PERMIT

24. This Permit may be revoked by the Council at any time and the Council shall not in any circumstances whatsoever be liable to pay any compensation to the holder in respect of such revocation.
25. The holder shall return this Permit to the Isle of Wight Council immediately on revocation or surrender of the Permit.

NOTES TO THE CONDITIONS

Within the terms of these conditions the following words have the meanings as described:

- The Council: the Isle of Wight Council
- Street Includes: (a) Any road, footway, beach or other area to which the public have access without payment.
(b) A service area as defined in section 329 of the Highways Act 1980. and also includes any part of a street.
- Authorised Officer: an officer employed by the Isle of Wight Council and authorised by the Council to act in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982.

THIS PERMIT DOES NOT:

1. Allow trading outside the terms of the Permit. Trading may only take place within the designated area shown on the plan below, which shall not exceed add dimensions.
2. Indicate that planning permission is not required

Please note:

- (a) That the requirement to obtain planning permission applies to all streets, whether they have been designated Permit Streets or not.
 - (b) That the grant of one or more street trading permits does not give the trader immunity from planning control.
 - (c) The Council has discretion whether or not to enforce planning laws in relation to street trading.
3. Indicate that the unit is exempt from business rates.
 4. Over ride parking restrictions or any other traffic regulations.

Authorised Officer

Date Issued: XXX



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INSERT SITE PLAN

Isle of Wight Council, Jubilee Stores, The Quay, Newport, Isle of Wight, PO30 2EH