



CHELTENHAM

BOROUGH COUNCIL

BearPizzeria Ltd
23 Promenade
Cheltenham
Gloucestershire
GL50 1LE

ask for: Licensing
ddi number: 01242 264135
email: licensing@cheltenham.gov.uk
our ref: 25/00472/PAVE
your ref:
date: 11 March 2025

**Permission for Pavement Licence
Business & Planning Act 2020 as amended by the Levelling Up and Regeneration
Act 2023**

Dear BearPizzeria Ltd,

**Japes
23 - 25 Promenade
Cheltenham
Gloucestershire
GL50 1LE**

Further to your recent application please find enclosed your licence to place furniture on the highway outside the above premises.

May I take this opportunity to draw your attention to the standard and special conditions for placing tables and chairs on the highway, which are also enclosed.

If you have any further queries then please do not hesitate to contact me.

Yours sincerely,

Licensing Section



CHEL TENHAM

BOROUGH COUNCIL

PAVEMENT LICENCE

**Business & Planning Act 2020 as amended by the Levelling Up and
Regeneration Act 2023**

Permission holder **BearPizzeria Ltd**

For use at the premises situated at and known as:

**Japes
23 - 25 Promenade
Cheltenham
Gloucestershire
GL50 1LE**

Permission No: **25/00472/PAVE**

Details of Permission

Number of tables: **22**

Number of chairs: **64**

Other furniture: **Canvas and steep pole barriers**

This Permission shall be in force from **11th March 2025** to **10th March 2027**

Period of Permission:

Sunday: **12:00 - 22:30**

Thursday: **12:00 - 23:00**

Monday: **12:00 - 23:00**

Friday: **12:00 - 23:00**

Tuesday: **12:00 - 23:00**

Saturday: **12:00 - 23:00**

Wednesday: **12:00 - 23:00**

A fee of **£500.00** has been paid (Receipt No. **338927**)

Date of issue: **11th March 2025**

This Permission is granted subject to the Council's Standard Conditions for Permission to place tables and chairs on the highway and to any additional Special Condition(s) where applicable set out in the Schedule attached.

Louis Krog
Head of Public Protection

Second Schedule

Council's standard conditions in connection with furniture being placed upon the highway

National conditions

1. No-obstruction condition

Nothing done by the licence holder pursuant to the licence, or any activity of other persons which is enabled by the licence, must not have the effect of;

a) preventing traffic, other than vehicular traffic, from— i. entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway), ii. passing along the relevant highway, or iii. having normal access to premises adjoining the relevant highway, b) preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order, c) preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or d) preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.

2. Smoke-free seating condition

Where furniture to be put on the highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must make reasonable provision for seating where smoking is not permitted.

General matters

1. No furniture sited on a footway are to be placed within 2m of the edge of an adjacent carriageway. A minimum clear footway width of 2m must be obtained at all times.
2. The fee for the granting of the licence will need to be paid in advance
3. All furniture must at all times be well maintained and kept in a clean and tidy condition
4. The furniture must not be placed in any other area than that stated in the permission. They should be placed in an area delineated by a suitable temporary barrier
5. Furniture and temporary barriers must be in line with the Pavement tables and chairs design guide
6. The person to whom the licence is granted must ensure that the tables and chairs so far as reasonably practicable, and the persons using the tables and chairs, do not at any time obstruct the passage of or cause danger to persons lawfully using the highway on which they are situated
7. The licence may be suspended by the council at any time in the event of work being carried out in, under or over the highway on which the tables and chairs are situated or any adjacent highway
8. The person to whom the licence is granted must indemnify the council against any costs, claims, actions, or damages arising out of the furniture on the highway
9. The person to whom the licence is granted must bear absolute responsibility for ensuring that adequate public liability and products liability insurance is held in respect of the permitted area and the cover obtained must be not less than £5,000,000, any one claim, in respect of public liability and not less than £5,000,000 in the aggregate during any one period of insurance in respect of products liability. Evidence of such public liability and products liability insurance must be provided to the satisfaction of the council before the licence can be exercised
10. The licence is not assignable
11. The council may at any time vary the licence or conditions of the licence
12. If the person to whom the licence is granted breaches any one or more of the conditions, the council may serve a 'default' notice requiring the breach of conditions to be remedied in a particular way within a stated time and should it be necessary in order to remedy the default, the council may require the tables and chairs, temporary barriers and other furniture to be removed from the highway either temporarily or permanently

13. The person to whom the licence is granted must ensure that the furniture and use by members of the public are at all times supervised so as to avoid nuisance to:
 - members of the public lawfully using the highway
 - local residents
 - other local businesses
14. The person to whom the licence is granted must ensure that glasses, crockery, napkins, cutlery and any other item placed upon the tables and chairs by the person to whom the permission is granted or by any other persons, when the tables and chairs are in use, are removed from the tables and chairs when they are not in use
15. The person to whom the licence is granted must not allow music to be broadcast on to the street
16. The person to whom the licence is granted must ensure that customers consuming food or drink outside the premises do not move beyond the demarcated area
17. It is the duty of the person to whom the licence is granted to clean the section of the highway in respect of which licence is granted

Design specification

Means of enclosure

18. When in use the pavement area will need to be enclosed, to demarcate the licenced area and contain the furniture, making it distinguishable to other pavement users, and particularly to assist blind and visually impaired pedestrians
19. The layout of furniture and means of enclosure will only be approved if adequate provision has been made for customers with disabilities
20. The enclosure must be removed outside the hours of operation or when it is not intended to operate on the pavement within that period. The materials should therefore be lightweight in construction and portable but stable enough to prevent collapse if accidentally walked/stumbled into
21. The design of the barrier should complement the character of the surrounding area and in any event must have bars/elements at around 100mm and 1,000mm above ground level
22. Planters can be particularly attractive and can be used as part of the means of enclosure but must be removed from the highway outside of the hours of operation
23. The enclosure must comply, in all respects, with the council's design guide

Furniture

24. The furniture should be of a high quality and uniform style within the licenced area. White plastic and or picnic tables will not normally be approved
25. Where umbrellas are used these must be fabric type (that is to say non reflective) and display only limited advertising or logos up to 150 x 450 mm in size. Umbrellas are to be positioned so as to avoid overhanging, outside the enclosure or impairing vehicle sight lines
26. Non furniture items, such as advertising boards, or non-moveable furniture also need to be approved and any unacceptable clutter or intrusion into sight lines will need to be removed if it is seen to be causing a problem. Such items are likely to need a separate permission under the Highways Act 1980 to place an object(s) on the highway.
27. All items need to be portable enough to be brought in at the end of the licenced period of each working day or in the event of an emergency.