

Trafford Council – Guidance Notes & Published Conditions for a Tables and Chairs (Pavement) Licence

1.0 – Introduction

If a premises wants to place removable furniture, such as tables and chairs on the adopted highway, they must apply and be granted a Tables and Chairs (Pavement) Licence by Trafford Council as the Highway Authority (“the Council”).

The Council recognises the important role that pavement seating can play in supporting businesses, enhancing public space and encouraging footfall. This must not be at detriment to highways safety and accessibility for all users. All applications are therefore assessed to help ensure a balance is achieved between business needs and the Council’s statutory duties.

A Tables and Chairs (Pavement) Licence is granted from the date of issuing, until 31st March of that financial year, unless surrendered by the premises or revoked by the Council as per the conditions outlined in Section 4.0. Following expiry of the licence, the premises must apply again via our website to continue to use the highway for this purpose.

Once an application is submitted, the Council has 28-days to communicate a decision to the premises. The first 14-days of this is considered a public consultation, which must be accompanied by a populated [Public Notice](#) being displayed at your premises.

Application information is shared with relevant Council departments and other stakeholders (such as Greater Manchester Police) to ensure that decisions are informed, balanced and take into consideration public safety, access and the highway.

Licences are granted under the provisions set out in the Levelling Up and Regeneration Act (2023).

Any licence granted for the use of removable furniture under the provisions set out in the Levelling up and Regeneration Act (2023) does not override any existing restrictions placed on a premises by an existing premises licence granted under the Licensing Act (2003) or any planning restrictions that may exist for the relevant property.

2.0 – Charges for Licences

Current charges for a Tables and Chairs (Pavement) Licence are outlined below:

New Applications

Number of Covers	Charge
8 or less	£200
9 to 24	£320
25 or over	£405

**Charges for new applications submitted part way through the financial year may be amended on a pro-rata basis.*

Renewals

Number of Covers	Charge
8 or less	£175
9 to 24	£290
25 or over	£350

**Charges for renewals submitted part way through the financial year will not be amended on a pro-rata basis.*

3.0 – General Terms of a Licence

The premises does not have an exclusive right of use to the licensed area. The Council, and other organisations (such as Greater Manchester Police and utility companies) may need access at times due to emergencies, maintenance operations or special events. This may mean that the highway would be made inaccessible to the operator. There would be no compensation issued to the premises in such instances.

An unimpeded pedestrian route must be maintained at all times for being wishing to use the footway as per existing national guidance. A minimum width of 1.8 metres on the footway should be maintained, to allow pedestrians to use the footway parallel to the premises.

The position and amount of furniture must be agreed with the Council during the application process and indicated within applications via a drawing with clearly labelled items and measurements. Once a licence is granted, the premises should not vary from this agreement without written permission from the Council.

The permitted time for the use of the highway by a premises must be agreed with the Council during the application process. Once a licence is granted, the premises should not vary from this agreement without written permission from the Council.

If it is deemed a requirement, the method of separating the licensed area from the rest of the highway must be agreed with the Council during the application process and indicated within applications via a drawing with clearly labelled items and measurements. Once a licence is granted, the premises should not vary from this agreement without written permission from the Council.

The Council requires evidence that the premises has public liability insurance with a minimum level of indemnity of £5million for any one incident. Failure to provide evidence of this will result in an application for a licence being rejected.

The type of furniture to be placed on the highway must be agreed with the Council during the application process and indicated within applications via submitted photographs. All furniture must be kept in good condition, and placed so as not to obstruct pedestrians, driver sight lines or highway assets (such as street lighting columns or road traffic signs).

The use of additional items (such as parasol umbrellas) must be agreed with the Council during the application process and indicated within applications via a drawing with clearly labelled items and measurements. Once a licence is granted, the premises should not vary from this agreement without written permission from the Council.

All furniture and additional items must be removed from the adopted highway following the end of outdoor operations as per the times agreed in any granted licence.

The premises must ensure that the outdoor area operates in a safe and orderly manner, ensuring any safety risk on the adopted highway is kept to a minimum. This includes ensuring the area is adequately lit during the hours of darkness. The Council will not provide additional lighting, or make any changes to its existing street lighting regime, for this purpose.

The premises will ensure that the licensed area, and the adopted highway near to the licensed area, is maintained in a clean and tidy condition. There must adequate provision made for the collection and containment of litter. An appropriate method to ensure the removal of food debris, grease and other spillages from the highway shall be used.

The premises is not permitted to make any fixtures, or any openings or excavations of any kind, to the surface of the highway.

Any costs incurred because of damage to the highway due to the use of furniture (or any other related item / activity on the highway) will be recovered in full from the premises by the Council.

The premises must not allow the consumption of alcohol within any licensed area if not licensed to do so under the Licensing Act (2003).

The premises must not allow the consumption of alcohol within any licensed area outside of the hours outlined within the existing premises licence issued under the Licensing Act (2003).

Any granted licence must be retained at the premises, and be available for inspection by any Council, One Trafford Partnership or Greater Manchester Police officer if requested.

The premises shall, at all operational times of the licensed area, make available for customers toilets and hand-washing facilities (to wheelchair accessible standards where it is practicable to do so).

The premises is responsible for the conduct and behaviour of all customers. They must not be a nuisance to other users of the adopted highway, or the customers / occupiers of adjoining and nearby premises.

No speakers or playing of music within the licensed area shall be permitted.

No cables shall be run along the ground within the licensed area.

No gas heaters shall be used within the licensed area.

No cooking equipment (EG: BBQs) or food storage apparatus shall be used within the licensed area.

The smoking of tobacco or e-cigarettes is not permitted with the licensed area.

The premises must cease to place any furniture on the adopted highway upon expiry of the licence, if a renewal has not been granted.

4.0 – Revoking a Licence

The Council reserves the right to revoke any licence granted for the use of furniture on the adopted highway at any time, if any of the above conditions are not fulfilled and maintained. No refund will be granted if a licence is revoked.

If the licence is revoked by the Council, the premises must cease to place any furniture on the adopted highway.

5.0 – Unlicensed Furniture

The Council retains the right to take enforcement action relating to unlicensed furniture as per the provisions set out in Schedule 22 of the Levelling up and Regeneration Act (2023).