

Pavement Licences – Frequently Asked Questions

1. What is a pavement licence?

A pavement licence allows a licence-holder to place removable furniture over certain highways adjacent to the premises for either the sale or serving of food and/or alcohol.

2. What is furniture?

Furniture can include:-

- counters or stalls for selling or serving food or drink;
- tables, counters or shelves on which food or drink can be placed;
- chairs, benches or other forms of seating; and
- umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.

3. I am worried about theft - can I fix down the tables and chairs?

No, the licence is for removable furniture only, security should be considered when planning how best to monitor/manage the area.

4. I thought the Council already issue pavement licences - what is the difference?

Yes, the Highways Section currently issue pavement licences and that licensing scheme will continue and is still an option. However, this scheme which is incorporated within the Business and Planning Act 2020). It is a quicker and cheaper process.

5. Can I apply for a licence on any pavement?

The licence must be for an area adjacent to the premises and clear access routes on the highway will need to be maintained, taking into account the needs of all users, including disabled people.

6. I already have a current pavement licence what should I do?

You have the option of renewing your current licence when it is due under the Highways scheme, or you can apply under this scheme, the decision is yours.

7. When can I apply?

Please read the Guidance notes first so that you have an understanding of what is required.

Following this, applicants are encouraged to contact Sunderland City Council's Highways Section (if the application details differ from previous licences) prior to making an application. Highways have been identified as one of the consultees and will make comments on any application received. Highways are available by email at highway.licensing@sunderland.gov.uk for advice.

Applicants are also encouraged to engage with neighbouring businesses and occupiers prior to applying, and to take any issues around noise, and nuisance into consideration as part of the proposal; and

Any services operated in the vicinity for vulnerable customers, for example, care homes, resident associations or disability organisations nearby where individuals may be at particular risk.

An applicant can then include this information as part of the application to show that they have considered the potential risks.

8. What information do I need to provide?

There are a number of documents required to be submitted with the application. Please read the Guidance notes as these explain exactly what is required. There is also a checklist on the rear of the application form to help.

9. Can I hand in the paperwork to the Council offices?

No, the licensing application must be made electronically. The completed application form and all supporting documentation must be emailed to licensing@sunderland.gov.uk. The payment can be made by telephone on 0191 5205550.

10. I have applied for a new pavement licence (under this scheme). When will I get my licence?

The new application process is very quick. Once a complete application is received, there is a 14 day consultation period (starting the day after the application is received), followed by another 14 days for the Council to make a decision. Therefore, if granted, a licence could be sent within four weeks.

11. What should I do with the licence?

The licence must be displayed at the premises where customers can see it.

12. If granted, how long will the licence last?

Generally the licence will last for a maximum of 2 years.

13. Can I apply for a renewal of this licence?

Yes, current licence holders are encouraged to apply for a renewal of the licence by 14 September to ensure continuation of the permissions.

14. Do I need planning permission?

No, under this Act, planning permission is not required while the licence is in force. However, it must be noted that a licence granted under this scheme is for “removable” furniture, if permanent fixtures are being proposed, the Planning Department must be contacted at dc@sunderland.gov.uk

15. Can I appeal if my licence has been refused?

There is no appeal process under this Act.