

Part B: Identification of the Premises and the Highway

Please confirm the address of the Premises in respect of which a Pavement Licence is being sought and attach a 1:1250 scale location plan showing the premises and the relevant part of the highway for which a Pavement Licence is being sought, with these being shown by a red line:

**The Dun Cow
High Street West
Sunderland
SR13HA**

Please provide evidence of right to occupy the Premises, such as under a freehold, or leasehold interest :

Lease between freeholder Leighton Management and Pub Culture attached at appendix A.

Please confirm the dimensions of the proposed Pavement Licence area :

Please see plan below, and also attached at Appendix B.



Please tick one box only to confirm the duration for which a Pavement Licence is being sought :

- The statutory minimum period of three months; or
- The statutory maximum period of up to and including the 30th September, 2026;
- A Pavement Licence is sought having the following duration

Please confirm whether you currently have an existing street café licence granted under the Highways Act 1980 and its expiry date: **We currently hold a pavement license for this area. There are no proposed changes to the area, furniture, layout or operational processes, I am just applying to extend the existing permission.**

Please confirm if there is an outstanding application with the Council for a “pavement license”, “street café licence”, or “tables and chairs licence” under the Highways Act 1980 which is yet to be determined and, if so, please confirm the date of the submitted

application : **N/A**

Part C: The Proposed Use of the Highway

Please tick the boxes which apply to confirm the purposes for which the Pavement Licence is to be used :

- To use furniture to sell, or serve food, or drink supplied from, or in connection with relevant use of the Premises; and / or
- To use the furniture by other persons for the purpose of consuming food, or drink supplied from, or in connection with relevant use of the Premises.

Operating Period : the proposed hours and days of the week that it is proposed to put removable furniture on the highway under the Pavement Licence :	Monday : 09.00 – 22.00 including a drinking up period of 30 minutes.	Friday : 09.00 – 22.00 including a drinking up period of 30 minutes.
	Tuesday : 09.00 – 22.00 including a drinking up period of 30 minutes.	Saturday : 09.00 – 22.00 including a drinking up period of 30 minutes.
	Wednesday : 09.00 – 22.00 including a drinking up period of 30 minutes.	Sunday : 09.00 – 22.00 including a drinking up period of 30 minutes.
	Thursday : 09.00 – 22.00 including a drinking up period of 30 minutes.	

How many tables and chairs do you propose to place on the highway under the sought Pavement Licence? : **9 Tables and 30 Chairs**

Please describe the type of furniture you propose to place on the highway. You may attach photographs, or provide extracts from a brochure : **The furniture is wrought iron Edwardian style furniture sets, similar to those shown in the image below:**



Where will the Pavement Licence furniture and other items be stored outside the Operating Period? : **In our secure furniture store to rear of the building.**

Please show how the furniture will be sited on the highway under the Pavement Licence area by using a 1:100 plan : Please see below a drawing showing the layout, a full site plan to scale is attached at Appendix B.



Please indicate on the plan where tables and chairs etc. come within the proximity of premises, adjacent building, lighting columns, or trees.

Please see above plan and also at Appendix B.

How will the boundary of the Pavement Licence area be defined?

The furniture will remain close to the building at all times as it has done during previous use. We have considered defining the area using café barriers, but we find they create a greater obstacle in the highway than the furniture on its own.

Please provide details of the barriers, or other fencing to be used as a boundary :

We do not intend to use any barrier or fencing. These units are also not in keeping with our historic premises and they are also susceptible to being blown over which can cause an obstruction to pedestrians.

Please describe how you intend to mitigate any noise, or disturbance from customers using the proposed Pavement Licence area to the occupiers of nearby commercial and domestic properties : **The area will be managed and maintained by our pub management team, who will supervise the customers within the area to make sure there is no excessive noise. No music or entertainment will be provided in this area, it is simply external seating.**

Please provide photographic evidence to show that a Notice of Application for a Pavement Licence has been fixed to the Premises : **Image of the notice displayed in the window at The Dun Cow on the 16th September can be seen below and is also attached at Appendix C.**



Please confirm the date when your Application Fee was paid to the Council :
Fee of £300 was paid by telephone on 16th September 2024.

Part D : Details of Public Liability Insurance that will apply to the intended pavement licence

Name of Insurance Company [REDACTED]

Policy Number [REDACTED]

Start date of Policy [REDACTED]

Expiry Date of Policy: [REDACTED]

Amount insured under the Policy : this must be no less than £5 million. A Pavement Licence will not be issued without valid public liability insurance cover being in place :

Please see page 2 of the policy that shows £5m PI insurance:



Please provide a copy of the Policy : **Please find attached at appendix D.**

Indemnity

In the event that a Pavement Licence is issued to the Applicant(s), the Applicant(s) will indemnify Sunderland City Council against all proceedings, actions, claims, demands, or costs whatsoever, (including, but not limited to personal injury), or for loss, or damage to property arising out of, or incidental to, or in connection with the right granted by the Pavement Licence which is not attributable to the negligence of the Council.

Please provide any further additional information in support of your Application for a Pavement Licence :

Read and complete the declaration on the next page and also refer to the checklist on the last page prior to submitting the application form.

Declaration :

I, the Applicant, or We, the Applicants, certify and understand that, :-

1. All information contained in this Application Form for a Pavement Licence is correct and is not false, or misleading;
2. It is understood that Conditions may be attached to any Pavement Licence that is issued by the Council;
3. Any Conditions that apply to the Pavement Licence will be consented to and complied with;
4. If granted a Pavement Licence and the Council considers that there has been a breach of any Condition of the Licence the Council may : (a) revoke the Pavement Licence; or (b) serve a notice requiring the taking of such steps to remedy the breach as specified in the notice within the stated time. If the breach is not remedied following the service of the notice, the Council may : (a) revoke the notice; or (b) take the steps itself identified in the notice to remedy the breach and the Council can recover the costs of doing so against the Licence-holder(s);
5. If granted a Pavement Licence it may also be revoked if the Council considers that : (a) if some, or all of the part of the relevant highway to which the Licence relates has become unsuitable for any purpose in relation to which it was granted; (b) as a result of the Pavement Licence : (i) there is a risk to public health, or safety; (ii) anti-social behaviour, or public nuisance is being caused, or risks being caused; or (iii) the highway is being obstructed, (other than by anything done pursuant to the Licence); (c) anything material stated by the Licence-holder(s) in their Application Form was false, or misleading; or (d) on the day that the Licence-holder(s) submitted their Application Form to the Council they did not comply with the Notice of Application duties;
6. The duration of a Pavement Licence granted by the Council during the determination period will be valid until the date as determined by the Council; and
7. The duration of a Pavement Licence deemed to be granted by the Council will be valid for a year starting with the first day after the determination period, subject to a statutory maximum date of the 30th September, 2024.

Signed by the Applicant(s), or authorised signature on behalf of the Applicant(s) :

Dated : 8th April 2024

Print Name

Please see next page for the Checklist of requirements

Checklist for Applicants:

- [X] Application Form completed in full?;
- [X] Application Fee paid?;
- [X] 1:1250 scale location plan provided : showing Premises and highway?;
- [X] Evidence of right to occupy Premises?;
- [X] Intended furniture : photographs, or extracts from a brochure?;
- [X] 1:100 scale plan showing siting of furniture and proximity of the Premises, adjacent building, lighting columns, or trees?;
- [X] Evidence provided to show Notice of Application for a Pavement Licence fixed to Premises?; and
- [X] Copy of public liability insurance provided?.