



2014 CHAPTER 9

Powers of entry, removal, etc.

Power to remove unlicensed furniture

23.—(1) A council may cause any temporary furniture which is unlicensed to be removed from a public area and stored.

(2) For the purposes of this section temporary furniture is “unlicensed” if—

- (a) it has been placed on a public area, in the course of a business, for use for the consumption of food or drink supplied in the course of that business in or from any premises; and
- (b) the person carrying on the business does not hold (or, if more than one person carries on the business, none of those persons holds) a pavement café licence in respect of the premises.

(3) Where any furniture is removed and stored under subsection (1), the council—

- (a) must, where the name and address of the person in the course of whose business the furniture was placed on the public area (“the responsible person”) is known, notify that person of the removal and storage and of how the furniture may be recovered; and
- (b) may recover from the responsible person the costs reasonably incurred by the council in removing and storing the furniture.

(4) Any charges incurred by a council in pursuance of subsection (1) shall be payable by the responsible person before the return of the furniture to that person.

(5) Where any furniture—

- (a) has been removed under subsection (1), and

Changes to legislation: There are currently no known outstanding effects for the Licensing of Pavement Cafés Act (Northern Ireland) 2014, Section 23. (See end of Document for details)

(b) has not been recovered by the responsible person within 3 months beginning with the date of its removal,
the council may take such steps as are reasonable to sell it or to dispose of it in such other way as the council thinks fit.

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Commencement Information

II S. 23 in operation at 1.10.2016 by S.R. 2016/126, art. 2

Changes to legislation:

There are currently no known outstanding effects for the Licensing of Pavement Cafés Act (Northern Ireland) 2014, Section 23.