



## 2014 CHAPTER 9

### *Application for licence*

#### **Form, duration etc. of licence**

- 5.—(1) A pavement café licence must be in the prescribed form and must—
- (a) specify the holder of the licence, the premises to which it relates, and such other matters as may be prescribed; and
  - (b) include a plan showing the location and dimensions of the public area to which it relates.
- (2) In this Act, in relation to a pavement café licence, “the area covered by the licence” means the area shown under subsection (1) on the plan in the licence.
- (3) That area must be—
- (a) an area which was proposed under section 3(4) in the application for the licence; or
  - (b) an area at least 75% of which falls within an area which was so proposed; but this is subject to any power under the following provisions of this Act to vary the area covered by the licence.
- (4) If more than one public area was proposed in the application for the licence, the licence may relate to one public area or more than one, and if it relates to more than one—
- (a) the plan included in the licence under subsection (1) must show the location and dimensions of each of the public areas to which the licence relates;
  - (b) references in this Act to “the area covered by the licence” are to any of the areas shown on the plan in the licence; and

- (c) subsection (3) applies in relation to any such area.
- (5) A pavement café licence shall (except where it is surrendered, revoked or suspended)—
  - (a) remain valid for such period as is specified in the licence; or
  - (b) if no period is specified in the licence, remain valid indefinitely.
- (6) Subsection (5)(a) is subject to section 7 (renewal of licence).
- (7) A licence holder may at any time surrender a pavement café licence to the council and the licence shall then cease to be valid.