

**THE ROYAL BOROUGH OF KINGSTON UPON THAMES**  
**PAVEMENT LICENCE**



Licence Number: **1280/21/00142/PAVLIC**

The Royal Borough of Kingston upon Thames under the provisions of the Business and Planning act 2020 hereby licences

Licence holder: **Jamie Bonnallie**  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

Premises name and address: **The Kingston 1 Hotel**  
**88 London Road**  
**Kingston upon Thames**  
**KT2 6PX**

---

Objects permitted to be placed on the highway: **Tables: 6**  
**Chairs: 12**  
**Barriers: 3**

**Permitted objects may only be placed in such positions as may be agreed by the Authority and as detailed on the plan forming part of this licence.**

---

Times objects may be placed: **This licence permits the placing of furniture on the highway as detailed above on the following days and times:**  
**Monday to Sunday from 08:00 hours to 22:00 hours**

---

Expiry Date: **30 September 2021**

---

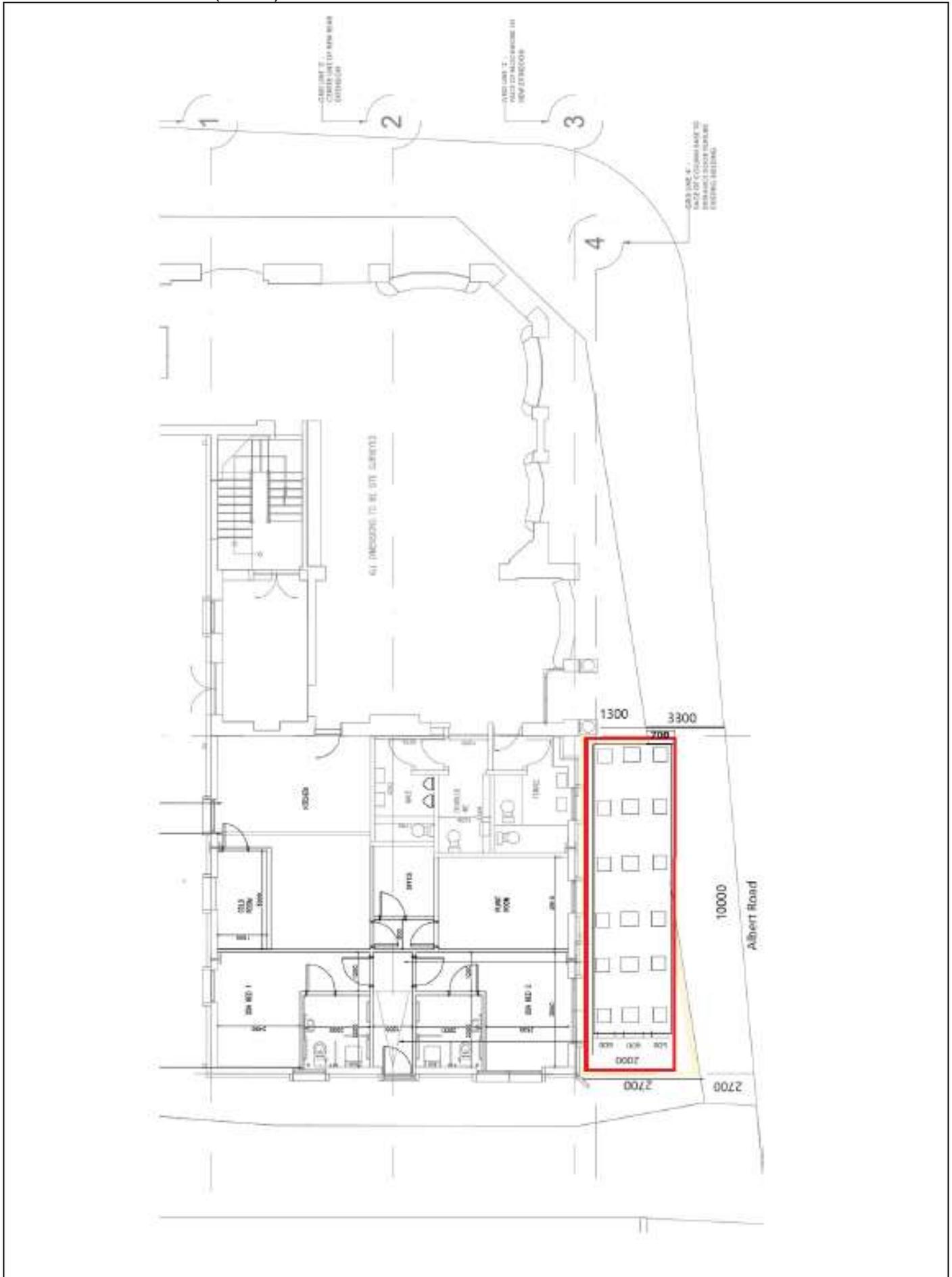
Signed on behalf of the Licensing Authority:

[REDACTED]

**Marcella Basso**  
**Environmental Protection Officer**

Date of issue: **22 March 2021**

Plan of licensed area (1 of 2):



This is a scanned image of the plan and is not shown to scale



## **Conditions**

These Standard Conditions are made pursuant to Section 5 (2) of the Act

### **Part A – Standard Conditions**

The following Standard Conditions are attached by default to every Pavement Licence (“a Licence”) granted by Regulatory Services on behalf of the Royal Borough of Kingston upon Thames, and will be applied to every licence deemed granted under Section 3(8) of the Act. The conditions may only be removed or varied on a licence on application, and following that application being determined under Section 3(3) of the Act.

#### **A.0. General**

The licence must be displayed in a prominent position and must be produced immediately upon request from an authorised local authority officer or the police.

#### **A.1. Location**

The Licence only permits the area of the highway (“the Authorised Area”) and furniture specified on the licence to be used within the hours shown.

Any additional advertising boards and/or displays or menus etc. must be located within the licensed area and not outside of it.

#### **A.2. Hours of use**

All customers must be asked to leave the Authorised Area by the times stated on the licence.

#### **A.3. Furniture**

All tables, chairs and other equipment must be of a type approved by the licensing authority.

A barrier of a design to be agreed with the licensing authority shall be erected at all times around the furniture to clearly define the licensed area.

All furniture must be removed from the Authorised Area at the times stated on the licence, or where removal is not possible (and with prior written agreement from the Council) otherwise secured in such a manner that they cannot be moved or used overnight.

The public highway must not be interfered with, changed, damaged or altered in any way.

Furniture may not be placed where it will prevent safe access or egress by customers or staff from inside the Premises in accordance with the Fire Risk Assessment for the Premises.

#### **A.5. Use of area**

All customers in the Authorised Area must be seated at all times, save for access to and egress from the seating area. Sufficient numbers of tables and chairs must be provided by the Licence Holder for the number of customers allowed into the Authorised Area, and not exceeding the number of tables and chairs permitted by the Licence. It must be possible for all persons in the area to follow current national social distancing requirements.

The licence holder shall not cause disturbance, nuisance or undue interference or inconvenience to persons using a Street, or annoyance to any business or resident.

There shall be no unnecessary obstruction of the highway; sufficient clear and safe pedestrian passageway must be maintained at all times.

The licence holder must comply with any direction given by an authorised local authority officer, their agents, the police, or other member of the emergency services. This may include directions to immediately remove items.

#### **A.6. Toilets**

The Licence Holder shall ensure that customers in the Authorised Area have access to toilet facilities at the premises normally afforded to customers in the premises, and that this additional access is included in the Covid-19 Risk Assessment for the Premises.

#### **A.7. Supervision**

The Authorised Area must be supervised at all times. The Licence Holder must ensure that there are sufficient staff at any one time to supervise and control the Authorised Area to:

- ensure the safety of customers and staff in line with the Covid-19 Risk Assessment for the Premises to reduce or eliminate the spread of Covid-19; and
- to deter and prevent noise nuisance, antisocial behaviour and criminal activity.

The licence holder will be responsible for the good conduct, cleanliness, litter and safety of the licensed area at all times, taking all necessary measures to recover empty or used glasses, crockery or cutlery items, throughout the hours of operation.

The Licence holder shall make proper arrangements for the storage and removal of all refuse and litter generated by their trading activities.

#### **A.8. Code of Conduct**

The Licence Holder must adhere to any Code of Conduct or other guidance and advice issued by the Government or the Council in respect of the use of outside areas and/or preventing the spread of Covid-19.

#### **A.9. Insurance**

The Licence holder shall take out, and maintain at all times, public liability insurance cover with a minimum liability of £5,000,000.

The licence holder shall indemnify the Council from any claim in respect of any injury, damage or loss arising directly or indirectly out of the grant of this licence.

#### **A.10. Counter Terrorism**

The Pavement licence holder must ensure that the management team of the business to which the pavement licence is attached, register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package within 10 days of the notification of the grant of the Pavement Licence OR can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the notification of the grant of the Pavement Licence. (ACT eLearning Certificates are provided on successful on-line completion)

*Guidance: To obtain further ACT eLearning information (FAQ) visit <http://www.NaCTSO.GOV.UK> or to register as a business or individual for ACT eLearning visit <https://ct.highfieldelearning.com/>*

The Pavement licence holder must ensure that existing CCTV systems are correctly working, are compliant with the Data Protection Act 1998, Information Commissioners requirements, and any other local CCTV Code of Conduct produced by the Police or Local Authority. Imagery must be retained for at least 28 days and images produced to a Police Officer or Local Authority Enforcement

Officer upon reasonable request. Faults which render the CCTV system or parts of it inoperable should normally be rectified within 24 hours.

## **Part B – National/Mandatory Conditions**

The Secretary of State publishes this condition in exercise of his powers under [Section 5(6)] of the Business and Planning Act 2020:

### **B.1. Routes of Access**

Clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of Inclusive Mobility Guidance issued by the Department for Transport (“the DfT”).

*Guidance: A clear width of 2000mm allows two wheelchairs to pass one another comfortably. This should be regarded as the minimum under normal circumstances. Where this is not possible because of physical constraints 1500mm could be regarded as the minimum acceptable under most circumstances, giving sufficient space for a wheelchair user and a walker to pass one another.*

### **B.2. Smoke-free seating**

The national smoke-free seating condition seeks to ensure customers have greater choice, so that both smokers and non-smokers are able to sit outside, in order to protect public health by reducing risks of COVID transmission.

It is important that businesses can cater to their customers’ preferences. The Business and Planning Act 2020 imposes a smoke-free seating condition in relation to licences where seating used for the purpose of consuming food or drink has been, (or is to be) placed on the relevant highway. The condition requires a licence-holder to make reasonable provision for seating where smoking is not permitted. This means that where businesses provide for smokers, customers will also have the option of sitting in a non-smoking area.

Ways of meeting this condition could include:

- Clear ‘smoking’ and ‘non-smoking’ areas, with ‘no smoking’ signage displayed in designated ‘smoke-free’ zones in accordance with Smoke-free (signs) regulations 2012 which can be viewed [here](#).
- No ash trays or similar receptacles to be provided or permitted to be left on furniture where smoke-free seating is identified.
- Licence holders should provide a minimum 2M distance between non-smoking and smoking areas, wherever possible.

Further, businesses must continue to have regard to smoke-free legislation under The Health Act 2006, and the subsequent Smoke-free (Premises and Enforcement) Regulations 2006.