



City of Westminster

# Guidelines for the placing of Tables and Chairs on the Highway

**Please note this document is for informal guidance only and its content is currently under review. All planning decisions will be made in accordance with adopted policy in the City Plan 2019-2040 and the Westminster Way SPD.**

# How to apply for approval to place tables and chairs on the highway AT A GLANCE

The City Council will require:

- **Completed Planning Application form and fee.**
- **Completed Temporary Street Trading Licence application form and fee.**
- **Two sets of drawings**
  - **copies of 1:1250 Ordnance Survey map showing location of premises outlined in red.**
  - **8 copies of a detailed plan of site at 1:100 scale or larger with all dimensions in metres and centimetres.**

**Showing:**

- **Building line, footway width and any private forecourt area**
- **Centre line of carriageway if street is pedestrianized**
- **Position of proposed tables and chairs area and space between furniture**
- **Position of any other items proposed such as umbrellas or space heaters**
- **Position of street furniture (lamp posts, bollards, signs etc.) and trees**
- **Access points and any emergency exits, inspection covers and tactile paving**
- **Nightly storage areas for furniture and refuse**

- **Manufacturer's details of furniture**
- **Tally of all items to be included within licensed area, e.g. number of chairs, tables, heaters and umbrellas etc.**
- **Proposed hours of use of the highway**
- **Photographs of premises and surroundings**
- **Architects' drawings for any building work**
- **A [risk assessment](#) if intending to use space heaters**

*The above is a very brief summary of our requirements. You are strongly advised to read this booklet which provides useful information to assist you before you submit your application. If you are submitting a planning application, you should also refer to the [advice on validation requirements](#) on the Westminster website.*



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*A single row of tables and chairs well contained within the marked area leaving an adequate clearway for pedestrians.*

## **Introduction**

Tables and chairs have become a popular addition to Westminster streets and public spaces as more of us discover the pleasures of alfresco dining in a lively cosmopolitan atmosphere. Not surprisingly there has been a steady increase in the number of cafes, restaurants, pubs and wine bars that wish to make use of the footway. Well-managed areas for tables and chairs make a positive contribution to the atmosphere and safety of their surroundings, however many of the streets are narrow, are lined with the homes of residents and are already busy with pedestrians and vehicles, so accommodating this demand safely is not always possible.

As the local authority, Westminster is concerned with pedestrian safety, street cleaning, the welfare and amenity of residents, reducing crime, traffic movement, improving the appearance of the City and protecting the character of historic areas and buildings. This means that we look very carefully at places where tables and chairs can go and whether we need to place any restrictions on them.

## **How this guide will help you**

You may need to apply separately for both planning permission and a temporary street trading licence if you want to use the public highway to set up tables and chairs. We will need details of all the furniture and equipment you wish to use together with detailed plans to show how they will be laid out.

This booklet briefly explains the main rules and policies which we use. It has information on highway requirements, layout, design, reducing crime and safety.

Issues which you will need to consider when making an application are discussed, together with a check list of items for your detailed drawings. This guide explains how your planning and temporary street trading licence applications are dealt with and what may happen after approval has been given. Links to further information and contacts can be found at the back of this booklet.

## The main rules

The Town and Country Planning Act 1990 provides the legal framework for all planning applications.

You may need planning permission to change from one use to another. The footway is part of the public highway, and planning permission is required for the use of part of it as, for example, restaurant space or sandwich shop space.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires all local authorities to protect the character and appearance of listed buildings (both inside and out) and of conservation areas. Westminster has over 11,000 [listed buildings](#) and has 56 [conservation areas](#) covering nearly three-quarters of the City.

Under the City of Westminster Act 1999 you will also need a temporary street trading licence as you are trading on the highway.

**The Government introduced a temporary pavement licensing scheme in 2020, meaning these rules do not apply in all cases. See our [website](#) for further advice on when to apply for a pavement license.**

## Westminster's planning policies

All our planning decisions are based on policies which we have set out and explained in the adopted development plan - [Westminster City Plan 2019-2040](#).

Relevant policies relate to obstruction of the highway, pedestrian safety, nuisance to residents, protecting the amenity, character and appearance of an area, historic buildings, refuse and cleansing and the intensification of certain uses. See in particular Policy 43 Part D and Paragraphs 43.12 and 43.13, and City Plan Policy 16 paragraph 16.2.

## Planning Permission

You will require planning permission to put tables and chairs on the highway outside your premises because it involves a change to the use of that land. **The term "highway" includes the carriageway and footway, alleys and passageways.** If **all** the land you are using is on a private forecourt then you may not require planning permission if the use of the tables and chairs is an extension of the ground floor use of the premises.

Planning permission for tables and chairs on the highway is normally only granted for a temporary period, usually one year. This enables the council to monitor the impact of the tables and chairs on the street scene and other street activities and react if necessary.



## The Street Trading Licence

Under the City of Westminster Act 1999 you will also need a Street Trading Licence to trade on the street. The placing of tables and chairs on the highway for customers' use is an offer to supply a service and requires a Street Trading Licence. **The term "street "includes the road and pavement and any other area, not being within permanently enclosed premises, within 7metres of any road or footway, to which the public have access without payment.'**

The City of Westminster Act 1999 gives the council the appropriate legal powers to regulate street trading activities in Westminster so that these activities do not harm public safety, cause a nuisance, dirty the streets, endanger health or encourage crime. Once a licence is approved, to protect the public and the environment, we then ensure that all conditions of the licence are complied with.

We will only grant a temporary street trading licence for tables and chairs where the activity already has planning approval. As planning permission is normally only granted for a temporary period, street trading licences for tables and chairs are also temporary, usually of six months duration.

## Locations for tables and chairs

There are three principal types of location where applications for tables and chairs on the highway may be allowed:

- In fully pedestrianised streets;
- In partially pedestrianised streets where vehicles are banned at certain times of the day;
- In streets with footways of adequate width and carriageway.

The amounts of space that might be available for tables and chairs at the above locations are shown (as an indicative guide only) in **Diagrams 1, 2 & 3**.<sup>1</sup>

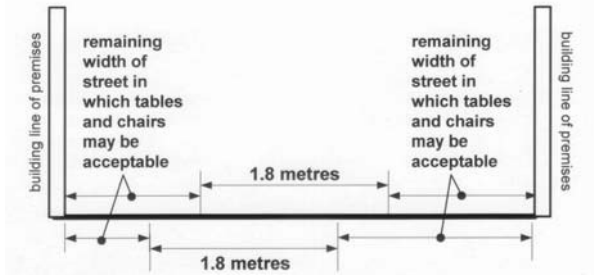
In special areas which have been part of an environmental improvement or landscaping scheme there may be opportunities for alternative arrangements of tables and chairs on the highway.

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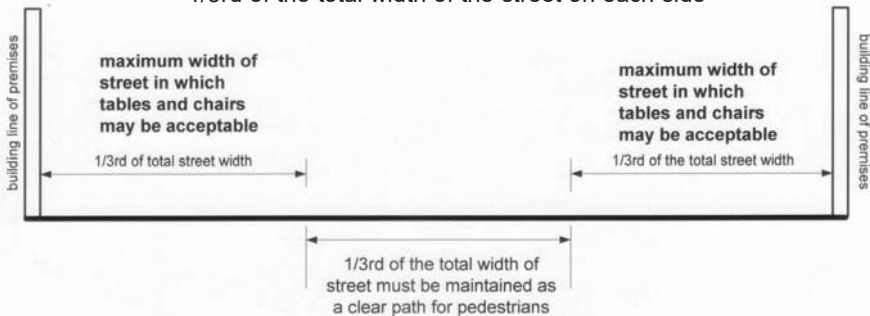
<sup>1</sup> Please note the minimum clear zone for pedestrians of 2m set out in the [Westminster Way SPD](#) supersedes this.



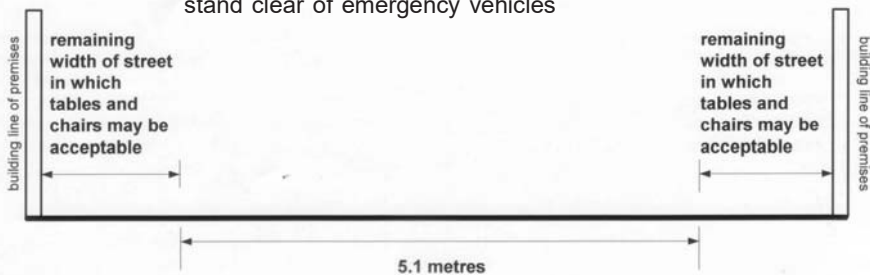
**Diagram 1a Where the street is 5.4 m wide or less**  
 a minimum clear path **1.8 metres** wide must be maintained for pedestrians



**Diagram 1b Where the street is more than 5.4 m wide**  
 the depth allowed for tables and chairs should not exceed 1/3rd of the total width of the street on each side

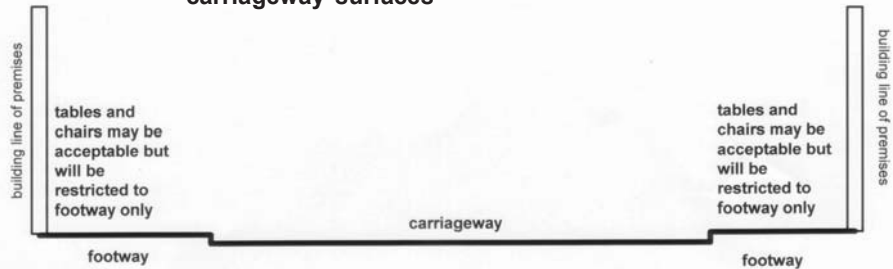


**Diagram 1c If access is required for emergency vehicles**  
 the clear width between tables and chairs on each side should be increased to **5.1 metres** to allow pedestrians to stand clear of emergency vehicles

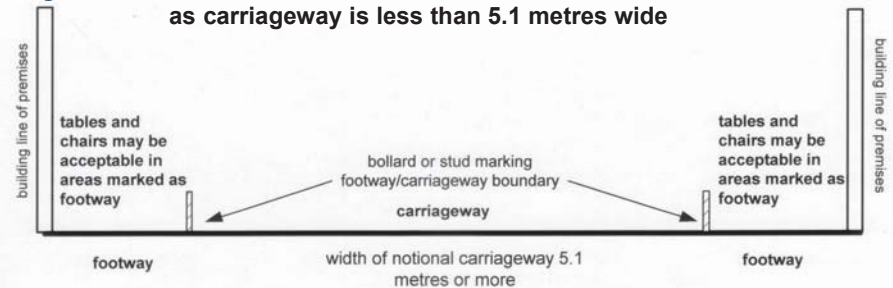


1. Fully Pedestrianised Streets

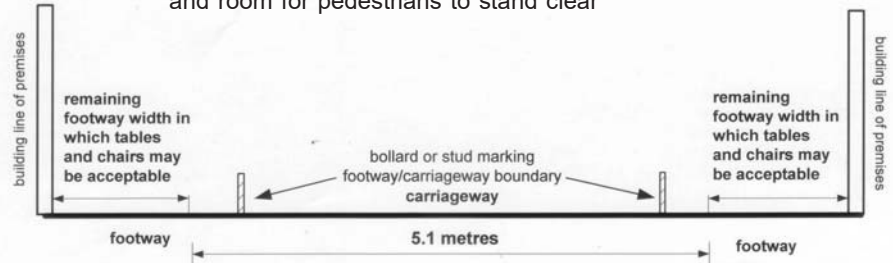
**Diagram 2a** Where the highway retains footway and separate carriageway surfaces



**Diagram 2b** Where the highway is a single surface and the strip marked as carriageway is less than 5.1 metres wide



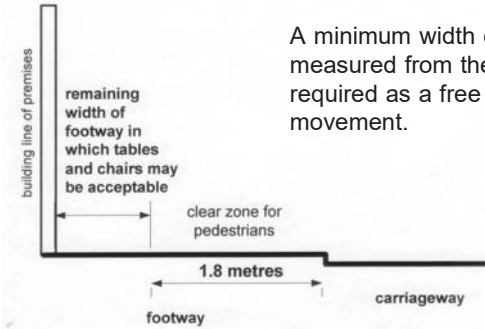
**Diagram 2c** Where the highway is a single surface and the strip marked as carriageway is less than 5.1 metres wide there should be at least 5.1 metres clear between tables and chairs on either side of the street to provide a clear path for emergency vehicles and room for pedestrians to stand clear



## 2. Partially Pedestrianised Streets

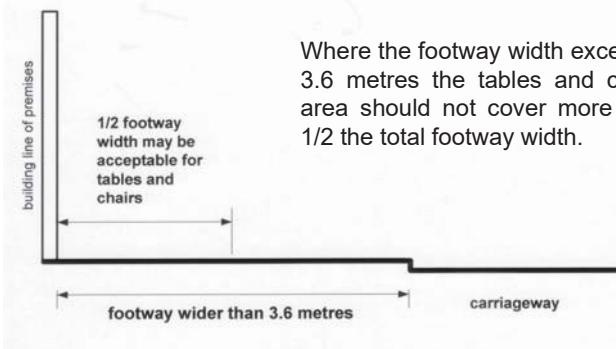
In all cases where the street is partially pedestrianised tables and chairs will normally only be permitted during the times when the street is closed to traffic

Diagram 3a Where the footway width is 3.6 metres or less



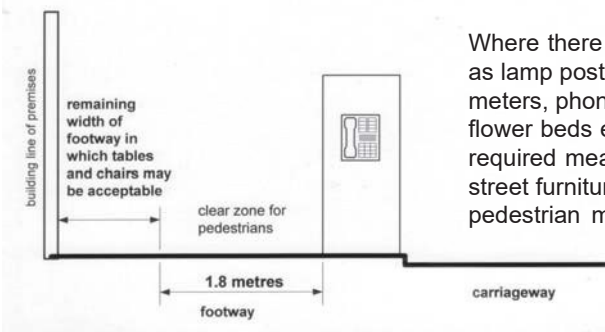
A minimum width of 1.8 metres measured from the face of the kerbis required as a free zone for pedestrian movement.

Diagram 3b Where the footway width is more than 3.6 metres



Where the footway width exceeds 3.6 metres the tables and chairs area should not cover more than 1/2 the total footway width.

Diagram 3c Where street furniture is located on the highway



Where there is street furniture such as lamp posts, bollards, parking meters, phone booths, benches and flower beds etc., **1.8 metres** is required measured from the line of street furniture as a free zone for pedestrian movement.

### 3. Streets with Footway and Carriageway

## How much of the footway can I use for tables and chairs?

Tables and chairs will normally only be allowed directly outside the premises at the back of the footway. But we will always require sufficient space on the pavement to allow pedestrians, wheelchair users, disabled people, the elderly and those with prams and buggies to pass along safely and easily. As such, it is necessary, in all locations that an absolute minimum clear zone of at least 1.8 metres<sup>2</sup> of footway width is kept free of tables and chairs as well as other obstructions such as lamp posts, parking meters, benches and plant containers etc., and this area is not used to service the tables. Lesser standards will not be considered unless exceptional circumstances can be demonstrated

Where footways are very crowded so we will want the clear zone to be much wider. **Some streets are so busy or so narrow that they are unsuitable for tables and chairs altogether.**

For practical and safety reasons it is considered difficult to install and operate tables and chairs where the available pavement depth is less than 1.45 metres measured from the building line (i.e. where the total available pavement depth is less than 3.25 metres). This is because it is unlikely this would allow enough space for people to be served unless the tables and chairs can be served directly from the doorway.

## Tables and chairs proposals located on the Transport for London Road Network

On roads which form part of the Transport for London Road Network (TLRN) a minimum clear zone of 2m of footway width is required. Depending on the intensity of pedestrian use some additional width of clear zone may be required or the application may be refused altogether. For more information on Transport for London guidelines see the Contacts section at the back of this booklet.

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<sup>2</sup> Please note the minimum clear zone for pedestrians of 2m set out in the [Westminster Way SPD](#) supersedes this.

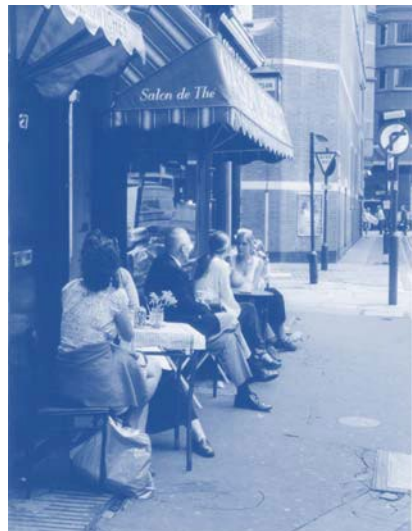
## Selecting the right type of furniture

Westminster is committed to good civic design and will ensure that any new development is suitable for its locality. You will need to send in details of the furniture you intend to use with your planning and street licence application forms. We will need to know the sizes, materials used and the manufacturers details. The manufacturers' brochures can be submitted for this purpose. Details of the provision for storage of tables and chairs should also be provided.

Here are some suggestions to assist you in your selection:

- As all furniture and equipment must be removed and stored at night, use tables and chairs which are easily folded or stacked.
- Avoid plastic garden furniture as it is unlikely to be strong enough for constant use and could blow away and cause an accident. It also weathers very badly and soon looks dirty.
- Choose furniture which is strong, stable and durable enough for heavy use, and is easily wiped down and dried after rain or cleaning.
- Keep to one design of chair and table, which suits your surroundings and avoid unsuitable styles and materials, including highly ornate, plastic or garishly coloured furniture. Furniture should be well designed and muted tones and durable materials such as timber and steel are most likely to be most appropriate.
- In historic areas we would expect quality furniture of a plain simple design to be used which respects the character of the buildings and setting. Other equipment should be of a similar high quality and appearance.
- Furniture with rubber feet reduces noise and helps avoid complaints from neighbours.
- Umbrellas should be free of advertising in a plain canvas material, capable of being folded down and removed when weather permits, and stable enough to withstand strong winds. They should not overhang footways or interfere with vehicle sight lines and traffic signs. Larger canopies will only be allowed in suitable open areas where they will not clutter cherished views.

- The use of any advertising is unlikely to be approved. The tables and chairs themselves should be kept free of advertising and of any material on loose sheets such as menus or paper napkins that might blow away and litter the area.
- Permanent barriers are not permitted, as the licensed area must be capable of reverting to use as public highway each night. Moveable planters can make an attractive addition to an outdoor area within a private forecourt, but it is important for the appearance of the street that the plants themselves are maintained in good condition through the seasons.
- Security implications should be considered in the initial design and selection of furniture. See 'Reducing crime' opposite.



## Reducing crime

Dining areas forming part of a well-managed wider street management programme can help to reduce crime. However busy streets with poorly managed tables and chairs are attractive to criminals. One of our priorities is to reduce crime in our city and there are several security measures you can take to help us and your customers:

- Provide tables with “property clips” to secure handbags. Tables must be of a design which are suitable for attaching property clips and which can be stacked for storage without damaging the clips. Customers should be shown how to release their bags to avoid breaking clips.
- As an alternative use tables with shelves or net bags under the tabletop.
- Use chairs with round rather than square backs to deter customers from hanging bags on them.
- Where space allows you can put up temporary screens to enclose tables and chairs areas so there is only one entrance and exit point for customers. The use of temporary plain canvas screens of waist height (approximately 1m) held taut between posts is recommended. Permanent barriers are not permitted, as the licensed area must revert to public use each night.
- Arrange your furniture layout to reduce opportunities for crime and ensure staff are trained to be alert to all non-customers approaching tables at all times. The presence of staff in the tables and chairs area will act as a deterrent as well as ensuring tables and chairs are cleared promptly preventing littering of the street.

Footway obstruction can occur outside pubs and bars where standing drinkers spill out across the footway and cause a nuisance. We will therefore usually place a condition on the temporary street trading license that all customers must be seated. The council will not license areas or equipment designed for drinking whilst standing outside premises. We may also impose a condition that customers can only be served by a waiter/waitress. In some cases, we may require or recommend the use of plastic glasses. We may consider monitoring the situation both before and after permission has been granted by using either fixed or mobile CCTV cameras.



Where furniture is proposed such as barrels or tall drink stands which encourage drinking while standing on the highway, the Council is likely to refuse planning permission to discourage vertical drinking in public places.

Working closely with the Police, residents and businesses, we may consider, initially on an experimental basis, extending or introducing tables and chairs areas for dining as an alternative way of dispersing and discouraging rough sleepers, aggressive beggars, street drinkers and associated anti-social street activity. In areas where large crowds gather in the evening it has been necessary to use heavy policing methods to control anti-social behaviour and crime. This alternative strategy with extensive natural surveillance tends to reduce undesirable street activity. Special designs of enclosure and equipment may be required together with appropriate licence conditions to ensure a quality operation, linked to the serving of full meals. For instance, the Council may impose conditions that the outdoor area is supervised by staff.

Occasionally the Metropolitan Police may ask us to refuse an application on security grounds.



*Footway obstruction caused by standing drinkers.*

*Providing tables with property clips, shelves or net bags will discourage customers from hanging articles from chair backs.*



## **Safety Issues**

Applicants wishing to use space heaters will need to submit a risk assessment with their applications, as required by the Management of Health and Safety at Work Regulations 1992 since liquefied petroleum gas is a potentially dangerous substance. A qualified person who has the necessary knowledge of the law, British Standards and the Health and Safety Executive Codes of Practice and Guidance, should prepare this on your behalf. Heaters must be stable and appropriately sited to minimise the chance of accidents.

Enclosures for tables and chairs should be easily distinguishable to passers-by, particularly to those who are blind or visually impaired. The materials should be lightweight and portable but stable and strong enough to prevent toppling over if accidentally bumped into. Items such as A boards and menu boards must be kept within the licensed area otherwise they will be removed by our Community Protection Department inspectors for obstructing the highway.

## **Making Planning and Temporary Street Trading Licensing Applications**

You will need to apply for both planning permission and a temporary street trading licence at the same time and there is a fee for both. The application process is set out on our website.

Your planning application will be dealt with by the relevant area team in our Town Planning Service.

Your Temporary Street Trading Licence application will be processed by the Licensing Service but will only be issued if planning permission is granted.

## ***The details of the application site***

Having checked the clear zone on the footway you will need to work out the area of highway and/or private forecourt that you wish to use for tables and chairs. You need to measure the width (the distance across the front of your premises) and the depth (the distance from the building line of your premises towards the edge of the kerb) in metres. The proposed area must not obstruct any delivery hatches, fire escapes, emergency routes to the premises and adjacent buildings or service covers used by the public utility companies.

You should consider the needs of customers with disabilities. When planning your layout allow enough space for wheelchair users to manoeuvre easily and provide a clear path to the accessible toilets. Keep at least one chair available for replacement by a wheelchair.

We will also require details of the area inside your premises where the tables and chairs and other equipment will be stored at night.

If you wish to place other items of furniture such as space heaters or umbrellas in the proposed area, with the tables and chairs, you must provide full details and dimensions. The setting up of barbecues, ice cream and drinks machines, and similar equipment to provide takeaway food and drink will not be permitted in the proposed area.

You will need to specify the hours that you wish to operate on the street in your applications. You should take into account the likely effect on local residents, businesses and the general amenity of the area and limit your hours to acceptable times. We will not normally allow tables and chairs to remain on the highway after 11.00 pm. The licensed area must revert to highway to facilitate washing down by the Council's Cleansing Department.

Depending on the number of extra customers that the proposed tables and chairs will accommodate, you may need to install toilets or upgrade your current facilities for staff and customers, to comply with British Standard 6465. The Community Protection Department will be able to advise you on this.

If tables and chairs are located entirely within your private forecourt area our approval may not be required. However private forecourts should not be confused with basement areas below the pavement and we may ask you to submit evidence to prove that the land is legally private forecourt.

## *Plans and drawings*

You will need to provide two sets of drawings with your applications making them as clear and accurate as possible

### *Location map*

You will need to show the location of your premises **outlined in red** on an Ordnance Survey 1:1250 scale map of the area. We will require **two** copies.

### *Detailed plan*

We also require **eight** copies of a detailed plan at a scale of 1:100 or larger, that shows the exact location and dimensions of the area of highway you are proposing to use.

- This drawing must also show the building line and footway width together with any private forecourts.
- You will need to indicate the proposed area on the plan and show the spaces between the items of furniture and the location of other items such as space heaters and umbrellas. The layout should allow for the tables to be served or for customers to carry food and drink themselves without leaving the proposed area to be licensed.
- If the street is pedestrianised you must also show the centreline of the street.
- Street furniture and trees.
- Mark the location of any objects already on the footway, including trees, street furniture (such as lamp posts, railings, post boxes, bus stops, traffic lights and Council planters), street trading stalls, inspection boxes and drainage gulleys etc.
- Access points  
Show on the plan the entrance to your premises, any fire escapes, inspection covers for public utilities and tactile paving areas.
- Storage areas  
You will need to show on the plan where you intend to store the furniture, and your facilities for storing refuse.

All measurements must be metric (metres and centimetres).

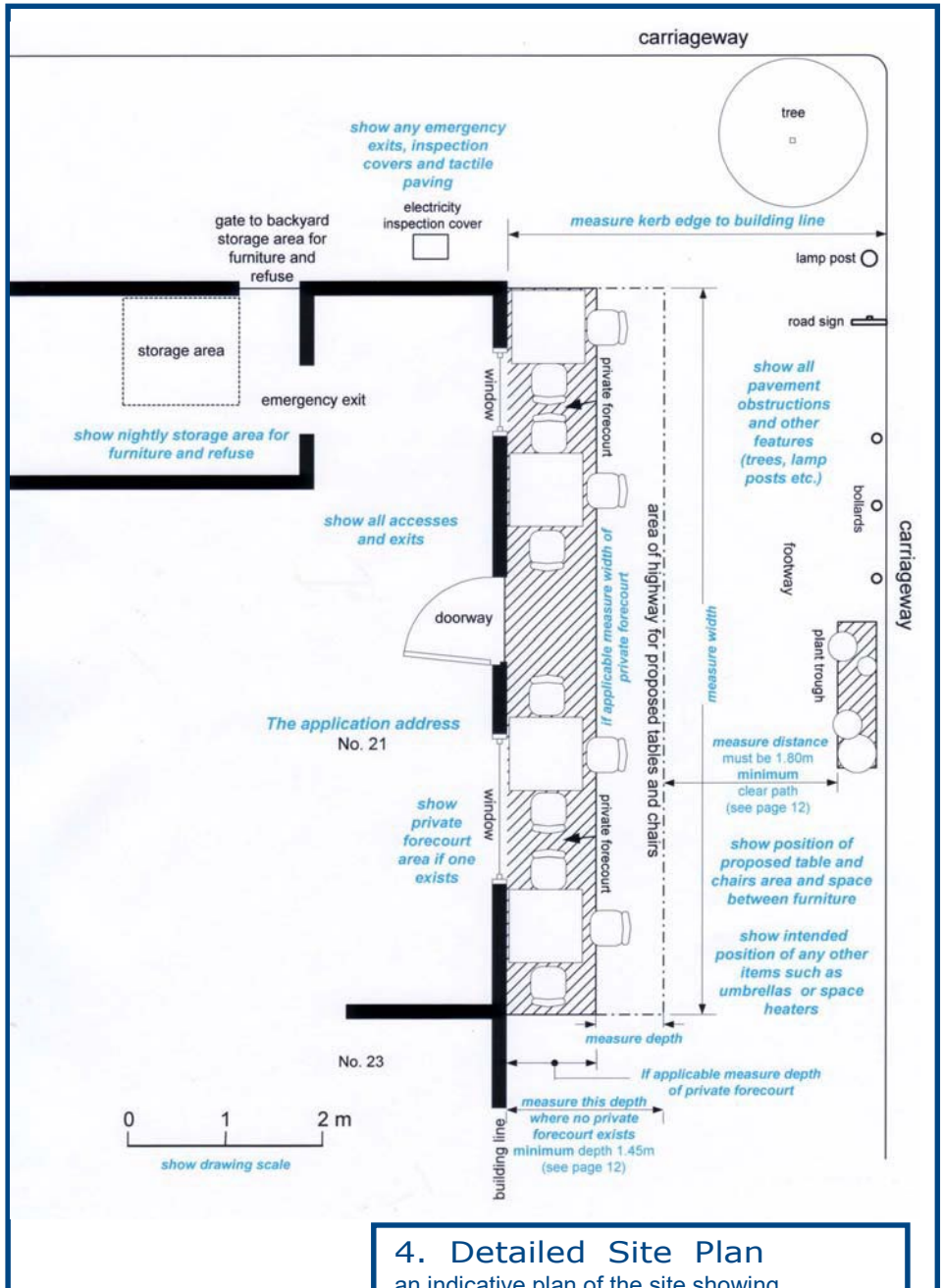
Any photographs you can include which show the site and its surroundings can be helpful when we deal with your application.

If you propose to install blinds, lighting, ductwork, air conditioning equipment or new toilet facilities in your premises these should be shown on separate architect's drawings. Some of these items may require planning permission, and in the case of listed buildings such works will also require listed building consent.

An example of a suitable detailed plan with all the items clearly marked is shown (as an indicative guide only) in **Diagram 4**.



*Your detailed site plan must show the intended positions of items such as umbrellas and space heaters.*



**4. Detailed Site Plan**  
 an indicative plan of the site showing dimensions, proposals and premises details

## Penalty points

Your premises will be regularly inspected to check that you are complying with the licence conditions. If the conditions are not being followed the inspector will inform you of the breach and check later that it has been put right. We operate a penalty points system for breaches of licence conditions and details of these will be provided with the licence.

This an extract from a Licensed Table and Chairs Pitch Inspection Report which lists the condition and the penalty points recorded for a breach of each condition.

Condition	Description of Condition	Penalty Points for non-compliance with condition
SC 5	Notification of change of address	2
SC 6	Trade from position indicated on Licence	4
SC 7	Oversize trading	5
SC 8	Trading on days and time on Licence	5
SC 8	Commodities on Licence to be sold	4
SC 9	Only furniture approved by the Council	5
SC 10	Furniture to be safe, stable and well maintained	5
SC 11	Furniture to be kept within the licensed area and the maximum items of furniture	4
SC 12	No furniture on the highway outside of licence operating times	5
SC 13	Public and Council officers to be treated fairly and courteously by licence holder and assistants	5
SC 14	Staff are competent, courteous and helpful	5
SC 15	Licence to be displayed as required during hours of operation	4
SC 16	No advertisements which relate to goods etc. other than those offered for sale	2
SC 17	Pitch area and immediate vicinity to be kept clean and tidy	4
SC 18	Licensee and worker not to dispose of refuse in litter bins	4
SC 19	Pitch to be used solely for refreshments	4
SC 20	Space heaters etc to be placed only in agreed positions	5
SC 21	Pitch area and immediate vicinity to be washed	4
SC 22	All goods, containers etc. contained within licensed area and not to overhang	5
SC 23	Removal of stall in event of an emergency	5
SC 24	Removal of stall as requested by the Council or Police	5
SC 25	Not to cause damage to the highway	4
SC 26	Assistance to Council officers	5
SC 27	Notification of assistant	2
SC 28	Music devices and other noise	5
SC 29	Insurance	5



Depending on how serious the breach is and how often it occurs we may refuse to renew the licence, cancel the present licence, take away all the tables and chairs and other equipment or prosecute, which could result in a fine of up to £1,000.

## Special Events

If you are affected by an event such as a rally, procession, premiere or open-air concert the Police and the council may, for public safety and security reasons, request that you remove all your outdoor furniture and equipment while the event is taking place, even if it is within your licence times. If you usually store the furniture inside your premises you may have to make alternative arrangements for storing while you continue to trade. In these circumstances there is no refund available on the licence fee.



## APPENDICES

### 1. How we deal with your applications

#### *Planning Application*

We will firstly consult local residents' groups, and local owners and occupiers who we feel may be affected by your proposal, for their views.

We will then consider your application against the policies in the Development Plan, along with any other use, design, highway or safety issues and check the likely effect on local residents and other occupiers. We will also check if there are any proposed road traffic or other schemes that may affect your application.

If your proposal is located on the Transport for London Road Network (TLRN) your application will also be passed to Transport for London, as the highway authority, for their consideration.

Your proposals will be checked against our own space and safety standards and we may ask you to adjust your layout. Some examples of typical layouts with dimensions are shown in **Diagram 5**.

To protect Westminster's historical and architectural heritage, and to preserve views and avoid clutter we may limit the number and size of tables and chairs sites. We may request that you use a particular style and colour of furniture that will harmonise with their surroundings. We will pay particular attention to the siting of tables and chairs next to historic buildings and may refuse permission where the proposal conflicts with the appearance and setting of that building.

Where the upper floors of an application premises are in residential use, applicants will need to demonstrate that tables and chairs outside will not cause detriment to residential amenity and outline measures which have been taken to eliminate disruption.

Sometimes we may refuse permission in order to limit the number of premises with tables and chairs to prevent the character of an area being spoilt or where existing pubs, bars and cafes already attract large crowds.

Diagram 5a Diagonal layout based on 1.05m circular tables

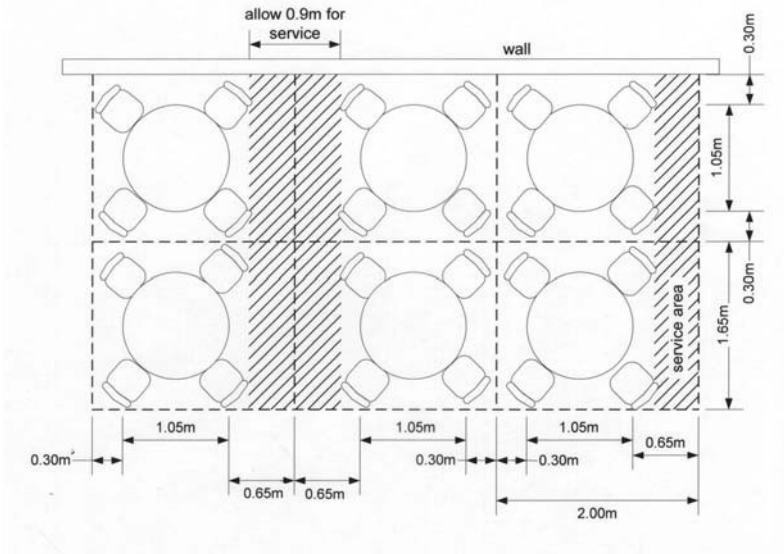
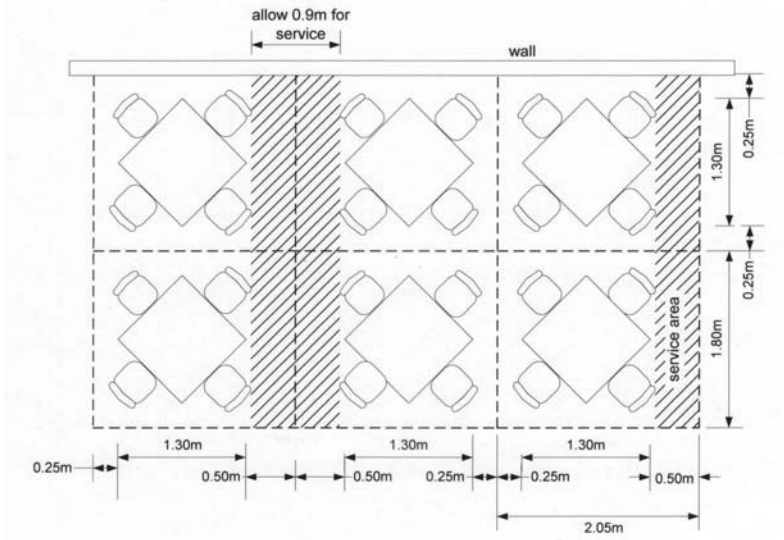


Diagram 5b Diagonal layout based on 0.8m square tables



5. Examples of Typical Furniture Layouts

Placing tables and chairs outside a premises can sometimes change them from a Class A1 use (shop) to a Class A3 use (restaurant/cafe) within the meaning of the Town and Country Planning (Use Classes) Order 1987. In these cases you will also need to apply for planning permission for a change of use. This would be assessed against our policies (Policies TACE 8, 9 and 10 of our Pre-Inquiry UDP). We have to be sure that additional A3 uses will not have a harmful impact on residential amenity or “saturate” an area and put at risk the established character, for example by eroding the number and variety of retail shops, (A1 uses). Where we have these concerns we may refuse planning permission for a change of use, and therefore for tables and chairs.

### *Temporary Street Trading Licence*

We will look at the effect your application will have on the local community, especially how the noise from your operation will affect local residents. We will check the safety documentation of any space heaters you wish to use and if they are to be sited and stored in potentially dangerous locations. We may need to visit your premises to check if you have enough toilets for customers and staff as a result of the extra seating.

We will take into account how wide and busy your street is to ensure that pedestrians and drivers will be safe and traffic movement is unaffected and that your proposals do not make deliveries, rubbish collection and street cleaning difficult or block fire escapes and access to public utilities.



### *Granting approval*

The decision to grant or refuse an application for planning permission may be taken by the Director of Place Shaping and Town Planning under delegated powers, or in some instances it may be taken by the Planning Applications Sub-Committee, based on officer recommendations. The decision on the temporary Street Trading Licence is normally made under delegated powers.

We will attach a number of **conditions** to the licence and planning permission to ensure you operate without causing a nuisance to local residents and to protect the environment and maintain public safety.

We will specify the size of your approved area, the maximum number of places you can provide and, to protect residential amenity, we will normally limit the hours that you can operate under your Street Trading Licence to 11pm at the latest, even if you have the necessary licences for your premises to operate until later. You will be required to store all furniture off the street at night, keep your area clean and tidy and the furniture in good condition. The other conditions will vary depending on your circumstances and location.

**Marking out the tables and chairs area** will be carried out by our contractors. Depending on the pavement surface, black, dark grey or white lines will normally be used unless there are already clearly visible demarcation lines. Areas of special architectural or historic character will require an alternative approach and we will expect marking out to be carried out in a manner which is appropriate and sensitive to its setting. Special care will be required for marking out where historic or special paving or highway already exists, such as York stone pavements and granite setts.

If you want to mark your area out in any other way to that advised by the Council this will have to be approved and supervised by us. We may require some security against the costs of repairing the footway surface once the marking has been completed.

**If planning permission is refused** we will send you a decision letter explaining why. You can appeal against this decision to the [Planning Inspectorate](#). If the **Temporary Street Trading Licence is refused** there is a right of appeal to a magistrates' court and from there to the Crown Court.

## 2. Help us to help you

- Before submitting your application forms check that all the sections have been filled in correctly and the information is up to date.
- Avoid the rush - don't wait for the better weather, send your applications in as early as possible. Processing your applications can take up to three months.
- If you do apply early, please tell us when you would like the permission to begin (remembering that temporary street trading licences are normally only granted for 6 months).
- Following approval ensure your licence details are displayed correctly in your window and can be read by our inspectors when visiting your premises.



## Remember!

- If you decide to make some changes to your outdoor operations such as changing the furniture or other items, altering the licensed area or the trading times, you must let the Licensing Service know immediately. You may require a new or revised licence and planning permission.
- You may need to apply for a separate liquor licence if you wish to sell alcohol.
- All food premises must be registered with the Council's Community Protection Department and all pavement services must follow the relevant food safety standards.
- Check the condition of the tables and chairs regularly to ensure they are safe to use.
- Using tables and chairs on the street without our written approval is unlawful and they should be removed immediately. There is no right to keep the furniture on the street while your applications for planning permission and a temporary street trading licence are being considered.
- Ensure that you note the expiry date of your licence and planning permission and leave plenty of time to apply for their renewal.



### 3. Publications

#### ***Westminster Publications***

You will find these other Westminster City Council publications contain other useful information. These can be viewed on our Website.

[Shopfronts Blinds and Signs SPG](#)

[Westminster Way SPG](#)

Environmental SPD (see section on local environmental impacts)

[City Plan 2019-2040.](#)

### Further Advice

- [\*\*Make a planning application\*\*](https://www.westminster.gov.uk/index.php/planning-building-and-environmental-regulations/planning-applications/making-planning-application)  
***https://www.westminster.gov.uk/index.php/planning-building-and-environmental-regulations/planning-applications/making-planning-application***
- [\*\*Apply for a Pavement Licence\*\*](https://www.westminster.gov.uk/licensing/markets-and-street-trading/apply-renew-or-vary-tables-and-chairs-licence)  
***https://www.westminster.gov.uk/licensing/markets-and-street-trading/apply-renew-or-vary-tables-and-chairs-licence***
- [\*\*Apply for, renew or vary a tables and chairs licence\*\*](https://www.westminster.gov.uk/licensing/markets-and-street-trading/apply-renew-or-vary-tables-and-chairs-licence)  
***https://www.westminster.gov.uk/licensing/markets-and-street-trading/apply-renew-or-vary-tables-and-chairs-licence***
- [\*\*Government Advice on pavement licenses\*\*](https://www.gov.uk/government/publications/pavement-licences-draft-guidance/draft-guidance-pavement-licences-outdoor-seating-proposal)  
***https://www.gov.uk/government/publications/pavement-licences-draft-guidance/draft-guidance-pavement-licences-outdoor-seating-proposal***

For further advice contact -  
[streettradinglicensing@westminster.gov.uk](mailto:streettradinglicensing@westminster.gov.uk)

For planning advice contact  
[planninginformation@westminster.gov.uk](mailto:planninginformation@westminster.gov.uk)



**Diagrams 5a and 5b page 25**

Adapted from The Metric Handbook: Planning and Design Data, 2nd Edition

Edited by D Adler (ISBN - 0750608994)

Chapter 18 Eating and Drinking by F Lawson, J Rawson and F Bradbeer

Page 18-3, Layout for Restaurant Tables

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# Guidelines for the Placing of Tables and Chairs on the Highway

