

## **Highway Goods & Amenities Code**

This Code has been drawn up to help businesses with guidance on the placing of goods and objects (associated with their business) on the highway. The expression “the public highway” means the footway, carriageway and any verges. The code applies to a geographical area of Cromer which incorporates the main trading streets in the Town Centre as depicted in the attached plan.

### **GENERAL PRINCIPLES**

Certain objects or items of furniture may be permitted on the footway outside traders premises provided public safety and visual amenity concerns are addressed. Traders need to apply to the North Norfolk District Council for relevant permission under the provisions of section 115(E) of the Highways Act 1980.

Permits will be given for placing items in the area directly in front of a trader’s premises depending on the merits of the particular case and local circumstances. Permissions will not be given for putting objects in other locations at some distance away from the trader’s premises.

Permissions will not be given for items and locations where siting of such objects is considered to be a public danger, a nuisance or an obstruction or being detrimental to the local area.

This Code does not cover permissions for any object placed on or in or affecting the Carriageway of any street.

### **HIGHWAY PERMITS**

- Must be applied for in writing on the appropriate application form. These are available from the District Council offices or the District Council’s website. [www.northnorfolk.org](http://www.northnorfolk.org)
- Will be issued for a period of 1 year.
- Application Fee £25 + variable cost depending on object (more complicated applications or bigger objects may need more investigation)
- Applicants must have public liability cover for the location and object to be licenced at a minimum level of £5 million
- The District Council will undertake consultation, with the highways authority and other local businesses, before giving permission so the minimum period for application to be determined is 6 weeks.
- The District Council will attach conditions to permits granted depending on the circumstances of the particular object

Each case will be considered on its merits with regard to the local conditions, the width of the existing footway, permanent street furniture already installed, street lighting and any special circumstances. Permissions will cover the daily period the trader's premises are open or a shorter period if appropriate given the local conditions.

The Trader will be responsible for the goods and amenities at all times while they are on the highway. Appropriate Risk assessments will need to be drawn up by the Trader for the manual handling of the items concerned as well as for any additional hazards posed such as electrical cabling. The Trader will need to undertake all appropriate steps for the security of the goods and amenities concerned including reasonable steps to safeguard against vandalism

The width of the footway will be taken into account in deciding whether permission is issued for placing goods or amenities in any particular case.

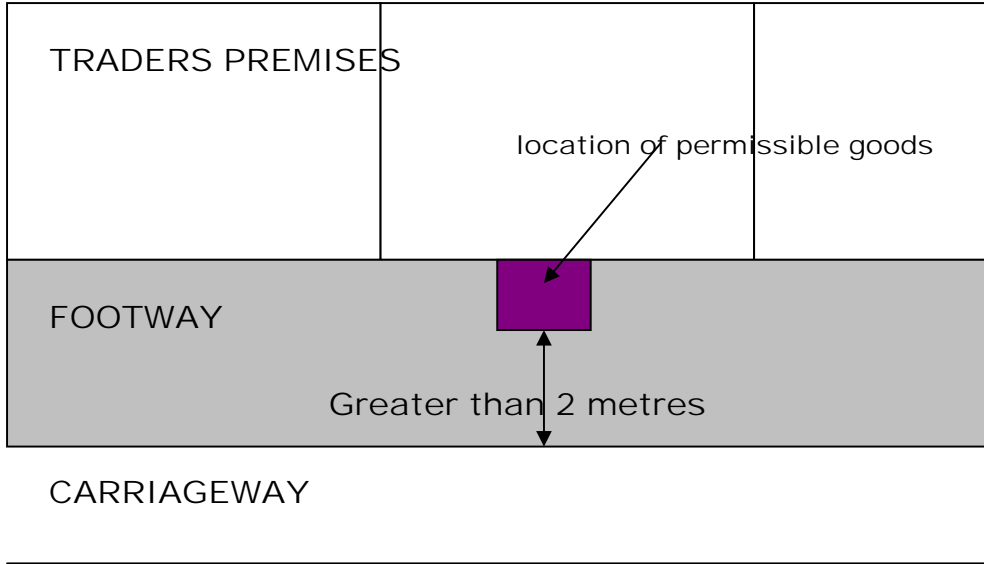
- If the footway is narrower than 2 metres then no permits will be given for placing items at that location.
- At locations where the footpath is wide then the width of any item permitted will not be greater than the width of the pavement less 2 metres.

In general the permission will relate to the use of footway space directly adjacent to the traders premises such that a public thoroughfare will be maintained on the street side of the goods or amenity and not necessarily between the traders premises and the goods or amenity. The siting of goods or amenities on the footway ( in the form of an island) will not normally be permitted. (See illustrations 1 & 2 below)

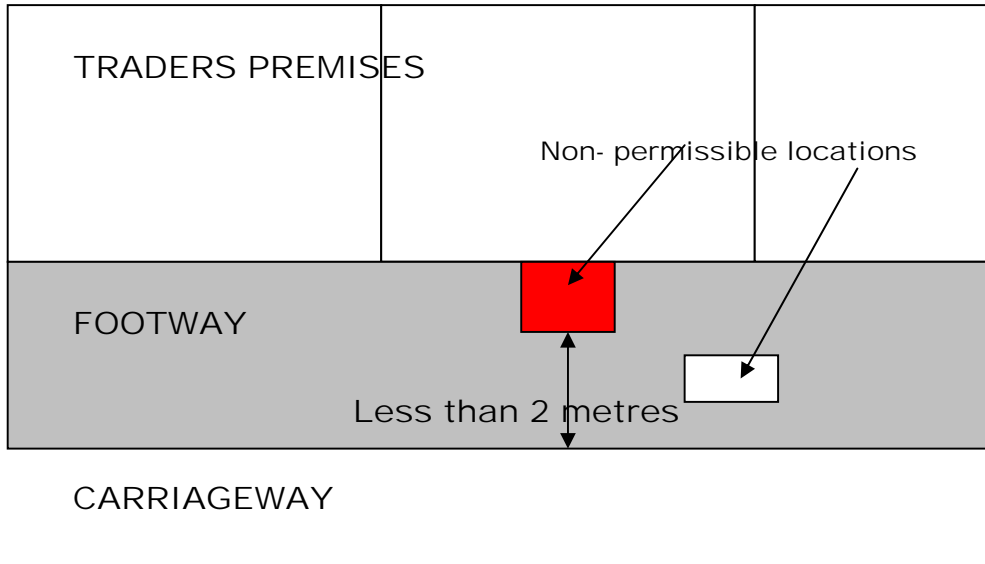
## **CATEGORIES OF OBJECTS OR ITEMS OF FURNITURE COVERED UNDER THE SCHEME:**

- **A-boards** – free standing advertising boards of appropriate durable construction and size.
- **Tables and Chairs** – suitable free standing units which may also incorporate umbrellas in certain cases
- **Goods for sale** – these may be free standing or on racks. This category also includes appropriate foods in fridges/freezers or in display boxes. Food must be protected against any risk of contamination at all times.
- **Portable litter bins and similar objects** – free standing or demountable wall mounted

**Illustration 1**



**Illustration 2**



## ENFORCEMENT

Any goods or items placed on the highway without the express written consent of the Norfolk County Council (as highway authority) or North Norfolk District Council must be removed. The Councils will take appropriate enforcement action against traders who breach the legislation or conditions of any permissions issued.

Traders must comply with the specific conditions attached to permits. North Norfolk District Council will take action under section 115K of the Highways Act to secure compliance where necessary.

## EXCLUSIONS

This Code does not cover the following cases:

- **Skips, Hoardings or Scaffolding.** Licences to place such items on the highway must be obtained from Norfolk County Council as highway authority.
- **Permanent street furniture.**(signs, benches, ornamental planters etc) . Licences to place such items on the highway must be obtained from Norfolk County Council as highway authority.
- **Awnings and blinds** – affixed to buildings. Contact North Norfolk District Council for information about planning permission.
- **Street Trading** For the placing of stalls, barrows, ice cream or burger vans on the highway then a separate street trading licence will be required from the District Council
- **Street Collections** For permission to hold a collection for charity on the highway a separate street collection licence is required from the District Council.
- **Goods and objects placed on the trader's own property** within the curtilage of their premises

## GENERAL ADVICE

Traders will need to ensure they have complied with all other legal requirements associated with the activity concerned including any other licensing, planning consents or health & safety requirements.

## **GOODS AND AMENITIES ON THE HIGHWAY PERMIT SCHEME**

Before goods and/or amenities are to be placed on the highway under this scheme then the North Norfolk District Council must receive and process a valid application and then give permission to the trader involved. Goods and/or amenities placed on the highway without permission are likely to attract enforcement action.

### **Steps for you to complete to apply for a permit**

1. Read the general scheme conditions and code of practice
2. Complete and sign the permit application form
3. Send completed application to the Council offices
4. Enclose payment of £25
5. Attach a drawing as described in the conditions.
6. Provide a current public liability insurance minimum £5 million

### **Action for North Norfolk District Council to complete on receipt of a valid application**

1. Consider the application in relation to public safety
2. Consult with Norfolk County Council as highway authority
3. Consult with neighbouring occupiers
4. Issue permit (with specific conditions) or reject application within 6 weeks