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Dear Councillor

**LICENSING COMMITTEE - THURSDAY, 11TH MARCH, 2021**

I now enclose, for consideration the following reports that were unavailable when the agenda was published.

**Agenda No    Item**

- 4(a)    Business & Planning Act 2020 - Pavement Licences and Implications for Licensed Premises (Pages 2 - 3)

## LICENSING COMMITTEE

11 MARCH 2021

In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chairman has agreed to take this item as a late item of business as a decision on the matter must be made prior to the next scheduled meeting of the Committee in June 2021.

## BUSINESS & PLANNING ACT 2020 - PAVEMENT LICENCES AND IMPLICATIONS FOR LICENSED PREMISES

### **1.0 Purpose of Report**

1.1 To update Members on revised guidance in relation to pavement licenses and other impacts on licensed premises and to seek approval to amend the current policy.

### **2.0 Background**

2.1 The Business & Planning Act 2020 was introduced to support business with arrangements to trade effectively during the controls imposed as part of the combatting of the coronavirus. In September 2020 the Committee considered a report and agreed policy in relation to Pavement Licences.

2.2 New guidance from the Secretary of State has now been produced that encourages local authorities to give as much support to hospitality business as possible. If this authority is minded to follow the new guidance the existing policy on Pavement Licences will need to be amended.

2.3 Set out below is a simple table showing the potential changes.

<b>New Guidance</b>	<b>NSDC Policy</b>	<b>Suggested Option for Change</b>
Pavement licence regime is now extended until September 2022	Previously due to end sept. 2021	Have now been extended until 2022
Licences should now be for 12 months or more	All licences to be reviewed and renewed 1 April 2021	All licence now issued for 12 months
Application fee no more than £100	Application fee £50	Increase application fee to £100
No renewal fee	Renewal fee £25	Remove renewal fee

### **3.0 Proposals**

3.1 As the guidance has only just been received, Officers have not had an opportunity look in detail at the amended guidance and therefore it is difficult to put forward detailed proposals at this stage. However, it is important that an amended policy be in place as it is anticipated that applications will be received ready for the opening of outdoor hospitality

3.4 It is not considered necessary to amend the conditions to be attached to any pavement licence.

3.5 The Council has a requirement to consult the Highways Authority on every application. The organisations set out below will be the consulted on each application:

Highways Authority  
Nottinghamshire Police  
NSDC Planning Business Unit  
The relevant Town or Parish Council  
Environmental Health

#### **4.0 Equalities Implications**

4.1 There are specific references in the Act to ensure that any street furniture authorised by the licence does not cause an obstruction and that the authority specifically consider the needs of disabled people and those that are partially sighted. This will be considered for all applications.

#### **6.0 Digital Implications**

6.1 None from this report

#### **5.0 RECOMMENDATIONS that:**

- (a) the Committee give delegated authority for the Chairman and Vice-Chairman to agree the amendments to the policy;**
- (b) the conditions to the licence remain unchanged; and**
- (c) the Consultees for any application remain unchanged.**

#### **Reason for Decision**

To enable the provisions of the Business and Planning Act 2020 relating to Pavement Licences be implemented so as to support the local economy.

#### **Background Papers**

Business and Planning Act 2020

For further information please contact Alan Batty on Extension 5467.

Matthew Finch  
Director – Communities & Environment