

LICENSING COMMITTEE

14 MARCH 2019

REVIEW OF PAVEMENT LICENCES IN NEWARK

1.0 Purpose of Report

1.1 To outline an approach to the regularisation of pavement licenses in Newark Town Centre.

2.0 Background

2.1 Concerns have been expressed about the number of premises that are using outdoor seating areas, many of which appear to be uncontrolled.

3.0 Introduction

3.1 Applications for a licence to trade on pavements (when it forms part of the highway) are issued under section 115E of the Highways Act 1980. For applications within Newark & Sherwood the applications have to be made to Nottinghamshire County Council as they are the Highways Authority. The licences are known as Pavement Café Licences.

3.2 The County Council have confirmed that in the past they have issued two Pavement Café Licences, one to the Sir John Arderne Public House (Wetherspoon's) and one to the Queen's Head. Both premises are located on the edge of Newark Market place.

3.3 The County Council issues licences are issued for period of five years, however, they have confirmed that those that were issued have now expired.

3.4 When licenses are issued they are subject to a number of conditions. A copy of the Nottinghamshire County Council conditions are attached as **Appendix 1**. The District Council is a consultee on any application for a pavement licence

4.0 Proposals

4.1 As stated above Pavement Café Licences are issued by the County Council and therefore the degree of control that the Committee can have over the pavement café licensing regime is somewhat limited.

4.2 It is proposed that a working group be established to examine the extent of the problem and to develop an approach that imposes sufficient controls without detriment to the vitality of the town centre.

4.3 The suggested membership of the working group is:

Chairman of Licensing Committee
Representative of Via
Newark Town Council
County Councillor
District Council Officer(s)

4.4 The working group will be time limited and will report its findings back to Licencing Committee by September 2019

5.0 RECOMMENDATIONS that:

a) a Pavement Café Licencing Working Group be established to examine the issues in Newark Town Centre and develop an approach that supports the objectives of the Licencing Act whilst supporting town centre vitality; and

b) the Working Group reports back to Licencing Committee in September 2019

Background Papers

Highways Act 1980

For further information please contact Alan Batty on 01636 655467

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