

Notice of:	Cabinet Member for Climate Change and Environment
Decision Number:	PH39/2020
Relevant Officer:	John Blackledge, Director of Community and Environmental Services
Relevant Cabinet Member:	Councillor Jim Hobson, Cabinet Member for Climate Change and Environment
Date of Decision:	21 August 2020

STREET CAFÉ LICENCE FEES

1.0 Purpose of the report:

- 1.1 To consider whether to waive the Street Café Licence fees in 2020/21 and replace with a nominal £25 administration fee to support the local economy and businesses in these very difficult and financially challenging times.

2.0 Recommendation(s):

- 2.1 To agree to waive the Street Café Licence fee in 2020/21 and replace with a nominal £25 administration fee for the period until 31 March 2021.
- 2.2 To refund any fees already paid for Street Café Licence in 2020/21 or to reapply the fees to other licence fees.

3.0 Reasons for recommendation(s):

- 3.1 To support Blackpool's economic recovery, which has been adversely affected by the Covid-19 pandemic, by waiving the Street Café Licence fee and by replacing with a £25 administration fee, which will help and support a number of, in particular, small businesses within Blackpool.
- 3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No
- 3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 A range of reduced fee options was considered rather than waiving the fee, but discarded as the Council is aware many of the businesses affected are struggling in the current climate.

The charging of an administration fee is however considered necessary to deter speculative applications and to ensure that applicants are serious about compliance with the undertakings required.

5.0 Council priority:

5.1 The relevant Council priority is: “The economy: Maximising growth and opportunity across Blackpool”.

6.0 Background information

6.1 Street Café licences are issued and regulated under the Highways Act 1980, which effectively allows well managed and designed establishments to use the pavement to provide outdoor eating and drinking facilities.

6.2 Fees are based on a charge for each square metre or part thereof, which are used by the Council to cover the costs of providing the Licensing Service. The fees were set in February 2020 as part of the annual review of fees of Public Protection at that point the impact of Coronavirus was not anticipated.

6.3 In 2019/20 there were 51 street café licences issued and so far 30 in 2020/21. The total amount of fees received in 2019/20 was £24,684.

6.4 In light of the current economic position, the Council is aware that many of the small businesses that are currently trying to re-establish themselves and businesses are struggling financially to make ends meet. Therefore it is proposed that in order to support the local economy and the businesses impacted by the fee, that it is waived in 2020/21 and replaced by a nominal administration charge of £25. Those businesses that had already paid for this year’s licence would receive a refund either directly or payment towards other licensing fees depending on their situation.

6.5 In relation to the loss of income, the Council will claim the monies back from the Government under the Local Government Income Compensation Scheme for lost sales, fees and charges with any residual falling on the service.

6.6 This amended fee would expire on 31 March 2021 before which time the Council will have undertaken a full review of all licensing fees taking into account the impact of Coronavirus.

6.7 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Legal considerations:

8.1 Street Café licences are set out in terms of regulation under the Highways Act 1980.

9.0 Human resources considerations:

9.1 The Licensing team will deal with the administration and any refunds required.

10.0 Equalities considerations:

10.1 The proposal is a nominal administration fee is applied to all.

11.0 Financial considerations:

11.1 The administration costs of the scheme remain the same as before so the costs of administration not covered by the nominal administration fee will be claimed back from the Government under the Local Government Income Compensation Scheme for lost sales, fees and charges with any residual falling on the service

12.0 Risk management considerations:

12.1 The potential is not taking action is that businesses do not survive during the current economic conditions.

13.0 Ethical considerations:

13.1 The ethical policy would be followed.

14.0 Internal/external consultation undertaken:

14.1 Informal dialogue with local establishments has already taken place.

15.0 Background papers:

15.1 None.

ONLY APPLICABLE FOR REPORTS WHICH WILL EVENTUALLY BE CONSIDERED BY THE EXECUTIVE/CABINET MEMBER

16.0 Key decision information:

16.1 Is this a key decision? No

16.2 If so, Forward Plan reference number:

16.3 If a key decision, is the decision required in less than five days? No

16.4 If **yes**, please describe the reason for urgency:

17.0 Call-in information:

17.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No

17.2 If **yes**, please give reason:

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE

18.0 Scrutiny Committee Chairman (where appropriate):

Date informed:

Date approved:

19.0 Declarations of interest (if applicable):

19.1 None.

20.0 Executive decision:

20.1 **The Cabinet Member agreed the recommendation as outlined above namely:**

1. To agree to waive the Street Café Licence fee in 2020/21 and replace with a nominal £25 administration fee for the period until 31 March 2021.
2. To refund any fees already paid for Street Café Licence in 2020/21 or to reapply the fees to other licence fees.

21.0 Date of Decision:

21.1 21 August 2020

22.0 Reason(s) for decision:

22.1 To support Blackpool's economic recovery, which has been adversely affected by the Covid-19 pandemic, by waiving the Street Café Licence fee and by replacing with a £25 administration fee, which will help and support a number of, in particular, small businesses within Blackpool.

23.0 Date Decision published:

23.1

24.0 Executive Members in attendance:

24.1

25.0 Call-in:

25.1

26.0 Notes:

26.1