

## MINUTES OF LICENSING COMMITTEE MEETING - THURSDAY, 6 AUGUST 2020

### Present:

Councillor Hutton (in the Chair)

Councillors

Baker	Critchley	Matthews	Wilshaw
Mrs Callow JP	Farrell	O'Hara	
G Coleman	Hunter	R Scott	

### In Attendance:

Lennox Beattie, Executive and Regulatory Manager  
Sharon Davies, Principal Licensing Solicitor  
Bernadette Jarvis, Democratic Governance Senior Advisor

### 1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

### 2 MINUTES OF THE LAST MEETING HELD ON 25 FEBRUARY 2020

The Licensing Committee considered the minutes of the last meeting held on 25 February 2020.

### Resolved:

That the minutes of the meeting of the Licensing Committee held on 25 February 2020 be approved and signed by the Chairman as a correct record.

### 3 PAVEMENT LICENCES

The Licensing Committee considered a report on the introduction of Pavement Licences. The report was presented by Mrs Sharon Davies, Principal Licensing Solicitor. Mrs Davies highlighted that the new policy had been required by the approval of the Business and Planning Act 2020 which had received royal assent at the end of July 2020. The aim of the legislation had been to provide a simplified way to grant permission to place tables and chairs on the highway for the sale of food or drink. The new permissions were intended to be a light touch legislation to facilitate trading during Coronavirus restrictions. The new licences did not supersede or replace the existing Street Café licences and would also not authorise the sale of alcohol within the area covered by a Public Space Protection Order. The proposed policy delegated approval to the Director of Community and Environmental Services as the legislation stated that permission must be granted in a two week timescale. The proposed policy sought to minimise issues of public nuisance while recognising that the government had introduced the legislation as a permissive way of encouraging greater flexibility of operation. Mrs Davies explained that the maximum fee had been set in legislation at £100 and given the costs that would be incurred in the administration of it had been proposed to set the fee at £100.

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Members suggested some minor amendments to the policy for clarification and to correct typographical errors in the policy.

Members then spent some time discussing the fee of £100 with members stating the need to support local businesses at this time but also expressing concern that the fee would not cover the administrative costs involved and result in those costs being subsidised from the General Fund Revenue Budget.

### **Resolved:**

1. To adopt the Pavement Licence policy as attached at Appendix 3a, to the agenda, subject to the minor amendments as confirmed at the meeting.
2. To agree the standard conditions that will be attached to Pavement Licences, as set out in Annex 2 of Appendix 3a, to the agenda.
3. To set the fee for applications at £100.
4. To approve the granting of Pavement Licences until 30 September 2021 or such later time as appointed by regulations.
5. To delegate to the Director of Community and Environmental Services, or in his absence, the Head of Public Protection, the power to make determinations in relation to applications for Pavement Licences.
6. To delegate to the Director of Community and Environmental Services, or in his absence, the Head of Public Protection, the power to revoke or suspend for a fixed period pavement licences on the grounds outlined in section 4 of Appendix 3a, to the agenda, after consultation with the Chairman and Vice-Chairman of the Licensing Committee.

### **Chairman**

(The meeting ended at 5.24 pm)

Any queries regarding these minutes, please contact:  
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