

## **Full Council – 25 September 2025**

### **Recommendation from the Licensing Committee held on 3 September 2025**

#### **Pavement Licenses**

The Committee received a report seeking approval for the updated guidance applying to anyone applying for a pavement license and confirmation of the fee payable for the License.

Points and comments included

- The Committee received a report seeking approval for updated guidance applicable to applicants for pavement licenses, along with confirmation of the fee payable for such licenses.
- The updated guidance aimed to clarify requirements for businesses placing tables and chairs on public pavements, ensuring both applicants and the public understood that a license was mandatory. The guidance also sought to address issues such as littering and accessibility, emphasizing the need for clear pathways for wheelchair users and pushchairs, and proper placement of furniture in line with mobility standards.
- The report outlined the background to the licensing changes, noting that during the COVID-19 pandemic, a two-year license was introduced alongside government funding. Legislative changes in the previous year led to the introduction of a capped fee, which the authority decided to implement from May. Businesses were consulted, and licenses were issued on a six-month basis, with fees applied accordingly. The delegated decision to charge was made over the winter, with an estimated income of £14,000 based on COVID-era figures, though actual figures could vary.
- Cllr Versallion expressed concern over the process and timing of the fee introduction, arguing that members were not fully informed and that the charge could negatively impact small businesses. He urged the Committee not to implement the fee, citing the potential harm to town centres and social cohesion.
- Officers clarified that the license was for two years and that the fee equated to approximately 50p per day. They noted that only two large cafés were likely to pay the full amount.
- Cllr Young supported the two-year license but criticized the fee structure, suggesting it disproportionately affected small businesses. He argued that the report was misleading regarding the usable time for outdoor seating and questioned the enforcement practices, noting that some businesses had never been inspected.
- Cllr Hegley acknowledged the government initiative but raised concerns about the transparency and presentation of the new charge. She emphasized the need for proper scrutiny and questioned the safety implications and enforcement history.

- Cllr Wye, the portfolio holder, defended the licensing requirement as a legal necessity and part of a broader authority-wide policy. She stressed that all services must be treated consistently and that enforcement and complaints justified the fee. She argued that the fee was modest and unlikely to threaten business viability, urging members to lobby the government on broader economic issues instead.
- Cllr Harvey expressed concern that the fee could deter businesses from contributing to the vibrancy of town centres. They highlighted the social and economic value of outdoor seating and communal spaces, referencing investments made through the UK Shared Prosperity Fund. The potential impact on small, independent cafés was raised, and she echoed the call to have no fee for the License.
- Members expressed significant concern regarding Recommendation 2, which proposed the introduction of a fee for pavement licenses. Several councillors argued that the fee would negatively impact small businesses and the vitality of town centres. It was noted that the report lacked clarity on the nature and scope of the proposed changes, particularly regarding the authority to make minor amendments and the implications of future government guidance.
- Councillors highlighted the need to support local businesses, especially in the context of economic pressures and the importance of outdoor seating in promoting social cohesion and high street vibrancy. There was a strong sentiment that the fee could act as a deterrent to small cafés and independent traders, with some members suggesting a tiered approach based on business size and ratable value.
- Concerns were also raised about the wording of the recommendations, with members requesting greater transparency regarding what constituted “minor amendments” and how future changes would be implemented. It was suggested that Recommendations 1 and 3 be deferred to a future meeting to allow officers to clarify the scope and boundaries of potential amendments.
- Following deliberation, the Committee agreed to the following:
- Recommendation 2 of the report, proposing the introduction of a fee for pavement licenses, was refused.
- The Committee recommended that no fee be charged to businesses applying for a new or renewed pavement license.
- Recommendations 1 and 3 were deferred and would be brought back to a future meeting, with officers tasked to provide clearer definitions and scenarios under which changes could be made.
- The Committee adjourned briefly to allow officers to consider the implications of the proposed amendments. Upon reconvening, members reiterated the importance of transparency and the need to avoid introducing charges without clear justification or consultation.
- The final decision was to recommend the revised position to Full Council.

## **RECOMMENDED to Full Council**

- 1. That recommendation 2 of the report be refused by the committee.**
- 2. That the committee recommends that there be no fee for business applying for a new or a renewal of a pavement license.**

3. That recommendations 1 and 3 of the report come back to a future meeting of the committee clarifying what changes would be required and the scenario changes could be required.