

BABERGH DISTRICT COUNCIL

POWER TO ACT OUT OF COUNCIL MEETING – GENERAL POWER

ACTION FOR WHICH CHIEF EXECUTIVE HAS DELEGATED POWERS SUBJECT TO CONSULTATION WITH CHAIRMAN OF THE DISTRICT COUNCIL

SERIAL NO: BDC-0009

SUBJECT MATTER:

Implementation of Pavement Licenses

MEETING TO WHICH MATTER RELATES:

Full Council

REASON FOR ACTION BEING TAKEN OUT OF MEETING:

The Business and Planning Act 2020 was published on the 22nd of July 2020 and was created at speed to enable local authorities to use the powers it introduced as quickly as possible.

A delay in implementing the license scheme will result in most of the summer being over before licensing is available when outdoor seating would be most viable and potentially result in unregulated and uncontrolled use of pavements.

BACKGROUND:

1. The recently enacted Business & Planning Act 2020 designated responsibility for pavement licensing to District Councils. Pavement licences control location; days and times of use and the type of furniture used by a business putting removable furniture on part of a relevant highway adjacent to the premises of that business. Currently the District Council does not operate a pavement licensing system and as a consequence must control this type of activity using an informal approach. The current recovery phase of the coronavirus pandemic and business reopening has led to more food and beverage businesses needing to use pavement space to allow them to provide sufficient socially distanced seating and maintain viability. The pavement licensing provisions of The Act have been introduced specifically to enable this type of business recovery whilst providing local authorities sufficient control over them.

FINANCIAL IMPLICATIONS:

1. The fee of £80 will cover the cost of administering the license scheme.
2. Currently, through consultation with businesses and town managers, the number of licenses likely to be applied for will be relatively small.

ACTION AUTHORISED:

1. Implementation of Part 1 of the Business and Planning Act 2020 (The Act)
2. Introduction of a fee of £80 for pavement licenses in accordance with Section 2 (1) (c) of The Act

DATE ACTION AUTHORISED:

I have been consulted on this matter details of which are given above and have no observations to make.

Signed:

Dated: 31.07.2020

Chair of Babergh District Council

I being the duly authorised officer authorise the taking of the action referred to above.

Signed:

Dated: 31.07.2020

Chief Executive

Details reported to Council for noting.

- (NOTE: (i) *This form to be completed and given to Committee Services for inclusion in the Register of Delegated Action and for reporting to the appropriate Committee. The signature of the Chief Executive should be obtained prior to the form being sent to Committee Services.*
- (ii) *If the Chairman is not available within a day to sign the form, please send it to Committee Services who will then arrange the necessary signature.)*