

Table of Revisions

Revisions to Pavement Licensing Policy following review of operational practice, regulation, enforcement further to Government Guidance and the Levelling Up and Regeneration Act 2023

Please note that this is a high level overview of the key Policy changes and is designed to highlight the key changes in th Policy for those impacted by it, including businesses, service users and vulnerable groups. Some wording has been revised to maximise understanding and accessibility.

Topic & Section	Page number	Revision
Introduction and Scope - 1.1	Page 3	Updated background information and legislative framework revisions making the regime permanent
Eligible Locations – 1.2	Page 4	Eligible Locations and Exclusions from the regime Expansion on what is considered an eligible location, each case on its merits and exclusions from the pavement licensing regime
Furniture Permitted - 1.3	Page 4	Further explanation of types of furniture and expectations that such will be “in keeping” with the locality and removed from outside areas and the Highway at the end of the licence term/trading Certain structures not normally permitted and “grandfather rights” of some premises
Planning Permission – 1.4	Page 4	Deemed planning consent in place for the duration of the specified licence
Application and determination of pavement licences - 2	Page 5	Overview of the application process, supporting documentation required and fees, licence duration and other safety considerations
Fees and Licence Duration 2.2	Page 6	Fees and charges
Site and Site Notice 2.4	Page 6	Display extended to 14 days following the 2023 Act
Site Assessment 2.5	Page 7	Restrictions on areas impacting on the suitability for a pavement licence and associated structures
New – Smokefree Areas 2.6	Page 7 – 8	Additional information on smoke free areas and requirements as part of the national conditions, Smokefree regulations and suitable structures
Granting of Applications 3.0	Page 8	New title of Determining Applications as there are a range of outcomes not just grant. Overview of revised process and 14 day consultation and 14 day determination – 28 days from a previous 14 days and further information

		regarding representations and decision making
Determining of applications 3.1 (4.)	Page 9	New title Conditions, Local and National as well as Hours of operation. Refers to “standard” local conditions but also the option to add bespoke conditions on a case by case basis. Also includes reference to steps which may give rise to a reduced licensed area, limits on furniture use and hours to limit impact or take account of issues that present
Licence Duration 5.0	Page 9	Revised information regarding licence duration from 1 year to 2 years except in exceptional circumstances and inclusion of local and national conditions and the outcome of non determination of a case within the 28 day period
Rejection of applications 6.0	Page 9-10	Further information regarding invalid or inappropriate applications leading to refusal of an application
Enforcement 7.0	Page 10 - 11	Overview of the new powers afforded to local authorities by the Levelling Up and Regeneration Act 2023 and associated options. Further details of relevant matters in determining whether to cancel, revoke or amend licences and/or prosecution
Review Procedure	Page 11 -12	Links to the 2020 and 2023 Acts as well as Government Guidance
Local and National Conditions	Pages 15 - 21	Revisions to conditions where appropriate