

Officer Decision Record



Decision Maker:	Chief Executive - Janet Waggott, in consultation with Councillor Mark Crane, Leader of the Council and Councillor Keith Ellis, Chairman of the Licensing Committee
Lead Officer:	Alison Hartley, Solicitor to the Council
Title of Decision:	Temporary Pavement Licences
Ward(s) Affected:	All
Type of Decision:	<input type="checkbox"/> X Urgent Regulatory Decision <input checked="" type="checkbox"/> X Specific delegation from Council or Committee <input type="checkbox"/> Grant of permission / licence <input type="checkbox"/> Affecting the rights of an individual <input type="checkbox"/> Awarding a contract or incurring expenditure which materially affects the financial position of the Council
Details of decision:	<p>Urgent Decision required to expediently implement the requirements in the Business and Planning Act 2020 relating to Pavement Licences.</p> <p>RESOLVED:</p> <p>i. To approve the application process outlined in the attached report including the standard conditions and the fee of £100 to enable temporary pavement café licence applications to be determined by the Council. All licences to terminate on 30 September 2021.</p> <p>ii. To delegate authority to the Solicitor to the Council to determine all applications (approval, refusal and revocations).</p>
Reason for decision:	The Business and Planning Act 2020 received Royal Assent on 22 July 2020 and came into force immediately. The aim of the Act is to support the economy to recover from the disruption caused by COVID-19 by introducing a number of urgent measures.

	<p>The Act introduced a new Pavement Licence and provides a fast track procedure for the grant of a licence through temporary changes to the current regulatory procedures until 30 September 2021.</p> <p>As the country emerges from lockdown, pavement cafes have assumed a new importance given the strong scientific evidence of lower risk of spreading coronavirus outdoors and therefore it was recognised that there was a pressing need to allow the hospitality sector to cut through the existing red tape and offer an outdoor environment to customers.</p> <p>A pavement licence allows an operator of a business selling food and drink to place removable furniture over certain highways adjacent to the premises in relation to which the application was made.</p> <p>The Act makes District Councils responsible for issuing the pavement licences and applications can be submitted to the Council. This is a new responsibility for the Council and the Council has to react expediently to ensure a procedure is in place.</p> <p>This will support local businesses to recover and succeed in these challenging times and for members of the public to benefit from this outdoor environment.</p> <p>I am satisfied having consulted with the Leader of the Council and the Chairman of the Licensing Committee that a decision is needed as a matter of urgency and approval of the application process and the delegation as set out in the details of the decision above are given.</p>
<p>Alternative options considered and rejected:</p>	<p>Due to the urgency of this matter, the Council is unable to wait until the next meeting for approval.</p> <p>Applications can be submitted and the Council are constrained by strict time limits to process and to determine an application.</p> <p>If the Council fails to determine an application in time the application will be deemed granted by the Council.</p>
<p>Member Interests: <i>(Name of any Member who has declared a conflict of interest in relation to the decision and details of any dispensation)</i></p>	<p>None.</p>

granted by the Head of Paid Service if appropriate)	
Legal, Financial or other implications:	As contained within the attached report.
Background papers:	The report and appendices.
Contact details for further information:	Sharon Cousins, Licensing Manager scousins@selby.gov.uk 01757 292033
Signed:	<i>Signature redacted</i> Janet Waggott, Chief Executive
Date of Decision:	24 July 2020