



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	Miscellaneous Licensing Sub-Committee Friday 24 July 2020
Report Number	Agenda Item No. 4A
Subject	Pavement Licensing Policy
Wards affected	All
Accountable member	Councillor Norman MacRae, MBE Chair of this Sub-Committee Email: norman.macrae@westoxon.gov.uk
Accountable officer	Giles Hughes, Chief Executive Tel: 01993 861613 Email: giles.hughes@westoxon.gov.uk
Summary/Purpose	To note the approval of the Pavement Licensing Policy for West Oxfordshire.
Annex	Approved West Oxfordshire District Council Pavement Licensing Policy
Recommendation	That the report and the approved policy be noted.
Corporate priorities	N/A
Key Decision	N/A
Exempt	No
Consultees/ Consultation	None

1. BACKGROUND

- 1.1. The Business and Planning Act 2020 received Royal Assent on 22 July. The Act includes urgent provisions designed to make it easier for premises in England serving food and drink such as bars, restaurants and pubs to seat and serve customers outdoors through temporary changes to planning procedures and alcohol licensing. The Pavement Licensing provisions came into effect immediately, on the receipt of Royal Assent.
- 1.2. The administration of Pavement Licensing under the Act is a responsibility of the District Council and, further, is defined as being “non-executive”, which means that it cannot be dealt with by the Council’s Cabinet and comes within the remit of this Sub-Committee.

2. MAIN POINTS

- 2.1. At its meeting on 13 May, the Council approved procedures for urgent decisions. This included a requirement for decisions made in accordance with the powers to be reported to Cabinet or the appropriate Committee or Sub-Committee, as the case may be, hence this report, which is for information.
- 2.2. The Pavement Licensing Policy included as an Annex to this report has been approved by the Chief Executive under those powers, following consultation with the Monitoring Officer and with the Chair of this Sub-Committee. The reason that the urgency powers were used was because of the very short timescales for determining any applications for Licences and the consequent urgent need for a policy and procedures to be in place; and because the timescales were unclear, as was the question of whether it would be a matter for Cabinet or for this Sub-Committee, which was known only a couple of days before the Act was passed.
- 2.3. The Policy in the Annex gives additional information, and sets out all the features of the processes which will apply, including notice of applications, the determination and revocation of licence applications, and standard conditions. It also deals with consultation, and the Sub-Committee will note that ward councillors and Town and Parish Councils and Parish Meetings are included as consultees, and have been advised accordingly.

3. FINANCIAL IMPLICATIONS

- 3.1. This report is for information and has no financial implications.
- 3.2. The Sub-Committee may be interested to note that the Policy does not include an application fee. The legislation allowed for a fee of up to £100, but such was not included because of the Council’s aim to assist businesses during and following the coronavirus pandemic.

4. LEGAL IMPLICATIONS

- 4.1. The report has no legal implications. The Policy, of course, takes account of the statute.

5. BACKGROUND PAPERS

- 5.1. None.