

**PAVEMENT CAFES  
(Report by Heads of Environment & Transport and Administration)**

**1. INTRODUCTION**

- 1.1 On the 15<sup>th</sup> May 2003, the Cabinet approved in principle proposals to introduce a licensing scheme for pavement cafes located in the District's town centres. Cabinet requested that town centre businesses and other interested bodies be consulted on the proposed licensing scheme.
- 1.2 This report outlines the result of the consultation and seeks delegated powers to implement the licensing of pavement cafes.

**2. CURRENT POSITION**

- 2.1 Questionnaires were sent out to some 900 shops, businesses, and residences in the five town centres. Interested parties, such as Town Councils, Town Centre Initiatives, Civic Societies, etc., were also sent the questionnaire.
- 2.2 The questionnaire was divided into two parts. The first was to gauge the general views of the town centre businesses and residents to the proposal for street pavement cafes and the second part was for owners of existing food premises to comment. Views were also sought on the level of the fee, which is set by the County Council as the Highway Authority. This is presently £220.
- 2.3 By the deadline given, 208 replies were received.

**3. RESULTS OF THE CONSULTATION**

- 3.1 Questionnaires were received from:

60 Residents	141 Traders
5 interest groups	2 Other

- 3.2 The results from part 1 of the questionnaire are given in the following table (Don't knows have not been included) -

QUESTION	% YES	% NO
Do you think pavement cafes will be attractive to shoppers	93	6
Will they encourage people to spend more time in towns	88	8
Will they make the town feel busier	91	8
Will they make it more difficult to get around	19	61
Will they make the town feel less safe	4	87
Will they help businesses in the town	83	9
On balance do you support the introduction of pavement cafes	89	8
Do you support the removal of on-street parking to make more space for pavement cafes	54	42

3.3 Questionnaires were received from 16 existing catering premises. These were split as:

4	cafes
4	restaurants
3	public houses
3	fast food outlets
1	Hotel

3.4 Of these 15 premises:

9 stated that they would wish to operate street cafes.

7 stated that they considered the £220 license fee reasonable.

#### 4. **CONCLUSIONS**

4.1 A substantial majority of people who replied to the questionnaires supported proposals for the provision of pavements cafes (over 83%). Where this encroached on on-street parking, there was some ambiguity and this will need to be part of the consideration of each application.

4.2 Of existing food premises, 15 replied to the questionnaire, and 7 wish to operate a pavement cafe. The feasibility of these sites will have to be assessed when an application is made. 78% of these felt that the fee proposed was reasonable. Members should be aware that the license fee is set to cover the cost of administering the application and for inspection of the premises during the year. It is not a rental on the site

4.3 The majority of respondents were in favour of the proposals and in the proposed fee and the various organisations which responded strongly support the early introduction of the licensing arrangements.

4.4 As requested by the Cabinet, the guidance notes and rules will be simplified before they are issued.

4.5 Current legislation does not permit determination of applications by the Licensing Panel. Accordingly, it is proposed that the power to determine applications is delegated to the Head of Administration in consultation with the Executive Councillor responsible for Resources, Welfare and Information Technology.

4.6 Furthermore, the Head of Administration will recommend to a future meeting of the Cabinet arrangements for determining appeals and the taking of enforcement action.

## **5.0 RECOMMENDATIONS**

5.1 The Cabinet are recommended to:

1. confirm their approval for the introduction of a scheme for licensing pavement cafes;
2. approve an annual licensing fee of £220;
3. delegate to the Head of Administration in consultation with the Executive Councillor responsible for Resources, Welfare and Information Technology the power to determine applications; and
4. authorise the Head of Administration to take any necessary consequential action to introduce the licensing scheme at the earliest possible date.

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