

Report Title	Pavement Licensing Policy
Meeting	Executive
Meeting Date	21 st August 2025
Report Author	Wajed Iqbal
Directorate	Place
Lead Executive Member(s)	Health and Leisure Services
Wards Affected	All Wards
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	Draft Pavement Licensing Policy

1. Executive Summary

- 1.1 This draft policy sets out how Pendle will apply the Pavement Licence Policy which has not been in place previously and in line with legislation covering such activity.

2. Recommendations

For the reasons set out in this report, Executive is recommended to:

- 2.1 That the draft policy be agreed by the Executive and that a six-week public consultation be carried out with the final policy being brought back to the Executive for adoption.

3. Information: The Rationale & Evidence for the Recommendations

- 3.1 A Pavement Licence is a licence granted by the local authority, which allows the licence holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes.
- 3.2 The Business and Planning Act 2020 made it easier for premises serving food and drink such as bars, restaurants and pubs, to seat and serve customers outdoors. The Act was initially introduced as a temporary measure to assist businesses in opening back up following the Covid 19 Pandemic.
- 3.3 The Act introduced a fast-track process for these businesses to obtain permission, in the form of a "Pavement Licence", from the local council for the

placement of furniture such as tables and chairs on the pavement outside their premise. It also allows the use of the pavement for those activities which would otherwise need planning permission.

3.4 The Business and Planning Act process provided a streamlined and cheaper a licence to place furniture on the highway.

3.5 This provided much needed income for businesses and will support hospitality jobs.

3.6 The Levelling Up and Regeneration Act 2023 made permanent the provisions set out in the Business and Planning Act 2020 with a number of changes. This policy has been drafted to include those changes which are summarised below:

- Any Pavement Licence granted will now be issued for period of 2 years unless circumstances dictate that it should be granted for a lesser period.
- The consultation period for a licence application is 14 days (excluding public holidays), starting the day after the application is sent electronically
- Councils have been given enforcement powers to revoke Pavement Licences and the remove furniture that is placed on the pavement without the requisite Pavement Licence being in place.

3.7 The Council wishes to encourage pavement cafes provided they are properly located and managed. This is to ensure that they do not obstruct the highway or create a hazard for pedestrians, especially for blind, partially sighted and other disabled people.

3.8 This policy has been drafted taking the relevant legislation into consideration. It is proposed that the 12-month licence period is extended to two years as this assists both the licensee and the authority in administering / monitoring of the licences effectively.

3.9 The consultation period of six weeks will allow existing licensees, members of the public and responsible authorities to make any observations on the policy and submit any representations to enhance it. There are currently 15 premises licensed with Pendle under a Pavement Licence who have been issued with a 12-month licence and being charged a fee of £100 which was set by the government during Covid-19 reopening of premises. Any fee review would take place as part of the normal budget setting cycle.

4. Link to Council Plan Priorities: (Providing High Quality Services and Facilities, Proud and Connected Communities and Places, Good Growth and Housing and Healthy Communities)

4.1 The policy seeks to provide those who wish to use a pavement for their business with a holistic and supportive policy. It is intended to promote growth by allowing businesses to use the public pavement in a safe and efficient way.

5. Implications

5.1 Financial Implications

Pendle charges a fee for a Pavement licence. There are no other financial implications.

5.2 Legal and Governance Implications

None arising directly from this report.

5.3 Climate and Biodiversity Implications

None.

5.5 Human Resources Implications

None.

5.6 Equality and Diversity Implications

The policy requires pavements to be unobstructed and to allow mobility impaired people to use the pavements safely.

6. Consultation

- 6.1 The purpose of the report is to agree the draft policy and for that to be consulted on.

7. Alternative Options Considered

The alternative is not to have a policy.

8. Statutory Officer Sign off (please tick)

Section 151 Officer	X
Monitoring Officer	X

9. Background Documents

The following documents were consulted when drafting the policy.

- Business and Planning Act 2020

- The Levelling Up and Regeneration Act 2023
- Section 3.2 of the Inclusive mobility: making transport accessible for passengers and pedestrians Guidance.
- <https://www.gov.uk/government/publications/inclusive-mobility-making-transport-accessible-for-passengers-and-pedestrians>

Contact Officers

Neil Watson

Wajed Iqbal