

Report Title	Pavement Licensing Policy
Meeting	Executive
Meeting Date	17 th December 2025
Report Author	Wajed Iqbal
Directorate	Place
Lead Executive Member(s)	Health and Leisure Services Councillor M Hanif
Wards Affected	All Wards
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	Pavement Licensing Policy

1. Executive Summary

- 1.1 This final policy sets out how Pendle Borough Council will apply the Pavement Licensing 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 Agree that the policy be adopted following the conclusion of the six-week public consultation, with no comments received on the content of the policy itself.

3. Information: The Rationale & Evidence for the Recommendations

- 3.1 A Pavement Licence is a licence granted by a 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 on part of the public highway. 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 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 several changes. This policy was 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 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 developed 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 and monitoring of the licences effectively.
- 3.9 The six week consultation allowed existing licensees, members of the public and responsible authorities to make any observations on the draft policy and submit any representations to enhance it. Consultations were undertaken including directly with all license holders and the relevant statutory bodies.
- 3.10 No responses were received which affect this policy.
- 3.11 The single comment received was from a member of the public concerned about the use of the town square in Barnoldswick and the limitations of its use with it being under private ownership. They have been advised that private land is not covered by the policy. Private land is covered by normal licensing legislation.

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

PBC charges a fee for a Pavement Licence. The fee is not set through this policy process. 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.

5.4 Human Resources Implications

None.

5.5 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 and adopt the final policy following a six-week consultation.

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 finalising this 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

Wajed Iqbal: wajed.iqbal@pendle.gov.uk

Neil Watson: neil.watson@pendle.gov.uk