

LICENSING COMMITTEE

Meeting held on Thursday, 30th July, 2020 at 10.00 am

Present: Councillor Warren Nuttall in the Chair;

Councillors Jim Blagden, Dale Grounds,
Arnie Hankin, Trevor Locke, Rachel Madden,
Lauren Mitchell, Caroline Wilkinson and
John Wilmott.

Apologies for Absence: Councillors Kier Barsby and Melanie Darrington.

Officers Present: Julian Alison, Lynn Cain, Louise Ellis, Mike Joy
and Christine Sarris.

L.1 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests

No declarations of interest were made.

L.2 Minutes

RESOLVED

that the minutes of the meeting of the Committee held on 8 July 2019, be received and approved as a correct record.

L.3 Business & Planning Act 2020: Temporary Pavement Licences

The Licensing Manager presented the report and advised Members that the Business & Planning Act 2020, which had recently received royal assent, had delegated the administration and enforcement of Temporary Pavement Licences to local councils. As such Ashfield District Council had now become responsible for the licensing function and would be required to administer and enforce the licensing scheme.

Previously, pavement licences were administered by Nottinghamshire County Council under the Highways Act 1980. The new Business & Planning Act 2020 had transferred the responsibility over to local authorities to enable them to assist businesses to recover following the Covid-19 pandemic and boost vibrancy within town centres.

The licence would enable eating and drinking establishments to place street furniture on the highway, subject to certain criteria, to enable patrons to reside safely in accordance with Government distancing guidelines. A designated non-smoking area would need to be provided but councils were still awaiting the Government's release as to the precise wording for a "mandatory provision of non-smoking area" condition.

Appendix 2 of the report outlined the standard conditions for the licence and any application would be fast-tracked by the Council within 7 days in accordance with the new process. The Council also had powers to revoke such licences, at any point, should any of the conditions be breached.

Committee were asked to approve the administration of Temporary Pavement Licences by the Council and delegate authority to the Director of Place and Communities to determine applications in accordance with the agreed process.

RESOLVED that

- a) the content of the report be received and noted;
- b) approval be given for the administration and enforcement of the Temporary Pavement Licence function by the Licensing Department, as set out in the report;
- c) the setting of a no charge application fee (until 30 September 2021) in order to reduce the financial burden on businesses and to promote applications for a Temporary Pavement Licence, be approved;
- d) delegated authority be granted to the Director of Place & Communities to determine applications made for a Temporary Pavement Licence.

The meeting closed at 10.15 am

Chairman.