

GENERAL LICENSING COMMITTEE
29 APRIL 2025

PAVEMENT CAFÉ POLICY REVIEW

Purpose of Report

1. To invite Members to consider a report in respect of:

A decision to finalise a revised Pavement Café Policy to be approved by Full Council for implementation.

2. The schedule and attached appendices to this report give details of the request for consideration.

Human Rights Act

3. When considering matters relating to the grant of a licence and the placing of conditions on licences, the Committee must consider whether the decision affects an individual, group, or Company's Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition, consideration must be given to whether the interference is proportionate.

Legal Implications

4. There are no issues that the Assistant Director, Law and Governance, considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Crime and Disorder Act 1998 Section 17

6. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty of the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Recommendation

7. Members are requested to finalise the amended policy following public consultation and recommend its approval to Full Council for implementation.

Mike Poulter
Executive Director, Economy and Public Protection

Background Papers

Business and Planning Act 2020
Highways Act 1980
Equality Act 2010
Management of Health and Safety at Work Regulations 1999
Pavements for People
The Terrorism (Protection of Premises) Bill 2024-25
The Tobacco and Vapes Bill
ADPH North East Position Statement on Nicotine Vaping

Council Plan	This policy will maintain the legal framework when dealing with pavement café applications
Addressing inequalities	The proposals will have no additional impact on equality of opportunity for the disabled public. Equality Act screening assessment has been carried out
Tackling Climate Change	This report has no impact on the Council's carbon impact.
Efficient and effective use of resources	This report has no impact on the Council's Efficiency Programme.
Health and Wellbeing	This policy will address health concerns caused by smoking raised at a local and national level
S17 Crime and Disorder	This policy will address issues specifically relating to the prevention of crime and disorder
Wards Affected	The proposals affects pavement café licences throughout the Borough
Groups affected	The policy does not have a direct impact on any particular group
Budget and Policy Framework	This report represents no major change to Policy
Key Decision	The proposals do not represent a key decision
Urgent Decision	This is not an urgent decision

Impact on Looked After Children and Care Leavers	This report has no impact on the Council's impact on Looked After Children and Care Leavers
--	---

Colin Dobson x 5988