

PART A

Report to: Licensing Committee
Date of meeting: 14 July 2014
Report of: Head of Community and Customer Services
Title: Fees for pavement licences in The Parade

1.0 SUMMARY

- 1.1 The Council issues licences to business to place tables and chairs on the public highway outside their premises as street cafes. Businesses pay an initial application fee and an annual fee afterwards for the licence.
- 1.2 In order to reinstate the existing tables and chairs back onto The Parade following the improvement works in The Parade, and to encourage new applications for tables and chairs on the highway, coupled with the Council's aim to enhance the town's economic prosperity and potential, the Licensing Committee is asked to consider a limited waiver of fees for pavement licence holders for the financial year 2014/2015 only.

2.0 RECOMMENDATIONS

- 2.1 That businesses in The Parade that have applied for the grant or renewal of pavement licences between 1 March 2014 and 1 March 2015 be able to do so free of charge.

Contact Officer:

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Report approved by: Alan Gough, Head of Community and Customer Services

3.0 DETAILED PROPOSAL

- 3.1 The Council grants annual licences under the Highways Act 1980 to businesses that wish to set out tables and chairs on the public highway to operate as pavement cafes. An application fee of £367 is payable and an annual renewal fee of £315. Minor changes to licences are permitted without charge.
- 3.2 There are currently thirty licences, all of which are in the town centre and fifteen of

which are located in The Parade. Enquiries from businesses indicate that there may be a very few more applications being submitted in the near future.

- 3.3 Most of the licence-holders in The Parade have not always been able to use their licenses as granted whilst the improvement works have taken place over the last year, and in recognition of this they were granted an additional two months' extension to their licences.
- 3.4 With the improvement works now completed, officers have reviewed the more generous space that is now available for tables and chairs to be sited. For some businesses this will represent a new opportunity to boost their businesses by providing a pavement café for the first time, and for nearly all existing premises the opportunity to expand their existing provision should they wish.
- 3.5 The location of tables and chairs also has to take into account the stalls for the new Watford market and Watford's Big Events. Although officers have mapped out initial space requirements, it is anticipated that the layout of some pavement cafes may have to be altered from time to time throughout the year to meet the operational and safety requirements of the Big Events. Officers are therefore amending the licences in conjunction with the businesses to indicate space that may be used when events are taking place, and on normal business trading days. Not every pavement café will necessarily be affected by every Big Event, for example the outdoor cinema screening in August for example may not interfere with any pavement café.
- 3.6 In recognition of the Parade improvement works, the need for businesses' co-operation and flexibility to accommodate the Big Events programme, and to encourage businesses to take advantage of the new opportunities in The Parade, the internal Town Centre Co-ordinating Group has suggested the licence fee be waived for 2014/2015. This waiver is consistent with other facilities offered to businesses in The Parade such as business rate relief during the improvement project.
- 3.7 The loss to the Council from waiving the fees (which represents the costs of administering and enforcement by the licensing team) is approximately £4,725 for renewals and approximately £1,468 if four new ones are granted. The Head of Customer and Community Services can request virements between budgets to compensate. However, Member approval is required to waive the fees. as they were set by Cabinet as part of the last budget cycle of annual fees and charges.
- 3.8 Although the Cabinet set the fees, the Head of Democracy and Governance has confirmed that this is properly a role for the Licensing Committee under the Local Authorities (Functions and Responsibilities) Regulations 2000.
- 3.9 For the sake of clarity, it is not proposed to waive the fees for businesses other than those in The Parade, nor for more than one application per business.
- 3.10 Some businesses may decide not to apply for licences this year if the fee is not waived. Other businesses may apply but perhaps may not be so co-operative in amending the physical layout of their pavement cafes to accommodate the events programme and/or market.

4.0 **IMPLICATIONS**

4.1 **Financial**

4.1.1 The Shared Director of Finance comments the loss of pavement licence income totalling approximately £6,200 **for one calendar year only** can be contained within existing budgetary provision across the Licensing service. The 2014/15 budget for all customer and client receipts within Licensing is £246,570, and the 2013/14 actuals totalled £277,405.

4.2 **Legal Issues** (Monitoring Officer)

4.2.1 The Head of Democracy and Governance comments that there are no legal implications arising from this report. The Highways Act 1980, under which pavement licences are granted, allows the council to charge for its reasonable expenses in connection with granting the permission.

4.3 **Equalities**

4.3.1 There are no equalities issues as this is not a new policy. There is a separate policy for determining the grant and renewal of the licences themselves.

4.4 **Potential Risks**

4.4.1 No potential risks have been identified.

Appendices

None

Background Papers

No papers were used in the preparation of this report.

File Reference

Pavement licences