



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	<b>CABINET – 14 DECEMBER 2022</b>
Report Number	<b>AGENDA ITEM NO 12</b>
Subject	<b>PAVEMENT LICENCE FEE REIMBURSEMENT</b>
Wards affected	All
Accountable member	Cllr Duncan Enright – Deputy Leader and Economic Development Email: Duncan.enright@westoxon.gov.uk
Accountable officer	Mandy Fathers – Business Manager Email: mandy.fathers@publicagroup.uk
Summary/Purpose	To consider the proposal to reimburse licence fees in respect of Pavement Licences
Annexes	None
Recommendation(s)	That Cabinet resolves to: <i>a) Approve the reimbursement of the pavement licence application fee to those eligible businesses; and,</i> <i>b) Approve the setting up of a process for an internal adjustment of funds for future applications rather than continuing to take payment and then reimburse; and,</i> <i>c) Approve the payments for reimbursement from the Cabinet Priorities Fund</i>
Corporate priorities	<ul style="list-style-type: none"><li>• Delivering excellent modern services whilst ensuring the financial sustainability of the Council</li><li>• Securing future economic success through supporting existing local businesses</li></ul>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Portfolio Holder, Chief Executive, Chief Finance Officer, Monitoring Officer, Head of Legal, Finance Business Partner, Group Manager, Director of Finance (Publica)

## **1. BACKGROUND**

- 1.1** The Business and Planning Act 2022 (“the Act”) was created to promote economic recovery and growth in response to the economic impacts of the Covid-19 pandemic.
- 1.2** The Act included provisions designed to make it easier for premises in England serving food and drink, such as bars and restaurants, to seat and serve customers outdoors through temporary changes to planning procedures and alcohol licensing.
- 1.3** Sections 1 to 10 of the Act created a temporary regime for the issuing of pavement licences by appropriate local authorities. West Oxfordshire District Council (“the Council”) is the appropriate local authority for issuing pavement licences within the administrative area covered by the Council.
- 1.4** The temporary licensing regime was initially in place until 30 September 2022. However, this has now been extended to 30 September 2023 under the Business and Planning Act 2020 (Pavement Licence) (Coronavirus) (Amendment) Regulations 2022 pending a permanent change in the future.

## **2. MAIN POINTS**

- 2.1** In its meeting on 22 September 2022, Licensing Committee Members approved the revised Pavement Licence Policy as well as a fee of £100 for each pavement licence application. This is the maximum fee permitted under the Act.
- 2.2** The Council currently has 17 pavement licences across the District.
- 2.3** Securing future economic success through supporting existing local businesses is one of the Council’s key priorities, and given the increasing risks to hospitality businesses caused by inflation and energy price rises, Councillors may want to consider waiving this fee and reimbursing any issued to date.
- 2.4** It is proposed that future applications would still receive an invoice for the fee of £100 as determined by the Licensing Committee but the invoice would show the figure to be reimbursed by the Council resulting in no fee payable by the business.

## **3. FINANCIAL IMPLICATIONS**

- 3.1** The financial impact of this change would be to reduce income by £1,700 per annum from existing pavement licences plus a further £100 per annum from any future pavement licenses issued during the year.
- 3.2** The reimbursement of fees can be financed from the Cabinet Priorities fund as established at the Cabinet meeting of 17 August 2022.

## **4. LEGAL IMPLICATIONS**

- 4.1** There are no legal implications arising directly from this report

**5. RISK ASSESSMENT**

- 5.1** There is a risk that other licence fee payers , such as Street Traders, may approach the Council for a reimbursement of fees.

**6. EQUALITIES IMPACT**

- 6.1** There are no unacceptable adverse effects on the protected characteristics covered by the Equalities Act 2010 that have been identified.

**7. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 7.1** There are none associated with this report.

**8. ALTERNATIVE OPTIONS**

- 8.1** None