Pavement Licence update for Business.

The Government have recently proposed new legislation regarding pavement licences which will introduce a new streamlined and cheaper route for businesses such as cafes, restaurants and bars to secure a licence to place removable furniture on the highway for the purpose of selling and consuming food and drink. The purpose of this is to support businesses to operate safely while social distancing measures remain in place and to provide much needed income over the summer months, protecting as many hospitality jobs as possible.

This new legislation has not yet come into effect, and is now unlikely to do so before the 21st July, meaning that Shropshire Council cannot currently accept new applications for pavement licences to cover temporary use of additional highway space or new area that have recently become available as a result of the temporary highway changes that have been implemented across the County towns to aid with social distancing.

As the Council is unable to accept applications from businesses for a pavement licence, businesses must ensure that if they choose to use, temporarily, any additional or new highway space that it is managed responsibly in order to protect pedestrians, particularly those with mobility or visual impairments and other disabilities. Businesses will also need to ensure that all pedestrian and vehicular requirements are considered so as not to cause an obstruction, that the use of an area does not cause a nuisance to local residents or other businesses, that they do not use an area that already has an established use (e.g. a Saturday market or another trader’s permitted area), that they have adequate public liability insurance, and that they do not endanger the public. Businesses are also advised to ensure the use of the space takes into account the need to provide adequate social distancing.

Please ensure that if you are serving alcohol in an area outside of the premises that you ensure that you have the relevant permissions in place. If you are allowing alcohol to be consumed away from the area covered by your premises licence, then your licence must include ‘off sales’.

Once the legislation is passed businesses will be required to obtain permission from the Council and obtain a pavement licence. The Council’s website will be updated with guidance on the application process once the law is brought into effect.

If the outdoor area is poorly managed, this may lead to objections when your pavement licence application is in its formal consultation period and this will have to be considered as part of the Council’s decision on whether or not to grant your application for a pavement licence; hence, it is very important to follow guidance and keep your customers and the public safe.

Any business that has in the meantime applied for a temporary permit will be provided with instructions on how to convert their application to request a pavement licence as the temporary permit system was discontinued once this new national scheme was proposed.