

Quick guide to Pavement Café Licensing incorporating the Business and Planning Act 2020

A business which uses or proposes to use premises for the sale of food and drink for consumption on or off the premises can apply for a pavement café licence.

Furniture is required to be removable, not a permanent fixed structure, and be able to be moved easily and stored away when not in use.

This relates only to pavement cafés on a public highway. Although a pavement cafe licence is not required on private land they may require planning permission if structures and fittings are not of a temporary nature.

In order to supply alcoholic drinks at the pavement café you will need to obtain a Premises Licence. This is an entirely separate consideration to granting a pavement café licence.

The law defines the way in which an application is made, which includes displaying a public notice outside the premises for a 7 days to give passers by the opportunity to comment by a statutory closing date. The authority will determine an application within 14 days of receipt.

We will consult with Police, Highways, Environmental Health, Darlington Association on Disability (DAD) and nearby premises frontages that may be affected.

Before granting a licence the local authority will consider:

- How clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people
- Proposed measures in place to reduce the likely impact of Anti-Social Behaviour, noise nuisance
- Smoking is allowed under our current policy, however this is to be discouraged on government health guidance
- Proposed measures in place for social distancing and reducing the risk of the transmission of COVID-19, whilst restrictions are in place.

Licences will be **free** until September 2022

The Pavement Café Policy provides all the details required to apply for a licence along with the requirements of this Licensing Authority

An application form and policy can be found by following the link below:

<https://www.darlington.gov.uk/business-and-licensing/licensing/licensing-a-z/pavement-cafes/>