

REGULATORY SERVICES COMMITTEE

NOTICE AND AGENDA

For a meeting to be held on Wednesday, 7 October 2026 at 7.30 pm at Penn Chamber, Three Rivers House, Rickmansworth.

Members of the Regulatory Services Committee:-

Councillors:

Harry Davies (Chair)
Anaika Chopra
Stephen Cox
Keith Martin
Debbie Morris

Raj Khiroya (Vice-Chair)
Ciaran Reed
Andrew Scarth
Narinder Sian

*Joanne Wagstaffe, Chief Executive
Tuesday, 29 September 2026*

1. APOLOGIES FOR ABSENCE

2. MINUTES

(Pages 5 - 8)

To confirm, as a correct record, the minutes of the Regulatory Services Committee, held on 10 June 2026, and for them to be signed by the Chair.

3. NOTICE OF OTHER BUSINESS

Items of other business notified under Council Procedure Rule 30 to be announced, together with the special circumstances that justify their consideration as a matter of urgency. The Chair to rule on the admission of such items.

4. DECLARATIONS OF INTEREST

To receive any declarations of interest.

5. PAVEMENT LICENCE POLICY

(Pages 9 - 42)

Recommendation

It is recommended that members of the committee agree to
Option 1:

- a) To commence a 6-week public consultation on the proposed Policy, including any amendments proposed by members.
 - b) Following the expiry of the public consultation that details of the consultation responses and any amendments to the Policy following the consultation will be presented to a future Regulatory Services Committee for agreement; or
 - c) In the event there are no amendments or responses from the public consultation which materially impact the Policy as consulted on, that the Head of Regulatory Services in conjunction with the Chair of the Regulatory Services Committee makes minor changes to the Policy, if required, and then for the revised Policy to be formally adopted by a future Full Council.
- Members to offer comments on future pavement licence fees, effective April 2027.

That public access to the report be immediate.
That public access to the decision be immediate.

6. WORK PROGRAMME

(Pages 43 - 44)

To note the Committee's work programme.

7. OTHER BUSINESS - if approved under item 3 above

General Enquiries: Please contact the Committee Team at
committeeteam@threerivers.gov.uk

The Council welcomes contributions from members of the public on agenda items at the Regulatory Services Committee meetings. Details of the procedure are provided below:

For those wishing to speak:

Members of the public are entitled to register and identify which item(s) they wish to speak on from the published agenda for the meeting. Those who wish to register to speak are asked to register on the night of the meeting from 7pm. Please note that contributions will be limited to one person speaking for and one against each item for not more than three minutes.

In the event of registering your interest to speak on an agenda item but not taking up that right because the item is deferred, you will be given the right to speak on that item at the next meeting of the Committee.

Those wishing to observe the meeting are requested to arrive from 7pm.

In accordance with The Openness of Local Government Bodies Regulations 2014 any matters considered under Part I business only of the meeting may be filmed, recorded, photographed, broadcast or reported via social media by any person.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Legislation and the laws of libel and defamation.

The meeting may be livestreamed and an audio recording of the meeting will be made.

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Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

Regulatory Services Committee MINUTES

**Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on
Wednesday, 10 June 2026 from 7.30 pm - 7.55 pm.**

Present: Councillors

Harry Davies (Chair), Raj Khiroya, Anaika Chopra, Keith Martin, Debbie Morris and
Narinder Sian

Officers in Attendance:

Lorna Curtis, Lead Licensing Officer
Alexandra Reynolds, Licensing Officer
Anita Hibbs, Committee Officer

RG1/26 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Stephen Cox, Ciaran Reed, Andrew
Scarth, Louise Price.

Councillor Debbie Morris stated for the record that Councillors Ciaran Reed and Louise Price,
a substitute member, had come to the meeting but they were not permitted to participate as
they had not completed the relevant licensing training, even though this is the Regulatory
Services Committee meeting.

RG2/26 MINUTES

The minutes of the Regulatory Services Committee held on 3 December 2025 were confirmed
as a correct record and signed by the Chair of the meeting.

RG3/26 NOTICE OF URGENT BUSINESS

There was no other business.

RG4/26 DECLARATIONS OF INTEREST

There were no declarations of interest.

RG5/26 REVIEW OF STREET TRADING POLICY

The Lead Licensing Officer presented the report, highlighting the minor changes to the policy.

Members inquired about the rationale for the proposed changes in the policy, and how in
practice it will work for different categories of applicants. Officers explained that events taking
place on council-owned land will be exempt from any new street trading fees or charges.

The criteria would include anyone trading on the street. Furthermore, officers clarified that this would apply to any other land owned by any other borough or council within Three Rivers, as Three Rivers District Council and parish owned land are already covered in the policy.

Members requested for examples of the types of organisations, that would qualify for exemption from charges and fees, to be listed within the policy, and officers confirmed that a list could be included as an appendix to the policy.

Organisations mentioned as examples were:

- Registered charities
- Charitable Incorporated Organisations (CIOs)
- Community Interest Companies (CICs)
- Companies Limited by Guarantee with non-profit objectives
- Parish, town and community councils
- Constituted and un-constituted community groups
- Residents' associations
- Scout, Guide and other youth organisations
- Community sports clubs
- Faith organisations and places of worship
- Parent Teacher Associations (PTAs) and school friends' groups

Members expressed concern regarding possible lengthy processes of clarifying to members of the public the exemption rules. In response, officers explained that the relevant information can be found on the Council's website, and licensing officers can be contacted, they will be happy to advise anyone seeking support and guidance regarding the exemption criteria.

Councillor Raj Khiroya moved the recommendation, seconded by Councillor Narinder Sian, with the additional amendment to the wording to include '*adopted*' in:

Section 2.3.2 Activities which take place on Council owned land* (including land owned by a district, parish or borough whereby written consent has been obtained in writing from the relevant Council) including but not limited to:

- Council parks and green / open public spaces such as Commons along with their associated carparks

*This exemption excludes *adopted* highway land which is maintainable at public expense.

b) Authorise officers to adopt the amended Policy.

On being put to the committee, the motion was declared CARRIED by the Chair, the voting being by general assent.

RESOLVED:

That members of the committee agree to Option 1: to agree to the changes and adopt the amended Policy.

a) to agree the amendments to the Policy namely:

Section 2.3.2 to include "Activities which take place on Council owned land* (including land owned by a district, parish or borough whereby written consent has been obtained in writing from the relevant Council) including but not limited to:

- Council parks and green / open public spaces such as Commons along with their associated carparks

*This exemption excludes *adopted* highway land which is maintainable at public expense.

b) Authorise officers to adopt the amended Policy.

RG6/26 WORK PROGRAMME

Councillor Debbie Morris proposed a review of the district polling stations to be added to the work programme. Following a discussion regarding the correct committee for this item, Members noted that this item had been previously reviewed by the Regulatory Services Committee, and this was confirmed by the Committee Officer.

Members inquired whether the review of the work programme permitted the addition of new items. The Committee Officer advised that the current work programme was presented for noting, but clarified that members of the committee could propose items for inclusion in the next meeting's agenda.

Councillor Debbie Morris proposed a second item to be added to the work programme for the committee's October meeting on the conduct of the previous elections in May, to seek to improve voters' experience in future elections. The Chair seconded the motion. Responding to a question, the Committee Officer advised that she would consult with the elections officers to decide whether to add the proposed items separately or as a single item to the work programme.

The committee noted the work programme.

CHAIR

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Pavement Licence Policy 2026 Committee Report

**Regulatory Services Committee
7 October 2026**

**PART I
Pavement Licence Policy
(DoF)**

1 Summary

- 1.1 A pavement licence is granted by the local authority, or deemed to have been granted, and permits the licence holder to place removable furniture on certain highways adjacent to the premises named in the licence application.
- 1.2 The Levelling Up and Regeneration Act 2023 made permanent the streamlined pavement licence provisions introduced by the Business and Planning Act 2020, enabling businesses to obtain licences more quickly.
- 1.2.1 Officers have prepared a draft Pavement Licence Policy (“the Policy”), attached at **Appendix 1**. The Policy sets out the legislative requirements and identifies enforcement provisions and conditions that may be applied to individual licences.
- 1.2.2 This report also considers the current fees charged for pavement licences and the practical difficulties currently experienced by Officers in administering pavement licences.

2 Recommendation

- 2.1 It is recommended that members of the committee agree to **Option 1**:
 - a) To commence a 6-week public consultation on the proposed Policy, including any amendments proposed by members.
 - b) Following the expiry of the public consultation that details of the consultation responses and any amendments to the Policy following the consultation will be presented to a future Regulatory Services Committee for agreement; or
 - c) In the event there are no amendments or responses from the public consultation which materially impact the Policy as consulted on, that the Head of Regulatory Services in conjunction with the Chair of the Regulatory Services Committee makes minor changes to the Policy, if required, and then for the revised Policy to be formally adopted by a future Full Council.
- Members to offer comments on future pavement licence fees, effective April 2027.

That public access to the report be immediate.

That public access to the decision be immediate.

Report prepared by: Matthew Roberts & Lorna Fryer.

3 Details

3.1 Overview:

- 3.1.1 The Policy would apply to businesses which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises), such as public houses, cafes, bars, restaurants, snack bars, coffee shops, including where such uses form an ancillary aspect of another use.
- 3.1.2 A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for consumption of food and drink supplied from, or in connection with the use of the premises. The type of furniture could include counters or stalls for selling or serving food and drink, tables, chairs, benches, umbrellas, barriers, heaters, but they must be removable (not a permanent fixed structure, and is able to be moved easily, and stored away at night).
- 3.1.3 Historically, permission to place objects or structures on the highway were otherwise granted primarily under Part 7A of the Highways Act 1980.
- 3.1.4 The Levelling Up and Regeneration Act introduced a standard cap for both new and renewals of licenses as well as increased consultation and determination periods, lengthened the maximum duration of licences and provides local authorities with new powers to remove unlicensed furniture.
- 3.1.5 The grant of a licence would also benefit from deemed planning permission, whilst the licence is valid.

3.2 Pavement Licence Process:

- 3.2.1 Following the adoption of the pavement licence process an online form has been created by officers making it quick and simple for applicants to apply. The Policy sets out what is required to make a valid submission. The applications are made available to view on the licensing online register.
- 3.2.2 Once an application has been submitted, the applicant is required to affix a notice to the premises, and the Licensing Authority has 28 days from the day after the application is made (excluding public holidays) to consult on and determine the application. A 14-calendar day public consultation is required whereby officers must consult the highway authority (Hertfordshire County Council – “HCC”). For security advice, officers consult the police, and when required Designing Out Crime Officers.
- 3.2.3 The Policy sets out that for all applications officers would continue to consult, as standard, HCC, the police, Environmental Health, Parish Councils and ward members.
- 3.2.4 Members of the public can make representations during the 14-day consultation.
- 3.2.5 The Licensing Authority can grant a pavement licence for a period not exceeding 2 years. As standard, a period of 2 years will be granted.
- 3.2.6 If the Licensing Authority does not determine the application within the 28-day determination period, the application will be deemed to have been granted for 24 months.

What can be considered?

- 3.2.7 When determining applications, the Licensing Authority will consider the following:
- Public health and safety including security

- Public amenity
- Accessibility
- Other temporary measures in place or proximity to other permanent street furniture or fixed structures
- Other users of the space.

Outcomes

- 3.2.8 The Licensing Authority can, before the end of the determination period:
- Grant the licence in respect of any or all of the purposes specified in the application
 - Grant the licence for some or all of the part of the highway specified in the application, and impose conditions, or
 - Refuse the application
- 3.2.9 There is no right of appeal for these decisions, however, the guidance provided by the government does suggest that councils may wish to consider the scope for an internal review process, for example permitted appeals to their licensing committee.
- 3.2.10 Officers consider that at this time a review process is unlikely to be required, but this can be considered further by members of the committee. A change to the council's constitution would be required if this was progressed.

National and Local Conditions:

- 3.2.11 The legislation sets out two 'national' conditions that apply to pavement licences which are granted or deemed to be granted; these are: 1) a no-obstruction condition and 2) a smoke free seating condition.
- 3.2.12 In terms of 'local conditions' the guidance states that Licensing Authorities are encouraged to publish local conditions subject to which they propose to grant pavement licences so that applicants and those making representations are aware of them.

3.3 Cost of Pavement Licences:

- 3.3.1 Under the Business and Planning Act process, application fees are capped at **£500** for first-time applications and **£350** for renewals, for up to two-years. The public consultation period runs for 14 days, excluding public holidays, beginning on the day after the application is submitted electronically to the authority. The council currently charges the maximum permitted fees: **£500** for first-time applications and **£350** for renewals for up to a maximum duration of 2 years. During the pandemic, the Council waived the then applicable £100 fee.
- 3.3.2 Demand for al fresco dining in Three Rivers is relatively limited because the district is made up of clusters of settlements, with the highest concentration of restaurants and cafés in Rickmansworth, Chorleywood and Abbots Langley. There are also limited suitable highway locations across the district where pavement licence applications are likely to be successful. Previous officer work has identified approximately 36 premises that could potentially use the pavement licence process.

However, the current licence fee is likely to be disproportionate for some businesses, creating tension between the legislative framework set by central government and the practical needs of local businesses.

3.3.3 Businesses have raised concerns about the high cost of pavement licences. One complaint progressed through the council's formal complaints process, following which officers confirmed that the fees would be reviewed in late 2026 for fees set from 1 April 2027.

3.3.4 Since the Levelling-up and Regeneration Act 2023 came into effect on 26 October 2023, pavement licence income has totalled approximately £6,000.

Year	Volume	Income	Budget
2023/2024	2	£1000	£2000
2024/2025	10	£4,500	£2000
2025/2026	1	£500	£2000

Table 1: Volume and incomes from October 2023

3.3.5 For businesses that have previously obtained a pavement licence, the lower renewal fee of **£350** would apply in future years. This is likely to reduce future income when compared with first-time applications.

3.3.6 Officers' experience suggests that the current licence fee may deter some businesses from applying. This creates practical difficulties when considering enforcement action, as discussed at paragraph 3.3.10. Table 2 shows that six of the eleven Hertfordshire local authorities apply the same fee structure, although Watford, Hertsmere and North Hertfordshire charge lower fees.

Watford		Hertsmere	North Hertfordshire	Stevenage, Broxbourne, East Herts, Welwyn Hatfield & St Albans	Dacorum
6 seats or less	£100 (new and renewals)	£300 (all)	£399 (all)	£500 (new) £350 (renewal)	£500 (new) £350 (renewal)
7 to 11 seats	£200 (new and renewals)				
12 seats or more	£500 (new) £350 (renewals)				

Table 2: Fee comparison with other local authorities

- 3.3.7 In order to make the process more attractive and proportionate, consideration into reducing the fees should be strongly considered and officers' welcome members views as part of the future fee setting process for 27/28. There is also potential to offer applications for one year at a lower cost as the legislation allows authorities to issue a licence for a period not exceeding 2 years. This would enable greater flexibility for businesses, but for many it is likely that they would apply for the two-year period to avoid yearly / repeated submissions. Members views would be welcomed to aid officers' discussions as part of the fee setting process.

Enforcement provisions:

- 3.3.8 The council has the ability to issue a notice requiring a breach of a condition imposed on a licence to be remedied and if the licence holder fails to do so the Licensing Authority has discretion to a) amend the licence, b) revoke or c) undertake the steps required itself and recover any costs of doing so.
- 3.3.9 Where furniture that would ordinarily require a pavement licence, or another relevant licence, is placed on a highway without authorisation, the local authority may serve a notice requiring the business to remove the furniture by a specified date and not to place further furniture on the highway unless a licence is obtained. If the business fails to comply, the authority may remove and store the furniture, recover the costs of removal and storage from the business, and withhold return of the furniture until those costs are paid. If the costs remain unpaid three months after the notice, the authority may dispose of the furniture by sale or other means and retain any proceeds.
- 3.3.10 In practice, however, this enforcement process presents several challenges. It may give rise to significant officer welfare concerns if removing furniture and could create reputational risk if enforcement action against non-compliant businesses is perceived as damaging to the local economy, particularly while many businesses continue to face financial pressure.
- 3.3.11 To date, officers have adopted a light-touch approach where businesses have not applied for a licence. This has included preparing and circulating an information leaflet for businesses and promoting the pavement licence process through TRDC business newsletters, with the aim of encouraging applications. Where necessary, this has been followed by warning letters.
- 3.3.12 Under the proposed Policy, the council would first issue a warning letter requiring the premises to remove the furniture within seven working days. If the business does not comply, a formal Remediation Notice would then be issued. Continued non-compliance with that notice would leave the Council with no alternative but to arrange for the furniture to be removed without further notice.

Removal of furniture:

- 3.3.13 The removal of furniture would more than likely need to be outsourced because of the welfare concerns associated with requiring TRDC staff to remove items directly. Officers have previously approached the council's Environmental Protection team with a view of assisting in removing furniture however similar welfare concerns were raised.
- 3.3.14 The relevant fees associated with the removal of furniture would need to reflect the officer time required to arrange and attend the removal, as well as the contractor costs associated with collecting the furniture and transporting it to storage. Officers

are currently exploring whether commercial companies could assist with the collection and removal process and the likely costs of doing so.

- 3.3.15 Any removal fee is likely to include the cost of a caged vehicle and operative for one hour, together with approximately three hours of officer time to arrange and attend the collection.
- 3.3.16 For storage, officers have discussed the use of vacant TRDC garages across the district with the council's Property team. These garages could provide a practical storage option for removed furniture. The cost is currently being reviewed.

Disposal:

- 3.3.17 After the period of 3 months the furniture will be deemed to be legally owned by the council who would be able to dispose of it as it wishes. If the furniture is not recovered, a fee can be charged to dispose of the furniture.
- 3.3.18 The council will either donate the items to charity, sell the items or destroy them. If the items are sold, the council shall donate any income received to charity after deducting reasonable expenses. Where a donation of money is made to a charity it shall be made to the chosen charity of The Chair of Three Rivers District Council serving in office at the time of the disposal of the furniture.
- 3.3.19 Where an item(s) is to be destroyed the previous owner of the furniture shall be responsible for the costs in its destruction.

Total costs:

- 3.3.20 The total fees and charges associated with the removal and storage of furniture are to be confirmed.

Activity	Fee
Removal of furniture	£tbc
Storage per week, or part thereof	£tbc
Disposal of furniture where costs due are not paid or the furniture is not recovered within three months	£tbc

Table 3: Potential enforcement fees and charges

Recovery of costs:

- 3.3.21 If the furniture is not collected after the period of 3 months the council shall send an invoice of the total amount due to the business. The business will have 28 days to pay the invoice. If the invoice is not paid after 28 days the Council shall start to charge interest on the total sum for each day the invoice remains unpaid.

Settlement plan/payment:

- 3.3.22 The Policy sets out that at any time the council may agree an appropriate settlement plan with any business who owes the council money in respect to the above provisions. Where a business seeks to collect their furniture and apply for the

appropriate licence the council will consider an appropriate discount subject to covering its costs.

4 Options and Reasons for Recommendations

Option 1:

- d) To commence a 6-week public consultation on the proposed Policy including any amendments proposed by members.
 - e) Following the expiry of the public consultation that details of the consultation responses and any amendments to the Policy following the consultation will be presented to a future Regulatory Services Committee for agreement; or
 - f) In the event there are no amendments or responses from the public consultation which materially impact the Policy as consulted on, that the Head of Regulatory Services in conjunction with the Chair of the Regulatory Services Committee makes minor changes to the Policy, if required, and then for the revised Policy to be formally adopted by a future Full Council.
- Members to offer comments on future pavement licence fees, effective April 2027.

Option 2: Authorise officers to make further changes on the Policy and return to a future Regulatory Services Committee.

Option 3: Decide not to adopt the amended Policy.

5 Policy/Budget Reference and Implications

- 5.1 The recommendations in this report are within the council's agreed policy and budgets.

6 Financial Implications

- 6.1 The fees relating to pavement licences are fixed until the budget fee setting process commences for the next financial year. However, as stated above members are invited to make comments on the current fees and whether these could be amended by the relevant processes.
- 6.2 The introduction of the Policy would not have financial implications. All fees would be based on cost recovery. Enforcement action costs regarding removal, storage and disposal would be incurred by the owner, although additional resource implications would arise, but these would be consumed by existing officers.
- 6.3 Notwithstanding, in terms of enforcement there is a potential risk that where furniture is removed and the contraveners decline to pay the costs for its return, the monies could only be recovered by legal action.

7 Legal Implications

- 7.1 No specific implications identified.
- 7.1.1 Section 7A of the Business and Planning Act 2020 allows the authority to require persons placing tables and chairs on the highway without proper authority to pay the

council's reasonable costs. To carry out enforcement a fee needs to be set to cover those reasonable costs.

8 Equal Opportunities Implications

- 8.1.1 The council has no reason to believe that any person with a protected characteristic is over-represented among those seeking to place removable furniture on the highway and thus there are no known grounds for believing that anyone with a protected characteristic will be disproportionately impacted by the proposed enforcement and associated fees.
- 8.1.2 Notwithstanding, an Equality Impact Assessment has been undertaken and is attached at **Appendix 2**.

9 Impact Assessment

- 9.1 The proposed changes would not result in any detrimental impacts towards any protected group.
- 9.2 One of the main purposes of the Pavement Licence regime is accessibility. By ensuring that only authorised tables and chairs are on the public highway, Officers can help ensure accessibility for all residents.

10 Staffing Implications

- 10.1 The administering of new enforcement requirements would be within existing staffing resource.

11 Environmental Implications

- 11.1 None specific.

12 Community Safety Implications

- 12.1 The Police would be consulted for all submitted applications for pavement licences.

13 Public Health implications

- 13.1 None specific.

14 Customer Services Centre Implications

- 14.1 The Customer Service Centre will be advised on any public consultation and to sign post customers to our website, 'Have your say' function.

15 Communications and Website Implications

- 15.1 If agreed the Policy will be displayed on the TRDC website and will be published via TRDC social media platforms.
- 15.2 The council's Digital Team will be made aware of any Policy consultation (if necessary) and will assist in utilising the 'Have your say' function on the website.

16 Risk and Health & Safety Implications

- 16.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the

report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

- 16.2 The subject of this report is covered by the Regulatory Services service plan(s). Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat, terminate, transfer)	Risk Rating (combination of likelihood and impact)
Do not agree policy.	Officers would still be able to apply the legislation requirements; however, any enforcement action in respect of removing furniture would be difficult to achieve without a policy in force.	Members to be advised against this option and instead consider whether an amended Policy can be advanced.	Treat	3
Recovering costs from enforcement action i.e. removal of furniture.	There may be occasions whereby the council's costs are not paid and legal action would need to take place.	Consideration into lower fees may encourage licence applications. Money could be obtained from selling the furniture. Costs are unlikely to be significant.	Treat	2

- 16.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely ----- Likelihood ----- Remote	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
	Impact Low -----> Unacceptable			

Impact Score

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

Likelihood Score

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

- 16.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

Background Papers

APPENDICES

Appendix 1: Draft Pavement Licence Policy 2026

Appendix 2: Equality Impact Assessment

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Pavement Licence Policy 2026

Business and Planning Act 2020

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2.	Eligibility for a pavement licence	<i>tbc</i>
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4.	Furniture not permitted under a pavement licence	<i>tbc</i>
5.	How to apply	<i>tbc</i>
6.	Public consultation	<i>tbc</i>
7.	Determination of applications	<i>tbc</i>
8.	Enforcement and revocation	<i>tbc</i>
9.	Removal of unauthorised furniture	<i>tbc</i>
10.	Departure from the Policy	<i>tbc</i>
11.	Renewal and variation	<i>tbc</i>
12.	Right of appeal	<i>tbc</i>
13.	Transfer or surrender of a pavement licence	<i>tbc</i>
Schedule 1: Pavement Licence Standard Conditions		<i>tbc</i>

1 Scope and purpose of the Pavement Licence Policy

- 1.1 This Pavement Licence Policy ('the Policy') explains Three Rivers District Council's ('the council') approach to considering applications for pavement licences. It reflects the enactment of the relevant provisions of the [Levelling Up and Regeneration Act 2023](#), which made permanent, from 31 March 2024, the temporary measures introduced during the pandemic under the [Business and Planning Act 2020](#). As a result, district councils, rather than county councils, are the pavement licensing authorities in two-tier areas.
- 1.2 The Policy provides a clear and streamlined application route for eligible businesses, including cafés, restaurants and coffee shops, that wish to place furniture on the highway.
- 1.3 Licences may be granted only for highways listed in section 115A(1) of the [Highways Act 1980](#). These are generally footpaths restricted to pedestrians, or roads and places where vehicle access is restricted or prohibited.
- 1.4 A pavement licence permits the holder to place and use furniture on the highway to sell or serve food or drink, or to enable people to consume food or drink supplied from, or in connection with, the holder's premises. Section 2 explains who is eligible to apply.
- 1.5 A pavement licence does not authorise the permanent closure of a road. Permanent closure requires a pedestrian planning order under section 249(2) or 249(2A) of the [Town and Country Planning Act 1990](#), extinguishing the right to use vehicles on the highway.
- 1.6 In this Policy, references to a "pavement licence" or "licence" mean a licence granted under the Policy. The part of the highway on which furniture may be placed under a pavement licence is referred to as the "pavement".
- 1.7 The Policy shall be in force from **TBC**.

2 Eligibility for a pavement licence

- 2.1 A business may apply for a licence if it uses, or proposes to use, premises to sell food or drink for consumption on or off the premises. Eligible businesses include public houses, cafés, bars, restaurants, snack bars, coffee shops and ice cream parlours. Eligibility also extends to premises where the sale of food or drink is ancillary to another use, such as supermarkets or entertainment venues.
- 2.2 Businesses that do not use their premises to sell food or drink, such as salons, are not eligible for a pavement licence. They may instead apply for permission to place furniture on the pavement under the [Highways Act 1980](#).
- 2.3 Applications from premises that do not sell food or drink will not be granted a pavement licence.

3 Furniture permitted under a pavement licence

- 3.1 A licence permits the holder to place and use furniture on the highway to sell or serve food or drink, or to enable people to consume food or drink supplied from, or in connection with, the premises.
- 3.2 Permitted furniture includes:
- counters or stalls for selling or serving food or drink
 - tables, counters or shelves on which food or drink can be placed
 - chairs, benches or other forms of seating

- umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.

3.3 Furniture must be removable and connected with the sale, service or consumption of food or drink. The council will take a pragmatic approach when deciding whether furniture is removable. In principle, it must not be a permanent fixed structure and must be capable of being moved easily and stored away at night.

4 Furniture not permitted under a pavement licence

4.1 Furniture that does not meet the criteria in paragraph 3.2, subject to paragraph 3.3, is not permitted under a pavement licence. Applicants wishing to place non-removable furniture on the highway must seek permission under the [Highways Act 1980](#).

4.2 For the avoidance of doubt, advertising boards are not treated as furniture under the pavement licensing regime. They require consent under the [Highways Act 1980](#) and express advertising consent under the [Town and Country Planning Regulations 2007](#).

5 How to apply

5.1 Applications must be submitted using the council's online pavement licence application form. Applications cannot be made in person or by telephone.

5.2 The application must include the following information and documents:

- Specify the premises and the part of the relevant highway to which the application relates
- Provide a location plan showing both the area to be licensed and the premises relating to the application outlined in RED
- Provide a scale plan of the area, showing the location of all items to be placed in the licensed area
- Specify the purpose (or purposes) for which the furniture will be used which must be for use by the licence holder to sell or serve food or drink and/or for use by other people for the consumption of food or drink supplied from, or in connection with, relevant use of the premises
- Specify the days of the week on which and the hours (in 24hr clock format) between which it is proposed to have furniture on the highway
- Describe the type of furniture to which the application relates, for example, tables, chairs and/or stalls
- Specify the date on which the application is made
- Contain or be accompanied by such evidence of public liability insurance, of at least £5 million, in respect of anything to be done pursuant to the licence
- A copy of a completed public notice – see paragraph 5.8 – and
- The application fee which is paid by calling the customer services team on 01923 776611

5.3 The applicable fee, details of which are available on the council's [website](#), must be paid when the application is submitted. If an application is withdrawn or refused, the fee will not be refunded because it covers the cost of administering the application.

5.4 Applicants must ensure that the proposed outside area complies with the maximum capacity permitted by the premises' fire risk assessment and any other relevant business risk assessments, including those relating to infection control. The council may seek evidence of compliance during the application and determination process.

5.5 There must be a separate application relating to each individual premises for which a pavement licence is sought.

- 5.6 Applicants must display a notice at the premises on the day the application is submitted. The notice must then remain on display for 14 consecutive days, beginning on the day after submission. For example, if an application is submitted on the first day of a month, the notice must be displayed that day and remain in place from the second to the fifteenth day; it may be removed on the sixteenth day.
- 5.7 The notice must be clearly visible and easy to read from outside the premises throughout the display period. It must not be obscured by shutters, advertisements or other external displays. If the notice is damaged or misplaced, it or a fresh copy must be restored as soon as possible. If officers consider that the application has not been advertised satisfactorily, they may require the notice to be displayed for a further 14 consecutive days.
- 5.8 A specimen public notice for applicants to use is available from the council's [website](#).
- 5.9 In addition to the notice at the premises, the council is required to place a similar notice on Three Rivers District Council [website](#). The council will include the plans supplied with the application to allow interested parties to fully understand what the application is seeking to permit. Current notices for pavement licence applications subject to consultation can be found on the council's website on the [Licensing Consultation page](#).

6 Public consultation

- 6.1 Each application is subject to a public consultation lasting 14 calendar days, excluding public holidays. Any person may submit representations during this period.
- 6.2 The council shall directly consult the following parties on applications made under the Policy:
- Hertfordshire County Council acting as the Highway's Authority
 - Hertfordshire Constabulary
 - Three Rivers District Council Environmental Health
 - Parish Council covering the location of the premises to which the application relates
 - Three Rivers Council ward member(s) covering the location of the premises to which the application relates
 - Any groups specifically convened to consider the economic viability/recovery of town centres in Three Rivers if and when there is such a group covering the location of the premises to which the application relates.
- 6.3 Representations must be submitted in writing during the statutory consultation period. They may be sent by post to the Licensing Team, Three Rivers District Council, Three Rivers House, Northway, Rickmansworth WD3 1RL, or by email to licensing.team@threerivers.gov.uk.

7 Determination of applications

- 7.1 The council must determine a pavement licence application within 14 calendar days after the consultation period ends. A pavement licence may be granted for up to two years.
- 7.2 If the council does not determine an application within that period, the application is deemed granted for 24 months. Tacit consent therefore applies. An applicant who has not received a decision within 14 calendar days of submitting a valid application may assume that the application has been granted.
- 7.3 The Council's Head of Regulatory Services has authority to delegate decisions made by officers when determining applications for pavement licences in line with the Policy.
- 7.4 All applications shall be determined under the terms of the Policy, including any appendices or attachments to the Policy.
- 7.5 The matters that will be considered when determining an application include:

- Health and safety of the public and anyone working within the area for which a licence is requested
 - Public amenity, that is, the impact of what has been applied for on the comfort, convenience or enjoyment of the public
 - Accessibility within the proposed licensed area and in any other area that would be affected if the licence were granted
 - Whether there is already permanent street furniture or structures that impact access to, from or around the area for which a licence is being sought
 - Any other temporary measures that are in place that may be relevant
 - The maintenance of minimum footway widths.
- 7.6 When assessing minimum footway widths, the council will normally require an unobstructed width of at least two metres. This will be measured from the boundary of the proposed pavement licence area to the nearest kerb or item of street furniture, such as an electrical cabinet, tree, cycle rack or bus stop. This minimum is intended to maintain safe, unobstructed pedestrian movement. The council may vary the requirement to reflect the characteristics of a location or representations received during consultation. Decisions will also take account of the recommended highway widths in the government's 'Inclusive Mobility'¹ guidance, particularly section 3.
- 7.7 The safety of pavement users is paramount. Applications are therefore unlikely to be granted where they would result in:
- (a) pedestrians being forced or encouraged to cross a footway in a dangerous manner and/or
 (b) a risk to disabled people on the highway are unlikely to be granted.
- 7.8 The council shall grant a licence only where it considers that to do so would not pose or exacerbate one or more of the following risks:
- Unnecessary obstruction of the highway
 - Unnecessary obstruction of the premises or any nearby premises
 - Prevention of statutory undertakers or communication network operators, or their contractors, from having access to appropriate plant or equipment either in, on, or over the highway.
- 7.9 The legislation allows the council to attach bespoke conditions that it considers reasonable to address or mitigate concerns raised in representations. Such conditions may include granting a licence for a smaller area, shorter hours, fewer tables, chairs or other items of furniture, or a limited duration.
- 7.10 Furniture must be capable of being removed from the highway once the terminal hour of the licence has been reached, therefore, the legislation does not give the council the power to grant permission for any furniture that is fixed to the highway.
- 7.11 It shall be implicit in any licence granted that the holder accepts that any damage to the highway by the licence holder in pursuance of the licence must be repaired by the licence holder at their own expense.
- 7.12 All licences will be granted subject to the statutory 'no obstruction' condition referred to in sections 5(4) and 3(6) of the [Business and Planning Act 2020](#) Act and 'smoke-free' seating condition and any conditions specified by the Secretary of State in Regulations (although to date there has not been a need to do so).
- 7.13 Every licence, whether or not it includes bespoke conditions, will also be subject to the council's standard pavement licence conditions in Schedule 1 of this Policy.

- 7.14 Should a condition published by the Secretary of State conflict with a condition attached by the council, regardless of whether it is a standard condition or bespoke condition, the more restrictive condition shall take precedence.
- 7.15 In summary, the council's options when determining an application are:
- Grant the licence as requested in the application
 - Grant some but not all elements of the application, making clear which elements are not granted and the reasons for this
 - Grant a licence with all or some of the elements requested while at the same time imposing conditions, making clear what those conditions are and the reasons for them or
 - Refuse the application.

8 Enforcement and revocation

- 8.1 The council takes the safe implementation of pavement licences seriously. If a condition imposed by the council or nationally is breached, the council may issue a Remediation Notice requiring the breach to be remedied. If the licence holder fails to comply, the council may:
- Amend the licence, with the consent of the licence holder
 - Revoke the licence or
 - Take steps to remedy the breach and recover the associated costs.
- 8.2 The council has the power to revoke a licence, or amend it with the consent of the licence holder, in the following circumstances:
- If the council considers that the highway is no longer suitable for the use as granted by or deemed to be granted by the licence. For example, the licenced area (or road adjacent) is no longer to be pedestrianised or
 - If there is evidence that:
 - There are risks to public health or safety, for example where it comes to light that there are significant security risks which have not been sufficiently considered, or addressed in a proportionate fashion, this should be reassessed as necessary, particularly in the event of changes to the terrorism threat level
 - This use of the highway is causing an unacceptable obstruction, breaching the no-obstruction condition, for example, the arrangement of street furniture prevents disabled people, older people or wheelchair users to pass along the highway or have normal access to the premises alongside the highway or
 - The use of the licence is causing, or risks causing, anti-social behaviour or public nuisance, for example, the use is increasing the amount of noise generated late at night and litter that is not being cleaned up.
- 8.3 The council has the power to revoke a licence in the following circumstances:
- For a breach of condition, whether a remediation notice has been issued or not, or
 - It comes to light that the applicant provided false or misleading statements in their application, for example the applicant is operating a stall selling hot food and had applied for tables and chairs on which drinks could be consumed, or
 - The applicant did not comply with the requirement to affix the notice to notify the public of the application or secure that the notice remains in place until the end of the public consultation period.
- 8.4 If the council revokes a licence, it will give its reasons, making clear where its powers have been used.

- 8.5 If a licence is revoked, the holder has no right to a refund of the original application fee.
- 8.6 Once a licence has been revoked, any re-application will only be considered if the premises has changed ownership or management, or a period of three (3) months has elapsed from the date of revocation.

9 Removal of unauthorised furniture

- 9.1 Where furniture that would normally require a pavement licence has been placed on a relevant highway without one, the council will issue a warning giving the business seven days to apply for the required licence.

- 9.2 If the business does not comply, the council may serve a notice requiring the furniture to be removed by a specified date and prohibiting further placement on the highway unless a licence is obtained.

9.3 Disposal

- 9.3.1 If furniture continues to be placed on the highway in breach of the notice, the council may remove and store it, recover the costs of removal and storage from the business, and retain the furniture until those costs have been paid.

- 9.3.2 After three months, the furniture will be deemed to be legally owned by the council, which may dispose of it as it considers appropriate.

- 9.3.3 Where an item is destroyed, its previous owner is responsible for the destruction costs.

- 9.3.4 If the furniture is not collected within three months, the council will invoice the business for the total amount due. The invoice must be paid within 28 days. If it remains unpaid after that period, the council will charge interest at 5% of the outstanding sum for each day it remains unpaid.

- 9.3.5 The council will take all reasonable steps to recover the costs and may, where necessary, instruct its appointed debt recovery agent.

- 9.3.6 Where a business has an unpaid debt under this section, the council may take that debt into account when considering the business's suitability to hold any existing or future licence.

9.4 Settlement and payment plans

- 9.4.1 The council may agree an appropriate payment plan at any time with a business that owes money under the provisions above.

- 9.4.2 Where a business seeks to recover its furniture and apply for the appropriate licence, the council may consider a suitable reduction in the amount payable, provided its costs are covered.

10 Departure from the Policy

- 10.1 This Policy is the starting point for decision-making. The council will have regard to it when determining pavement licence applications and considering revocation, but each case will be decided on its individual merits. Applications that fall outside the Policy's requirements will receive full consideration. However, departures will normally be limited to exceptional circumstances where the council is satisfied that granting the licence would not cause unnecessary obstruction and that the recommended pavement widths in part 3 of the ['Inclusive Mobility'2 guidance](#) can be maintained.

- 10.2 Where the council departs from this Policy, it will provide clear and compelling reasons. The Head of Regulatory Services, or another officer with delegated authority to determine applications or revocations, may authorise a departure where appropriate in the circumstances of the case.

11 Renewal and variation

- 11.1 Legislation and guidance do not provide a separate process for varying a pavement licence. A licence holder wishing to vary a licence while it is in force must therefore follow the full application process set out in this Policy, including submitting the application form and supporting documents and paying the application fee.
- 11.2 To avoid interruption to the use of the pavement, an application to renew a licence must be submitted sufficiently before the existing licence expires, taking account of the timetable in sections 5, 6 and 7. If a licence expires, the premises must obtain a new licence before tables, chairs or other furniture may again be placed outside.
- 11.3 Any premises wishing to vary the terms of their existing pavement licence will be required to apply for a new licence and the full application process shall apply.

12 Right of appeal

- 12.1 There is no statutory right of appeal.
- 12.2 If an application is refused, including an application for renewal or variation, the council will explain the reasons and give the applicant an opportunity to address them and submit a revised application. A new fee will ordinarily be required unless the council exercises its discretion to waive it. To reduce the risk of refusal, applicants should engage with consultees and neighbouring residents or businesses as early as possible.
- 12.3 If a licence is revoked under section 8, the council will clearly explain the reasons. The business may apply for a new licence if ownership or management has changed, or three months have elapsed since revocation. Any new application should address the reasons for revocation and involve consultees and neighbouring residents or businesses at the earliest opportunity.

13 Transfer or surrender of a pavement licence

- 13.1 A pavement licence granted under this Policy cannot be transferred. If a new operator takes over the premises, they must apply for and obtain a new pavement licence. Tables, chairs or other furniture must not be placed outside the premises until the new licence has been granted or deemed granted.
- 13.2 A licence holder may surrender a pavement licence at any time by notifying the council in writing. Notice may be sent by email to licensing.team@threerivers.gov.uk. No refund of the original application fee will be made when a licence is surrendered.

14 Complaints

- 14.1 Complaints about a pavement licence or business may be submitted to the Licensing Authority at licensing.team@threerivers.gov.uk. The council will record each complaint and investigate it as appropriate.

Schedule 1: Pavement Licence Standard Conditions

1. A summary of this licence, as provided by the licensing authority, must be displayed on the premises where it can be seen from outside of the premises at all times that the premises are open to the public. Should the licence summary be lost or damaged, a replacement licence summary must be requested from the council as soon as possible.
2. This permission shall run for [2 years or a shorter period specified by the council] from date of grant.
3. The licence holder shall not place on the highway any furniture or equipment or advertisement other than as specified in this licence and shall maintain the same in a neat tidy and safe condition and shall not place them so as to obstruct the access to or exit from any premises.
4. All furniture shall be removed from the highway within 30 minutes of the end of the licensed hours and shall not be placed on the highway until a maximum of 30 minutes before permitted hours start.
5. All furniture shall be removed from the licensed area whenever the premises are not open to the public.
6. All furniture must be stored on private property and cannot be kept on the highway when not in use.
7. The licence holder shall leave the highway in a neat and tidy condition after removing all furniture from the highway at the end of permitted hours.
8. The licence holder shall not cause any unnecessary obstruction of the highway or danger to persons using it.
9. The licence holder shall not permit persons benefitting from the licence to cause a public nuisance or anti-social behaviour. Where the licence holder employs any person to ensure the safety and security of the premises and its customers, such persons must be licensed by the Security Industry Authority.
10. The licence holder shall not permit persons to gather in any way that is in contravention of any legislation or regulations in force temporarily or permanently with the purpose of minimising the spread of disease and/or safety related to terrorism or crime.
11. The licence holder shall not use or permit any public playing of music, reproduction or sound amplification apparatus or any musical instruments radio or television receiving sets in the area covered by this licence and must not provide such for persons within the licensed area from outside the licensed area.
12. The licence holder shall not make any excavations or indentations of any description whatsoever in the surface of the highway or place or fix equipment of any description within the surface of the highway.
13. The licence holder shall maintain the permitted area and the immediately adjacent area in a clean and tidy condition during the permitted hours. Litterbins or similar flame-retardant receptacles for litter and ash shall be provided within the licensed area and removed at the end of permitted hours.
14. Nothing herein contained shall be construed as the grant or purported grant by the council of any tenancy protected by the [Landlord and Tenant Act 1954](#) or any statutory modification or re-enactment thereof for the time being in force save as for those set out in the [Business and Planning Act 2020](#) or other relevant legislation.

15. If so requested in an emergency by an authorised officer of the council, Police officer, Fire Brigade officer, paramedic, statutory undertaker, or communications network operator, the licence holder shall remove the furniture permitted under this licence from the highway.
16. If so requested by the highway authority where use of the area is required for maintenance or other purpose the licence holder shall remove the furniture permitted under this licence from the highway.
17. If so requested by the council the licence holder shall remove the furniture permitted under this licence from the highway or refrain from putting the furniture on the highway on any particular given dates. Such notice shall be given to the licence holder in writing a minimum of 7 calendar days in advance.
18. The council may remove, store, dispose of and charge to the licence holder any associated charges for:
 - (i) any structures placed by the licence holder on the highway but not authorised by this licence and
 - (ii) any structures authorised by this licence but placed by the licence holder on the highway outside the permitted hours or outside the permitted area and the council shall not be responsible to the licence holder for the safe keeping thereof.
19. The licence holder shall observe and comply with any reasonable directions in relation to the use of the highway given from time to time by or on behalf of the council.
20. The licence holder shall provide suitable barriers around the licensed area but only such as shall have been firstly approved by the council unless it has previously been determined by the council that they are not needed.
21. The licence holder shall comply with the 'no-obstruction' condition and 'smoke-free seating' condition set out in the [Business and Planning Act 2020](#) and all conditions specified by the Secretary of State under the Business and Planning Act 2020.
22. The licence holder shall comply with the standard conditions of the Three Rivers Pavement Policy and requirements of the Business and Planning Act 2022.
23. The licence holder shall indemnify and keep indemnified the council against all actions proceeding claims demand and liability in respect of personal injury, damage to goods or property, or any loss arising out of the grant of this licence and the licence holder's use of the land and for this purpose must take out at the licence holder's expense a policy of insurance approved by the council in the sum of at least £5 million in respect of any one event.
24. No disposable sachets or disposable containers shall be provided within the licensed area.
25. All menus shall be enclosed in weighted folders/holders.
26. If paper serviettes are to be provided, they must be enclosed within a dispenser and be specifically identifiable to the premises.
27. No leaflets or other forms of advertisement or other printed material shall be left or distributed within the licensed area.



Equality impact Assessment

Project Information	
Project Name <i>This should clearly explain what service / policy / strategy / change you are assessing</i>	Pavement Licence Policy
Service Area <i>Main team responsible for the policy, practice, service or function being assessed</i>	Licensing / Regulatory Services
EIA Author <i>Name and Job Title</i>	Matthew Roberts, Team Leader, Development Management
Date EIA drafted	28 September 2026
ID number <i>This will be added by the Strategy and Partnerships Team</i>	

Executive summary	
Focus of EIA <i>A member of the public should have a good understanding of the policy or service and any proposals after reading this section.</i> <i>Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'</i> <i>This section should explain what you are assessing:</i> • <i>If the EIA is attached to a report, summarise the report.</i> • <i>Provide information on whether any of the following communities could be affected by the policy, practice, service or function, or by how it is delivered?</i> • <i>(age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership) in addition, TRDC recognises other communities may be vulnerable to disadvantage, this includes carers, people experiencing domestic abuse, substance misusers, homeless people, looked after children, (ex) armed forces personnel.</i>	The main aims of the Pavement Licence Policy (Policy) is to support the legislation framework pertaining to the determination of pavement licences and enforcement. The principal equality consideration is accessibility. The placement of tables, chairs, barriers, heaters, planters or other furniture associated with the licensed area has the potential to reduce the available footway or create obstacles for pedestrians. This may have a particular impact on disabled people, including wheelchair users and people with mobility, visual or other impairments. Older people and people accompanying young children or using pushchairs may also be affected where pedestrian space is constrained. A pavement licence is required to be submitted to the council, specifically the Licensing Authority (LA), for the placement of temporary furniture on a highway. On receipt of an application, the LA must consult Hertfordshire County Council and the police, but further consultation is undertaken with Environmental Health. The LA can issue licences for up to 2 years. The purpose of the application process is to assess the placement of furniture against the following considerations: - Public health and safety - Public amenity - Accessibility - Other relevant factors When a pavement licence is granted, it is also granted deemed planning permission so there would be no requirement to submit a planning application. Any issues and complaints

	would then fall to the LA. A successful licence application will ensure that the appropriate licence is in place which then enables the LA controls to take action if required, for the purposes of public health, amenity and accessibility. For example, if the placement of table and chairs are not in accordance with the plans approved and are causing accessibility issues with passers by, potentially those with impairment, the LA has the powers to remedy, and as a last resort take enforcement action. The Policy therefore sets out the requirements and objectives of the LA and ensures that businesses can have the desired flexibility but with the necessary controls in place. The Policy has been developed to support officers in their decision making and also to ensure that an appropriate enforcement framework is proportionate and robust. Notwithstanding it is recognised that those with disabilities (visual impaired and those with mobility impairments) and other protected characteristics, such as the elderly, those pregnant, or on maternity leave could also be impacted by the policy. However, the Policy seeks to provide a policy framework to ensure the legislative regime for pavement licences is proportionate and enforceable, i.e. to enable the LA to react if furniture is causing accessibility issues.
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Mitigations		
Protected Characteristic	Potential Issue <i>Against each protected characteristics, make a frank and realistic assessment of what issues may or do occur</i>	Mitigating Actions <i>How can the negative impacts be reduced or avoided by the mitigating measures? Is further engagement with specific communities needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?</i>
Age	Older people may be disproportionately affected by narrowed or obstructed footways.	Conditions to be applied to pavement licences to find an acceptable balance. Add conditions and controls to pavement licences as well as having the ability to take enforcement action when requests to remove or re-sited furniture has not taken place.'
Disability	Our highways including pavements are vital for all users to travel freely to and from places, but are especially sensitive for those with disabilities.	Council to stipulate in policy that a minimum of width of 2m is encouraged between furniture (licensable area) and edge of the kerb, to enable free flow for all highway users.

		Officers to strike acceptable balance, but ensuring that access for vulnerable users is considered at all times. Add conditions and controls to pavement licences as well as having the ability to take enforcement action when requests to remove or re-sited furniture has not taken place.
Gender reassignment (or affirmation)		Enforcement or interactions with licence holders and members of the public to be carried out fairly and consistently, without discrimination or harassment related to gender reassignment.
Pregnancy or maternity	As above, parents with prams are also particularly sensitive to highway furniture, especially those with double buggies.	Council to stipulate in policy that a minimum of width of 2m is encouraged between furniture (licensable area) and edge of the kerb, to enable free flow for all highway users. Officers to strike acceptable balance, but ensuring that access for vulnerable users is considered at all times. Add conditions and controls to pavement licences as well as having the ability to take enforcement action when requests to remove or re-sited furniture has not taken place.
Race		The application, consultation and enforcement processes should be accessible and applied consistently, with consideration of language or communication barriers where relevant.
Religion or belief		Outdoor seating or licensed activities could potentially affect access to premises or public spaces used by particular religious or community groups. The policy should be applied consistently and should not disadvantage people because of their religion or belief.
Sex		Location and operation of licensed pavement areas could potentially affect how safe people feel when using public spaces, particularly where seating, structures or changes to pedestrian routes affect visibility, access or movement. The application and enforcement of the policy should be consistent and should not

		discriminate on the basis of sex.
Sexual Orientation		Implementation and enforcement should be undertaken fairly and consistently, ensuring that applicants, businesses, staff and members of the public are not subject to discrimination or harassment because of sexual orientation.
Marriage and Civil Partnership		Implementation and enforcement should be consistent and non-discriminatory.
The council recognises other communities may be vulnerable to disadvantage, this includes carers, people experiencing domestic abuse, substance misusers, homeless people, looked after children and care leavers, (ex) armed forces personnel.		

Actions Planned

In this section you can add information on additional or proactive steps you are taking that enhance equity, engagement or equality of access to services, as well as those mitigating actions identified in the section above that will be undertaken.

The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

The Pavement Policy is currently in draft form, but it would be subject to a public consultation whereby views would be sought over a 6-week period, with all responses considered and reviewed by officers and agreed by members.

Additionally, upon receipt of each pavement licence application, officers would need to consider the proposed location, the dimensions and position of the licensed area, the remaining unobstructed pedestrian route, the nature of surrounding land uses and pedestrian movements, and any representations or objections received as part of the licensing process.

This assessment would recognise that the effect of a pavement licence may vary according to the characteristics of the site and the needs of people using the highway. Particular consideration should therefore be given to locations where footways are narrow, pedestrian movements are high, accessible crossing facilities are present, or there is evidence of existing difficulty for disabled pedestrians.

Subject to the proposed mitigation and compliance with the conditions of the pavement licence, the council considers that the identified equality impacts can be appropriately managed.

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Additional Information
<i>Space to provide any additional information in relation to protected characteristics or equity, diversity, equality and inclusion.</i>

Sign off:

Equalities Lead Officer	Date
Shivani Davé	28/09/2026

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REGULATORY SERVICES COMMITTEE WORK PROGRAMME

No.	Item to be considered	Date of Next Meeting	Purpose of the Report	How the work will be done	Responsible Officer	Outcome Expected
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1.	Pavement Policy	7 October 2026		Written report	Lead Licensing Officer/Licensing Team Leader	To consider any recommendations
2.	Review of Hackney Carriage and Private Hire Policy 2025	TBC	Review	Written report	Lead Licensing Officer/Licensing Team Leader	To consider any recommendations

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