



Business and Planning Act 2020

2020 CHAPTER 16

PART 1

CONSUMPTION OF FOOD AND DRINK OUTDOORS

Pavement licences

2 Applications

- (1) An application for a pavement licence made to a local authority must—
 - (a) be made in writing and in such form as the authority may specify,
 - (b) be sent to the authority using electronic communications in such manner as the authority may specify, and
 - (c) be accompanied by such fee not exceeding £100 as the local authority may require.
- (2) An application for a pavement licence made to a local authority must—
 - (a) specify the premises, the part of the relevant highway and the purpose or purposes specified in section 1(3) to which the application relates,
 - (b) specify the days of the week on which, and the times of day between which, it is proposed to put furniture on the highway,
 - (c) describe the type of furniture to which the application relates,
 - (d) specify the date on which the application is made,
 - (e) contain or be accompanied by such evidence of public liability insurance in respect of anything to be done by the licence-holder pursuant to the licence as the authority may require, and
 - (f) contain or be accompanied by such other information or material as the local authority may require.
- (3) The local authority to which an application for a pavement licence is made must, in such manner as it considers appropriate—
 - (a) publish the application and any information or material required by the local authority under subsection (2)(f), and

Status: This is the original version (as it was originally enacted).

- (b) publicise the fact that representations relating to the application may be made to the authority during the public consultation period (and indicate when that period comes to an end).
- (4) In this group of sections, the “public consultation period” means the period of 7 days beginning with the day after that on which the application is made.
- (5) A person who applies for a pavement licence must—
 - (a) on the day the application is made, fix a notice of the application to the premises so that the notice is readily visible to, and can be read easily by, members of the public who are not on the premises, and
 - (b) secure that the notice remains in place until the end of the public consultation period.
- (6) A notice under subsection (5) must—
 - (a) be in such form as the local authority to which the application is made may require,
 - (b) state that the application has been made and the date on which it was made,
 - (c) indicate that representations relating to the application may be made to the local authority during the public consultation period (and indicate when that period comes to an end), and
 - (d) contain such other information or material as the local authority may require.
- (7) For the purposes of this section an application for a pavement licence is made on the day it is sent to the local authority.
- (8) A person who applies for a pavement licence is to be taken to have agreed—
 - (a) to the use of electronic communications for all purposes relating to the application, and to any licence resulting from the application, which are capable of being carried out electronically, and
 - (b) that the applicant’s address for the purposes of such communications is the address incorporated into, or otherwise logically associated with, the person’s application.
- (9) Where a person applies for a pavement licence, the person may not make another application for a pavement licence in respect of the same premises before the end of the determination period (see section 3).