

Meeting General Purposes Committee

Portfolio Area Communities, Community Safety and Equalities

Date 14th April 2026

BUSINESS & PLANNING ACT 2020 - NEW PAVEMENT LICENSING POLICY

NON-KEY DECISION

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1 PURPOSE

- 1.1 To consider the Council’s draft pavement licensing policy which sets out the Council’s approach in the granting, monitoring and enforcement of Pavement Licences within the Borough of Stevenage (excluding the Town Centre), in accordance with the Business and Planning Act 2020.

2 RECOMMENDATIONS

- 2.1 That the General Purposes Committee agrees to recommend the proposed Stevenage Borough Council Pavement Licensing Policy 2026 (attached at **appendix A**) to Cabinet.
- 2.2 That the General Purposes committee agrees that minor inconsequential amendments to this policy may be made by the Assistant Director of Planning and Regulation, in consultation with the Cabinet Member/Portfolio Holder for the relevant service area.

3 BACKGROUND

3.1 The draft policy has been written following the Levelling Up and Regeneration Act 2023 which made permanent the provisions set out in the Business and Planning Act 2020 which was originally enacted to help businesses, particularly in the hospitality sector, operate safely during the COVID-19 pandemic.

3.2 This policy sets out how Stevenage Borough Council will comply with the requirements of the Business and Planning Act 2020, in the provision of pavement licences for the following activities:

- Use of furniture by the licence holder to sell or serve food or drink supplied from, or in connection with, the relevant use of the premises.
- Use of the furniture by other persons for the purpose of consuming food or drink supplied from, or in connection with, the relevant use of the premises.

Consultation

3.3 Before determining its policy, the Licensing Authority has consulted informally by email with the following persons for comment:

- Hertfordshire County Council Highways
- The Local Planning Authority
- Hertfordshire Constabulary
- Environmental Health
- Stevenage Borough Council Engineering Services
- Stevenage Borough Council Town Centre Management Team
- Stevenage Borough Council Estates Team.
- Stevenage Borough Council Street Scene and Amenities
- All existing holders of a Stevenage Borough Council Pavement Licence.

3.4 The consultation was open for comment between **30th May** and **13th June 2025**. A copy of the consultation email is provided within the background documents attached to this report.

3.5 Consultation responses on the draft policy focused on improving clarity and operational detail, including the need to better distinguish between pavement licensing and outside seating arrangements, and to confirm that landowner permission is still required where a licence is not. Respondents also called for clearer definitions, particularly of “furniture,” and for explicit confirmation that fixed structures fall outside the scope of the policy. Stronger wording was recommended to emphasise licence holders’ responsibilities, including the removal of items outside permitted hours and the maintenance of clean and

tidy trading areas. Additional clarification was also sought on the policy's application to privately owned retail areas, along with queries regarding fee arrangements, including the potential for partial refunds where businesses cease trading or cannot use licensed areas due to external works. Copies of the responses are attached at **Appendix B**.

- 3.6 All consultation responses and comments have been carefully reviewed. All recommendations have been addressed and incorporated into version 2 of the draft policy attached at **Appendix A**, all amendments made are outlined in Section 12 (Version History) of the draft policy document.
- 3.7 A further informal consultation was undertaken on version 2 of the draft policy with all existing holders of a Stevenage Borough Council Pavement Licences. This consultation took place between **28 January** and **25 February 2026**.
- 3.8 No further comments were received.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 The Council recognises the importance of pavement licensing to businesses and value their contribution towards the local economy. 'Café Culture' is a growing trend, with an increasing demand for eating and drinking outdoors. Many pubs, restaurants and cafes want to provide facilities to meet this demand by using the pavement area outside of their premises.
- 4.2 The Pavement Licensing Policy will be used to create an alfresco dining environment which:
- Ensures fair trading between all licence holders in the Borough of Stevenage.
 - Protects the amenity of the residents by ensuring that licence holders do not cause nuisance, damage, disturbance or annoyance.
 - Ensures the safety of the people using the dining areas and the pavements.
 - Provides applicants and licence holders with advice and guidance on the Council's approach to the administration and enforcement in relation to pavement licences.

5 IMPLICATIONS

Financial Implications

- 5.1 Expenditure associated with the pavement licensing policy is likely to include:
- Administration and processing of applications
 - Consultation and engagement activities

- Enforcement and compliance monitoring
 - Initial policy development
- 5.2 There is also potential for reduced income if refunds or fee adjustments are applied.
- 5.3 Overall, the scheme is intended to be cost-neutral, although a net cost may arise depending on licence demand and enforcement requirements.

Legal Implications

- 5.4 The pavement licensing policy must comply with the statutory and regulatory requirements governed by the Business and Planning Act 2020 as amended, which sets out the framework for issuing, renewing and enforcing pavement licences. The legal framework ensures licences are issued fairly, safely and transparently, balancing business interests with public safety and amenity.
- Inadequate implementation of the Act would result in lack of clarity and direction for businesses and residents. Licences must also align with existing planning regulations, highway regulations and local bylaws.

Equalities and Diversity Implications

- 5.5 An Equalities Impact Assessment was carried out in May 2025. The policy promotes the importance of safety and accessibility of the public highway, particularly for those with disabilities and those who are visually impaired
- 5.6 A copy of the Equalities Impact Assessment can be found at **Appendix 4** of the draft policy document.

Community Safety Implications

- 5.7 The introduction of a pavement licensing policy can have several positive impacts on community safety. Licences ensure that outdoor trading areas are properly managed, keeping pavements clear and accessible for pedestrians, including those with disabilities or pushchairs. The policy also allows the Council to revoke or modify licences if safety standards are not met, ensuring ongoing compliance.

BACKGROUND DOCUMENTS

All documents that have been used in compiling this report, that may be available to the public, i.e. they do not contain exempt information, should be listed here:

- BD1 [Business and Planning Act 2020](#)
- BD2 [Pavement licences: guidance - GOV.UK](#)
- BD3 Informal Consultation Emails
- BD4 SBC pavement licence fees calculation sheet.

APPENDICES

- A Pavement Licensing Policy (version 2)
- B All Informal Consultation Responses