

**Open Report on behalf of Paul Coathup, Assistant Director (Highways and Transportation)**

Report to:	<b>Councillor W S Webb, Executive Councillor for Highways and Transport</b>
Date:	<b>20 March 2012</b>
Subject:	<b>Code of Practice for the Operation of Pavement Cafes</b>
Decision Reference:	<b>02015</b>
Key decision?	<b>No</b>

**Summary:**

In association with all seven district councils a Code of Practice has been produced that includes all of the information relevant to opening a cafe on the public highway. It includes a revised policy on how the county council will deal with applications for a licence for a pavement cafe.

**Recommendation(s):**

That Councillor W S Webb (Executive Councillor for Highways and Transport) approves the Code of Practice.

**Alternatives Considered:**

1. Retain current policy.

**Reasons for Recommendation:**

The new policy will ensure applications for pavement cafes licences are considered in a consistent and equitable way.

**1. Background**

- 1.1 The county council have had a policy on dealing with applications to operate pavement cafes on the public highway. The opportunity has been taken to produce a Code of Practice for Pavement Cafes that includes information on the requirements of both the county council and district (including Borough and City) councils. The Code of Practice will ensure pavement cafes will enhance the street scene and operate safely.

## 2. Conclusion

2.1 The Code of Practice is approved.

### 3. Legal Comments:

The recommendation is within the remit of the Executive Councillor.

### 4. Resource Comments:

Adoption of this code of practice will allow the Council to deal with applications for pavement cafes. The application fee chargeable will be used to cover the cost of the Service.

## 5. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

Yes

### c) Scrutiny Comments

The Highways, Transport and Technology Scrutiny Committee considered this report at its meeting on 12 September 2011 and it Recommended that Councillor W S Webb (Executive Councillor for Highways and Transport) accepted the Code of Practice subject to amendments being made.

### d) Policy Proofing Actions Required

The Policy Proofing Tool has been completed and it shows that the Code of Practice could produce marginal improvements in economy and safety.

## 6. Appendices

These are listed below and attached at the back of the report

Appendix A	Code of Practice for Pavement Cafe Licences.
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## 7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Report to Highways Transport and Technology Scrutiny Committee	Visible on the LCC website at <a href="http://aspapps.lincolnshire.gov.uk/committeerecords.asp">http://aspapps.lincolnshire.gov.uk/committeerecords.asp</a>

12 September 2011	
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