

## NON-EXEMPT

### EAST HAMPSHIRE DISTRICT COUNCIL

---

Licensing Committee

11 January 2007

#### **TABLES AND CHAIRS POLICY - CONSULTATION RESULTS**

Principal Licensing Officer

ODMR/51

#### **FOR DECISION**

---

### REPORT DETAILS

#### **PURPOSE OF REPORT**

To consider the results of the consultation on the proposed Policy for licensing tables and chairs on the highway.

#### **RECOMMENDATIONS**

1. To make any amendments to the policy as a result of the consultation.
2. To agree fee levels as amended by the consultation.
3. Recommend that the amended policy be submitted to Full Council for approval.

#### **RESOURCING IMPLICATIONS**

It is anticipated that the charges set out in this report will cover the cost of granting licences. The adoption of the recommendations should therefore not result in any additional expenditure. However, this will be monitored and appropriate changes to the charges will be suggested when the fees and charges are reviewed annually.

#### **CONSULTATION**

With businesses and other stakeholders detailed in Appendix C

Legal Services

Head of Environmental Services

#### **CONTRIBUTION TO CORPORATE PRIORITIES:**

- |                                 |                                     |
|---------------------------------|-------------------------------------|
| Building Successful Communities | <input checked="" type="checkbox"/> |
| Providing Good Quality Services | <input checked="" type="checkbox"/> |
| Protecting the Environment      | <input checked="" type="checkbox"/> |

**Contact Officer:** Angela Howes  
**Job Title:** Principal Licensing Officer  
**Telephone:** 01730 234094  
**E-Mail:** [angela.howes@easthants.gov.uk](mailto:angela.howes@easthants.gov.uk)

## **TABLES AND CHAIRS POLICY - CONSULTATION RESULTS**

### **1.0 BACKGROUND**

1.1 On 19 April 2007 Licensing Committee recommended to Council the adoption of a Policy for licensing tables and chairs. The original report and Minutes are attached at Appendix A.

1.2 On 5 September 2007, Council requested that the matter be deferred pending consultation with the business community. Council requested that a further report be submitted following the consultation.

1.3 On 28 September 2007, Licensing Committee decided on the form of consultation. (Appendix B)

1.4 Appendices included in this report:

- Licensing Committee Report and Minutes April 2007 (Appendix A)
- Extract of Council Minutes 5 September 2007 (Appendix B)
- Consultees (Appendix C)
- Consultation response letters (Appendix D)
- Schedule of responses (Appendix E)
- Fees Table (Appendix F)
- Tables and Chairs Licensing Policy (Appendix G)
- Tables and Chairs Conditions (Appendix H)
- List of neighbouring authorities' fees (Appendix I)

### **2.0 CONSULTATION**

2.1 Consultation took place with businesses and business organisations, (Appendix C), as requested by Licensing Committee on 28 September. We received fourteen replies (Appendix D). A schedule of those responses is shown in (Appendix E).

### **3.0 ANALYSIS OF RESPONSES**

3.1 The schedule in Appendix E gives an appraisal of the comments made and suggested response. As a result of the comments, I recommend that Licensing Committee agree the changes to the Policy as proposed by Environmental Protection (Appendix D, letter 2). I also recommend an amendment to the proposed fee, (Appendix F), to reflect comments made on the impact on the smaller businesses. I suggest that the fee remains as proposed at £130 for the larger premises but that it is reduced by half for premises with 3 tables or fewer. The proposed fee of £65 for refund and variation could be reduced to half also. It is necessary that licensing costs are met by licensing fees, so the levels would be reassessed on an annual basis.

Report Title: TABLES AND CHAIRS POLICY - CONSULTATION RESULTS  
Report Number: ODMR/51  
Report of: Principal Licensing Officer  
Committee: Licensing Committee

3.2 Some of the responses say that they do not want to pay a fee but want to continue to put tables and chairs on the pavement. Unlicensed tables and chairs are unlawful and subject to enforcement by Hampshire County Council.

3.3. Whilst the majority of the responses appear to be in favour of the scheme, they have made additional comments requesting that consideration be given to ensure adequate room is provided for wheelchairs and prams to pass. This would be controlled by the Licensing Policy (Appendix G) and licence conditions (Appendix H).

### **3.0 CONCLUSION**

3.1 The consultation has identified issues relating to environmental protection and the licence fees. The fees are comparable with neighbouring authorities (Appendix I).

3.2 The adoption of a licensing scheme will provide an opportunity for businesses, particularly those without gardens, to provide outside areas that are safe and attractive. It will address issues such as obstruction, noise and loitering. It will improve the appearance and safety of outside eating, drinking and smoking at premises in our town and village centres.

**EHDC Readability Level: 3.6**

Report Title: TABLES AND CHAIRS POLICY - CONSULTATION RESULTS  
Report Number: ODMR/51  
Report of: Principal Licensing Officer  
Committee: Licensing Committee