
Report of City Centre Management**Report to the Chief Officer (Highways and Transportation)****Date: 15 September 2020****Subject: REQUESTS FOR TEMPORARY PAVEMENT LICENCE**

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s): Little London & Woodhouse, Otley & Yeadon and Wetherby	
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:	
Appendix number:	

1. Purpose of this report

- 1.1 To consider applications for a Temporary Pavement Licence under the Business and Planning Act 2020 to operate on the highway at during the recovery phase of the Covid-19 crisis.

2. Background information

- 2.1 In order to support the Covid-19 business recovery phase plans have been put in place to issue Temporary Pavement Licences where appropriate. The temporary licences will be issued initially until November 22nd 2020 following assessment within the established criteria. Rolling renewals will be issued after this date should there be no issues with operation during the initial period, for 4 months, or until no later than the 30th September 2021.

3. Main issues

- 3.1 Obstructions on the public highway are particularly problematic for disabled and visually impaired people. It is important therefore that businesses:-
- Provide adequate circulation space for all users including those in wheelchairs again improving the attractiveness of the city centre for these groups; and

- are enclosed and managed in accordance with the approved guidelines which facilitate access and increase the attractiveness for these groups of people.

- 3.2 Due to the ongoing situation around COVID-19, businesses will only be able to operate if they show that the government's guidelines on social distancing can be followed. Licences will be suspended if social distancing guidelines are not met. This also includes areas in the adjacent public realm and any cumulative impacts associated with adjoining business activities where distancing is affected.
- 3.3 Issue of a temporary licence does not signify that approval would be given to a permanent application at a later date. If required this would be a matter for further application. Full diligence and site inspections continue to take place modified to reflect the timelines set for agreement of temporary pavement licence applications.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 Consultation was undertaken with the street café working group between the 20th August and 17th September 2020, which include Highways Officers, West Yorkshire Police and Licencing Officers and to ensure that the temporary street café could operate under the restrictions imposed due to COVID-19 health emergency.
- 4.1.2 The relevant portfolio holders for highways and the city centre have been briefed on the provisions of the Business and Planning Act and the granting of temporary pavement licences.
- 4.1.3 Site notices were posted in accordance with Business and Planning Act requirements and no comments were received. See appendix 2 for site notice dates.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 An Equality, Diversity, cohesion and Integration screening document has been completed, and an impact assessment is not required. The document is attached to this report.

4.3 Council policies and the Best Council Plan

- 4.3.1 This application complies with the Temporary Pavement Licence Rules & Regulations.
- 4.3.2 Street cafes support the Best Council Plan, in particular Health and Wellbeing by allowing users to sit and relax outside, in areas of the City Centre that may not offer seating, and supporting businesses with growth and investment by allowing them the opportunity to have a street café, which can make them more visible and cater for customers who wish to sit outside.

Climate Emergency

- 4.3.3 The street café policy has been amended to recommend that licenced street cafes limit the use of single use plastics, and we are currently reviewing incentives for licensed street cafes who show that they are working to limit the use of single use

plastic. Additionally through the single use plastic working group the Council will work with street cafes on climate change on such issues.

4.4 Resources, procurement and value for money

4.4.1 Temporary pavement licencing as no impact on capital funding.

4.5 Legal implications, access to information, and call-in

4.5.1 The temporary pavement licences are granted under the Business and Planning Act 2020.

4.6 Risk management

4.6.1 The application contains no request to use items determined as risky in the Rules and Regulations and as such no risk assessments have been requested.

5. Conclusions

5.1 All relevant consultations have taken place.

6. Recommendations

6.1 The Chief Officer (Highways and Transportation) is requested to:

- a) Note the contents of the report; and
- b) Approve the application for a temporary pavement licences from premises listed in the Appendix 2, to operate a street café on the highway, as shown on the attached unnumbered drawings, which will expire when current restrictions, which are due to Government guidelines for COVID -19 are lifted.

7. Background documents

7.1 None

8. Appendices

8.1 Equality, Diversity, Cohesion and Integration screening document.

8.2 Temporary Pavement licence list for approval

Appendix 1

Equality, Diversity, Cohesion and Integration Screening

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- The relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- Whether or not it is necessary to carry out an impact assessment.

Directorate: City Development	Service area: City Centre Management
Lead person: Andrew Smith	Contact number: 0113 3787753

1. Title: Premises listed in Appendix 2

Is this a:

☒

Strategy / Policy

☐

Service / Function

☐

Other

If other, please specify

2. Please provide a brief description of what you are screening

The screening focuses on the report seeking approval for Temporary Pavement Licences for premises listed in Appendix 2

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	x	
Have there been or likely to be any public concerns about the policy or proposal?		x
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		x
Could the proposal affect our workforce or employment practices?		x
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 		x

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

<p>4. Considering the impact on equality, diversity, cohesion and integration</p>	
<p>If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.</p>	
<p>Please provide specific details for all three areas below (use the prompts for guidance).</p>	
<p>• How have you considered equality, diversity, cohesion and integration? <th>(think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)</th></p> <p>The licensing process involves a rigorous consultation stage and any negative feedback or concerns raised as a result of this consultation stage may result in adding specific terms or clauses to the licence or approving the licence on a temporary pilot basis.</p> <p>Consultation has been carried out with:</p> <ul style="list-style-type: none"> • Highways Officers • Leeds City Council Access Officer • West Yorkshire Police <p>Site notices were posted onsite for 28 days to make all businesses and members of the public aware of application proposals, with copies of the application and proposals made available for viewing, in line with Leeds City Council Policy, allowing anyone to comment. These are also available on the City Centre Leeds website. No adverse comments have been received in relation to the application.</p> <p>Should an application be approved, and negative feedback be received once the street café is in place then all necessary actions required to resolve the situation would be</p>	(think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

<p>taken, including suspension of the street café licence.</p>
<p>• Key findings (think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)</p> <p>Street Cafes add to the offering of a vibrant café culture by providing safe outdoor spaces for customers to enjoy, which is of particular benefit for disabled people and parents with young children, as this provision ensures that they do not have to negotiate steep steps / stairs that would otherwise be a potential barrier in accessing the services on offer.</p> <p>Impacts identified from a street café on the highway are mitigated against by:</p> <ul style="list-style-type: none"> • Ensuring the street café area is located in a contained area surrounded by barriers. The barriers must have a lower tapping rail to help blind or visually impaired city centre users to navigate using a cane. • Requiring adequate circulation space within the street café area that accounts for wheelchair users and pushchair users and people with mobility issues. • Enforcing strict rules on public highway access that state minimum distances that must be left as pedestrian walkways, for pushchair and wheelchair users and for emergency vehicle access. • Requiring at least 1/3 of the street café area is a designated non-smoking area which would be of particular benefit to children and people who have particular breathing issues. • Requiring at least one highchair to be provided for use by children. • Requiring that all street café furniture to be removed from the highway when not in use or when the street café is closed.
<p>• Actions (think about how you will promote positive impact and remove/ reduce negative impact)</p>

<p>5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.</p>	
Date to scope and plan your impact assessment:	N/A
Date to complete your impact assessment	N/A
Lead person for your impact assessment (Include name and job title)	N/A

<p>6. Governance, ownership and approval</p> <p>Please state here who has approved the actions and outcomes of the screening</p>		
Name	Job title	Date
John Ebo	Head of Service City Centre Management	20.08.2020

7. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.

If this screening relates to a **Key Delegated Decision, Executive Board, full Council** or a **Significant Operational Decision** a copy should be emailed to Corporate Governance and will be published along with the relevant report.

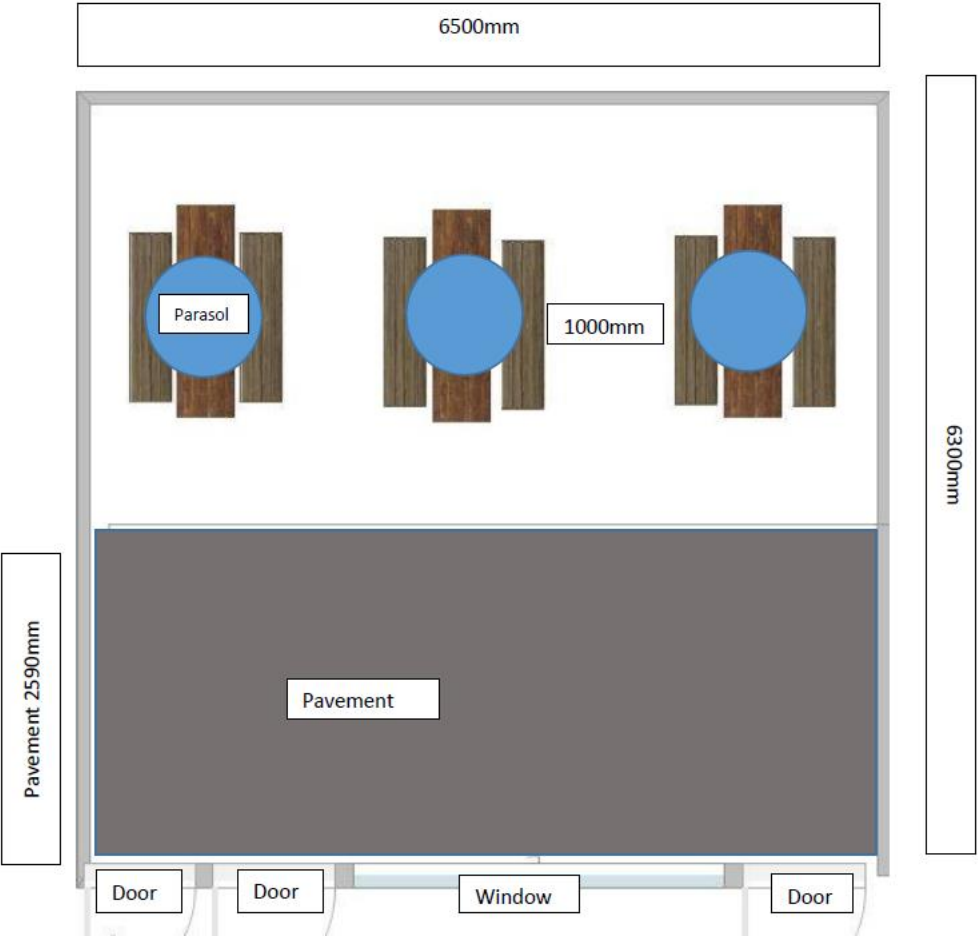
A copy of **all other** screenings should be sent to equalityteam@leeds.gov.uk. For record keeping purposes it will be kept on file (but not published).

Date screening completed	20.08.2020
If relates to a Key Decision - date sent to Corporate Governance	
Any other decision – date sent to Equality Team (equalityteam@leeds.gov.uk)	

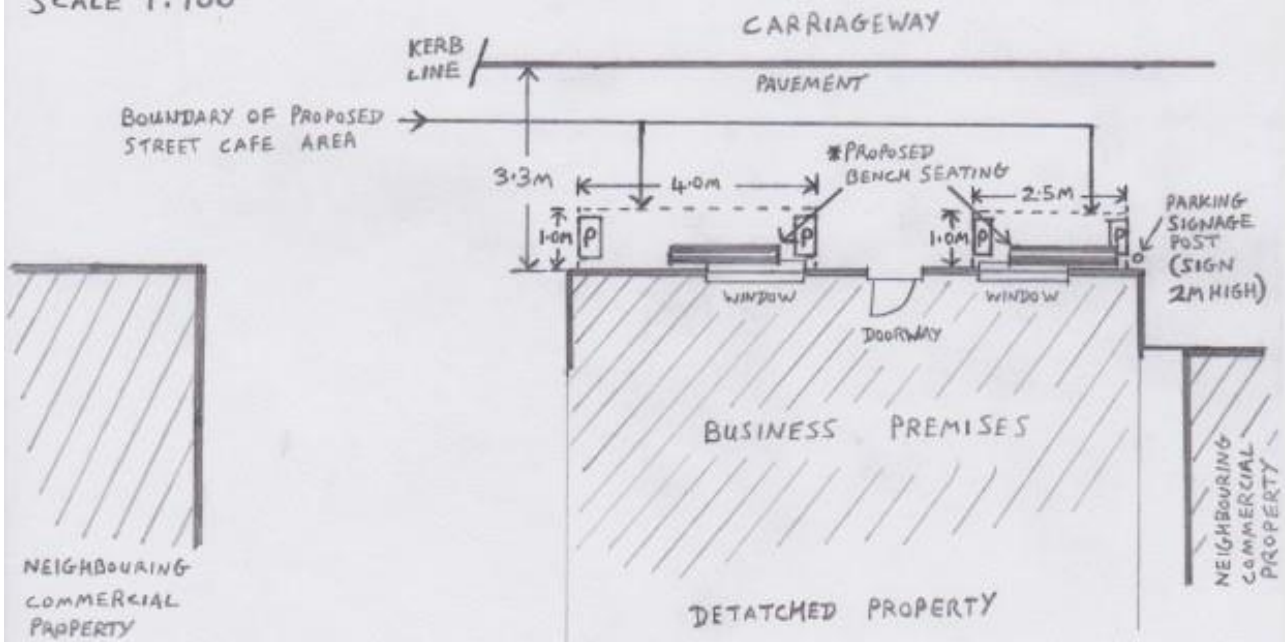
Appendix 2 – List of Temporary Pavement licences for approval

Premises Name	Location	Ward	Site notice dates	Times of operating
Wax Bar	20 NEW BRIGGATE LS1 6NU	Little London and Woodhouse	21 st August to 28 th August	3PM to 23:00PM
The Old Cock Pub	11-13, Crossgate, Otley, Leeds, LS21	Otley and Yeadon	12 th August to 21 st August	11AM to 23.00PM
Pomfrets Café	9 The Shambles, Wetherby, LS22 6NG	Wetherby	7 th September to 14 th September	9.00AM to 16.30PM

Wax outside floor plan.



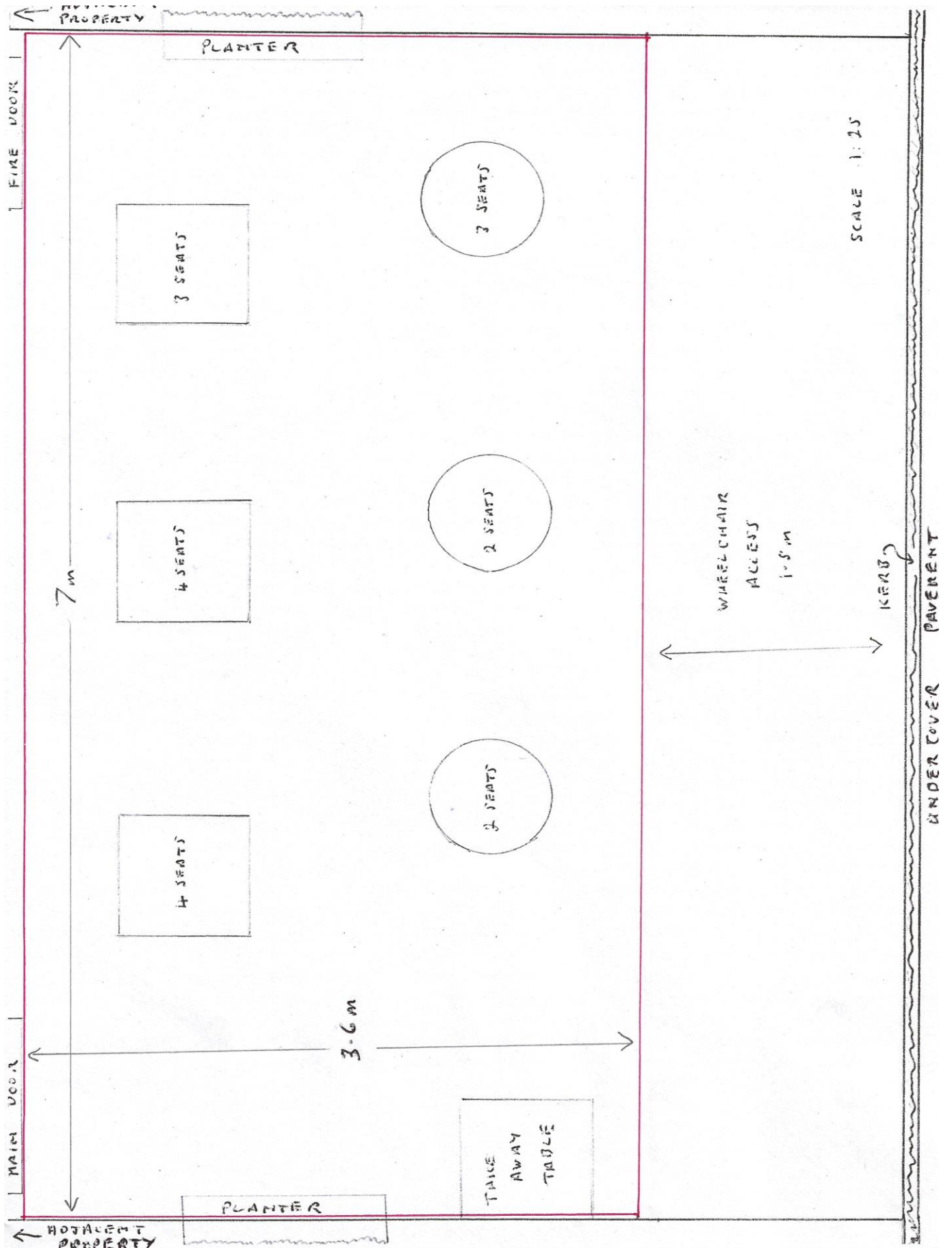
SCALE 1:100



* PROPOSED BENCH SEATING
(SEE SUPPORTING DOCUMENTS PHOTOS)
MEASUREMENTS (1.8M LONG X 28cm DEEP X
42cm HIGH) X 2 BENCHES IN TOTAL

[P] - PROPOSED BARRIER - PLANTERS X 4
(SEE SUPPORTING DOCUMENTS)
MEASUREMENTS (71cm H X 66cm W X 31.5cm D)
+ PLANTS TO TAKE HEIGHT TO 1.0M

The Old Cock Pub Plan



Pomfrets Cafe