

**KEY DECISION**

Proposed to be made by  
the Cabinet on  
**2 June 2010**

<p><b>LEAD MEMBER/ PORTFOLIO HOLDER</b> Councillor Peter Whittaker</p>	<p><b>ITEM</b> PAVEMENT CAFÉ CONSENTS</p>	<p><b>WARDS AFFECTED</b> All Wards</p>
<p><b>DOCUMENTS TO BE CONSIDERED BY THE DECISION TAKER</b> Report on behalf of Head of Planning &amp; Environment Services</p> <p><b>REPORT AUTHOR</b> Debbie Warren Senior Solicitor 01527 881609 d.warren@bromsgrove.gov.uk</p>	<p><b>SUMMARY</b> The Highways Act 1980 permits both the District Council and the County Council concurrently to give consent to the use of objects or structures on a highway for the purpose of either generating income, providing advice or advertising.</p> <p>The County Council currently uses this provision to grant permission for “pavement cafes” on highway land.</p> <p>The Council has been negotiating with the County Council to see whether this power can be exercised wholly by Bromsgrove District Council, and the County Council has indicated that this would be acceptable and is working with the District Council in the formulation of a policy.</p> <p>Cabinet will be requested to consider and approve the application process, the fee structure and the policy to be applied.</p>	<p><b>REASONS FOR BEING ON THE FORWARD PLAN</b> The Policy will apply across the whole district. Whilst it is likely to be of most significance in the Town Centre, and in particular the High Street, the same policy will be applied across the whole district.</p>

<b>CONSULTATION DETAILS</b>	<b>Method of Consultation</b>	<b>Consultation period or dates</b>
<b>Stakeholders:</b> <b>Worcestershire County Council</b>	Correspondence, informal meetings	Consultation began in August 2009 and is due to conclude in November 2009

**DECISION TO BE MADE IN PARTNERSHIP WITH**  
N/A