

Responses and officer feedback to the draft North Yorkshire Pavement Licensing Policy 2026

Commencement of consultation date: 31 October 2025 - Consultation end date: 12 December 2025

Summary of consultation responses	Officer comment
<p>Open Question 1 - We have produced the policy in accordance with the Equality Act, but please state below if you think the council should take additional steps to support the needs of disabled people and pedestrians:</p>	
<ol style="list-style-type: none"> 1. Should not take additional steps. Till know everything is complete fair 2. As a business we do everything we can, we make sure that all seating is visible with barriers and enough room on the pavement. 3. Enforcement of licensing regulations and disability access requirements is essential to ensuring fairness, accountability, and equal opportunity across all businesses. When enforcement is weak, it undermines the purpose of the Equality Act by allowing some establishments to ignore accessibility standards without consequence. A stronger, more proactive enforcement team is vital to monitor compliance, carry out regular checks, and ensure that every business is upholding its legal and ethical responsibilities. This not only protects the rights of individuals with disabilities but also strengthens public confidence in the system as a whole. It is extremely disheartening for businesses that invest time, effort, and resources into meeting the required standards to see others disregard the same rules and face no repercussions. This lack of consistency creates an uneven playing field and discourages those who strive to do things correctly. A dedicated enforcement team with the 	<p>The policy sets out clear guidance as to when enforcement action will be taken. Applications will not be validated unless all the Councils requirements can be met.</p> <p>The policy specifies the minimum width that must be left for pedestrians, as per the Pavement</p> <p>An Equality Impact Assessment was carried out prior to consultation and post consultation.</p> <p>The draft policy takes on board both the Guidance for Pavement licences issued by the Secretary of State and The Equality Act 2010.</p> <p>The general approach after a consultation response is received opposing the application must be balanced with the need to ensure that the issuing of pavement licences:</p> <ul style="list-style-type: none"> • does not put public health or safety at risk; • does not lead to anti-social behaviour or public nuisance; and • ensures that the public, particularly those with disabilities such as sight impairment, are unhampered when walking along streets. <p>Condition 8 in the draft North Yorkshire Council policy conditions confirms that barriers are a requirement: The licensed area shall be defined with boundary railings with both a hand and tapping rail to assist people with impaired vision to recognise the perimeter. Such furniture to be an agreed standard and may be themed to match the rest of the</p>

<p>authority and capacity to act decisively would help restore balance—ensuring that compliance is recognized and noncompliance is addressed. By strengthening enforcement, the integrity of the licensing process and the spirit of the Disability Act can be preserved, promoting a culture of fairness, inclusivity, and accountability throughout the business community.</p> <ol style="list-style-type: none"> 4. Not fair in terms of certain businesses near 2 pedestrian crossings having stock out making it extremely dangerous for not just disabled people, but pedestrians and car users 5. Given some north yorkshire towns have a higher population of residents over 65 with mobility, coordination and care needs, careful consideration is needed to how this will be met by reasonable adjustment, in granting pavement licences. 6. It is extremely important that sight impaired pedestrians and those with mobility problems are aware of the application notice and its content. Please add to the list of consultees the charities and organisations offering services to this part of the population in order that they can advise their clients. (Some charities offer services to nearby towns, ie Yorkshire Coast Sight Services and Yorkshire Coast Sight & Sound are based in Scarborough but include Whitby). Annex B Smoke free seating areas should be clearly marked. Annex C 3. The licence must be displayed in a size which can be easily read. 5. The furniture must not be placed outside premises outside the permitted times, some premises can only store the furniture within the inside of a cafe, for instance, so they stack chairs and tables outside when they open for business 	<p>furniture. It must be maintained in a clean and tidy condition and not placed so as to obstruct any entrance or exit to buildings.</p> <p>A two-metre-wide unobstructed pedestrian route should be maintained for pavement users, taking into account the needs of disabled people, including those using mobility aids such as walking frames, wheelchairs and mobility scooters. Although all applications will be judged on their individual merits, it should be noted that a licence may not be issued where this would result in a remaining usable width of pavement of less than two metres.</p> <p>Advertising boards are not included in the definition of furniture within the pavement licensing regime. As well as needing consent under the Highways Act 1980, advertising boards also require express advertising consent under the Town and Country Planning Regulations 2007.</p>
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and after the permitted time until they close. It then becomes a dangerous obstruction on the pavement. This is something which must be stressed and applicants must be able to prove that they do have a dedicated storage area. 8. Barriers must be substantial enough to take the weight of a person the case of a fall, with interlocking barriers and uprights, not the metal support and flimsy advertising banner which do not adhere to being classed as having hand and tapping rails. They must contrast with the surrounding footpath/road surface. The permitted area should be clearly marked to ensure that it will be obvious if the barriers have been moved. Planters should not be allowed to take the place of lower tapping rails, nor should they be placed as decoration outside the barriers.

7. No

8. NO

9. All of the SKIPTON TOWN CENTRE IS IMPOSSIBLE FOR ANYONE USING ADDITIONAL AIDS ON MARKET DAYS FOR INVALIDITY

10. I cannot see in the policy anywhere where barriers are essential around the furniture being compulsory. If a barrier is compulsory, which it should be for the visually impaired at the very least, then this will take up more space. So businesses may be allowed to have tables and chairs with no barriers which is not acceptable. I think it also needs to link the location of pavement licences with A boards as it states no other obstruction but if there is an a board this will get in the way so the two need to be looked at together, not just permanent obstructions like bollards etc.

<p>11. 1. Enforcements - it's all very well saying what should be done but it needs to be enforced in reality - like Creep. 2. Measurements - 2 Metres as a measurement is not always possible because not all pavements in small market towns have 2 metres to begin with. 3. Barriers - it is not clear if a barrier should be compulsory or not - it should be for people with visual impairments - barriers should be either compulsory or not. 4. Decision making - we agree there should be more statutory bodies be part of making the decisions - why can't other community and voluntary sector organisation be part of the consultation and process. These views are gathered from members of the Craven Disability Forum. We are happy to be more involved in any consultation and decision making going forward and would welcome greater communication with you.</p> <p>12. The pavements in and around Knaresborough are nothing short of a wheelchair lottery. If i go into Knaresborough in my wheelchair it triggers sciatica and lower back pain presumably from all the vibrations. If i go from aspin to st James Retail Park its fine</p> <p>13. The document itself is a brain ache to read. I managed but every document like this should include an easy read version as standard. It is good to demand accessibility for street furniture but must start at the beginning with documents like this.</p>	
<p>Open Question 2. If you have any other comments or suggestions to improve the policy, please describe below:</p>	
<p>1. No</p>	

<ol style="list-style-type: none"> 2. I think the application process needs to be simplified, it can be very confusing unless you have the help of someone. I also believe that small business needs the facility to have a pavement for there customers. 3. Simplifying the paperwork and ease of renewal is key. 4. The extended public consultation is unnecessary, why double it? Additionally, we think it's disgusting to increase the price so drastically from £100 to £400 for new applications and £350 for renewals in a time the type of businesses that use the licence are being hit so hard. I don't see why the council need to profit so greatly when the pavement would remain unused/non-profitting otherwise. No doubt we wouldn't see any significant public changes/improvements as a result, instead using the extra influx of cash to pay for more instances of useless bureaucracy. 5. I think the document needs clarification to highlight the difference between a pavement licence and a street cafe licence. 6. The speed with which pavement licenses will be reviewed and revoked if there are repeated ASB, accidents, congestion, etc needs to be detailed fully so busineßes are aware of their responsibilities in not causing obstruction, injury and contributing to discrimination leading yo dpecific groups of residents avoiding certain areas, towns, points on high streets etc 7. For this policy to work it will need staff dedication, because some of the existing licence holders have worked previous policies to their own advantage for many years due to a lack of staff in previous council areas. To change their attitude will be a challenge. Regular checks must be 	<p>North Yorkshire Council approved the fee for a new and renewal Pavement licence application in the summer of 2025. The maximum fees set out in Levelling Up and Regeneration Act 2023, and was not part of this policy.</p> <p>The policy outlines the circumstances under which a pavement licence should be sought and distinguishes it from a Street Café Licence. Additional guidance will be provided through dedicated web pages to explain the purpose of each licence.</p> <p>North Yorkshire's Health and Adult Services (HAS) has been added as a consultee to the consultation.</p> <p>The policy establishes a broader consultee list than that applied in legacy areas, with the consultation undertaken publicly. The guidance confirms that the Council must consult with the Councils Highways team and for security advise Police licensing teams, Designing our Crime officers or Counter Terrorism advisers and any other such persons that the authority considers appropriate.</p> <p>The policy sets out the Council's approach to compliance and enforcement, including the measures that will be taken where enforcement action is required. Any notices issued will specify the timeframe within which the necessary action must be completed.</p> <p>The Council employs Licensing Enforcement Officers whose role is to ensure compliance with the conditions of issued licences. The policy also sets out the circumstances in which enforcement action is likely to be taken.</p> <p>The pavement licensing guidance lists the information that is required in an application which has been included in the requirements in the draft North Yorkshire Pavement Licensing Policy, additionally the guidance states that local authorities are able to request other additional information or material to help them make a swift determination.</p>
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carried out, it also may be helpful to elicit the help of sight impaired people, via the local charities, to undertake informal checks of licence holders and their businesses.

8. The policy draft is fine as far as I am concerned. However, if food outlets have to conform to the requirements of the policy are there any plans to put in place retail outlets having to follow or apply for pavement licences to enable them to put their wares on a pedestrian area. As these actions are often more of a hazard for pedestrians and the disabled especially when in close proximity to road crossings.
9. Hospitality businesses are finding conditions extremely tough. More will close due to rising costs and reduced consumer spending. The fees for the pavement licenses are too high. The council should be supporting businesses through lower fees - make the license £100 and the renewal, £50.
10. Consultation should include other town centre bodies such as BID's, Town Councils, Chambers etc. They need to have a balanced approach to approval or rejection and not just from statutory body perspectives. Organisations based in a town will know whether the pavement licences will have an impact or not which may not be highlighted.
11. See previous. If you would like to contact us you can through NYCs HAS Engagement Team - HASengagement@northyorks.gov.uk Thank you
12. See previous answer. Not knowing what question comes next also route cause to answers in the wrong place.