

## OFFICER DECISION – URGENT SCHEME OF DELEGATION

<b>Decision:</b> Covid 19 Economic Recovery – Revised Café pavement Licence fee			
<b>Date of Decision:</b> 29 July 2020			
<b>Type of Decision:</b>	Key	Non-Key	x
<b>Please tick one of the following:</b>  <u>Reason for this being a Key Decision:</u> <input type="checkbox"/> <ul style="list-style-type: none"> <li>Involves significant expenditure or saving;</li> <li>Is significant in terms of its effects on communities (eg will effect one or more Wards);</li> <li>Decision Maker is acting under emergency powers;</li> <li>Decision maker is entitled to make a Key Decision as part of delivery of non-contentious operational business</li> </ul> <u>Reason for this not being a Key Decision:</u> <input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li>Acting under the Officer Scheme of Delegation in accordance with the Constitution</li> </ul>			
<b>Portfolio Area that decision relates to:</b> <i>It is assumed that all portfolio areas are affected unless stated otherwise.</i>			
Leader (inc Policy, Strategy and Partnerships) Transport	<input type="checkbox"/> <input checked="" type="checkbox"/>	Health and Adult Social Care Culture, Leisure & Communities Economy and Strategic Planning Environment and Climate Change	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
Finance and Performance  Housing and Safer Neighbourhoods Children, Young People and Education	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
<b>Implications:</b> Crime & Disorder		<input type="checkbox"/>	Other: Highways Property
Human Resources		<input type="checkbox"/>	
Financial		<input checked="" type="checkbox"/>	
<b>Equalities</b>		<input checked="" type="checkbox"/>	
<b>Legal</b>		<input checked="" type="checkbox"/>	
<b>ICT</b>		<input type="checkbox"/>	
<b>Wards Affected:</b> <i>[it is assumed that all wards are affected unless stated otherwise below]</i>			

All Wards	X	Fishergate		Holgate		Rural West York	
Acomb		Fulford & Heslington		Hull Road		Strensall	
Bishopthorpe		Guildhall		Huntington & New Earswick		Westfield	
Clifton		Haxby & Wigginton		Micklegate		Wheldrake	
Copmanthorpe		Heworth		Osbalwick & Derwent			
Dringhouses & Woodthorpe		Heworth Without		Rawcliffe & Clifton			

### Comments/Observations:

#### Consultation:

Prior to making the decision the Deputy Chief Executive will proactively consult with the following:

- Leader of the Council (and in his absence the Deputy Leader of the Council)
- Chief Finance Officer (s151 Officer)
- Chief Legal Officer (Monitoring Officer)
- Head of HR & OD (where relevant and appropriate)
- Director of Public Health (where relevant and appropriate)

#### Comments received:

*[please note those received from officers may be included within the report]*

Leader of the Council (and in his absence the Deputy Leader of the Council):

Chief Finance Officer (s151 Officer):

The council budgets for £24k from the provision of street licences. The reduced price for the licences is lower than the historic price and therefore overall income will be lower. The shortfall will be taken into account as part of the scheme where government recompense 75% of council income shortfalls after the first 5% is covered by the council.

Chief Legal Officer (Monitoring Officer):

*The Council is required to comply with the provisions of the Business and Planning Act 2020 and the maximum fee which can be charged is £100.*

Head of HR & OD (where relevant and appropriate):

*No comments.*

Director of Public Health (where relevant and appropriate):

*No comments.*

**Decision:** Following publication of the Business and Planning Act 2020 the Council annual Café Licence fee is set at £100 with a Short term £25 3 month license option.

**Reason for the Decision:**

The fee for an annual café licence has been set at £100/application, with the option to apply for a shorter, 3 month licence, for a £25 fee to enable shorter term trials by business who have previously not operated licences and who need to accommodate Covid distancing measures to re open.

The £100 fee has been set taking consideration of the cost of processing applications to the local authority with the previous fee being £660 the reduced fee is set at the maximum allowed under the Business and Planning Act 2020 to cover as much of the local authority costs as possible.

**Decision Made by:** Neil Ferris, Corporate Director of Economy and Place under emergency delegated powers assigned by Ian Floyd.

**Contact Details:** Email: [neil.ferris@york.gov.uk](mailto:neil.ferris@york.gov.uk)

**To be implemented by:** Tony Clarke

**On Completion:**

**Date:** 29 July 2020

*Completed decision noted by Monitoring Officer*

PLEASE NOTE: This decision will be reported retrospectively to the relevant committee as and when it is appropriate to do so.

In the meantime, this decision will be reported as a Leader or Officer Decision on the Council's website.