

# LICENSING COMMITTEE

## Pavement Licence – Standard Licence Condition

12 March 2026

### Report of Licensing Manager

#### PURPOSE OF REPORT

To inform members of a request from Counter Terrorism Policing via Lancashire Constabulary to add a standard licence condition to all pavement licences regarding a requirement for the management team and staff at licensed premises to complete ACT awareness e-learning.

**This report is public.**

#### RECOMMENDATIONS

- (1) That members update the standard licence conditions attached to all pavement licences to include staff training measures regarding ACT awareness training.

##### 1.0 Introduction

- 1.1 The Business and Planning Act 2020 introduced provisions designed to make it easier for premises serving food and drink such as bars, restaurants and pubs to seat and serve customers outdoors, maximising their ability to trade, assisting them to operate safely and promoting economic recovery in response to the impact of the global COVID-19 pandemic.
- 1.2 The act created a regime for processing applications for 'pavement licences' to authorise businesses such as cafes, restaurants and bars to place furniture on the highway. This was a fast-track procedure to get the same permissions a business would previously have had from a Part 7A Highways Act permit, street trading consent and planning permission (change of use).
- 1.3 The Levelling Up and Regeneration Act 2023 made the provisions of the Business and Planning Act 2020 permanent with effect from 31 March 2024.
- 1.4 The provisions of the Business and Planning Act 2020 allow Licensing Authorities local control over the pavement licensing regime, including local application standards, locally set fees and specific enforcement powers.
- 1.5 Lancaster City Council pavement licence policy is attached to the report at **Appendix 1**.
- 1.6 Appendix 2 of the pavement licence policy sets out standard licence conditions issued with a pavement licence. The licence-holder must ensure these conditions of licence are adhered to whilst the premises is open for business and operating the pavement licence.

## 2.0 Counter Terrorism Policing – ACT for Local Authorities

2.1 On 30<sup>th</sup> September 2025, Counter Terrorism Policing (CTP) launched ACT for Local Authorities.

Run by the National Counter Terrorism Security Office (NaCTSO), ACT for Local Authorities uses CTP's regional network of Counter Terrorism Security Advisers and Prepare Officers to enhance the capabilities of local authorities in delivering the Protect and Prepare elements of the national counter terrorism strategy. It promotes the collective responsibility of protective security within local authorities and their partners. The complexities of protective security across all venues and public spaces require collaboration and partnership, and Counter Terrorism Policing has identified local authorities as critical in achieving better outcomes, as they own or have influence over most public spaces.

Five areas of local authority business have been identified as priorities for this work:

- Planning and development
- Licensing
- Community safety
- Transport and highways
- Emergency planning

These are areas where improved guidance could have the greatest impact, where governance is significant, and where statutory responsibilities reside locally.

2.2 Lancaster City Council are developing an ACT for Local Authorities delivery plan; this includes 6 service standards for licensing. Service standards for Pavement Licensing have been highlighted as part of the plan.

2.3 Lancashire Constabulary via CTP have requested that Licensing Authorities consider updating the standard licence conditions attached to all pavement licences to include staff training measures regarding ACT awareness training.

The ACT Awareness e-Learning course is a free, government-backed online training designed to raise counter-terrorism awareness for staff in public spaces, critical infrastructure, and security roles.

The ACT Awareness e-Learning course is part of the UK government's Action Counters Terrorism (ACT) initiative, developed to help individuals and organisations understand and mitigate terrorist threats. It is suitable for staff working in venues, public spaces, critical national infrastructure (CNI), and members of the public who want to improve security awareness. The course is also relevant for security operatives, including Close Protection professionals, as part of continuing professional development (CPD).

2.4 The wording of the condition is suggested as follows.

*The pavement licence holder must ensure that the management team of the business to which the pavement license is attached, register and successfully complete the nationally recognised counter terrorism training product referred to as ACT Awareness E-Learning within 10 days of the notification of the grant of the Pavement License OR can demonstrate that the ACT Awareness E-Learning product*

*has successfully been completed within the preceding 12 months and that all staff employed by OR at the premises complete the ACT Awareness E-Learning within a reasonable period not exceeding 3 months from the notification of the grant of the Pavement Licence. (Act Awareness E-Learning certificates are provided on successful on-line completion).*

- 2.5 Most pavement licences in the district are due for renewal from April 2026 onwards, premises will need to be compliant in line with the standards set out above from the grant of that renewal (complete e-Learning within 10 days/3 months). Licensing Officers will check staff training records as part of routine inspections of pavement licences or if in receipt of complaints regarding a premises.

### **3.0 Options available for members**

Options available for members

- a) Update the standard licence conditions attached to all pavement licences to include staff training measures regarding ACT awareness training.
- b) Maintain the current standard licence conditions.

### **4.0 Conclusion**

- 4.1 The request to include ACT Awareness e-Learning as a standard condition on all new and renewal pavement licences has come from Counter Terrorism Policing via Lancashire Constabulary.
- 4.2 Updating the standard conditions will assist Lancaster City Council in achieving the Licensing requirements of the ACT for Local Authorities delivery plan.
- 4.3 Members are reminded to make full and detailed reasons for their decision(s)

#### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

Each pavement licence application is determined on its own merits and subject to a public consultation, by way of public notice affixed to the premises. Additionally, Lancashire Highways Authority, Lancashire Police or Environmental Protection may object to the grant of a licence.

Introducing a standard condition at the request of Counter Terrorism Policing will assist in keeping the local community safe, having more trained individuals mitigating security threats/risks.

#### **LEGAL IMPLICATIONS**

If the site is deemed unsuitable for a Pavement Licence, or if relevant representations are made which cannot be mitigated by conditions, then the application may be refused.

There is no statutory appeal process against a decision to refuse an application.

A business may apply again after refusal but will have to make a new application and address the concerns raised in the original application

**FINANCIAL IMPLICATIONS**

As far as reasonably practicable, Licensing fees should be set with the aim to achieve full cost recovery, including the administration and monitoring of that licence throughout its duration.

It is important to note that one area of Licensing should not subsidise another, nor should Licensing Authorities seek to recover surplus/deficits from previous years.

**OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces**

None identified.

**SECTION 151 OFFICER'S COMMENTS**

None.

**MONITORING OFFICER'S COMMENTS**

None.

**BACKGROUND PAPERS**

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