

Emergency Licensing Determination Procedure

Pavement Licensing

Due to new legislation and the short timescale involved in establishing this procedure authority is sought under the COVID 19 scheme of delegation.

The Government has introduced a new fast-track application service that is now in place and applications are imminently anticipated.

Saltash Town Council will be responsible for making recommendations on Pavement License Applications to Cornwall Council as the Licensing Authority, within the statutory time scales.

From the date the application is received by STC from Cornwall Council there will be a period of only 7 days' consultation in which to respond.

In order to meet this timescale, the following procedure is recommended for Members to consider. This will allow responses on Pavement Licensing applications to be made electronically and within the necessary time restrictions.

1. As Pavement Licensing Applications are received from Cornwall Council, <https://www.cornwall.gov.uk/advice-and-benefits/licences-and-street-trading/pavement-licensing/> the Town Council Planning Administrator will upload License Applications to Saltash Town Council website.
2. Due to time restrictions, the public will have very little time to submit comments. Dependent upon deadlines, the public will be asked to submit their comments by email to planning@saltash.gov.uk to include the License Application number in their response submission. However, as the public may only have one day to submit a comment, there will be a strong recommendation that comments are also sent to Cornwall Council via licensing@cornwall.gov.uk
3. License applications and the link to the Town Council planning website page to be circulated to all Members and a response date provided. Due to restricted timescales, Members may also have as little as one day to comment. Additionally, there will not be time to send out reminders.
4. As soon as all public comments have been received, these will be circulated to members for consideration.

Public comments received will be in accordance with GDPR and will not contain any personal information unless the member of the public has expressly requested his or her details to be included.

Planning Administrator to upload all public comments onto the website in compliance with GDPR.

Members to email their recommendation for approval or not and any succinct comments that must be relevant material considerations to planning@saltash.gov.uk

Members to email their Declarations of Interest at the same time as they return their recommendations.

Planning Administrator to upload Members votes, any comments and Declarations of Interest onto the Town Council website for openness and full transparency.

5. Planning Administrator and the Chairman of the STC Planning and Licensing Committee to determine the response and any comments, sending to the Town Clerk for his approval.
6. Should the number of responses to a particular License Application prove to be inordinate, the Chairman and Vice-Chair of the STC Planning and Licensing Committee to have delegated authority to determine a response to send to the Town Clerk.
7. Upon approval from the Town Clerk responses to be sent to Cornwall Council.

Following statement to be included:

“Due to the restrictions placed on the Town Council as a result of the pandemic Coronavirus, this response represents the opinion of Members of Saltash Town Council identified through a consultation process and will be ratified at the next appropriate Planning and Licensing Committee meeting”.

Planning Administrator to upload the response sent to Cornwall Council to the Town Council Website.

8. All responses to be added to the Covid-19 Delegated Decision Register and received at a future Planning and Licensing Committee Meeting for ratifying.
9. There is no appeals process at present; although this may be reviewed at a later date.