
Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Paragraph 13. (See end of Document for details)

SCHEDULES

SCHEDULE 22

PAVEMENT LICENCES

Enforcement

13 After section 7 of the 2020 Act insert—

“7A Enforcement

- (1) The following provisions of this section apply where—
 - (a) a person puts removable furniture on a relevant highway for a purpose specified in subsection (2), and
 - (b) the person is not authorised to do so.
- (2) The purposes referred to in subsection (1)(a) are—
 - (a) use of the furniture by the person to sell or serve food or drink supplied from, or in connection with relevant use of, premises which are adjacent to the highway and are used or proposed to be used by the person;
 - (b) use of the furniture by other persons for the purpose of consuming food or drink supplied from, or in connection with relevant use of, such premises.
- (3) The local authority may by notice require the person—
 - (a) to remove the furniture before a date specified in the notice, and
 - (b) to refrain from putting furniture on the highway unless authorised to do so.
- (4) If the person leaves or puts removable furniture on the relevant highway in contravention of the notice, the local authority may—
 - (a) remove the furniture and store it,
 - (b) require the person to pay the authority’s reasonable costs in removing and storing the furniture, and
 - (c) refuse to return the furniture until those reasonable costs are paid.
- (5) If within the period of three months beginning with the day on which the notice is given the person does not pay the reasonable costs, or does not recover the furniture, the local authority may—
 - (a) dispose of the furniture by sale or in any other way it thinks fit, and
 - (b) retain any proceeds of sale for any purpose it thinks fit.
- (6) In this section “authorised” means authorised by—
 - (a) a pavement licence,
 - (b) permission under Part 7A of the Highways Act 1980, or

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(c) permission granted under any other enactment.”

Commencement Information

- I1** Sch. 22 para. 13 not in force at Royal Assent, see [s. 255\(9\)\(a\)](#)
- I2** [Sch. 22 para. 13](#) in force at 31.3.2024 by [S.I. 2024/389](#), [reg. 2\(u\)](#)

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