



Ministry of Housing,  
Communities &  
Local Government

**Rt Hon Robert Jenrick MP**

*Secretary of State for Housing, Communities & Local  
Government*

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5 March 2021

Dear Leader,

**Supporting the reopening of outdoor hospitality**

On 22 February the Prime Minister published a roadmap for easing the lockdown restrictions and set out that in step two, which will be no earlier than 12 April, hospitality venues will be allowed to serve people outdoors. I am writing to you today to highlight the measures in place to support the safe re-opening of hospitality businesses and to urge you to do everything possible to help these businesses reopen safely and prosper again.

All of us in Government are looking forward to seeing pubs, cafes and restaurants open again, and, as Communities Secretary, I'm determined that we don't let red tape to get in the way of a great British summer. Last summer we introduced several measures to support hospitality businesses to reopen safely, enabling business across the country to continue to serve their local communities. The planning changes we put in place last year have been a lifeline to many businesses and they're here to stay for the summer of 2021.

To that end, I am pleased to announce that we will be extending pavement licences for a further 12 months, making it easier and cheaper for pubs, restaurants and cafes to continue to make al fresco dining a reality with outside seating, tables and street stalls to serve food and drinks. We are also continuing to support local communities hold popular outdoor events like summer fairs, car-boot sales, and markets, without the need for planning permission.

The automatic right to provide takeaways and do deliveries we created at the start of the pandemic is going to continue, as will the right for pubs to have marquees and awnings without planning permission for up to two months.

To remind you of the freedoms we have put in place, I have set out all of the measures that we introduced below:

**Al fresco dining**

We introduced a simplified route for pubs, restaurants and cafes to obtain a temporary pavement licence to place furniture including outdoor tables and seating on the highway, allowing them to increase their outdoor capacity quickly and at a low cost. We introduced these pavement licence provisions on 22 July 2020 in the Business and Planning Act 2020. They include a capped application fee of £100 and a 10-working day consultation and determination period.

We have made clear in the pavement licence guidance that we expect local authorities to grant licences for 12 months or more unless there are good reasons not to, such as plans for future changes in use of road

space. Therefore, unless there are very good reasons, we would expect licences granted under these provisions to continue to apply into this summer so that businesses do not have to reapply or be charged a further application fee when they are able to re-open to serve customers outdoors. These temporary provisions are currently due to expire on 30 September 2021, but to give further certainty to businesses I will be introducing secondary legislation to extend these provisions for a further 12 months, subject to Parliamentary approval.

Given the continuing importance of the outdoors to reduce transmission of the virus, I strongly encourage you to plan for outdoor dining and make all necessary changes to local high streets, squares and the public realm so this is as convenient as possible for businesses and members of the public.

### **Freedom to use land for community events and outdoor hospitality**

Last year we provided greater flexibility for businesses to hold outdoor events such as summer fairs or motorsports on land without the need for a planning application, while events such as car-boot sales, or people or businesses such as pubs wishing to set up marquees will also be exempt. We have increased the number of days allowed for such temporary events from 28 to 56, and in November extended this provision until 31 December 2021.

### **Outdoor markets**

We have also introduced a new temporary right, extended to March 2022, that allows local authorities, either by themselves or by others on their behalf, to use land to hold a market without having to apply for planning permission.

### **Takeaways**

Finally, we also introduced measures to support restaurants, drinking establishments such as pubs and cafes to serve takeaway food when they were otherwise closed due to coronavirus restrictions. These measures will continue to apply until March 2022.

We introduced these changes to provide much needed support to hard-hit hospitality businesses. It is vital that local authorities use these measures in a pragmatic way to help support the high street, businesses and jobs, once restrictions allow them to do so.

Thank you for all you have done in your local community to help businesses prepare for a safe reopening. As we emerge from this incredibly challenging period – let's not let bureaucracy get in the way of a great British summer for the hospitality industry.

A handwritten signature in black ink that reads "Robert Jenrick". The signature is written in a cursive style and is positioned above a short horizontal line.

**RT HON ROBERT JENRICK MP**