



**MARK HAMILTON  
ASSISTANT CHIEF CONSTABLE**

Our Ref: 13\6971

13 September 2013

Dr K Pelan  
Clerk, Committee for Social Development  
Northern Ireland Assembly  
Room 412  
Parliament Buildings  
BELFAST

Dear Dr Pelan

**RE: LICENSING OF PAVEMENT CAFES BILL – CALL FOR EVIDENCE**

Thank you for your correspondence dated 28 June 2013 and for giving the Police Service of Northern Ireland (PSNI) the opportunity to submit written evidence to the Social Development Committee on the Licensing of Pavement Cafes Bill which incorporates a statutory licensing scheme to be administered by District Councils.

As there has been a significant increase in the number of pavement cafes operating in towns and cities across Northern Ireland, PSNI welcome the proposal to regulate them. Councils, when dealing with new applications are required to consult DRD Roads Service who will be able to provide expert advice on the suitability of any public place for a pavement cafe and potential adverse impacts on street users, particularly those with mobility problems. PSNI support the proposal for councils having to consult with us where an applicant holds a pub licence and note that other safeguards have been included in the Bill to ensure there are strict controls on alcohol consumption at relevant pavement cafes.

As a result, no major issues have been identified by PSNI, however we would ask you to consider the following two points: -

1. Revocation and Suspension of a Licence

It would appear the only sanction currently proposed is suspension or revocation of a licence and we would make the comment that this may not be a suitable means of disposal in all cases. For minor breaches, PSNI would suggest that a Fixed Penalty would be a more appropriate sanction.

**Assistant Chief Constable's Office**

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## 2. Appeals

With regard to Appeals, it is noted that these must be brought within 21 days beginning with the day after the date on which notice is given of the refusal; grant; renewal; variation; revocation, suspension or extension. PSNI would recommend that the Appeals process should be tightened to such an extent that the pavement cafe should not operate during the appeal process.

I hope this is of some assistance.

Yours sincerely



**MARK HAMILTON**  
**Assistant Chief Constable**  
**Service Improvement Department**