

Dear Councillor,

**Accessibility and pavement licences**

The Business and Planning Act 2020 has introduced a fast-track process for businesses to apply for a licence for pavement furniture.

Guide Dogs and RNIB have serious concerns about the proliferation of temporary street furniture, which can act as an obstacle to people with vision impairment or limited mobility. We remain concerned at the dramatically shortened consultation period, and the prospect of applications being automatically accepted if local authorities are unable to respond in time.

We would like to draw your attention to the [guidance accompanying the Business and Planning Act produced by MHCLG.](https://www.gov.uk/government/publications/pavement-licences-draft-guidance/draft-guidance-pavement-licences-outdoor-seating-proposal) The Government is clear that local authorities must continue to meet the Public Sector Equality Duty, taking into account the needs of blind and partially sighted people when considering applications.

Under the guidance, local authorities should:

* Aim to publish a consultation on applications online and in accessible formats.
* Ensure that a clear route is maintained at all times. Guide Dogs and RNIB recommend a minimum of 2000mm.
* Assess the need for an accessible barrier with colour contrast and a tap rail so that long cane users can navigate safely.
* Encourage businesses to consult with groups in the area that may be affected by the proposals.

We would also ask you as a local authority to use your powers to set local conditions for licenses to ensure that high streets remain accessible and that these conditions are enforced. We recommend that furniture be located on the carriageway where possible to enable social distancing, and where furniture is approved, existing obstacles such as A-boards are removed.

We acknowledge that this is a very difficult time for local authorities facing a variety of unprecedented challenges with limited resources. However, it remains vital that people with a vision impairment and others with limited mobility should continue to be able to access their streets, businesses and other local services safely.

Changes to infrastructure as a result of social distancing have already hit blind and partially sighted people disproportionately hard, with two-thirds of respondents to an RNIB survey reporting that they have felt less independent since social distancing was introduced.

If you would like any further information on Guide Dogs and RNIB’s work on this area, please do contact Chris Theobald at Guide Dogs ([publicaffairs@guidedogs.org.uk](mailto:publicaffairs@guidedogs.org.uk) ) or Zoe Courtney at RNIB ([campaigns@rnib.org.uk](mailto:campaigns@rnib.org.uk)).

Yours sincerely,

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