

Report to: Licensing and Enforcement Committee



Date of Meeting 16 July 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Licensing Act 2003 – Summary Review of the Statement of Licensing Policy 2026-2031

Report summary:

To seek approval to conduct a consultation for the summary review of the Licensing Act 2003 Statement of Licensing Policy.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

To seek approval to conduct a consultation for the summary review of the Licensing Act 2003 Statement of Licensing Policy.

Reason for recommendation:

It is a legal requirement of the Act for the local authority to determine a Licensing Policy to provide a framework for all licence applications regarding the sale of alcohol, the provision of regulated entertainment and the provision of late-night refreshment. The Policy was last reviewed in 2021. It must be reviewed at least every five years and therefore an amended Policy must be adopted by the 7 January 2026.

Officer: Phillippa Norsworthy, Licensing Manager, Housing & Health

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☒ Environment - Operational
- ☐ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information

Link to [Council Plan Statement of licensing policy 2021-2026 - East Devon](#)

Priorities (check which apply)

- ☐ A supported and engaged community
 - ☐ Carbon neutrality and ecological recovery
 - ☒ Resilient economy that supports local business
 - ☐ Financially secure and improving quality of services
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Report in full

1 Background and proposed draft amendments to the existing policy.

- 1.1 Under the Licensing Act 2003, it is the responsibility of the local authority to develop and publish a Statement of Licensing Policy. The published policy provides the framework for all decisions on applications made under the Licensing Act 2003, and the way in which the local authority carries out their functions in relation to the legislation. The existing Statement of Licensing Policy can be found at 'links to background information'
- 1.2 The Licensing Act 2003 requires that the local authority reviews its licensing policy every five years. The local authority's current policy is due to expire on 6 January 2026.
- 1.3 Due to the imminent local government re-organisation and taking into consideration the duration of the statutory policy review cycle (every 5 years), a summary administrative review of the policy will take place.
- 1.4 There have been no legislative changes to the Licensing Act 2003 since the publication of the existing policy, apart from changes made in 2020 by way of the Business and Planning Act 2020, which provided temporary measures to support the hospitality trade during the Covid Pandemic. This allowed premises with ON sales only to provide OFF sales and fast-tracked pavement licensing. The Regulatory Easements of the Licensing Act 2003 ceased on 31 March 2025. All premises taking advantage of the easements must now apply for a variation to their premises licence to include OFF sales.
- 1.5 The Section 182 Home Office Guidance has been updated since the publication of the existing policy, and the new revised policy will reflect the most recently published guidance.
- 1.6 Given that only a summary administrative review of the Policy has been undertaken, it is proposed that the draft reviewed policy will be consulted on with the Responsible Authorities and key stakeholders involved in the licensing process, as opposed to being a full public consultation. It is further proposed that the policy consultation will be published on the licensing web pages, with an invitation to comment online or in writing.
- 1.7 A proposed consultation and publication timeline for the policy is as follows:
 - 5 September 2025 – Draft revised policy circulated for consultation.
 - 31 October 2025 – Consultation period ends.
 - 19 November 2025 – Result of the consultation to be reported to L&E Committee with a draft of the amended policy for approval.
 - 26 November 2025 – Cabinet – if approved by the L&E Committee.
 - 10 December 2025 – Licensing Policy to full council for adoption.

2 Summary amendments to the policy.

- 2.1 All existing dates relating to the current policy will be updated.

- 2.2 All references to the Home Office Section 182 Guidance will refer to the most recently published edition.
- 2.3 Dates referring to the Council Plan will be updated and associated wording will be updated to reflect the current Council Plan 2024-2028.
- 2.4 Reference to East Devon's Public Health Strategic Plan 2019-2023 will be updated to the East Devon's Public Health Strategic Plan 2024-2027 and reference to the current strategic aims will be updated to reflect the 2024-2027 plan.
- 2.5 Reference to the word 'Chairman' will be replaced with 'Chair'.

3 Conclusion

- 3.1 The licensing authority must adopt the policy prior to 6 January 2026 in order to exercise its powers under the Act. Once the local authority has approved the licensing policy it will be published on East Devon District Council's website.
- 3.2 The Committee is asked to approve the move to a consultation, and to bring the results of the consultation and the draft policy for approval to their next meeting in November.

Financial implications:

Consultation costs and officer time will be met in full by the Licensing Act 2003 application fees and annual fees income.

Legal implications:

Under the Licensing Act 2003 the Council is required to publish a reviewed and updated statement of licensing policy at least every five years. This has to set out the authority's general approach to licensing applications and the way it carries out its functions in relation to the legislation.