

Date of Meeting 19 November 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Licensing Act 2003 – To seek approval to adopt a revised Licensing Act 2003 Statement of Licensing Policy 2026-2031

Report summary:

The report is to update the Licensing & Enforcement Committee on the outcome of the consultation to the summary administrative review of the Licensing Act 2003, Statement of Licensing Policy 2026-2031.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the Committee:

- **Note the outcome of the consultation undertaken on East Devon District Council's proposed summary administrative review of the Licensing Act 2003 Statement of Licensing Policy 2026-2031.**
- **Recommend to Council at their meeting on 10 December 2025 that the proposed Licensing Act 2003 Statement of Licensing Policy, be adopted by Council for the period of 7 January 2026 to 6 January 2031.**

Reason for recommendation:

It is a legal requirement of the Licensing Act 2003 for East Devon District Council 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 previously reviewed in 2020. The Policy must be reviewed at least every five years and therefore an amended Policy must be adopted by the 7 January 2026.

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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

If choosing High or Medium level outline the equality considerations here, which should include any particular adverse impact on people with protected characteristics and actions to mitigate these. Link to an equalities impact assessment form using the [equalities form template](#).

Climate change Low Impact

Risk: Choose a risk level; Click here to enter text on risk considerations relating to your report.

Links to background information Click here to enter links to background information; appendices online; and previous reports. These must link to an electronic document. Do not include any confidential or exempt information.

Link to [Council Plan](#)

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 Information.

- 1.1 Under the Licensing Act 2003, it is the responsibility of East Devon District Council to develop and publish a Statement of Licensing Policy. The published Policy then provides the framework for all decisions on applications relating to the Licensing Act 2003 and the way the Authority carries out its functions in relation to the legislation.
- 1.2 The Act requires that the Licensing Authority review their Licensing Act 2003 Statement of Licensing Policy every five years. The current policy is due to expire on 7 January 2026 and therefore the Licensing Authority must have reviewed and published a revised policy by 6 January 2026.
- 1.3 During the previous five years the current policy has been kept under review by the Licensing Team to ensure the policy remains updated as to any changes in legislation and or statutory guidance. It is in effect a live policy.
- 1.4 As there have been no legislative changes to the Licensing Act 2003 during the previous five years and taking into consideration the impending local government reorganisation (LGR) a summary administrative review of this policy has been conducted.

2 What has changed.

- 2.1 The summary administrative review has entailed updating the draft policy to reflect the most up to date statutory Licensing Act 2003 Section 182 Guidance and updated references to the East Devon District Council's Public Health Strategic Plan 2024-2027, The Council Plan for 2024-2028, the Surveillance Camera Code of Conduct Guidance 2021 and East Devon District Council's current demographic information.

- 2.2 At 4.2 of the draft policy the classification of films has been added to the Delegation of Functions. At Appendix B of the draft policy which refers to the film classification procedures, the proposal of setting an appropriate fee to provide this licensable service has been added. The Licensing Authority do not currently charge a fee for this service.
- 2.3 The review has included minor miscellaneous updates to amend wording and to remove any errors in wording. Full details of the reviewed policy can be found at **APPENDIX A** and all amendments are in red type. Appendix C of the policy, Pool of Licensing Conditions have been amended to remove the word 'North' and to replace with 'East'. The Pool of Licensing Conditions document was developed by the Devon Licensing Officers Group of which East Devon is an active member and was first published in North Devon.
- 2.4 It was agreed at the Licensing & Enforcement Committee meeting on 16 July 2025, the draft reviewed policy could continue to a consultation.
- 2.5 As the review of the policy was predominantly administrative, a six-week consultation was conducted. The consultation ended on 5 November 2025.
- 2.6 The draft amended policy was available to view on East Devon District Council's website and all current premises licence holders and Responsible Authorities were consulted via email and in writing if no email address was available. An example of the email/letter that was circulated is attached at **APPENDIX B**.
- 2.7 No responses were received to this consultation. Therefore, the draft version of the policy that was presented to Members on 16 July 2025 has not been the subject of further amendments.

3 Future considerations.

- 3.1 As detailed at 1.7 in the Licensing General Report, the Government launched a 'call for evidence' regarding the reform of the Licensing Framework. This consultation ended on 6 November 2025, and we are anticipating a possible change in statutory guidance or legislation. If any guidance or legislative changes are made to the Licensing Act 2003, another review of the East Devon District Council's Licensing Act 2003 Statement of Licensing Policy will take place.

4 Conclusions.

- 4.1 The lack of responses to the revised policy appears to suggest that the Responsible Authorities and licensees are satisfied with the policy.
- 4.2 The Licensing Authority must adopt the policy before 6 January 2026 in order to exercise its powers under the Licensing Act 2003. Once the policy has been adopted by the Council at their meeting on 10 December 2025 it will be published on East Devon District Council's website.

Financial implications:

If the Policy is not properly adopted by the District Council, the Authority will be liable to legal challenge which if successful could entail costs being awarded against the District Council

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 must set out the authority's general approach to licensing applications and the way it carries out its functions in relation to the legislation.