

LICENSING AND REGULATORY COMMITTEE

CHAIRMAN:

DATE: 18 July 2025

REPORT OF: Licensing Manager

SUBJECT: Licensing Act 2003 – Review of the Statement of Licensing Policy

PART 1

RECOMMENDATION

That the Licensing and Regulatory Committee approve the consultation process to commence the review of the licensing policy.

1. PURPOSE

- 1.1 Under the Licensing Act 2003 the Council is required every five years to review its Statement of Licensing Policy (the Policy).
- 1.2 Attached is the proposed draft review of the Policy for committee approval to go out to consultation. There have been several changes to various legislation that impact on the policy and therefore has been reworded accordingly sections have also been moved to allow the policy to flow better. Appendix A. A list of changes can be seen in Appendix B, those in bold are proposed to be comments on within the consultation, it is not felt that comments are required for word changes and addition of hyperlinks.

2. BACKGROUND

- 2.1 Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy every five years. The adopted policy must set out the authority's general approach to licence applications and may only be determined following consultation with the following parties:
 - The Chief Officer of Police, Devon & Cornwall Police;
 - Devon & Somerset Fire & Rescue Service;
 - Health Authority;
 - Representatives of holders of premises licences;
 - Representatives of holders of club premises certificates;
 - Representatives of holders of personal licences; and
 - Representatives of businesses and residents.

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- 2.2 In addition to these groups, it is proposed to circulate the Policy to all the Responsible Authorities, not mentioned above, including Planning, Dartmoor National Park, Child Protection, the Council's Environmental Health and Food and Safety Team, Trading Standards, Home Office Immigration Enforcement, in addition Community Safety Partnership, and the Devon Primary Care Trust, amongst others. In addition, the Licensing Team will contact Council Members and all Parish/Town Clerks to advise of the document so to ensure as wide an audience as possible. The Policy will also be published on the Licensing Team's dedicated web pages and web users will be invited to comment online.
- 2.3 The timetable for consultation and publication of the Policy is as follows:
- 18 July 2025 - Policy circulated for consultation
 - 26 September 2025 - Consultation period ends
 - Yet to be confirmed - Report to Licensing Committee
 - 23 October 2025 - Policy taken to Council for adoption
- 2.4 The draft Policy Policy has been carried out observing any changes carried out within the Devon authorities and takes account of the revised Government Guidance issued under S182 of the Licensing Act 2003.
- 2.5 The Act requires that publication of the Policy takes place by 7 January 2026.

3. MAIN IMPLICATION

It is a statutory requirement to review the Policy, and consultation is a necessary part of this process. If the Policy is not reviewed, then challenges could be raised when making decisions under it.

Mrs Andrea Furness
Licensing Manager

Wards affected	All
Contact for more information	Andrea Furness – 5545
Background Papers (For Part I reports only)	Licensing Act 2003 Guidance issued under S182 of the Licensing Act 2003
Key Decision	No
In Forward Plan	Yes – five years
In O&S Work Programme	No
Appendices	Appendix A – Draft Statement of Licensing Policy Appendix B – List of Changes