

MINUTES of a **MEETING** of the **LICENSING COMMITTEE** held on 5 December 2025 at 10.30 am

**Present
Councillors**

J Cairney (Chair)
A Cuddy (Vice-Chair), F J Colthorpe,
J M Downes, G Duchesne and
L G J Kennedy

**Apologies
Councillors**

D Broom, J Buczkowski, L J Cruwys, M Jenkins and
S Keable

**Also Present
Officers**

Deborah Sharpley (Legal Services Manager), Harriet Said (Team Leader (Commercial), Public Health), Thomas Keating (Lead Officer (Food, Safety and Licensing), Tia Carmichael and Angie Howell (Democratic Services Officer)

9 APOLOGIES AND SUBSTITUTE MEMBERS (00:03:26)

Apologies were received from Cllrs D Broom, J Buczkowski, L Cruwys, S Keable and M Jenkins.

The Clerk confirmed that despite the apologies, as six Members of the Committee were present the meeting was quorate.

10 PUBLIC QUESTION TIME (00:03:55)

There were no public questions.

11 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:04:04)

There were no declarations of interest received.

12 MINUTES OF THE PREVIOUS MEETING (00:04:23)

The minutes of the previous meeting held on the 27 June 2025 were agreed as a true record and **SIGNED** by the Chair.

13 LICENSING UPDATE REPORT (00:04:37)

The Committee had before it and **NOTED** a report * from the Team Leader, (Commercial), Public Health covering Licensing Act 2003 activity undertaken by the Licensing Team during the first half of 2025/2026.

The following was highlighted within the report:

- The report gave an overview of the activity undertaken during the first half of 2025/2026.
- The contextual data contained within the report also included a number of charts as requested at the previous Committee meeting.
- There were currently 1,479 active personal licences that had been issued and a total of 411 premises that were licenced under the Licensing Act 2003.
- There had been a total of 247 Temporary Event Notices (TENS) submitted in the first half of 2025. These continued to be relatively stable.
- The work undertaken by the Safety Advisory Committee (SAG) continued where Licensing Officers formed part of the panel. There had been 12 event organisers attend SAG meetings in the first half of 2025 where licensing related matters would have been raised and discussed if appropriate.
- A new regional SAG Chair's Forum had been established by the Devon and Cornwall Police Constabularies. The main objective of the Forum was to share information and knowledge and to promote consistency in the way that SAG Advisory Groups were administered by Local Authorities.
- The administration of SAG alongside the Chair role sat within the Council's Commercial Team and a significant amount of work was undertaken to co-ordinate those meetings in order to offer advice across multi sectors.
- The Licensing Team had carried out a total of 65 licensed premises inspections. This was a significant uplift on the number of inspections from the previous year.
- The Licensing Team structure had been unstable over the last two years. A review had taken place which had resulted in approval of some new posts and changes. An advertisement for a Senior Licensing Officer was currently live and a Regulatory Officer had been employed.
- A further post for an Animal Welfare Officer had been advertised and interviews taken place. It was hopeful that someone would be in post early 2026.
- Thomas Keating, Lead Officer (Food, Safety and Licensing) post was coming to an end this year. He had been seconded into the lead role that had crossed over between Licensing, Food Health & Safety and Commercial.
- There had been a total of four Licensing Sub-Committee Hearings which had been an increase from the previous year.
- The Hearing for Re-Fuel Southwest had been to consider a new premises licence application which had been granted as applied for. This was appealed by an interested party who had made representations during the process. However, due to ongoing mediation between the Licensing Team, Legal Services, the Licence Holder and the appellant an agreement had been reached prior to a Court date, which had been formalised through the Magistrates Court Order. Costs had been awarded to Mid Devon District Council.

- The Terrorism (Protection of the Premises) Act 2025, commonly known as Martyn's Law received Royal Assent in April 2025 with an implementation period of at least two years.
- The Home Office had now released new guidance material to support both the public and businesses to understand the rules and requirements. A Myth Buster leaflet was available on the Protect UK website.
- Martyn's Law established statutory provisions and defined premises in scope as either standard or an enhanced tier, with differing levels of requirements.
- ACT for Local Authorities was launched in September 2025 by the National Counter Terrorism Security Office in collaboration with the Counter Terrorism Policing. This was the non-statutory arm of the Counter Terrorism Contest Strategy, aimed at areas within local authorities where local decision making could support with the agenda and principles of the strategy in order to compliment legislation.
- Currently being shaped into an operational model, it aimed to provide targeted guidance and support to help Councils assess and mitigate terrorism related risks in their jurisdictions and identified five priority areas of local authority business where counter terrorism measures could be most effectively implemented. These were:-
 - a) Licensing
 - b) Community Safety
 - c) Planning and Development
 - d) Transport
 - e) Emergency Services.
- Work with other districts across Devon was being undertaken to operate collaboratively.
- A consultation had taken place regarding Category D gaming machines and licensing for bingo premises which had closed on 4 December 2025. The consultation had looked at the current exemption for Category D gaming machines. Two options were being considered, either maintaining the exemption for Category D gaming machines or removing it which would then bring those machines into the requirement for a permit or licence. Further updates would be provided to the Committee.
- Following the Tobacco and Vapes Bill being introduced, the Government had launched a call for evidence to seek views on new rules for retailers selling tobacco, vapes and other nicotine products to look at measures to reduce youth vaping.
- The Government had indicated a two-tier approach to separate a personal licence (for individuals) and a premises licence (for the location itself) to ensure responsible retailers and staff were selling products from known establishments.
- The Local Authority would administer the applications, renewals, suspensions and revocations and could also attach conditions to those licences.
- There would also be penalties for unlicenced selling; breaches of licensed conditions; and higher fines would be issued through the Courts.

The Lead Officer (Food, Safety and Licensing) also highlighted the following within the report:

- The Licensing Act 2003 that came into effect in 2005 and had been altered over the years and had led to subsequent pieces of legislation such as TENs and the Live Music Act 2012.

- An industry led Task Force reviewed the Licensing Act earlier this year and fed back to Government making a number of recommendations.
- The Government then ran a four-week consultation in October 2025 and November 2025 with all stakeholders including local authorities on a number of proposals that could come to fruition.
- The recommendations included:
 - a) The creation of a National Licensing Policy Framework which would sit alongside the Licensing Act, the Statement of Licensing Policy and the Section 182 Guidance.
 - b) To consider making promotion of economic growth a statutory licensing objective to sit alongside the current four licensing objectives.
 - c) To consider a Licence Condition Amnesty as the Licensing Act had been in place for a significant period of time. This would enable premises to discuss issues with local authorities or local Police Officers and put forward a proposal to take out certain conditions.
 - d) Removing the need for applicants to advertise their applications in a local newspaper.
 - e) The possibility of increasing the number of TENS. Currently the maximum number was 15 during a period of one year.
 - f) The potential of issuing Pavement Licences for longer periods of time. Currently they were issued for a maximum of two years.
 - g) The agent of change which was to introduce the concept into licensing whereby if a housing developer wanted to build homes next to a pre-existing licenced premises, then an obligation would be on the housing developer to put in a mitigation such as sound proofing the home if it were to be built near a music venue. This would help to prevent people moving into their new homes and making representations against the licenced premises.
- The Committee would be updated once a detailed response was received from the Government.

Discussion took place regarding:-

- The difference between an Adult Gaming Centre and other centres. It was explained it was due to the category of machine that a Licensee was able to hold. There were different categories of machines dependent upon the amount of money it would pay out.
- Whether there was a register across the County that showed all Licensees? It was confirmed that each Licensing Authority had their own individual registers.
- The difference between a Licence and a Permit for Gaming Machines. It was agreed that the Licensing Team would check the difference and inform Members of the Committee.
- How would Martyn's Law affect Licensees? It was explained that there were two tiers of premises categorised by Martyn's Law. The number of people permitted in the premises at any one time would determine the tier that a premises falls within. Considering MDDC operated premises, enhanced tier premises would include Phoenix House and could potentially include MDDC Leisure Centres. Specific requirements would be determined by assessment of the activities and risks associated with a premises.

- Whether the selling of tobacco required a licence from the Licensing Authority? It was explained that it was not currently a function administered by the Licensing Authority. However, the new legalisation would give some responsibilities to the Authority to administer the scheme working alongside Trading Standards.

Note: * Report previously circulated.

(The meeting ended at 11.05am)

CHAIR