



Report for:

Licensing Committee

Date of Meeting:	05 December 2025
Subject:	LICENSING UPDATE REPORT
Cabinet Member:	Cllr David Wulff, Cabinet Member for Quality of Living, Equalities and Public Health
Responsible Officer:	Simon Newcombe, Head of Housing and Health
Exempt:	No
Wards Affected:	All wards
Enclosures:	None

Section 1 – Summary and Recommendations

To provide the Committee with an update on Licensing Act 2003 activity undertaken by the Licensing Team during first half of 2025/26.

To provide an overview of legislative and guidance changes and make recommendations where these have an impact on service delivery.

Recommendation:

- 1. That the Licensing Committee notes the report.**

Section 2 – Report

1 Introduction

1.1 This report provides an overview of the activity carried out by the Licensing Team during the first half of 2025/26, in respect of the following: regulated entertainment, late night refreshment, gambling and all aspects of alcohol licensing as covered by the Licensing Act 2003. Where relevant, the report also provide updates on matters relating to the Gambling Act 2005.

1.2 It also provides an overview of changes to legislation and guidance affecting the delivery of the Licensing service, and detail of service delivery constraints.

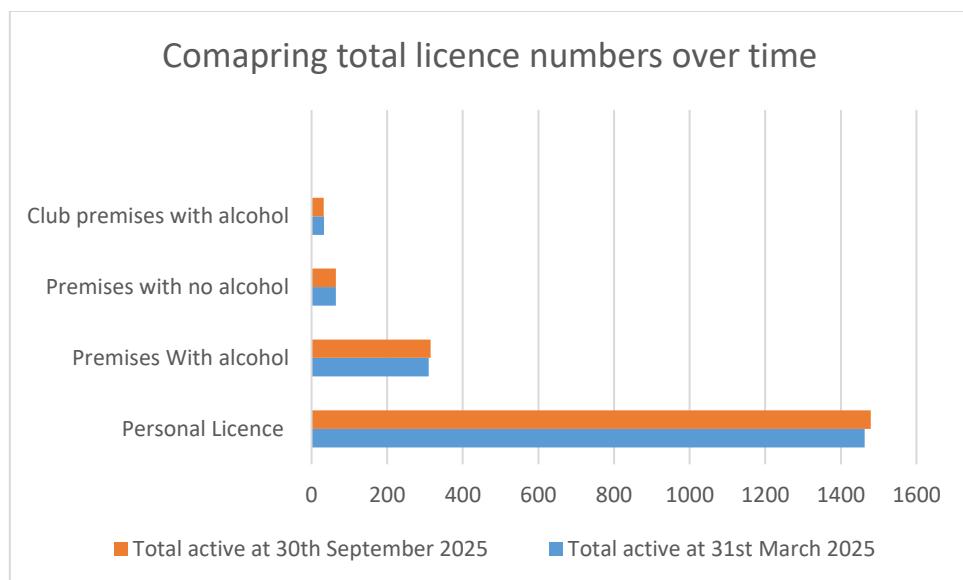
2 Service Delivery

Contextual data

2.1 The Licensing Team is responsible for issuing a range of premises licences and personal licences under the Licensing Act 2003, this is broken down as below

Type of Licence	Total active	Issued between 1/4/25 and 30/09/25	Surrendered or suspended in period
Personal Licence	1479	31	0
Premises with alcohol	315	9 new, 3 minor, 3 Variation	3 surrender, 0 suspended
Premises with no alcohol	64	0	0
Club premises with alcohol	32	0	2

2.2 Figure 1 below shows the comparison between end of 2024/25 and end of quarter 2 2025/26.



2.3 Mid Devon currently has 411 premises licensed under the Licensing Act 2003.

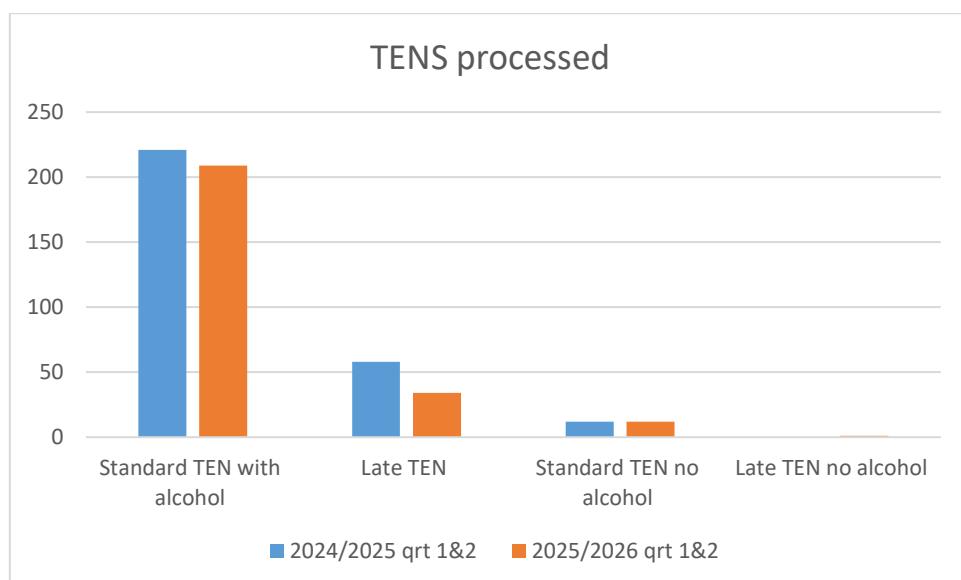
2.4 A Temporary Event Notice (TEN) is a notification given by an individual to the Licensing Authority where it is proposed to use a premises for one or more licensable activities during a period not exceeding 168 hours. They can be used

to authorise relatively small-scale ad hoc events held in or on any premises involving no more than 499 people at any one time.

2.4 The number of Temporary Event Notices (TEN) issued within 2025/26:

Temporary Event Notices	Standard TEN	Late TEN
With alcohol	209	34
No alcohol	12	1

2.5 Figure 2 below shows the number of TENS processed in the first half of 2024/2025 compared to the same period of 2025/26.



2.6 Three pavement Licenses were issued during the first half of 2025/26. These licences permit the placement of removable furniture on a pavement in connection with an establishment where food and drink is sold for consumption on or off the premises.

2.7 Mid Devon has the following licences under the Gambling Act 2005:

Type of permit/ licence	Number active within District
Adult Gaming centres	2
Betting premises	3
Gaming machine permit	2
Club gaming permit	2
Club machine permit	2
Licensed premises gaming permit	5
Gambling machine notifications	75
Small society lotteries	74

- 2.9 Overall, the number of licensed activities, premises and notifications for the first half of 2025/26 remains broadly consistent with the same period for 2024/25.
- 2.10 Changes to the way that we process small society lotteries are planned for the next quarter. This will see the number of registrations issued reduced, as we will move to an indefinite registration with an annual renewal. This will make the process more efficient and enable us to comply with the requirement to provide up to date and accurate register of small society lottery registrations with the Gambling commission. Annual registrations were introduced during COVID-19, but we no longer need to process them in that way.

Licensing at events and Safety Advisory Group (SAG)

- 2.11 Licensing Officers sit on the SAG for Mid Devon and 12 event organisers attended a SAG meeting during the first half of 2025/26 where licensing related matters have been raised/advised on if relevant.
- 2.12 The SAG is co-ordinated by the Council and made up of representatives from relevant services including the Licensing team and Public Health plus emergency services, other relevant bodies, and the event organiser.
- 2.13 As noted in previous update reports, SAGs provide a forum for discussing and advising on public safety at an event. They aim to help organisers with the planning and management of an event, and to encourage cooperation and coordination between all relevant agencies.
- 2.14 Discussions may extend beyond an organiser's duty to comply with workplace health and safety law and even the boundaries of an event site, to include considering the impact on the local transport network and civil contingencies in the event of an emergency. The advice provided by the SAG and any decisions taken are proportionate to the risk profile of the event.
- 2.15 The guiding principle is that events presenting a significant potential public safety risk (whether in terms of numbers and profile of people attending, or the nature of the event activity and/or the challenge of the environment) are considered by the SAG.
- 2.16 A regional SAG chairs forum has been established by Devon and Cornwall Police Contingencies and Event Planning lead. The objective being to share relevant information, knowledge and experience and promote consistency across the region for event organisers attending SAGs.
- 2.17 A site visit was carried out to Shobrooke Park by Licensing, Legal Services and the Licencing Sub-Committee following an application for a site licence for events to take place at the site, more detail in section 3.3.

Inspections

- 2.18 Licensing Officers have conducted 65 licensed premises visits with the purpose of determining if the premises are compliant with licence conditions. An

inspection may be initiated because of a complaint, or by using a risk rating that is applied to premises to identify those that are a priority for inspection. Visits are often carried out with other service areas, such as Environmental Health, or external partners such as Police and Highways.

2.19 This is a significant uplift on the number of inspections completed in the same period in 2024/25.

Speed of processing and determination of applications

2.20 The Licensing Service ensures effective consultation on all applications received and is focused on determining applications within the legislative deadlines. All applications were determined within the deadlines over the period.

2.21 Mid Devon do not offer a pre-application advice service, but we are experiencing a proportionality high number of applicants requiring support and guidance when dealing with applications. This can create delays and frustrations for applicants. Applicants can seek out independent legal advice prior to completion and submission of an application under the Licencing Act 2003.

2.22 To better support applicants and ensure consistency we are drafting a guidance document that will be made available on our website, with FAQs and common mistakes to avoid.

Staffing update

2.23 Following a review of the team structure earlier in 2025/26, changes have been approved and made to introduce the following posts. Senior Officer (Licensing), Regulatory Officer (Licensing), Regulatory Officer (Animal Welfare). The Specialist Officer (Licensing) post has now been deleted.

2.24 A successful recruitment process in August 2025, resulted in a Regulatory Officer (Licensing) starting in post during September 2025.

2.25 The remaining posts will be advertised during Quarter 3, once internal processes have concluded.

2.26 During Quarter 1 and 2, whilst carrying vacant officer posts, we have been supported by a part time Licensing contractor to ensure that we were able to carry out our statutory functions. This has supported routine applications and notifications work alongside the delivery of additional premises visits as set out in paragraph 2.18-19.

3 Hearings, Appeals and Enforcement

Hearings

- 3.1 There were four sub-committee hearings during the first half of 2025/26. This is equal the number of hearings conducted during the whole of 2024/25 and therefore represents a significant uplift in activity for the licensing officers.
- 3.2 Hearing 1 was to consider a new premises licence application for Re-fuel Southwest Ltd. The application was granted as applied for.
- 3.3 Hearing 2 was to consider new application for Shobrooke Park. The licence was granted subject to amendments. Following a site visit by the Sub-Committee, Legal services, and Licensing, amended conditions were agreed. This was a good example of the Sub-Committee making use of the 5 days they have to make a decision. The additional time meant a visit could be undertaken to the site and the conditions could be carefully considered.
- 3.4 Hearing 3 was to consider new application for Spar Tiverton. The licence was granted with an additional condition following the hearing.
- 3.5 Hearing 4 was to consider new application for Lakemoor. The licence was granted as applied for.

Appeals

- 3.6 The decision to grant the licence for Re-fuel Southwest Ltd was appealed by an interested party who made representations during the process.
- 3.7 Ongoing work and mediation between Licensing, Legal services, the Licence holders and appellant, resulted in an agreement being reached prior to the hearing date.
- 3.8 Changes were agreed to the licensable area. This was formalised through the Magistrates order and costs awarded to Mid Devon District Council.

Enforcement

- 3.9 No other formal enforcement action was recorded during the first half of 2025/26. Officers apply a graduated approach to enforcement, initially working to resolve issues of non-compliance informally as set out in the Council's adopted Enforcement Policy.

4 Legislative and Policy updates

Reforming the licensing system – Government call for evidence

- 4.1 The Government has outlined licensing reform, and through [The Industrial Strategy](#), a 10-year plan to increase business investment and grow the industries of the future in the UK.
- 4.2 The Government has set out proposals to working with *“industry and local authorities on delivering changes to the licensing system that support the growth of the creative and hospitality sectors, including live music. The*

government has established a licensing taskforce, which will soon publish its recommendations for making improvements to the licensing system.”

- 4.3 The Government is now seeking views and evidence to inform the development of a modern, proportionate and enabling licensing system. This call for evidence builds on the [Licensing Taskforce recommendations and the government's response](#) and supports the government's [commitment to reduce regulatory burdens by 25%](#) by the end of this Parliament.
- 4.4 This call for evidence focuses on the 'on trade' in relation to alcohol sales, for example pubs, restaurants and nightclubs, and on all entertainment licensed under the Licensing Act 2003.
- 4.5 Further updates will be provided to the Committee once the Government has published its recommendations.

Martyn's Law

- 4.6 The Home Office has released new guidance materials to support public understanding of the Terrorism (Protection of Premises) Act 2025—commonly known as Martyn's Law—by publishing a myth buster and a one-page leaflet aimed at clarifying the scope of the Act and dispelling common misconceptions.
- 4.7 Martyn's Law, named in memory of Martyn Hett—one of the 22 victims of the 2017 Manchester Arena attack—received Royal Assent in April 2025, with an implementation period of at least 24 months. The legislation mandates that certain public venues and events implement proportionate security measures to better protect the public in the event of a terrorist attack.
- 4.8 This legislation represents a key part of the Government's statutory response to the 'protect and prepare' element of the national CONTEST counter-terrorism strategy published in 2023. It requires relevant premises to have plans in place to ensure steps have been taken to prepare for potential terrorist attacks and get ready to help keep people safe in the event of an attack. In addition, certain larger premises and events (so called 'enhanced tier') will be required to consider and, where appropriate, take steps to reduce their vulnerability to acts of terrorism.
- 4.9 The newly issued myth buster addresses widespread misunderstandings about the law, including the role of third-party providers and the nature of compliance requirements. It encourages organisations to focus on effective, practical security planning rather than outsourcing unnecessarily. The accompanying leaflet outlines key elements of the Act, including who is responsible for compliance, what premises are in scope, and the role of the regulator.
- 4.10 These documents, which can be downloaded from the [ProtectUK website](#), are part of the Government's broader effort to raise awareness and prepare stakeholders ahead of the Act's implementation. The implementation period allows time for statutory guidance to be published and for affected organisations to understand and meet their obligations.

- 4.11 Local Authorities will not be the regulator for Martyn's Law. This role has been given to the Security Industry Authority (SIA). The SIA will be expanded in due course to provide both guidance and support whilst also enforcing against the legislative requirements.
- 4.12 As a public body, the Council has several venues including Phoenix House, our Leisure Centres and the Pannier Market that will meet either the standard or enhanced tier requirements within the Act, based on possible occupancy thresholds. To this end, the Corporate Management Team are leading on corporate compliance, and a small project team is under development to take forward the development of relevant plans for our premises within scope.
- 4.13 We can expect a number of local private businesses and community organisations with public venues also to come within the scope of the legislation which may include premises licensed by the Council. As such the licensing team will play a role in signposting licence holder to advice and guidance.

ACT for Local Authorities

- 4.14 The National Counter Terrorism Security Office (NaCTSO), in collaboration with Counter Terrorism Policing (CTP), [has officially launched ACT for Local Authorities](#). This new initiative is aimed at enhancing protective security and preparedness across public spaces managed or influenced by UK councils. It was launched on 30 September 2025 at the International Security Expo, marking a further significant development under the CONTEST strategy.
- 4.15 While separate from the statutory Terrorism (Protection of Premises) Act 2025 requirement, ACT for Local Authorities is non-statutory but complements the legislation by focusing on public spaces without events or qualifying activities, ensuring comprehensive consideration of terrorism-related risks
- 4.16 ACT for Local Authorities provides targeted guidance and support to help councils assess and mitigate terrorism-related risks in their jurisdictions. The initiative identifies five priority areas of local authority business where counter-terrorism measures can be most effectively implemented. These areas are Licensing together with Community safety, Planning and development, Transport and Emergency Planning.
- 4.17 The program offers direct access to regional Counter Terrorism Security Advisers (CTSAs), enabling local authorities to receive expert advice tailored to their operational environments. It also includes a suite of resources designed to improve risk assessment capabilities and promote proportionate security measures without imposing undue burdens on council operations.
- 4.18 There is likely to be a level of regional, cross-boundary work on ACT across local authorities to complement with the CTSA regional network. This will be explored across relevant organisations and corporate/service leads and the Corporate Performance and Improvement Manager in due course. Where specific risks and mitigations are identified locally then these will be reviewed

further once the guidance, advice and potential implementation mechanisms and resources have been considered further. This work may include a future role for local SAGs in this context.

Government launches consultation on Category D gaming machines and licensing for bingo premises

- 4.19 The Department for Culture, Media and Sport (DCMS) has [opened a consultation](#) seeking views on two key areas of gambling regulation: the use of Category D gaming machines and the licensing framework for bingo premises.
- 4.20 Category D machines are the lowest-stakes gaming machines permitted in the UK, commonly found in arcades, family entertainment centres, and some pubs. These include coin pushers, crane grabs, and low-stake fruit machines. Currently, these machines can be made available without a licence or permit in certain settings, a policy originally intended to support low-risk entertainment. However, the Government is now questioning whether this exemption remains appropriate, particularly in light of concerns about underage access and the evolving gambling environment.
- 4.21 The consultation proposes two options: either maintaining the current exemption for Category D machines or removing it, which would require all operators to obtain a permit or licence. The government is particularly interested in whether the exemption still serves its intended purpose and whether it creates inconsistencies in regulatory oversight.
- 4.22 The second focus of the consultation is the licensing of bingo premises. Under current law, a premises licence is required to offer bingo, but the definition of what constitutes “bingo” has evolved over time. The Government is considering whether the current licensing framework is sufficiently clear and proportionate, especially for low-stakes or community-based bingo activities. It is also exploring whether the current rules may be creating unnecessary burdens for small operators or community groups.
- 4.23 Stakeholders, including operators, local authorities, and the public, are invited to respond to the consultation, which will remain open until 4 December 2025. The Government is particularly seeking evidence on the impact of the current rules, the potential effects of any changes, and views on how best to balance consumer protection with regulatory proportionality.
- 4.24 This consultation follows a series of other gambling-related reforms announced in the Gambling White Paper, including proposals to strengthen online gambling protections, modernise land-based gambling rules, and improve oversight of gambling advertising and sponsorship.
- 4.25 As details emerge about these proposed reforms including any legislative and statutory guidance changes then further updates will be provided to the

committee in due course. These may include formal updates to local licensing policy as required.

Government seeks evidence to shape new tobacco and vapes regulations

- 4.26 The UK Government has [launched a call for evidence](#) to inform secondary legislation supporting the [Tobacco and Vapes Bill](#), seeking expert views on new rules for retailers selling tobacco, vapes and other nicotine products and on measures to reduce youth vaping.
- 4.27 The call targets technical, operational and enforcement-focused evidence from public health experts, industry stakeholders, local authorities and licensing bodies to help design detailed regulations under the Bill.
- 4.28 A central feature enabled by the Bill is a proposed retail licensing regime for the sale of tobacco, vapes and nicotine products. The government has indicated a two-tier approach separating a personal licence for individuals from a premises licence for retail locations, aimed at ensuring that only responsible retailers and staff can sell these products.
- 4.29 Licensing authorities would administer applications, renewals, suspensions and revocations and could attach conditions to licences. Penalties for unlicensed selling or breaches of licence conditions could include fixed penalties and higher fines through the courts. The licensing model is intended to deter rogue traders, support legitimate businesses that comply with rules, and provide a clearer enforcement route for local authorities while leaving scope for devolved administrations to adopt compatible or alternative arrangements.
- 4.30 Again, further updates will be provided on these changes in due course.

Financial Implications: All licences for the areas mentioned above have a charge associated with them. The income from the licences is used to offset the running of the Service. The Service is not self-funding as the Licensing Act 2003 and Gambling Act 2005 fees are set at a national level and have not been increased for many years therefore do not fully cover costs. Where possible the fee income is used to reduce the contribution of the general fund to the running of the Service.

Legal Implications: There are various regulations that govern the range of applications administered by the Licensing Team. These detail a range of duties and statutory deadlines, as well as policy and procedural requirements.

Risk Assessment: Provision of the Licensing Service is a statutory obligation. If resources for the service are not available there is a risk that the Council is unable to meet its statutory duties in relation to licensed activities. This would put the wellbeing, health and safety of residents at risk if they accessed a service that did not meet licensing standards, or if we do not have resource to investigate intelligence and complaints relating to unlicensed operators.

Impact on Climate Change: There is no direct impact on climate change as a result of this report.

Equalities Impact Assessment: An equality impact assessment is not required in respect of this update report.

Relationship to Corporate Plan: This report links directly to the Licensing Authority functions of the Council with the primary aim of protecting health, wellbeing and safety of residents and licensed service users. It therefore contributes to the priority of Community, People & Equalities within the Corporate Plan 2024-2028.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 20.11.25

Statutory Officer: Maria de Leiburne

Agreed on behalf of the Monitoring Officer

Date: 20.11.25

Chief Officer: Stephen Walford

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 20.11.25

Performance and risk: Steve Carr

Agreed by the Corporate Performance & Improvement Manager

Date: 06 November 2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact:

Name: Harriet Said - Commercial Team Leader, Public Health and Housing Options / Simon Newcombe, Head of Housing and Health

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Telephone: 01884 255255

Background papers and resources:

[Government launches consultation on Category D gaming machines and licensing for bingo premises - Institute of Licensing \(IoL\)](#)

[Government seeks evidence to shape new tobacco and vapes regulations - Institute of Licensing \(IoL\)](#)

[ProtectUK | Home](#)

[Counter-terrorism strategy \(CONTEST\) 2023 - GOV.UK](#)