

TITLE: LICENSING ACT 2003 – LICENSING AUTHORITY STATEMENT OF LICENSING POLICY – FIVE YEAR REVISION

Committee: Licensing Committee

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1.0 Issue

- 1.1 To approve the revised version of the Council's Statement of Licensing Policy and recommend it for approval by Council.

2.0 Recommendations

- 2.1 That Members consider the information contained in this report and determine to approve the draft Statement of Licensing policy, as consulted upon, or determine to approve the draft Statement of Licensing Policy to include the suggested amendment shown as tracked changes in **Appendix 2** in its entirety, or in part.
- 2.2 That Members recommend the approved Statement of Licensing Policy to full Council for adoption to come into effect on 7 January 2026.

3.0 Background/Options

- 3.1 The draft Statement of Licensing Policy was presented to the Licensing Committee on 18th June 2025, and formal consultation took place between 20 June 2025 and 1 August 2025.
- 3.2 The following parties were consulted:
 - All Licensing Act 2003 responsible authorities
 - All current Licensing Act 2003 licence holders
 - Persons/Bodies representative of licence holders
 - Persons/Bodies representative of businesses and residents in the District
 - Advertised in the Council Offices, website and Ely Library
- 3.3 During the consultation period, the Licensing Authority received three formal responses. The following table provides a summary of the points raised, and the report author's recommendations having considered the content of the responses. The full content of the responses can be found attached as **Appendix 1**.

Table 1

Responder	Section	Change requested	Recommendation
Cambridgeshire County Council's Director of Public Health (DPH)	Preface paragraph 3	Inclusion of specific mention of underage sales.	No change to the wording, as underage sales covered in the overall licensing objectives.
	Para 1.15	Inclusion of specific wording: This licensing policy will support the outcomes identified in the Cambridgeshire and Peterborough Health and Wellbeing Integrated Care Strategy 2022-2030 which is aligned to ECDC HWB Strategy 2024-27	No change to the wording. The section keeps to headline areas rather than specific documents, to ensure the policy remains current for the five years. Health and Wellbeing is covered.
	Para 6.6	Inclusion of consideration of the proximity of drug and alcohol service premises	No change to policy, as public health is not a licensing objective at this time.
	Para 6.7	Specific reference to binge drinking practices to promote responsible drinking practices.	No change to policy, as the mandatory no irresponsible promotions condition covers this.
	Para 7.6	Specific reference to known association with illicit goods including tobacco and alcohol.	No change to policy, as wording is intentionally wide to capture all illicit trading activities.
East Cambs Communities and Partnership Manager	Para 1.98	Has asked for this paragraph to be reworded The Anti-social Behaviour, Crime and Policing Act 2014 gives councils the authority to draft and implement PSPOs in response to the particular issues affecting their communities, provided certain criteria and legal tests are met. Councils can use PSPOs to prohibit specified activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area.	To replace para 1.98 with the wording provided by Mr Bage.
Licence holder for Ely Sailing Club	Para 5.4	Concerns raised regarding the impact of the new	No change to the wording of para 5.4,

		Terrorism (Protection of Premises) Act 2025 on small clubs.	however, officers will provide information to all licence holders to re-assure them, once more detail is available.
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4.0 Arguments/Conclusions

- 4.1 The input from those who responded is very much appreciated, and whilst it is acknowledged that the recommendations in Table 1 above do not support any of the items that the DPH wished to see included, it is important to state that these items raised by the DPH are covered by the existing wording.
- 4.2 The amendment requested by the manager of Communities and Partnerships will provide better clarity in the area. The draft Statement of Licensing Policy at **Appendix 2** has been amended to show this.

5.0 Additional Implications Assessment

- 5.1 In the table below, please put Yes or No in each box:

Financial Implications	Legal Implications	Human Resources (HR) Implications
Yes	Yes	No
Equality Impact Assessment (EIA)	Carbon Impact Assessment (CIA)	Data Protection Impact Assessment (DPIA)
Yes	No	No

Financial and legal implications

- 5.2 There is a cost incurred by the Council due to the costs of convening the necessary hearings to determine this statutory process, and the cost of running the necessary consultation, however, this cost is largely recovered via the licence fees paid by those holding and applying for licences.
- 5.3 The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149(7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

6.0 Appendices

6.1 Appendix 1 – Consultee responses in full

Appendix 2 – Amended draft Statement of Licensing Policy

Appendix 3 – Equality Impact Assessment (EIA)

7.0 Background documents

Licensing Act 2003

Section 182 Guidance – February 2025