



PopplestonAllen

National Pubwatch Conference

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World Cup and Licensing Reform

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Introduction

Topics to be discussed:

- World Cup
- Taskforce
- Response
- National Licensing Policy Framework
- Where do we go from here?

Football World Cup

- Introduction
- 48 teams
- June 11th to July 19th 2026
- Three countries (US, Canada and Mexico)
- Home nations involvement
- Government extension under S.172 of the Licensing Act 2003

Football World Cup – Where are we?

- What is the current Government proposal in relation to the S.172 extension?
- Home nations only
- No group games included
- 21:00 BST game start to 01:00; 22:00 BST game start to 02:00

Football World Cup – Consequences

- Likely to be a massive boost to the pub industry
- Does not disapply conditions on Premises Licence
- Outside areas and potential issues

History

Licensing Act 2003 received Royal Assent – 10th July 2003

Licensing Act 2003 – transitional period 7th February 2005 to 7th August 2005

Licensing Act 2003 – 24th November effective date

- the introduction of better and more proportionate regulation to give businesses greater freedom and flexibility to meet their customers' expectations.
- greater choice for consumers, including tourists, about where, when and how they spend their leisure time.
- the encouragement of more family-friendly premises where younger children can be free to go with the family.
- further development within communities of our rich culture of live music, dancing and theatre, both in rural areas and in our towns and cities.
- the regeneration of areas that need the increased investment and employment opportunities that a thriving and safe night-time economy can bring.
- the necessary protection of local residents.

Government 'Tinkerings' With Licensing Act 2003

- Police Reform and Social Responsibility Act 2010 “appropriate” not “necessary”; Licensing Authority as a Responsible Authority; no geographical limit; “rebalancing”.
- Crime and Security Act 2010
 - EMROs and Levies introduced
- Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013
 - Deregulated much “regulated entertainment”

The Road to Reform

Report published on 31st July 2025

Government Response published on 14th August 2025

Call for Evidence between 8th October 2025 and 6th
November 2025

National Licensing Policy Framework

Task Force Recommendations 1: The Introduction of a National Licensing Policy Framework

- Framework would sit in between the Act and Statutory Guidance
- Ensure a harmonised national policy approach whilst allowing local decision making and determination of applications
- Secure fairer and more accountable decision making while reducing inconsistency across jurisdictions
- Reduce regulatory burdens and secure a more efficient licensing process
- Avoid disproportionate conditions
- Limit the need for appeals and associated costs

Recommendation 1: The Introduction of a National Licensing Policy Framework

Government Response

The National Licensing Policy Framework has been issued

Call for Evidence – 62% agreed

Recommendation 2: A one-time licensing condition amnesty

- Bring licences “up to date” and remove unnecessary burdens
- “Dust down” licences to remove grandfathered pre-2005 conditions, outdated conditions or blanket conditions
- Where agreement with “relevant parties” conditions could be removed

Recommendation 2: A one-time licensing condition amnesty

Government Response

The Government intends to deliver this as a practical and collaborative step towards modernising licences subject to the Call for Evidence outcome.

It is a timely opportunity to review and remove outdated disproportionate conditions.

The process can be used to inform future definitions of what is a “minor” and a “substantive” variation, which can then be delivered through a “circular” under the proposed National Licensing Framework.

Call for Evidence – 54% disagreed.

Recommendation 3: Hearings and Appeals

- Objections from Responsible Authorities should be backed by clear and transparent evidence.
- Could be achieved by the introduction of a “minimum evidence threshold” through amendments to the Guidance.
- For residents, the process should be simple but encourage objections to include details of the reason for the objection and a removal of the automatic “benefit of the doubt”.
- Licensing officers should have the discretion to make recommendations.
- Create a centralised specialist independent appeals system with a District Judge specialising in licensing sitting on a Tier-1 Tribunal (Gaming).

Recommendation 3: Hearings and Appeals

Government Response

This recommendation would require significant procedural reform which the Government is not in a position to take forward at this time.

Alternative options to improve the hearings and appeal process will be assessed in the Regulation Action Plan.

The Government has set out its intention previously on making real, system-wide reforms which would include the statutory appeal process under the Licensing Act 2003. Proposals will be brought forward in due course.

Clearer direction will be provided in Section 182 Guidance on assessing representations and clarifying evidential standards expected for a valid representation.

This recommendation is not being taken forward in the Call for Evidence.

Recommendation 4: Remove local newspaper advertising requirements

- Average costs found to be £332 (250 invoices).
- Save £1,000,000 to £2,000,000 a year (conservative estimate).
- If removed “may be scope to look more creatively at fees”.

Recommendation 4: Remove local newspaper advertising requirements

Government Response

The Government looked at ending the requirement for printed statutory notices for alcohol licences as part of the Licensing Call for Evidence.

It will be looked at however “recognising that our local press still plays an important role in informing local communities about what is happening in their areas”.

Recommendation 5: Improve licensing process and conditions for outdoor areas

- Premises are restricted on trading outside including restrictive conditions (COVID; waiter/waitress service; all customers seated).
- No automatic off-sales entitlement.
- Difficulties in using frontages of adjacent closed premises on an interim basis
- Time limited Pavement Licences (3 months – 2 years).
- Very significant area for the industry.

Recommendation 5: Improve licensing process and conditions for outdoor areas

Government Response

The Government is committed to exploring a longer licensing term and minimum duration of at least 2 years, but granting Pavement Licences without any renewal date would fundamentally change the way that Pavement Licences are enforced and make Local Authorities more cautious in granting them in the first place.

Extending Pavement Licences into unused adjacent areas would require careful consideration due to liability and enforcement challenges.

The Call for Evidence will look at amending the Pavement Licence Guidance to clarify expectations around the use of conditions and promoting a longer period of grant for a Pavement Licence.

Businesses can amend their Premises Licences now to add off-sales “via the minor variation process, which already represents a significant regulatory saving”.

Recommendation 6: Increase the maximum entitlement for TENs

- Ideally 25 TENs covering 30 days; or
- As a minimum, 21 TENs covering 26 days.
- Estimated additional revenue of £10,000,000.

Recommendation 6: Increase the maximum entitlement for TENs

Government Response

As part of the Call for Evidence on licensing reform, the Government will review the TENs entitlement maximums.

Call for Evidence – 46% against this

Recommendation 7: Sunset clause on blanket hours policies

- “Core hours” policies can run indefinitely without any regard to changes in the locality.
- Such policies should last for a limited period of time, for example 3 years, after which they fall away or are fully consulted on with updated evidence and full engagement.
- Best practice should be this is carried out at a “licence review” – SOLP review?

Recommendation 7: Sunset clause on blanket hours policies

Government Response

The Government concurs that continually renewing restrictive policies based on outdated evidence and without proper engagement is poor practice and can pose significant operational challenges for businesses.

This recommendation will form part of the “Call for Evidence” to support consistency, transparency and fairness in licensing decision-making.

Recommendation 8: Arbitration, evidence and data protocol

- A sample of 412 reviews cost an average £40,000 in legal costs and cost the “public purse” a similar amount.
- Develop a new protocol facilitated by the IOL to:
 - define clear evidence standards and thresholds, to ensure consistency and transparency in how data and analysis underpin decisions
 - provide structured mechanisms for applications and objections enabling affected parties to understand and address concerns or seek amendments to decisions on an informed and equitable basis
 - set out comprehensive procedural safeguards, including defined timelines, rights of representation, and access to the evidence informing decisions
 - enable the use of conditional or time-limited determinations, based on verifiable evidence and subject to regular review where appropriate
 - provide clarity for related areas where these are not clearly set out in the act or secondary legislation

Recommendation 8: Arbitration, evidence and data protocol

Government Response

The Government acknowledges the need for clearer evidential standards and a structured mechanism for objections and reviews to reduce unnecessary burdens on businesses and Local Authorities.

The Government will seek further evidence through the “Call for Evidence” before confirming how this recommendation will be taken forward.

Call for Evidence –

- ***should there be a requirement for individuals / businesses to be in the geographical proximity of premises?***
- ***do you agree “decisions” of a licensing officer should carry greater weight with the Licensing Committee – should the officer have the status of a “Licensing Arbiter” whose decisions carry greater weight?***

Recommendation 9: Festivals and Events

- A standardised route to a perpetual licence (or a 5-year maximum) for recurring festivals and events to support long term investment and operational stability.

Recommendation 9: Festivals and Events

Government Response

The Government will consider this further as part of future reform in licensing but subject to wider consultation.

The Government acknowledged the value in reviewing the licence length and fees for festivals to provide greater certainty and stability for recurring events.

Recommendation 10: Make the Agent of Change Principle a factor that must be considered when making licensing decisions

- The principle is that the onus on sound mitigation falls on those bringing noise sensitive premises close to existing noise generating businesses.
- Covered loosely in paragraph 14.67 of the Guidance but this just reiterates the planning principle.
- Stronger weight given to the principle or a mandatory requirement that Licensing Authorities must ensure the Agent of Change Principle is considered when making licensing decisions.

Recommendation 10: Make the Agent of Change Principle a factor that must be considered when making licensing decisions

Government Response

The Government acknowledges the recommendation and supports strengthening the Agent of Change Principle.

The Government will explore how the implementation of the Agent of Change Principle can be improved as part of wider planning reforms.

The Government will carefully consider the taskforce's findings about embedding this principle beyond the planning process into licensing decisions.

National Licensing Policy Framework – Recommended content where no legislative change is required

- Link licensing to wider economic development and culture policies so that the economic, cultural and social value of entertainment venues is taken into account.
- A specific Night-Time Economy Strategy should be adopted by all Local Authorities.
- Reintroduce the “necessary” and “proportionate” test for licensing conditions and decision.
- Introduce an explicit test that any steps taken to achieve an outcome or when conditions are imposed are reasonable in terms of costs.
- General guidance and training to be developed for RAs on areas such as evidential basis, evidence, protocols on statistical data and assessing and weighing of evidence.

National Licensing Policy Framework – Recommended content where no legislative change is required

- Licensing officers to have the power to make recommendations to Committee and for such recommendations to carry “the highest weight” and the Committee must justify departure.
- Reflect seasonal hours in local licensing policies (see Scotland).
- Licensing Authorities adhering to “statutory deadlines” or “Guidance” by Licensing Authorities e.g. on returning licences.
- Possibility of having 2 x DPSs to assist urgent changes to DPSs.
- Increase the grace period from 28 days to transfer a Premises Licence after it has lapsed.

National Licensing Policy Framework – Recommended content where no legislative change is required

- Introduce time limit (28 days) for full written notice of a decision with reasons to be provided.
- Annual fees for multiple sites owned by the same Premises Licence Holder in the same area to be paid by one payment.
- Consider an arbitration / mediation process for reviews and appeals when hearings can be set aside where parties agree.

National Licensing Policy Framework – Recommended content where no legislative change is required

- Introduce an “independent arbitrator” in reviews / appeals (licensing officers?) to assess the evidence and make recommendations to the Committee which would be a material consideration in the review / appeal hearing.
- Reintroduce the proximity test for objections e.g., Tenby - objector from Birmingham, an occasional visitor [Basildon to Brighton].
- Objections should be backed by clear, transparent and non-discriminatory evidence with a “minimum” threshold.
- Use of a “form” for objectors asking why and how their objection links to a licensing objective and how could the objection be addressed.

Further Considerations

- Review licensing fees linked to other costs such as newspaper costs / Late Night Levies / multiplier.
- Provide a sunset clause for Late Night Levies and require an evidential basis for their introduction / retention.
- Abolish EMROs.
- Amend the mandatory conditions to include Digital ID and review other mandatory conditions.
- Eliminate the need to use paper documents, including allowing electronic copies of Premises Licences.

The National Licensing Policy Framework

“Strategic vision for a modern consistent and pro-growth premises licensing system...”

- Proportionate and evidence-led decision making
- Risk based regulation
- Partnership working
- High Streets and communities

Licensing lawyers personal view – chickens coming home to roost:

- Efficiency issues and staffing
- Lack of ease of communication
- Lack of experienced officers, knowledge and loss of localism

Licensing lawyers personal view – chickens coming home to roost (2):

- Conflict – national / local
- Conflict – policy / discretion
- Conflict – trade / residents
- Conflict – conditions / lack of trust
- Conflict – rules / merits

Thank you for listening

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