

LICENSING ACT COMMITTEE
8 SEPTEMBER 2026

LICENSING ACT POLICY REVIEW

Responsible Cabinet Member - Councillor Garner
Responsible Director - Trevor Watson

SUMMARY REPORT

PURPOSE OF THE REPORT

1. To invite Members to approve a revised Statement of Licensing Policy, following a full public consultation. The revised policy is in **Appendix 1**.

SUMMARY

2. Darlington's Statement of Licensing Policy was last reviewed in October 2021, and there is a statutory requirement for this to be reviewed every five years. Licensing sought views from all stakeholders through a widely publicised public consultation to ensure this policy remains relevant to Darlington, whilst considering current statutory and non-statutory guidance.
3. Statutory guidance is under Section 182 of the Licensing Act 2003, and there have been several amendments since the last policy review, the latest being in February 2026. In November 2025, the government issued a non-statutory National Licensing Policy Framework for the hospitality and leisure sectors, which must now be taken into account in Statements of Licensing Policy.
4. Updates from guidance and responses from the consultation have been considered, and where appropriate, they have been incorporated into the revised policy.

RECOMMENDATION

5. It is requested that this Licensing Act Committee approve this Policy for Full Council to implement.

REASONS

6. To ensure standards are maintained and that Darlington Council complies with legislative requirements.

Trevor Watson
Executive Director, Economy and Public Protection

Contact officer: Colin Dobson Ext 5988

BACKGROUND PAPERS

Licensing Act 2003
Section 182 Guidance to the Act 2018
Crime and Disorder Act 1998
Business and Planning Act 2020
The Equality Act 2010
Immigration Act 2016
Human Rights Act 1998
National Licensing Policy Framework 2025

Appendices:

1. The Licensing Act Policy
2. List of consultees
3. Responses from consultation
4. Table with summary of responses

Council Plan	This policy will maintain the legal framework when dealing with all Licensing Act applications
Addressing inequalities	The proposals will have no additional impact on the equality of opportunity for the disabled public.
Tackling Climate Change	This report has no impact on the Council's carbon impact.
Efficient and effective use of resources	This report has no impact on the Council's Efficiency Programme.
Health and Wellbeing	This policy will address health concerns
S17 Crime and Disorder	This policy will address issues specifically relating to the prevention of crime and disorder
Wards Affected	Any proposals will affect licences throughout the Borough
Groups affected	The policy does not have a direct impact on any particular group
Budget and Policy Framework	This report represents no major change to Policy
Key Decision	The proposals do not represent a key decision
Urgent Decision	This is not an urgent decision
Impact on Looked-After Children and Care Leavers	This report has no impact on the Council's impact on Looked After Children and Care Leavers

MAIN REPORT

Information and Analysis

7. Section 5 of the Licensing Act 2003 requires that each Local Authority has a Statement of Licensing Policy (Appendix 1), reviewed every five years, and Darlington Borough Council's policy is due to be renewed in October 2026.
8. Within the Act, four equal-weight objectives drive all decisions:
 - Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm
9. The Statement of Licensing Policy will apply these objectives locally, guiding applicants and residents, and providing a legal framework for responsible alcohol and entertainment provision. This will ensure local authorities can manage these activities to benefit communities while minimising harm.
10. At the time of the last review, ongoing Covid-19 regulations had an enormous impact on the hospitality trade, particularly those with premises licences. In line with government guidance and following full public consultation at the time, the Council authorised the previous policy to continue, ensuring Darlington's statutory obligations under the Licensing Act were maintained.

Developments since last review

11. Since the last full review, there have been some notable changes to legislation, government guidance, and dynamics within the hospitality trade itself that would require inclusion in our policy.
12. The hospitality trade has encountered many challenges following Covid 19 and has never fully recovered from its effects. Whilst there have been some health benefits, with young people drinking less, the increased cost of going out to drink has shifted from a very well-regulated hospitality environment to increased drinking at home, where there is little regulation.
13. The hospitality trade now pays substantially more for energy supplies, food, drink, staffing costs, etc and these costs can no longer be absorbed by businesses. It is often cost-prohibitive for people wanting to go out for food and drink, and alcohol is often notably cheaper in supermarkets.
14. Online delivery services are continuing to grow, and alcohol can now be delivered straight to the customer's door at the click of a button. This can make life feel easier

for some and free up time for other things. But alcohol delivery can also make it easier for people to drink more, and for under-18s to be handed alcohol on the doorstep.

- 15.** The post Covid-19 period also saw the issue of drink spiking receive significant coverage in the media. Spiking is the illegal act of adding alcohol or drugs to someone's drink or body without their knowledge or consent, often to incapacitate them for robbery, assault, or sexual offences. It can also involve needle injections or putting drugs in vapes/cigarettes.
- 16.** Developments were closely followed by this licensing authority to ensure we followed all guidance for safeguarding, particularly of women and girls. Durham Constabulary played a significant national role in developing safety measures and, drawing on their experiences in Durham City, Darlington benefited from this close working relationship, which included robust reporting and investigative processes.
- 17.** The hospitality sector is also considered a high-risk industry for modern-day slavery and labour exploitation due to characteristics such as low pay, unsociable hours, and a reliance on migrant labour. Illegal and undocumented workers are highly vulnerable to abuse, including wage underpayment, excessive hours, workplace harassment, and control through debt bondage or the withholding of identity documents. Businesses that use illegal workers often have a competitive advantage over those that are fully compliant with the law, which is clearly wrong.
- 18.** Martyn's Law, officially the Terrorism (Protection of Premises) Act 2025, is legislation named after Martyn Hett (killed in the 2017 Manchester Arena attack), which mandates that public venues and events implement security measures against terrorism, requiring proportionate risk assessments and plans, with tiers of intervention based on venue capacity. Whilst this will clearly contribute to safety at venues, it will also be an additional regulatory requirement for businesses to consider.
- 19.** Darlington's local plan acknowledges that the town centre needs to be transformed, and as its retail footprint is reducing, the town centre proposals are for some of these premises to be replaced with sustainable, high-quality residential accommodation. Whilst these proposals are welcomed, they will inevitably lead to conflict with some venues, particularly those that operate late into the night.
- 20.** The National Licensing Policy Framework introduced in November 2025 commits to reducing the administrative costs of regulation by 25%, ensuring licences are granted on the terms sought and conditions applied only when necessary and proportionate. Local authorities are encouraged to adopt evidence-led decision-making that supports growth while safeguarding communities. It guides local authorities toward more consistent, pro-growth decisions for the hospitality and leisure sectors.

21. This framework has made a significant addition to section 182 statutory guidance in that when making licensing decisions, all licensing authorities should consider the need to promote growth and deliver economic benefits.
22. In this framework, agents of change within the Licensing Act refer to developers or new developments (the "agent") introducing change, such as new housing near existing pubs, who must now bear responsibility for managing the resulting noise or disruption, rather than the long-established venue facing new restrictions. This principle restores a measure of fairness to established venues, but it will need to be carefully managed.

Consultation

23. Consultation is integral to the overall policy review process, and Members approved a full public consultation which took place between 10 March and 10 May 2026. It was widely advertised throughout the consultation period in local and social media, and key stakeholders were contacted directly. The Licensing Act also lists those who must be consulted, and they are included in the list of those who were directly informed of this consultation, which is in **Appendix 2**.

Outcome of consultation

24. Following the conclusion of this consultation, relevant information, proposals, and recommendations have been used together with information from other relevant sources to draft a revised policy, which has been brought back to this committee for consideration and for recommendations to be made to Full Council.
25. Four responses were received from the following organisations and are reproduced in full in **Appendix 3**:
 - Police
 - Fire
 - Durham Police and Crime Commissioner
 - Environmental Health
26. A summary of the points they wished to raise and the rationale for inclusion or exclusion has been compiled in a table in **Appendix 4**. Matters raised in a letter from Durham's Police and Crime Commissioner have been addressed throughout the policy, with many of the requested considerations mirroring those of the police.
27. Information that is no longer relevant has been removed from the policy, and, where necessary, amendments have been made to ensure the wording of legislation and statutory guidance is up to date.

Conclusion

- 28.** The revised Statement of Licensing Policy has been developed following a full statutory consultation and a comprehensive review of current legislation, statutory guidance, non-statutory government policy, and local licensing considerations. The proposed policy retains its focus on promoting the four licensing objectives while recognising the changing nature of the hospitality and leisure sectors, emerging public safety concerns, and the need to support sustainable economic growth within the borough. The amendments ensure that the policy remains legally compliant, proportionate, transparent, and responsive to local circumstances.

