EXPLANATORY MEMORANDUM TO

THE LICENSING ACT 2003 (UEFA WOMEN'S EUROPEAN FOOTBALL CHAMPIONSHIP LICENSING HOURS) ORDER 2025

2025 No. [XXXX]

1. Introduction

1.1 This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Dame Diana Johnson, Minister for Policing and Crime Prevention at the Home Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Marcus Starling, Head of the Drugs and Alcohol Unit at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Toby Pinnock at the Home Office (AlcoholTeam2@homeoffice.gov.uk) can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument introduces a contingent order which will come into effect if England and/or Wales reach the semi-finals (22 and/or 23 July 2025) or final (27 July 2025) of the Women's Euro 2025 tournament. Licenced premises in these regions will have the option to extend their hours for two hours from 11pm until 1am the following day of the matches should they wish to do so.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales. For the avoidance of doubt, this legislation does not extend to, or apply in, Scotland or Northern Ireland.

5. Policy Context

What is being done and why?

5.1 The Secretary of State considers the final week of the Women's Euro 2025 tournament (22 July -28 July 2025) to be a "celebration period" as defined under section 172 of the Licensing Act 2003. Therefore, should the England and/or Wales women's teams reach the later stages of the tournament, the Government would consider this an occasion of exceptional national significance requiring a licensing hours extension.

5.2 The Government will extend licensing hours in England and Wales for two hours from 11pm on the day of any semi-final (22 and/or 23 July 2025) involving a home nation team and the final (27 July 2025) until 1am the following day should that criteria be met. This Instrument will permit licensed premises in England and Wales, subject to their existing licence conditions, to remain open for the sale of alcohol for consumption on the premises. For the avoidance of doubt, if neither of these teams reach the semi-final, then normal licensing hours will apply on 22 and 23 July 2025. If either, or both, teams reach the semi-final but neither team is in the final, normal licensing hours will apply on 27 July 2025.

5.3 This extension will only apply to alcohol for consumption on the premises, the extension will not apply to off-trade premises i.e. supermarkets and off-licences. Unlicensed premises will not benefit from a relaxation in licensing hours and will still need to apply for a temporary event notice (TEN) to undertake licensable activities. As per section 136 of the Licensing Act 2003, knowingly allowing or carrying on unauthorised licensable activities carries a maximum penalty of six months imprisonment and/or an unlimited fine.[1]

5.4 Licensed premises will not need to pay a fee to extend their licensing hours. Without this contingent order, it would cost individual premises £21.00 to submit a TEN application to their local authority. This order will save businesses paying the application fee and the time local authorities would have spent processing the applications.

5.5 The order will enable communities in England and Wales to come together at their local licensed premises to support the England and/or Wales team(s) if they reach the later stages of the tournament and ensure any subsequent success can be celebrated. Licensing extensions for the men's games has always been well received and it is likely that the same will be said for this extension. Furthermore, businesses will also be provided an economic boost through not having to pay for a TEN and from additional alcohol sales.

6. Legislative and Legal Context

How has the law changed?

6.1 The Licensing Act 2003 ("the 2003 Act") enables a regime under which premises can be authorised to be used for certain activities (referred to as "licensable activities"), including the sale of alcohol by retail (for consumption on the premises) and the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

6.2 The authorisation by a licensing authority for the sale of alcohol must be made without impeding on the four licensing objectives under the 2003 Act: the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. Indefinite authorisation for a premises is given by means of a premises licence or club premises certificate (for members' clubs), and this authorisation sets out which licensable activities may be carried on, during which hours and subject to what conditions.

6.3 Section 172 of the 2003 Act gives the Secretary of State the power to extend licensing hours by means of a Licensing Hours Order (LHO) if she considers that a period (the "celebration period") marks an occasion of exceptional international, national or local significance. This power has been exercised in recent years to mark major men's football tournaments, including the FIFA World Cup (2014), the UEFA Euro 202

[1] https://www.legislation.gov.uk/ukpga/2003/17/section/136

final (2021) and the UEFA Euro 2024 semi-final and final. Furthermore, there is also an interest in giving equality and fairness in providing the same treatment to the women's national team as there was to the men's national team as highlighted above. Particularly as women's football has grown in stature in more recent years.

6.4 An LHO can be used to relax licensing hours in licensed premises in England and Wales during a period not exceeding four days, as per subsection (5)(a) of section 172. An LHO may be applied to all licensed premises in England and Wales.

6.5 The exercise of the power in section 172 is subject to a condition that the Secretary of State must consult such persons as he considers appropriate. The Act currently specifies that any order is subject to the affirmative procedure and needs to be approved in both Houses of Parliament. It should be noted that the Licensing Hours Extension Private Member's Bill is currently going through Parliament – this Bill proposes to change the parliamentary process to the negative resolution procedure. Although this change in legislation is still in its early Parliamentary stages so this instrument is subject to the affirmative procedure.

Why was this approach taken to change the law?

6.6 It is possible to make use of the TENs process whereby individual businesses would have had to apply and pay for an extension to their licensing hours should they wish to do so. However, this would have overwhelmed local authorities and caused delays which could have resulted in some licenced premises having their hours extended whilst others missed out. The LHO allows for all licensed premises and individuals to celebrate a moment of national importance.

7. Consultation

Summary of consultation outcome and methodology

7.1 The Home Office ran a public consultation for four weeks from 23 February 2025 to 23 March 2025 and invited comments on the wider approach to extending licensing hours. The consultation concluded with 87% (29 out of 33) of respondents in favour of extending licensing hours for the semi-finals and 84% (28 out of 33) in favour of extending licensing hours for the final of the tournament. The results can be found on GOV.UK.[2]

7.2 The consultation received a total of 37 responses, however 4 responses were partially completed and deemed unusable, therefore the analysis was based on 33 complete responses. The key respondents were members of the public, national police crime commissioners and trade organisations. Within the consultation there were five closed questions and one open question.

7.3 In response to the first question, which asked whether licensing hours should be extended if any of the home nations are successful in reaching the semi-final, out of those 33 respondents, 29 agreed with the extension to licensing hours and four opposed the proposal.

7.4 The second question asked whether licensing hours should be extended if any of the home nations are successful in reaching the final. Out of those 33 respondents, 28 agreed with the extension to licensing hours and five opposed the proposal.

[2] https://www.gov.uk/government/consultations/extending-licensing-hours-for-uefa-womens-euro-2025-matches

7.5 The third question asked whether the extension should only apply to the sale of alcohol on the premises as opposed to off sales. Out of the 33 respondents, 30 agreed that the extension should only apply to on sales and three disagreed.

7.6 The fourth question asked about the duration of the extension and whether the hours should be extended from 11pm to 1am for the semi-final. 29 responded that they should whilst four disagreed.

7.7 The fifth question asked about the duration of the extension and whether the hours should be extended from 11pm to 1am for the final. 28 responded that they should and five disagreed.

7.8 The final question asked respondents to provide feedback if they had disagreed with the proposal to extend licensing hours for Women's Euro 2025. A total of nine responses were received (although three were responses expressing their support for the policy). The six responses fell into two categories, namely concerns around crime and disorder and general disapproval of extending licensing hours.

7.9 Additionally, the National Police Chiefs' Council (NPCC) lead for Alcohol Licensing and Harm Reduction opposed the extension to licensing hours on the grounds of risk of increased public disorder and resulting demands on policing, which is experienced when senior England football teams progress further in major international tournaments.

7.10 While police deployments and resourcing are operational matters, it is considered that the risk of increased disorder can be mitigated by local policing plans. During previous tournaments where licensing hours have been extended, police have put in place appropriate plans to minimise the risk of alcohol-fuelled disorder, and no significant large-scale disorder incidents have occurred during recent licensing extensions.

7.11 Overall, the extension is considered appropriate because, in the event that either of the home nation teams reach the later stages of the tournament, these matches would be of exceptional national significance and the public should be able to come together and celebrate. This order will also support the hospitality sector. The extension is limited to an extension of two hours, which is a proportionate approach to mark these events, and the police have adequate time to put in place local plans to minimise the risk of disorder. The Government consultation response is available on GOV.UK[3].

8. Applicable Guidance

8.1 The Government is not issuing guidance in relation to this Order. This is because this power has been previously used on several occasions to mark other occasions of exceptional national significance. Premises may wish to refer to the Section 182 Guidance which accompanies the Licensing Act and is published on GOV.UK for further information.[4]

[3] https://www.gov.uk/government/consultations/extending-licensing-hours-for-uefa-womens-euro-2025-matches
[4] https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 An Impact Assessment has not been prepared for this instrument because an Economic Note has been prepared which will be published alongside the Explanatory Memorandum on the legislation gov.uk website.

Impact on businesses, charities and voluntary bodies

9.2 The main impact on business, charities or voluntary bodies is that premises already licensed to sell alcohol for consumption on the premises that wish to remain open beyond their normal licensed hours will save time and costs from not having to apply for a TEN. Licence holders will welcome the option to extend their trading hours should the criteria of the order be met. There is no impact on business, charities or voluntary bodies that do not hold a premises licence or club premises certificate to sell alcohol on the premises or provide regulated entertainment.

9.3 The legislation does not negatively impact small or micro businesses, although there will be a small number of businesses which will not be able to take advantage of the extension as their normal licensing hours are until 10:30pm rather than the criteria of 11pm to make use of the extension. This is in order to stop unfavourable licenced premises e.g. hairdressers from making use of the extension to extend their hours until 1am, which would not be necessary or appropriate.

9.4 In terms of the impact on the public sector, this order is likely to lead to some modest cost savings for police forces, environmental health authorities and licensing authorities from not having to review an increased number of TENs from premises that choose to stay open late during this period. The central estimate of savings is £416,400 for the public sector.

9.5 However, there might be some additional costs to policing associated with an increased risk of alcohol-related crime and disorder although it is believed to be not as much as the men's game. It is worth noting that there is an absence of reliable data on the impact on crime when relaxing licensing hours for nationally significant events. While industry stakeholders are supportive, the National Police Crime Commissioner for Alcohol Harms has previously drawn attention to data showing high levels of domestic abuse resulting from extensions. The impact of an extension over a maximum of three days will likely be minimal and local policing plans will mitigate any associated risks.

9.6 As for the private sector, there is a central estimate of £455,800 in savings through businesses not having to go through the TENs application process. However, there may be a small familiarisation cost as businesses will have to educate their staff on the legislation change, albeit a small cost estimated to be £8,900 which is off set through the large savings outlined above.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 There are no plans to review this legislation. The Order will only apply on the specified days (22 and/or 23 July 2025 and 27 July 2025). A review is not required by the Small Business, Enterprise and Employment Act 2015 as the provisions will cease to have effect before the end of the period of five years beginning with the commencement date.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 Dame Diana Johnson, Minister for Policing and Crime Prevention has made the following statement regarding Human Rights:

"In my view the provisions of the Licensing Act 2003 (UEFA Women's European Championship Licensing Hours) Order 2025 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").