

REPORT TO: LICENSING (SUB) COMMITTEE

Date of Hearing: 5 June 2017

Report of: Environmental Health and Licensing Manager

Type of Application: The application for the VARIATION of a premises licence in respect of MEAT59 (EXETER) LIMITED, 29 MAGDALEN ROAD EXETER, EX2 4TA, under the relevant legislation.

Legislation: Licensing Act 2003

Ward Application Refers to: St Leonards

Applicant: MEAT59 (Exeter) Limited

Premises Address: 29 Magdalen Road, Exeter, EX2 4TA

1. What is the report about?

1.1 An application attached as Appendix A has been received from Jenna Heasman the owner of Meat59 (Exeter) Limited, for the VARIATION of a premises licence. The existing premises licence is attached as Appendix B.

1.2 The existing licence provisions are as follows:

- Late night refreshment (indoors) Monday to Saturday 23.00 – 00.00
Sunday and Good Friday 23.00 – 23.30
New Year's Eve 23.00 – 05.00
Christmas Day 23.00 - 23.30
- Supply of alcohol (on sales) Monday to Saturday 10.00 – 00.00
Sunday and Good Friday Noon – 23.30
New Year's Eve 10.00 – 10.00 (New Year's Day)
Christmas Day Noon – 23.30
- Opening Hours Monday to Sunday 24 hours.

The proposed variation:

- Late night refreshment (indoors and outdoors)
Monday to Sunday 23.00 – 00.00
Remove non –standard timings for Good Friday and Christmas Day.
- Supply of alcohol (on and off sales)
Monday to Sunday 08.00 – 00.00
Remove non-standard timings for Good Friday and Christmas Day.

The applicant would like to remove the following conditions.

‘CCTV shall be installed, operated and maintained to the satisfaction of the Chief of Police’.

‘Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals and for consumption by such person as an ancillary to their meal’.

The applicant would like add the following conditions:

‘The premises shall adopt a ‘Challenge 21 age verification policy’.

‘The provision of emergency lighting’.

‘There will be clear, legible signage requesting customers leave the premises quietly’.

- 1.3 The premises has been open on Magdalen Road since 28 April 2017 and is currently operating under the existing premises licence. The premises is primarily food led and specialises in gourmet burgers using fresh locally sourced products. The company, Meat59 already has an established restaurant operating in Torquay.

2. Are there any representations?

- 2.1 Five representations have been received from interested parties situated in the vicinity of the premises. The representations address the concerns of the local people and business’ to potential crime and disorder and public nuisance regarding the proposed variation. These are attached as Appendix C (please note the representations have had personal information redacted).
- 2.2 No representations have been received by a Responsible Authority.

3. Report details:

- 3.1 The application was advertised on the premises and in the local newspaper in accordance with the requirements of the Licensing Act 2003.

4. Legal and Policy Considerations:

- 4.3 The Licensing Sub-Committee are required to have regard to;
 - 4.3.1 the representations (including supporting information) presented by all the parties;
 - 4.3.2 the Official Guidance issued under section 182 of the Licensing Act 2003 revised April 2017;
 - 4.3.3 the Licensing Authorities Statement of Licensing Policy.
- 4.4 In determining a licence application the Licensing Authority will consider each application on its merits.
- 4.5 The Licensing Sub-Committee, having regard to the representations, must take such of the following steps, if any, as it considers appropriate for the promotion of the Licensing Objectives.

- to modify the conditions of the licence; and/or
- to reject the whole or part of the application.

If the Licensing Sub-Committee considers that none of the above steps are appropriate for the promotion of the Licensing Objectives the Application shall be taken as granted as applied for.

5. Recommendations:

- 5.1 The Licensing Sub-Committee are required to identify what steps, if any, need to be taken to determine the application.

Environmental Health and Licensing Manager

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275