

## LICENSING SUB-COMMITTEE

**Date:** Wednesday 18 March 2026

**Time:** 10.00 am

**Venue:** Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Josie McDonald, Democratic Services Officer on 01392 265354 or email [democratic.services@exeter.gov.uk](mailto:democratic.services@exeter.gov.uk)

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

*Membership -*  
Councillors Snow, Banyard and Darling

### Agenda

#### Part I: Items suggested for discussion with the press and public present

1 **Appointment of Chair**

To appoint a Chair for the meeting.

2 **Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item.

Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

3 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC**

*It is considered unlikely that the Committee would wish to exclude the press and public during consideration of the items on this agenda. If, however, the Committee were to exclude the press and public, a resolution in the following form should be passed:*

**“RECOMMENDED** that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the particular item(s) on the grounds that it (they) involve the likely disclosure of exempt information as defined in paragraph(s) of Part I of Schedule 12A of the Act.”

To pass the following resolution:

**RESOLVED** that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for items and on the grounds that if involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part I of Schedule 12A of the Act.

### **LICENSING ACT 2003**

#### **4 Application to Grant a Premises Licence**

To consider the report of the Head of Service - Environment and Waste.

(Pages 3 - 446)

**Individual reports on this agenda can be produced in other formats on request to Democratic Services on 01392 265354.**

## REPORT TO LICENSING SUB COMMITTEE

<b>Date of Hearing:</b>	<b>18<sup>th</sup> March 2025</b>
<b>Report of:</b>	<b>Service Lead – Head of Environment and Waste</b>
<b>Type of Application:</b>	<b>Premises licence</b>
<b>Premises Address:</b>	<b>1 Russell Way, Exeter, EX2 7UF</b>
<b>Legislation:</b>	<b>Licensing Act 2003 (“the Act”)</b>
<b>Applicant:</b>	<b>Orchestra Ltd</b>

### 1. What is the report about?

- 1.1 The application attached as Appendix A has been received by the Licensing Authority for a new premises licence at 1 Russel Way, Exeter.
- 1.2 A plan of the premises is attached at Appendix B.
- 1.3 The Application is to permit the supply of hot food and non-alcoholic drink on and off the premises. The Licensable activities applied for are:

**Late Night Refreshment**  
Monday to Sunday 23:00 – 05:00

- 1.4 The application seeks to allow the Applicant to trade for 24 hours. The opening hours applied for are:

**Opening Hours**  
Monday to Sunday 05:00 – 05:00

- 1.5 The Applicant has set out steps it intends to take to promote the Licensing Objectives in the Operating Schedule at section 18 of the application.

### 2. Are there any representations?

- 2.1 The last date for receiving representations was 25 February 2026.
- 2.2 Eighteen representations have been received objecting to the application relating to the Licensing Objectives of the Prevention of Public Nuisance, the Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm. These representations are attached at Appendix C.

- 2.3 One of the objections has been made by the Environmental Health Principal at Exeter City Council objecting to the application for Prevention of Public Nuisance, with suggestions for additional conditions to be imposed on the premises licence. This representation is attached at Appendix D. It is understood that Environmental Health and the applicant are in ongoing communication regarding this.
- 2.4 Two representations have been received in support of the application. These representations are also attached at Appendix C.

### **3. Report details:**

- 3.1 The application was advertised on the Premises and in the local newspaper from 28 January 2026 in line with the requirements of the Licensing Act 2003. The Premises advertisement is at Appendix E, and the newspaper advertisement is at Appendix F.
- 3.2 The notices of hearing, attached at Appendix G, was issued to all parties on 27 February 2026.

### **4. What are the legal aspects?**

- 4.1 The Licensing Sub-Committee are required to have regard to;
- 4.1.1 the representations (including supporting information) presented by all the parties; and
- 4.1.2 the Official Guidance issued under section 182 of the Licensing Act 2003 which can be viewed at: [Revised guidance issued under section 182 of the Licensing Act 2003 \(February 2026\) \(accessible version\) - GOV.UK](#); and
- 4.1.3 the Licensing Authorities Statement of Licensing Policy which can be viewed at [Statement of Licensing Policy 2020-2025](#)
- 4.2 In determining a licence application the Licensing Sub-Committee will consider each application on its merits.
- 4.3 The Licensing Sub-Committee, having regard to the representation, must take such of the following steps, if any, as it considers appropriate for the promotion of the Licensing Objectives.
- (a) To grant the licence subject to:
- i. The conditions consistent with the operating schedule modified to the extent that the authority considers appropriate for the promotion of the Licensing Objectives;
  - ii. The mandatory conditions under sections 19, 20 and 21 of the Act.
- (b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) To refuse to specify a person in the licence as the premises supervisor;
- (d) To reject the application.

4.4 Section 18 (5) of the Act provides that conditions in the operating schedule are modified if any of them is altered or omitted or any new condition is added.

**5. Recommendations:**

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

**Service Lead – Environmental Health & Community Safety**

Author: **Geraldine Pendlington** Licensing Officer

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

Background papers used in compiling this report:-  
None

Contact for enquires:  
Democratic Services (Committees)  
Room 4.36  
01392 265275

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# APPENDIX A

\* required information

## Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

M-01161393

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

Orchestra Limited

\* Family name

Orchestra Limited

\* E-mail

Main telephone number

Include country code.

Other telephone number

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

Is the applicant's business registered in the UK with Companies House?

- Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

08372248

Business name

Orchestra Limited

If the applicant's business is registered, use its registered name.

VAT number

-

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

**Continued from previous page...**

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

**Section 4 of 21****NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

**Continued from previous page...**

Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

**Continued from previous page...**

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

**Continued from previous page...**

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor  
 As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

**Continued from previous page...**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

The premises operates as an outlet of food and non-alcoholic drink and does not provide any adult entertainment or service that gives rise to a concern in respect of children.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

**Continued from previous page...**

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

This restaurant understands that in extending our opening hours we have a duty to the local community and that we continue to protect our staff and customers from danger and harm. We believe that the systems we have in place are robust, thorough and will, as far as reasonably practicable, secure the promotion of the four licensing objectives. It should be noted that no McDonald's restaurant within the United Kingdom serves alcohol and further none of our drinks or food are served to customers in glass receptacles.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the four licensing objectives. We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours.

b) The prevention of crime and disorder

This restaurant is keen to work in partnership with the local police service to prevent crime and disorder.

**CCTV**

McDonald's operates a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. At all stores where CCTV is in operation appropriate signage reflecting this information is displayed.

McDonald's operate digital motion activated CCTV systems where images are retained on a hard drive system. All CCTV equipment is of a standard suitable to record images of a proper quality, it meets the industry standard and has LGC Forensics or Kalagate Certification. As part of the digital system an alarm will sound if the equipment is faulty or not recording, thereby alerting management for the need to intervene. The CCTV system is regularly serviced by qualified maintenance technicians.

Access to the CCTV system will be provided to Police Officers at their request where reasonable.

**Staffsafe**

A Staffsafe™ system with both audio and visual monitoring capability will be installed in the restaurant, this system, can be activated by either fixed or mobile panic buttons. Once activated the system links the restaurant to an external monitoring

**Continued from previous page...**

centre capable of intervening to resolve crime and disorder issues and/or provide the appropriate advice or instruction to support and protect the restaurant's staff and customers.

At this restaurant all shift managers have safety and security training; including Maybo SIA accredited Conflict Management Training.

**c) Public safety**

This restaurant is keen to work in partnership with the local Fire Service and Environmental Health Officer to ensure public safety.

This restaurant has safety systems in place to protect the safety of customers and staff at all times (such as Staffsafe). We work with the local Environmental Health Office and local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant is also subject to inspections from our own safety and security teams to ensure our systems are being maintained.

All of our restaurant staff receive comprehensive safety training to ensure that safe working methods are adopted and all staff are trained on the restaurant's evacuation procedure in the event of a fire or other dangerous occurrence.

This store operates a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area.

**d) The prevention of public nuisance**

**Litter**

McDonald's were the first company in our sector to introduce litter patrols in the early 1980's. McDonald's is committed to carry out litter patrols collecting both McDonald's packaging and any other litter that has been carelessly discarded. We are happy to act on recommendations from the Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable.

All of McDonald's packaging displays the recycle symbol to encourage our customers to deal with their waste responsibly. Further details regarding McDonald's commitment to reducing waste and litter nuisance can be found at the "Our World" section of the McDonald's website:

<https://www.mcdonalds.com/gb/en-gb/our-plan-for-change.html>

**Noise**

Where it is practical to do so we are content to put measures in place to limit noise. All McDonald's restaurant doors are self-closing and we try to encourage our customers to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area.

**e) The protection of children from harm**

McDonald's do not anticipate that unaccompanied children will use the restaurant in the extended hour's period covered by this licensing application. We do however take their safety extremely seriously and will continue to employ the same practices to ensure that they are protected from harm at all times when visiting the restaurant.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

**Continued from previous page...**

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

***Continued from previous page...***

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

**Continued from previous page...**

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

635.00

**DECLARATION**

**Continued from previous page...**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership. I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will be become invalid if I cease to be entitled to live and work in the UK.

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/exeter/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="M-01161393"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# APPENDIX B



**NOTES**

Note:  
All fry stations have automatic fire suppression devices fitted.

**Fire Strategy Legend :**

- Fire exit door - Doors to include emergency release and fire exit signage - 100mm white black letters on green background.
- Fire door keep shut signage - 100mm white letters on green background.
- Fire Exit keep clear signage - 100mm white letters on green background.
- Push bar to open signage - 100mm white letters on green background.
- Fire exit signage - 100mm white letters on green background.

- Fire instruction notice.
- 15KG CO2 Fire extinguisher with description signage to wall.
- 9 Litre water fire extinguisher with description signage to wall.
- 6 Litre AFFF foam spray fire extinguisher with description signage to wall.
- Fire blanket with description signage to wall.

- Annual system
- Break glass alarm point
- Emergency Voice Communication System
- Emergency Call Point
- Evacuation Chair
- Disabled refuge intercom
- Smoke detector (optical)
- Heat detector (fixed temp)
- Heat detector (rate of rise)
- Circuit board smoke detector (optical) and heat detector

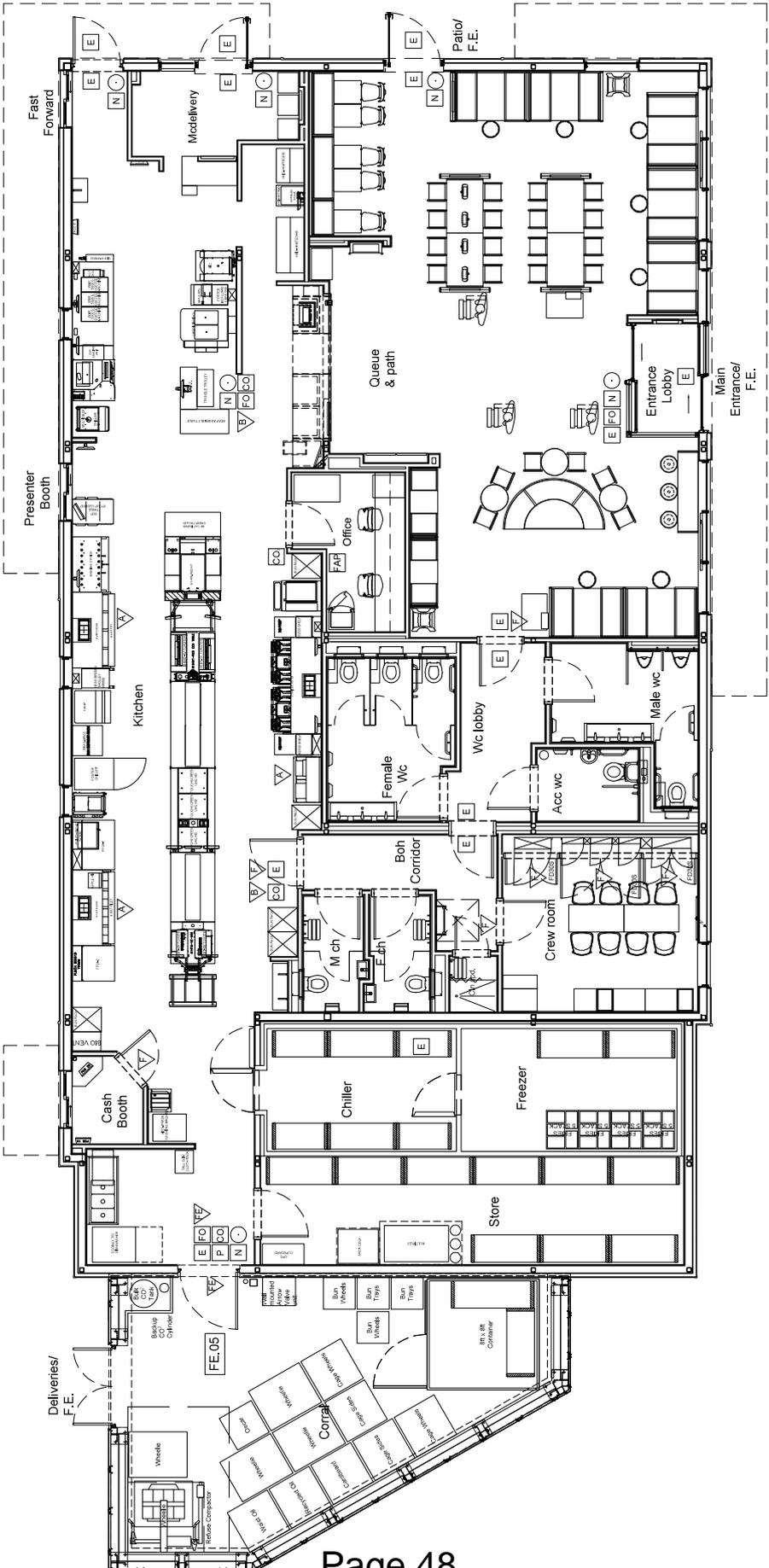
- Flashing indicator light
- Audible fire alarm siren + beacon
- Fire alarm panel
- Fire alarm interface unit

**Licensable activity:**  
Sale of Hot food & Drink after 11 pm.

Rev.	Date	Amendments

**PROJECT**  
#2042 Exeter TESCO,  
Russell Way  
Exeter Vale  
EX2 7EZ

TITLE		Discipline	
Ground floor plan (For Licencing)		Drawn	Arch
Date	Jan 2026	Proj. No.	L2042/001
Scale	1:100@A3	Issue No.	001



# APPENDIX C

MacD Russell Way	New Premises Application	Late Night Refreshment	23.00 to 05.00 Mon to Sun
REPS Against	NAME	EMAIL	
1.			<p>Dear Sir / Madam</p> <p>I am writing on behalf of several residents of Lewis Crescent to formally raise an objection to the current planning application seeking permission for 24-hour opening at the McDonald's drive-through restaurant located at 1 Russell Way, Exeter.</p> <p>The restaurant commenced operations in summer 2025. Since opening, a number of residents in Lewis Crescent have experienced significant and ongoing issues relating to light pollution and loss of privacy arising from the car park area. Vehicles regularly park with headlights illuminated whilst consuming food, resulting in our homes being directly overlooked and subjected to intrusive artificial lighting.</p> <p>These concerns are not speculative. Residents currently have an open complaint with Exeter City Council Environmental Health, and several households have recently submitted a month's worth of contemporaneous evidence demonstrating the scale and persistence of the problem. The impact on residents' quality of life within their own homes has been substantial and ongoing.</p> <p>The restaurant currently operates between 07:00 and 23:00. The application to extend opening to a 24/7 operation would, in our view, materially worsen an already unacceptable situation. Increased overnight activity would inevitably intensify light intrusion, extend the period during which residents feel overlooked, and further erode residential amenity.</p>

			<p>Having attended the original planning meeting, I am concerned that the granting of this licence may be regarded as a fait accompli. Nonetheless, I wish to place on record a formal objection to the application on the grounds outlined above.</p> <p>Residents are not seeking to prevent the business from operating. Our request is proportionate, reasonable, and relatively inexpensive: the erection of a suitable perimeter fence around the curtilage of the property to mitigate light pollution and prevent direct overlooking from the car park into residential dwellings.</p> <p>I would respectfully suggest that this matter requires a coordinated approach between the Planning and Environmental Health departments. In particular, I urge the Council to ensure that relevant information and evidence already held by Environmental Health is fully considered by Planning officers. We further request that, should the application be approved, a condition be attached requiring the installation of an appropriate perimeter fence as a matter of urgency.</p> <p>This would represent a balanced and practical solution that allows the business to operate while safeguarding the reasonable expectations of nearby residents to privacy and enjoyment of their homes.</p> <p>I would be grateful for confirmation that this objection has been received and that it will be fully considered as part of the determination process.</p>
2.			<p>Good afternoon</p> <p>It has come to my attention that Orchestra Limited have applied for a New Premises Licence at McDonald's, Russell Way, Exeter, EX2 7UF, for 'late night refreshments' between 5.00am and 5.00am and I write in objection.</p>

			<p>Permission was granted in August 2024 for the food outlet to be erected at this location despite objections, however it was subject to 30 conditions, number 24 stating <i>There shall be no servicing of the premises except between the hours of <b>06.00</b> and <b>23.00</b>. (This includes collections of refuse/ recycling).</i> <b>Reason:</b> <i>To protect the amenity of the locality, especially for people living and/or working nearby.</i></p> <p>It is less than 18 months since this planning permission was granted and now in through the back door, a licensing application has made for 24 hour servicing! Nothing has changed in the locale since the conditions were made, there are still people living nearby who would be affected by this change. We as residents of the area have to contend with the food outlet and all it brings with it for 17 hours of every day, to be forced to have it running 24 hours a day, which clearly is overnight when residents are supposed to be sleeping, is not acceptable.</p> <p>If people are so desperate for 'late night refreshments' after 11 o'clock at night and can't make something in their own kitchens, then may I suggest they pay a visit to Moto Motorway Services which is less than 5 minutes drive from Russell Way and is open 24 hours a day without any impact on housing.</p>
3.			<p>Hello</p> <p>I am writing to formally object to the application made by Orchestra Limited for a new Premises Licence at McDonald's, Russell Way, Exeter, EX2 7UF, which seeks permission to provide late-night refreshment on a 24-hour basis, from 5.00am to 5.00am.</p> <p>Planning permission for this site was granted only in 2024 with strict conditions attached. One of those conditions clearly restricts trading, servicing, and refuse and recycling collections to the hours of 06.00 to 23.00. These restrictions were imposed specifically to reduce the impact on nearby residents and to ensure consistency with neighbouring food outlets such as Taco Bell and KFC.</p>

			<p>Just over 18 months later, Orchestra Limited is now attempting to undermine those conditions by submitting a licensing application that contradicts the original planning consent. This approach is underhand and appears designed to bypass agreed safeguards. The application is neither reasonable nor justified.</p> <p>The impact on local residents would be significant. I say this from direct experience. Granting this licence would also set a dangerous precedent, encouraging other nearby outlets to submit similar applications. Residents already suffer from antisocial behaviour linked to the existing outlets, particularly KFC. This includes boy racers hanging around the car parks, using the bypass and Russell Way as a racetrack, which has already resulted in two late night collisions with lamp posts one of which borders a residential front garden and living room. Screaming and shouting late into the night, levels of litter strewn around and quite often thrown into peoples gardens. Traffic levels during the day and evening are already heavy, and peace is only restored when Tesco and the food outlets close.</p> <p>These food outlets are open long enough and extending operations into the overnight period would remove the last remaining quiet hours we have and would inevitably disturb residents during the night. This is wholly unreasonable and unacceptable.</p> <p>If people are desperate burgers and fries throughout the night, alternatives already exist. Customers can use delivery services such as Deliveroo, drive to the M5 services which operate 24 hours a day, or walk there if they live locally.</p> <p>For all of these reasons, I strongly object to the granting of this Premises Licence.</p>
4.			<p>To whom it may concern.</p> <p>Myself and other residents are fully opposed to a change in opening hours to the McDonald's restaurant to become 24 hours opening this is because it will prevent us residents whom are directly opposite the site in Lewis Crescent from being able to sleep at night due to noise from customers and vehicles lights which shine directly into bedroom windows at night there is also noise from delivery vehicles at approximately 6 am from reversing beepers which I believe should not be used during certain hours of the day in the vicinity of residential areas but this is ignored on a daily basis there is also the risk of anti social behaviour during the early hrs . There is a McDonald's in exeter that is on a</p>

			retail park with no residents in its immediate vicinity that is 24 hours which can be used. If this application is approved it will be to the detriment of all residents in the digby area
5.			<p>I am writing this email in relation to the planned extension of opening hours for the McDonald's in Russell way exeter.</p> <p>I am very strongly apposed to this application.</p> <p>This is a residential area with a large number of private residence in very close proximity to restaurant.</p> <p>I believe the original planning permission was granted with the condition that this was not to be a 24 hour operation , also inline with police advisory due to anti social behaviour. Since the opening the traffic around this area has increased ten fold .</p> <p>At night we have to put up with noise and car headlights shining straight into our rear bedroom windows as in a town house our bedrooms are level with the car parking area for this establishment, this is every night until 11pm , why should our sleep be disturbed all night and every single night , this is not acceptable inhumane and anti social , there is also lots of noise very early in the morning from 5am to 6am from refuse lorry's , delivery lorry's , and jet washing the car park again this is unacceptable and inappropriate at this time in the morning , there should be no noise under law in a residential area from a business until 7am .</p> <p>It has already had a significant impact on the current values of property in the close vicinity.</p> <p>It is uncalled for when there are already two other McDonald's that are already 24 hours in Exeter that are located in non residential areas , Exeter does not need 3 24 hour McDonald's , 3 is bordering on ridiculous and the city does not need it as it is already served by two .</p> <p>I again state this is a very high vote against this , and the complaints will be constant and extremely high if this granted</p> <p>Kind regards</p>

6.			<p>I am deeply concerned about this due to the footfall, traffic and anti social behaviour in the area which has risen sharply since the business opened. Littering in the Etonhurst Close area is high clearly all McDonald's products and residents regularly pick up this litter as the applicants staff do not do so and the applicants have not provided extra bins.</p> <p>A dangerous sink hole on Russell way (which has been reported to the council ) has coincidentally developed since Macdonalds opened.</p> <p>The area has seen a marked increase in loud high performance vehicles driven by young people since the restaurant has opened. Increasing the opening hours will exacerbate the existing problems which the applicant has not addressed further.</p> <p>This is an out of town restaurant and local residents except shift workers have no need for a fast food establishment until 5am.</p> <p>Please accept this objection as you make your decision</p>
7.			<p>Dear Team,</p> <p>I note Orchestra Limited have applied for an extension to their premises licence to 24 hr trade.</p> <p>As a local resident my representation is to object to the application.</p> <p>There has been an increase in traffic, noise and litter since the restaurant has opened. That is to an extent part of life and of course there are benefits as well to the economy and to users of the service. However, an extension of hours is unlikely to improve traffic, noise, litter and associated ASB.</p> <p>The McDonalds at Marsh Barton attracts problems due to its 24hr opening, particularly with vehicles which I think we risk replicating.</p> <p>Other fast food outlets seem to take a more balanced and community minded approach with Burger King and KFC at Exeter services closing by midnight. Surely there should be some consistency.</p> <p>McDonald's is not a necessity, there are facilities for food in an "emergency" nearby. Opening at 5am is more than adequately early for those off to work, but opening past 11 is disruptive - noise etc from</p>

			<p>cars for locals. Perhaps a trial period of 24 hour opening on Fridays and Saturdays with a proper evaluation before any further extension might be granted.</p> <p>Please acknowledge receipt and I'd be grateful if you would advise what happens next.</p> <p>Kind regards</p>
8.			<p><b>To whom it may concern,</b></p> <p>I am writing to object to the proposed extension of opening hours to 24 hours at McDonald's, 1 Russell Way, Exeter EX2 7TG. My objection is based on material planning considerations, including <b>amenity impact, noise, antisocial behaviour, litter, and conflict with key policies of the Exeter Local Plan.</b></p> <p><b>1. Impact on Residential Amenity (Noise, Disturbance, Late-Night Activity)</b></p> <p>Extended late-night and early-morning trading is widely recognised as a generator of:</p> <ul style="list-style-type: none"> <li>• Vehicle noise (engines, car doors, revving, idling)</li> <li>• Increased footfall at unsociable hours</li> <li>• Raised voices and congregation of groups</li> <li>• Delivery driver activity throughout the night</li> </ul> <p>The surrounding area includes residential properties that currently experience a reasonable level of night-time quiet. A 24-hour operation would <b>significantly erode residential amenity</b>, contrary to the aims of the <b>Exeter Local Plan First Review</b>, particularly:</p>

			<ul style="list-style-type: none"> <li>• <b>Policy DG4 (Residential Amenity)</b> – which requires development to ensure a “quality of amenity” and avoid unacceptable noise and disturbance.</li> <li>• <b>Policy EN3 (Environmental Enhancement)</b> – which seeks to protect environmental quality and reduce nuisance.</li> </ul> <p>The proposal would clearly undermine these objectives.</p> <h2>2. Increase in Antisocial Behaviour</h2> <p>There has been a <b>notable uptick in antisocial behaviour in the Russell Way / Rydon Lane area in recent months</b>, including:</p> <ul style="list-style-type: none"> <li>• Late-night loitering</li> <li>• Verbal altercations</li> <li>• Vandalism and nuisance behaviour</li> <li>• Groups gathering around fast-food premises after closing times elsewhere</li> </ul> <p>Extending McDonald’s to 24 hours would <b>draw additional late-night activity into an area already experiencing strain</b>, increasing the likelihood of:</p> <ul style="list-style-type: none"> <li>• Disorder</li> <li>• Noise incidents</li> <li>• Police callouts</li> <li>• Disturbance to nearby residents and businesses</li> </ul> <p>This directly conflicts with the Local Plan’s emphasis on <b>safe, sustainable communities</b> and the need to avoid developments that exacerbate crime or fear of crime.</p>
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			<h3>3. Litter and Environmental Impact</h3> <p>The area around Russell Way already suffers from <b>persistent littering</b>, including:</p> <ul style="list-style-type: none"><li>• Food packaging</li><li>• Drink containers</li><li>• Bags and wrappers associated with fast-food outlets</li></ul> <p>A 24-hour operation would inevitably increase litter at night, when:</p> <ul style="list-style-type: none"><li>• Street-cleaning services are not operating</li><li>• Litter is more likely to accumulate unnoticed</li><li>• Wildlife may scatter waste further</li></ul> <p>This is contrary to:</p> <ul style="list-style-type: none"><li>• <b>Policy EN2 (Air and Water Quality)</b> and <b>EN3 (Environmental Enhancement)</b> – which emphasise maintaining and improving environmental quality.</li><li>• The council’s broader sustainability and neighbourhood-quality objectives.</li></ul> <h3>4. Traffic and Highway Safety</h3> <p>Night-time traffic associated with a 24-hour drive-through would introduce:</p> <ul style="list-style-type: none"><li>• Additional vehicle movements during hours when the road network is quieter and visibility is reduced</li><li>• Increased risk of disturbance from headlights, engine noise, and delivery vehicles</li><li>• Potential conflict with nearby residential access routes</li></ul>
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			<p>This is inconsistent with the Local Plan’s commitment to <b>minimising traffic impacts and protecting residential environments</b>.</p> <h3>5. Lack of Demonstrated Need</h3> <p>There is <b>no clear evidence of community need</b> for a 24-hour fast-food outlet in this location. Exeter already has late-night food provision in more appropriate areas—primarily the city centre—where:</p> <ul style="list-style-type: none"><li>• Noise is expected</li><li>• Policing resources are concentrated</li><li>• Residential density is lower or more accustomed to night-time activity</li></ul> <p>A suburban retail-park setting is <b>not an appropriate location</b> for 24-hour hot-food takeaway use.</p> <h3>Conclusion</h3> <p>For the reasons above—particularly the <b>impact on residential amenity, increased antisocial behaviour, litter, environmental harm, and conflict with the Exeter Local Plan</b>—I respectfully request that the application for 24-hour opening at McDonald’s, 1 Russell Way, be <b>refused</b>.</p> <p>The proposal would materially harm the character, safety, and amenity of the surrounding area and offers no compelling public benefit that outweighs these impacts.</p> <p>Please acknowledge receipt of this objection via email response.</p> <p>Yours sincerely,</p>
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			Local Resident (address can be provided upon request)
9.			<p>I write on behalf of Tesco Stores Limited in connection with the application for a late night refreshment licence from Monday to Sunday 11pm - 5am at the McDonald's Restaurant, 1 Russell Way, Exeter EX2 7UF.</p> <p>We object to the application and request that it be refused by the council.</p> <p>Tesco operates a store next to the McDonald's Restaurant. The store is open 6am to midnight Monday to Saturday and 10am to 4pm on Sundays.</p> <p>We are concerned that the McDonald's restaurant being open overnight could result in antisocial behaviour taking place in the adjacent Tesco car park when the store is closed. We have had incidents across our estate of late night car meets at stores, causing damage and nuisance, and vandalism of property. There is the potential for increased traffic accidents related to individuals being attracted to the area late at night and risks of speeding, dangerous driving and increased congestion at unsociable hours.</p> <p>There is also the potential for increase litter in surrounding streets and green spaces associated with longer opening hours, impacting the cleanliness and appearance of the area. In addition, there is the potential for increased noise from the premises affecting neighbouring residential properties.</p> <p>For these reasons, we respectfully request that your council refuse the application. Should your council be minded to grant the licence, we request that conditions be imposed to mitigate the impact, including enhanced security measures, noise controls, and mandatory litter patrols. 2</p> <p>Please confirm that this representation has been received and will be taken into account as part of the licensing process. Also please contact me should you require any clarification.</p> <p>Yours sincerely For and on behalf of <b>Tesco Stores Limited</b>.</p> <p>Town Planning Manager (UK)</p>
10.			Dear Sir / Madam,

			<p>I understand that Orchestra Limited have applied to have a 'Late Night Refreshment Licence' for their McDonalds takeaway/ drive through at 1 Russell Way, Exeter, to allow their business to operate from 2300 hours until 0500 hours the following morning, effectively allowing them to remain open 24 hours a day.</p> <p>I wish to raise objection to this application.</p> <p>The area is a residential area, with a number of young and older families quietly living their life. It does not need further vehicles moving around at night, primarily the younger element tearing around and 'hanging' about in the car parks nearby. We already experience a considerable amount of litter with 'McDonalds' boxes and drinks containers being discarded in our residential roads, pavements and gardens by passing customers on foot. I fear this approval will create more!!</p> <p>The other Retail Outlets including Tesco itself all shut at night, and there is no reason to create a magnet for additional traffic, footfall, possibly leading to anti-social behaviour and general noise during the early hours.</p> <p>Is there a need?? What justification is there? If this can be shown, is this to the detriment of those in the nearby residents?</p> <p>Would the members of the Council like this to have this on their own doorstep? I think not.</p> <p>I strongly submit my objection and trust you will look to refuse the application.</p> <p>Thank you</p>
11.			<p>Please could you record the strongest objection from both of us:- ..... to the granting of a 24 hour opening license to MacDonalDs at 1 Russell Way Exeter.          We live at .....about 200/300 metres from the site.          This is a quiet residential area and our deeds require us to cause no nuisance to others in the area so neither should MacDonalDs.</p>

			<p>All the other tenants of the retail park close overnight as should MacDonalds. I would ask you to recognise that their opening all through the night would give rise to noise, disturbance and, perhaps, antisocial behaviour. I trust the Council will listen to the Council Tax payers in the immediate area. Thank you. Yours faithfully</p>
12.			<p>I am writing to object to application to extend the license to make Macdonalds Russell Way Exeter 24 hours. This is a residential area and there is already anti social behaviour with cars with loud exhausts driving around the area disturbing the peace for the residents. There is no requirement for this macdonalds to be open 24 hours it will only attract boy racers to use it as starting point to race around the area which they already do. If people need to buy a burger or similar they can go to Moto services where there is 24 hour food outlets and is not in the middle of a residential area. When the planning permission was passed to build this macdonalds there was an application to make it open 24 hours then and was not granted. What has changed to make this possible now? Nothing except the greed of the person that has the franchise of this macdonalds and all the others in Exeter. Therefore I strongly object to this application.</p>
13.			<p>Hi,</p> <p>I am writing to object the application for McDonald's being open between 11pm to 5am.</p> <p>This is a residential area and we already have issue with anti social behaviour of groups walking past our house and dropping litter up until midnight. If it was a high street or motorway services this would be appropriate but not in an area with some many houses.</p> <p>We live at .....right by the McDonald's/tesco.</p> <p>Many thanks,</p>

14.			<p>I am writing to object the application for McDonald's being open between 11pm to 5am.</p> <p>This is a residential area and we already have issue with anti social behaviour of groups walking past our house and dropping litter up until midnight. If it was a high street or motorway services this would be appropriate but not in an area with some many houses.</p> <p>We live at .....right by the McDonald's/tesco.</p>
15.			<p>Dear Sir/Madam,</p> <p>It has come to my attention that Orchestra Limited have applied for a 'Late Night Refreshment Licence' for the McDonalds takeaway at 1 Russell Way Exeter, which would allow the opening hours to operate from 2300 hours until 0500 hours in the morning. This would allow them to open 24 hours a day. This i feel would not be beneficial to our area. The area around McDonalds is a residential area. There are many elderly residents who live here in our area, some who have lived here for many years since the houses were built 25 years ago. Also, families with very young children. It is at present a pleasant area to live in. But granting this application would no doubt change that. With high volumes of traffic at night, and encouraging the young ones to congregate around the roads and carparks during the night, leading to anti-social behaviour. It would no doubt become very noisy at night and, there would be more litter {McDonalds boxes and drink cans} being dropped on our roads and gardens when passing by!!</p> <p>The present McDonalds opening hours are quite adequate closing at 11pm at night, and not necessary. I therefore hope that this application will not be granted.</p> <p>Thanking you,</p> <p>Yours Sincerely,</p>
16.			<p>I wish to strongly object to the notice that the council have received regarding the new licence premises from Orchestra Limited.</p> <p>I have to question whether there is a real need for late night refreshments between the hours of 11pm - 5am. If people are that desperate for something to eat or drink during these hours then they can go into 24 hour Tescos!</p>

			<p>The only thing approving this licence will do is line the pockets of yet another London based company. They will take all the benefits and none of the negatives. Late night noise, anti social behaviour and even more litter for the residents to live with.</p>
17.			<p><b>OBJECTIONS to proposed licence for 24 hour opening</b></p> <p>We live in close proximity to McDonalds Digby, which opened last year. It already has extensive (more than sufficient) opening hours.</p> <p>The extension of the licence to 24 hours is unnecessary and something to which we wish to object.</p> <p>The store is located in a <i>residential area</i>/community.</p> <p>The adjacent Tesco store is not open 24 hours nor the petrol filling station.</p> <p>The nearby retail park is also not open 24 hours nor the 2 takeaway outlets, KFC and Taco Bell.</p> <p>Opening overnight is therefore out of character for the area and would set a dangerous precedent should it be approved. It is not a NTE area.</p> <p>The proposed extension to the licence increases the risk of public nuisance issues, which as neighbouring residents, we would like to be protected from in particular light and noise.</p> <p>The roads near to the premises are busy but quieten in the evening.</p> <p>The extension of opening hours would cause an increase in traffic and bring traffic into the area overnight when there would not be a cause/reason for such vehicles to otherwise be in the area overnight.</p> <p>The same applies in relation to public footfall in the area overnight, which increases the risk of anti-social behaviour in terms of noise, littering etc. This is something we hope the local police would comment on taking into account the nature of the area and the location of the local custody suite.</p> <p>We very much hope that the licence will not be granted.</p>

REPS In Support			
1.			<p>I am writing In support of the licensing application for McDonald's by the Tesco to go 24h, it helps me when I get home late and need a snack and that way I don't have to drive to marsh Barton.</p> <p>I am in support of granting this license</p>
2.			<p>Not sure if you just want negative replies but I support this application.</p> <p>I live at .....</p>

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# APPENDIX D

## EXETER CITY LICENSING AUTHORITY

### Licensing Act 2003: Representation form

**NOTE: This form includes a section to confirm successful mediation between Responsible Authorities and the applicant. This includes the agreement of conditions.**

#### **1. Your details**

Responsible Authority:	Exeter City Council
Your Name:	
Job Title:	Principal Environmental Health Officer
Postal address:	Civic Centre Paris Street Exeter EX1 1RQ
Email address:	
Contact telephone number:	

#### **2. Premises details**

Name of the premises you are making a representation about:	McDonald's Restaurants
Name of the applicant:	Orchestra Ltd
Address of the premises you are making a representation about:	1 Russell Way Exeter EX2 7UF

#### **3. Representation information**

<b>Which of the four licensing objectives does your representation relate to?</b>	<b>Yes Or No</b>	<b>Please detail the reason(s) for your representation, including any relevant evidence. This <u>MUST</u> include a clear statement as to why the representation is considered appropriate and necessary. Please use separate sheets if necessary.</b>
To prevent crime and disorder	No	
Public safety	No	

To prevent public nuisance	Yes	<p>Environmental Health is currently dealing with complaints of alleged light nuisance from the headlamps of cars parked in this McDonalds' carpark. We have now received diary sheets from two residents of Lewis Crescent indicating that lights are shining directly into the rear of their properties from the car park opposite, presumably whilst restaurant customers sit in their vehicles eating food. We visited one of the complainants' properties in December to witness the lights which, we agree, are intrusive – I attach, on a separate sheet, some photographs taken at the time.</p> <p>We have been in contact with Orchestra's franchisee, ....., suggesting that a light-blocking barrier, to at least the height of car headlamps, around the perimeter of the car park opposite Lewis Crescent would appear to be simple solution to this issue. No action has been taken in respect of this so far.</p>
To protect children from harm	No	

#### 4. Additional information and mediation

Do you have any suggested conditions or alterations to the application that would remedy your representation? If so, please list them clearly. Please use separate sheets if necessary.	As noted in section three, the simplest solution would appear to be the installation of a light-blocking barrier around that part of the car park perimeter opposite Lewis Crescent (i.e. from where the parked car headlamps are an issue).	
If the applicant agrees to the amendments you have set out in the box above, would you be willing to withdraw your representation?	<b>Yes</b>	<b>No</b>
If you agree to withdraw your representation, do you also agree that there is no need for a hearing?	<b>Yes</b>	<b>No</b>
If you are unwilling to withdraw your representation, please detail the reasons for this. This information will be provided to the licensing sub-committee in advance of a hearing.		
Any additional information?		

Signed:

Date: 4 February 2026

Please return this form along with any additional sheets to: Exeter City Licensing Authority, Civic Centre, Paris Street, Exeter EX1 1JN or email to [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk). This form must be returned within the Statutory Period.

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#### 5. Confirmation of agreement

If an amendment to the application has been agreed between the applicant and the Responsible Authority making the representation, the applicant must sign below to confirm the amendments to the application set out above and their agreement.

Name of applicant:

Signed:

Date:

Photos taken by Principal EHO, from complainants' bedroom on Lewis Crescent, 17:04 and 17:10 on 1 December 2025.



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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# APPENDIX E

# **APPLICATION FOR A PREMISES LICENCE**

Orchestra Ltd has applied to Exeter City Council Licensing Authority for a New Premises Licence at MacDonald's Restaurant, 1 Russell Way, Exeter EX2 7UF

The applicant wishes to apply for the below licensable activities each day.

- Late Night Refreshment 23.00 to 05.00 Each Day.
- Hours Open to the Public – 05.00 to 05.00 Each Day.

This application can be viewed online on the EEC website at the Licensing Section, or by prior appointment at Exeter City Council, Civic Centre, Paris Street, Exeter, EX1 1RQ.

Representations must be made by email to [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk) or in writing to the Licensing Section at the address above by 25 February 2026

It is an offence knowingly or recklessly to make a false statement in connection with an application and one is liable on summary conviction to a fine not exceeding level 5 on the standard scale.













# APPENDIX F

**LICENSING ACT 2003, NOTICE OF APPLICATION FOR A PREMISES LICENCE**

NOTICE IS GIVEN THAT Orchestra Limited t/a McDonald's Restaurants has applied to Exeter City Council on 28th January 2026 for the grant of a premises licence to use the premises at McDonald's Restaurants, 1 Russell Way, Exeter, EX2 7UF.

For the provision of late night refreshment for the sale of hot food and drink from 23:00 until 05:00 Mondays to Sundays for consumption on and off the premises.

Further information can be viewed on the application during normal office hours at the offices of the Licensing Authority at :- Exeter City Council, Civic Centre, Paris Street, Exeter, EX1 1JN or at Applications in progress - Exeter City Council

Any interested party or responsible authority may make representations to the Council about the application. Such representations must be in writing to the above address and must be made no later than 25th February 2026.

Note: It is an offence to knowingly or recklessly make a false statement in connection with an application. A person is liable to an unlimited fine on conviction should such a false statement be made.

Dated: 28th January 2026

**Shoosmiths LLP**, Last date for representations: 25th February 2026

# APPENDIX G

EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4. Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

*S:/CS/Legal/LR/licensingprocedures/noticeof hearing.doc*

EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 26.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
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- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
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- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

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- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

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8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

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## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

*S:/CS/Legal/LR/licensingprocedures/noticeof hearing.doc*

EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

---

Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

---

**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

---

**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4. Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

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  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

---

Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

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and
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The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

---

Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

---

**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and when you should respond.**

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**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

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### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
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At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
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- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

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7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

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## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
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- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

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**1. Right of attendance, assistance and representation**

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At the hearing you will be entitled:-

- a) to address the sub-committee;
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- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
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- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
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- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
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- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

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## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
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- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

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- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
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- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
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    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

*S:/CS/Legal/LR/licensingprocedures/noticeof hearing.doc*

EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

---

Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN

Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

---

**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4. Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

---

Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

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and
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### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

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**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
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- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
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**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

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- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
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- where appropriate to assist the sub-committee in recording the reasons for its determination.

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## **10. Irregularities**

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

---

Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

---

**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
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### **PLEASE SEND THIS INFORMATION TO:**

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Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

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**2. Representations and supporting information**

At the hearing you will be entitled:-

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- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
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**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

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**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4. Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
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- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence, Russell Way Exeter**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre. Paris Street, Exeter EX1 1RQ

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. (You have already been sent all representations received along with suggested conditions.)**

**In accordance with Regulation 7 (d) of the Licensing Act 2003 (Hearings) Regulations 2005 the licensing sub-committee will require you to provide clarification on the following point(s):-**

**We have received;**

- 1. One representation (objection) from a Responsible Authority (Exeter City Council Environmental Health)**
- 2. Seventeen representations (objections) from Exeter residents.**
- 3. Two representations (in support) from Exeter residents.**

**Redacted copies of all representations will be sent by email to the agent Elaine Rayner to follow this Notice of Hearing**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4 Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
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    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

### **PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
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- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
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- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
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- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

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- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

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7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

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- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

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10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

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- (a) the text of the notice
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    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

**ADDRESS ALL CORRESPONDENCE TO:**

Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## **RESPONSE TO NOTICE OF HEARING**

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Principal Licensing Officer a notice:-

- a) stating whether you consider a hearing to be unnecessary;
- b) stating whether you intend to attend and/or be represented at the hearing;  
and
- c) requesting permission if you wish any other person to appear at the hearing, stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable).

**PLEASE SEND THIS INFORMATION TO:**

The Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
Tel: 01392 265430 E-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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**Accompanying this notice you will find information about the licensing sub-committee hearing procedure together with copies of any documents which have to be disclosed to you prior to the hearing. Please supply any further information that you intend to rely on in the hearing by the above date.**

**EXETER CITY COUNCIL – LICENSING ACT 2003  
PROCEDURE AT LICENSING SUB-COMMITTEE HEARINGS  
INFORMATION FOR PARTIES**

References in these notes to “the Act” are to the Licensing Act 2003 and references to “the Regulations” are to The Licensing Act 2003 (Hearings) Regulations 2005.

**1. Right of attendance, assistance and representation**

You may attend the hearing and be assisted or represented by any person whether or not that person is legally qualified. This right is subject to the licensing authority’s right to exclude any person from a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing taking place in public.

**2. Representations and supporting information**

At the hearing you will be entitled:-

- a) to address the sub-committee;
- b) to give further information in support of your application, representations or notice (as applicable) in response to any point(s) upon which the licensing authority has advised that you will be required to provide clarification (see page 2 above); and
- c) if given permission by the sub-committee, to question any other party.

**3. Consequences if you fail to attend or be represented**

- 3.1 If you inform the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.
- 3.2 If you do not so inform the licensing authority and then fail to attend or be represented at the hearing, the hearing may either be adjourned to a specified date or be held in your absence.
- 3.3 Where the hearing is held in your absence, the sub-committee will consider your application, representations or notice (as applicable).
- 3.4 Where the hearing is adjourned to a specified date you will be notified of the date, time and place to which the hearing has been adjourned.

**4. Procedure to be followed at the hearing**

- 4.1 The Chair shall open the sub-committee and remind Members of their obligation to declare any personal and prejudicial interests.
- 4.2 If appropriate, the sub-committee may make a resolution under Section 100A of the local Government Act 1972 to exclude the public from the hearing of a particular matter. Alternatively the sub-committee may make a resolution to exclude the public from the hearing of a particular matter where it considers this to be in the public interest.

- 4.3 The Chair shall identify the elected Members, the Legal Adviser, the Member Services Officer (and the Licensing Officer, if present) for the benefit of those attending the hearing. The Chair shall explain the officers' respective roles.
- 4.4. Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

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Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**You must respond to this notice if you wish to address the sub-committee. Please turn to page 2 which explains how and by when you should respond.**

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

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Nigel J Marston, Principal Licensing Officer, Civic Centre, Paris Street, Exeter EX1 1JN  
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**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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- where appropriate to assist the sub-committee in recording the reasons for its determination.

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EXETER CITY COUNCIL  
LICENSING ACT 2003

NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

Date: 27.02.2026

Name: [REDACTED]

Address: By email; [REDACTED]

---

Case Number: [REDACTED]

Application: By: Orchestra Ltd

**Application for a New Premise Licence**

PLEASE NOTE that the hearing of this application will be heard by the licensing sub-committee sitting

AT: The Civic Centre

AT: 10.00

ON: 18.03.2026

[REDACTED]

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**TO ARRIVE BY NO LATER THAN:** 17.00hrs on Friday 6<sup>th</sup> March 2026

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- 4.4. Each matter to be dealt with by the sub-committee shall be called in turn, usually in the order listed on the sub-committee agenda. However, the Chair may change the order at his/her discretion.
- 4.5 If the matter is being heard in private, the Member Services Officer will direct everyone except the Members, officers and parties to leave the room.
- 4.6 As each matter is called, the Chair will ask all the parties to identify themselves. Parties may be assisted or represented by any person whether or not that person is legally qualified, except that the sub-committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return, or permit them to return only on such conditions as the sub-committee may specify; but such a person may, before the end of the hearing, submit to the sub-committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 4.7 The Chair (or Legal Adviser) will ask the parties if they understand the procedure to be followed and, if not, will explain the procedure to them, including any maximum time-limit to be imposed in respect of each party's representations.
- 4.8 If a party has informed the authority that he will not be attending or be represented at the hearing, it may proceed in his absence. If a party who has not informed the authority that he will not be attending or represented fails to attend or be represented, the sub-committee may hold the hearing in that party's absence or, if it considers it to be necessary in the public interest, adjourn the hearing to a specified date.
- 4.9 Where the authority holds a hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- 4.10 Where the authority adjourns a hearing to a specified date, it shall forthwith notify the parties of the date, time and place to which the hearing has been adjourned.
- 4.11 The Chair (or Legal Adviser or Licensing Officer) will introduce the matter by outlining the relevant facts. If the Licensing Officer attends, the Members may consult him at any time during the hearing to clarify any point relating to the application.

- 4.12 The sub-committee shall consider any request(s) previously made by any party(s) (in its Response to Notice of Hearing) for permission for another person to appear, and such permission shall not be unreasonably withheld.
- 4.13 The Chair (or Legal Adviser) will invite the applicant(s) to present his case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.14 Members of the sub-committee may ask questions of the applicant(s) and of any other person appearing on behalf of the applicant. Any other party may ask questions with the permission of the sub-committee.
- 4.15 The Chair (or Legal Adviser) will then invite each interested party and/or responsible authority in turn to present its case to the sub-committee, subject to any maximum time-limit imposed and to the requirements of paragraphs 4.19 and 4.20 below.
- 4.16 Members of the sub-committee may ask questions of each party who has addressed them and of any other person appearing on that party's behalf. Any other party may ask questions with the permission of the sub-committee.
- 4.17 The Chair (or Legal Adviser) will then invite the applicant to respond to the representations made by the other parties.
- 4.18 Where the sub-committee sets a maximum time-limit for each party to present its case, that time-limit shall apply to all parties.
- 4.19 Applications, relevant representations and/or notices shall have been sent to the authority, and to the other parties entitled to receive them, prior to the hearing within the statutory time-limits. The sub-committee may, at its discretion take into account additional documentary or other information produced by a party in support of its application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing. Any party seeking to produce additional documentary information shall provide sufficient copies for the Members, officers and other parties attending the hearing.
- 4.20 The sub-committee shall disregard any information given or evidence produced by a party or a witness which is not relevant to:-
- (1) its application, representations or notice (as applicable), and
  - (2) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a Chief Officer of Police, the crime prevention objective.

## **5. Evidence**

The strict legal rules of evidence shall not apply and evidence shall not be given on oath.

## **6. Legal Advice**

6.1 The role of the sub-committee's Legal Adviser is to provide the Members with advice on:-

- questions of law;
- matters of practice and procedure;
- the options available to the sub-committee in making their decision;
- any relevant decisions of superior courts, or other guidelines (eg. - Government Guidance on the 2003 Act and the Council's Statement of Licensing Policy);
- other issues relevant to the matter before the sub-committee (eg. any consultation currently in progress through Council etc.)
- where appropriate to assist the sub-committee in recording the reasons for its determination.

6.2 The Legal Adviser may ask questions of parties and persons appearing on their behalf in order to clarify the evidence and any issues in the case.

6.3 The Legal Adviser has a duty to ensure that every case is conducted fairly.

## **7. Determination of applications**

7.1 When all the evidence has been heard, the Members may withdraw to make their deliberations. The Member Services Officer and the Legal Adviser may remain with the sub-committee to give legal or procedural advice, but the Members will make the determination.

7.2 If the sub-committee needs to ask any further questions of any party, all parties will be asked to return before the sub-committee.

7.3 In the case of hearings held under the following sections of the Act, the sub-committee shall make its determination at the conclusion of the hearing:

- Hearing to consider police objection to temporary event notice [s.105(2)(a)]
- Hearing to consider review of premises licence following closure order [s.167(5)(a)]
- Hearing to determine application for conversion of existing licence to a new premises licence [Schedule 8, para 4(3)(a)]

- Hearing to determine application to vary a premises licence which is made at the same time as an application to convert an existing licence [s. 35 or s.39]
- Hearing to determine application for conversion of existing club certificate to a new club premises certificate [Schedule 8, para 16(3)(a)]
- Hearing to determine application to vary club premises certificate which is made at the same time as an application to convert an existing club registration certificate [s.85]
- Hearing to determine application for grant of personal licence to existing justices' licence holder [Schedule 8, para 26(3)(a)]

7.4 In any other case the authority shall make its determination within the period of 5 working days beginning with the day (or the last day) on which the hearing was held.

7.5 Where all the parties have agreed that no hearing is required, the authority shall make its determination within the period of 10 working days beginning with the day on which it gives notice to the parties.

## **8. Quorum**

8.1 The quorum for any hearing of a licensing sub-committee shall be two (2) Members.

8.2 Determinations shall be made by a majority vote with the Chair having a casting vote in the event of an inconclusive result.

## **9. Record of proceedings**

The authority shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for 6 years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of that appeal. This shall be the responsibility of the Member Services Officer.

## **10. Irregularities**

10.1 Any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.

10.2 In the case of any such irregularity, where it considers that any person may have been prejudiced as a result, the authority shall take such steps as it thinks fit to remedy the irregularity before reaching its determination.

10.3 The authority may correct clerical mistakes in any document recording a decision of the authority or errors arising in such a document from an accidental slip or omission.

## **11. Form of notices**

- 11.1 Any notices required to be given under this procedure (and/or under the Regulations) must be given in writing.
- 11.2 The requirement that any notice must be given in writing shall be satisfied where:-
- (a) the text of the notice
    - (i) is transmitted by electronic means;
    - (ii) is capable of being accessed by the recipient;
    - (iii) is legible in all material respects; and
    - (iv) is capable of being reproduced in written form and used for subsequent reference;
  - (b) the person to whom the notice is to be given has agreed in advance that such a notice may be given to them by electronic means; and
  - (c) forthwith on sending the text of the notice by electronic means, the notice is given to the recipient in writing.
- 11.3 Where the text of the notice is transmitted by electronic means, the giving of the notice shall be effected at the time the requirements of paragraph 15.2(a) are satisfied.

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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