

REPORT TO LICENSING SUB COMMITTEE

Date of Hearing:	10th March 2025
Report of:	Service Lead – Head of Environment and Waste
Type of Application:	To seek a VARIATION of the premises licence for Newham Stores
Premises Address:	12-13 South Street, Exeter, EX1 1DZ
Legislation:	Licensing Act 2003 (“the Act”)
Applicant:	Newham Stores (Exeter) Ltd

1. What is the report about?

- 1.1 The application attached as Appendix A has been received by the Licensing Authority for the VARIATION of a premises licence. The existing premises licence and plan is attached as Appendix B.

2. Are there any representations?

- 2.1 There have been two representations from City Councillors objecting to the variation 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. The representations are attached at Appendix C.
- 2.2 One additional representation has been received from a Responsible Authority. The Environmental Health & Community Safety Manager Exeter City Council has submitted an objection with suggested additional conditions. This is attached at Appendix D

3. Report details:

3.1 The existing licence provisions are as follows:

Opening Hours

Monday to Sunday 00:00 – 00:00

Supply of Alcohol

Monday to Sunday 06.00 - 02.00

Late Night Refreshment

Monday to Sunday 23:00 – 05.00

The proposed variation:

Supply of Alcohol

Monday to Sunday 02.00 – 06.00

- 3.2 The Applicant seeks to add the licensing activity of the sale of alcohol during the hours of 02.00 and 06.00 by home delivery only, operating through a third-party service provider. This would be in addition to alcohol sales already allowed by the current licence.
- 3.3 The Premises has been operated by the Applicant since September 2014 and is situated within the Cumulative Impact Zone. The Licensing Authority has received a representation regarding cumulative impact triggering the rebuttable presumption that applications likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, unless the Applicant can demonstrate in the operating schedule to the application that there will be no negative cumulative impact on the relevant Licensing Objectives.
- 3.4 The operating schedule of the Application refers to the conditions in the existing licence. The Applicant has agreed to conditions set out in the representation made by the Environmental Health & Community Safety Manager of Exeter City Council. This is stated in Appendix H where the Applicant has also confirmed there is no intention to restrict the sale of alcohol to orders containing groceries.
- 3.5 The Application was advertised on the Premises and in the local newspaper on 16th January 2026 in line with the above legislation. The Premises advertisement is at **Appendix E**, and the newspaper advertisement is at **Appendix F**.
- 3.6 The notice of hearing attached at **Appendix F** was issued to all parties on 26th February 2026.

4. What are the legal aspects?

- 4.1 The Licensing Sub-Committee are required to have regard to;
 - 4.1.1 the steps that are appropriate to promote the Licensing Objectives;
 - Protection of children from harm
 - Prevention of public nuisance
 - Public safety
 - Prevention of crime and disorder
 - 4.1.2 the representations (including supporting information) presented by all the parties; and
 - 4.1.3 the Official Guidance issued under section 182 of the Licensing Act 2003 can be viewed at: [Revised guidance issued under section 182 of the Licensing Act 2003 \(February 2026\) \(accessible version\) - GOV.UK](#); and

4.1.4 the Licensing Authorities Statement of Licensing Policy which can be viewed at <https://exeter.gov.uk/media/5123/statement-of-licensing-policy-2020-2025.pdf>

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 representations, must take such of the following steps, if any, as it considers appropriate for the promotion of the Licensing Objectives.

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

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

5. Recommendations:

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

Service Lead – Environmental Health & Community Safety

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

Background papers used in compiling this report:-
None

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