

REPORT TO LICENSING SUB COMMITTEE

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

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

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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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