

REPORT TO LICENSING SUB COMMITTEE

Date of Hearing: 15 February 2022

Report of: The Service Lead - Environmental Health & Community Safety.

Type of Application: Licensing Act 2003 application for the grant of a Premises Licence

Premises: Sandy Park Hotel Ltd

Legislation: Licensing Act 2003

Ward Application Refers to: St Loyes Ward

Applicant: Sandy Park Hotel Ltd

1. What is the report about?

- 1.1 The application and plan attached as Appendix A has been received for the grant of a premises licence.
- 1.2 The Premises is situated in Sandy Park Way adjacent to Old Rydon Lane, close to the Exeter Chiefs Rugby ground and the David Lloyd sports and Leisure centre.

2. Are there any representations?

- 2.1 There have been twenty representations objecting to the Application relating to the Licensing Objectives of the Prevention of Public Nuisance. The representations are from residents living in proximity to the applicants premises. The representations are listed at Appendix C.
- 2.2 The end date for receiving representations was 19th January 2022.
- 2.3 In response to the objections and discussions with the Devon and Cornwall Constabulary the Applicant has provided a written submission offering amendments to the Application and this is attached at Appendix D.
- 2.4 No representations have been received from Environmental Health, the Devon and Cornwall Constabulary or any other Responsible Authorities.

3. Report details:

- 3.1 The application was advertised on the Premises and in the local newspaper on 6th January and 13th January 2022 in line with above legislation. The Premises advertisement is at Appendix E and the newspaper advertisement is at Appendix F.

4. Legal and Policy Considerations:

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 revised April 2018; and

4.1.3 the Licensing Authorities Statement of Licensing Policy which can be viewed at here.

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.

(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.

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.

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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