



Exeter City Council

LICENSING ACT 2003

APPLICATION FOR GRANT OF A PREMISES LICENCE

NOTICE OF DETERMINATION

Date of Hearing: 15 February 2022

Application: Grant of a New Premises Licence

Name of Premises: Sandy Park Hotel Ltd

Address: Sandy Park Way, Exeter, Devon, EX2 7NN

Licensing Sub-Committee Members: Councillors: Buswell, J. Moore and Wood.

Legal Advisor: Matthew Hall (MH)

Licensing Officer: Alan Drake (AD)

Democratic Services Officer: Mark Devin (MD), Howard Bassett (HB)

Applicant: Mr Tony Rowe (TR) and Ms Kirsty Holburd (KH)

Representations: Cllr Peter Holland (speaking on behalf of members of the public who requested him to do so)

Hearing Duration: 17:00 Hours to 17:49 Hours

TAKE NOTICE:

That the Licensing Sub-Committee convened on 15 February 2022 has determined to grant a premises licence in accordance with section 18 of the Licensing Act 2003 subject to the amendments and conditions agreed by the Applicant as set out in this notice.

THE SUB-COMMITTEE'S DECISION:

In determining this application, the Licensing Sub-Committee took into account all the relevant evidence and information presented to it both written and oral, and took account of all the matters it is bound to take account of, in particular the following:

- Licensing Act 2003
- Statutory Guidance
- Exeter City Council Statement of Licensing Policy
- Human Rights Act 1998
- Any equality and diversity considerations

The Application was granted as applied for subject to the following amendments and conditions.

Amendments to the Application

The Applicant requested that the Licensing Sub-Committee amend the application to remove the following licensable activities:

- 1. The Provision of Live Music outside only.
- 2. The Provision of Recorded Music outside only.
- 3. Provision of anything similar in description to live music, recorded music or performances of dance.

Conditions

The Application is granted subject to the conditions submitted by the Applicant and set out in the Operating Schedule of the Application and Appendix D at page 55 of the report to the Licensing Sub-Committee.

In addition and with the agreement of the Applicant the following condition was imposed by the Licensing Sub-Committee:

Off-sales of alcohol shall not be consumed outside of the hotel building.

Reasons

The Licensing Sub-Committee was satisfied that the Application as amended would not have a negative impact on the Licensing Objective of public nuisance. The Licensing Sub-Committee considered that the Premises would be operated and managed in a way that would not pose a risk of disturbance to local residents and were reassured by the Applicant that live and recorded music would not be played outside after 2300hrs.

RIGHT OF APPEAL:

All parties are reminded of their right of appeal against this decision to the Magistrates' Court in accordance with Section 181 and Schedule 5 Part 1 of the Licensing Act 2003. Any appeal must be made within the period of 21 days beginning with the date on which you are notified of the decision appealed against.

Any Appeal is commenced by a notice addressed to:

The Clerk to the Justices, North and East Devon Magistrates Court Office, Southernhay Gardens, Exeter, EX1 1UH Telephone 01392 415300.

The Chair of Licensing Sub Committee

Christine A Buswell
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21 February 2022