



Exeter City Council

LICENSING ACT 2003

APPLICATION FOR GRANT OF A PREMISES LICENCE

NOTICE OF DETERMINATION

Date of Hearing: 25th August 2023

Application: Grant of a New Premises Licence

Name of Premises: Portal Pizza

Address: 35 Magdalen Road, Exeter, Devon, EX2 4TA

Licensing Sub-Committee Members: Councillors: Steve Warwick, Marina Asvachin and Peter Holland

Legal Advisor: Matthew Hall and Max Murphy

Licensing Officer: Nigel Marston and Rebecca Barnsley

Democratic Services Officer: Sharon Sissons

Applicant: Portal Pizza Limited

Representations: Karen Davenport, the Police Licensing Officer for Devon and Cornwall Police (not in attendance) and Simon Coughlan (resident)

Hearing Duration: 14:00 – 14:48

TAKE NOTICE:

That the Licensing Sub-Committee convened on 25th August 2023 has determined to grant a premises licence in accordance with section 18 of the Licensing Act 2003.

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

Continued overleaf

Conditions

The Application is granted subject to the conditions provided by the Applicant set out in the Operating Schedule of the Application and the conditions submitted by the Devon and Cornwall Constabulary and agreed with the Applicant at Appendix D at page 89 of the report to the Licensing Sub-Committee.

Reasons

Having carefully considered the Applicant's submissions and the objection to the Application, the Licensing Sub-Committee were satisfied that the Application would not have a negative impact on Licensing Objectives of prevention public nuisance and prevention of crime and disorder. This was because the premises was primarily a pizza restaurant and would be operated in a way that would minimise disturbance to local residents. The Licensing Sub-Committee were also mindful that following the Applicant's agreement with the Devon and Cornwall Constabulary in respect of conditions there were no representations made by the responsible authorities.

RIGHT OF APPEAL:

All parties are reminded of their right to appeal against this decision to the Magistrates Court by virtue of 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.

Parties were advised to contact the court office to check the form of notice required and the fee payable.



The Chair of Licensing Sub Committee

1 September 2023
.....