



# Exeter City Council

## LICENSING ACT 2003

### NOTICE OF DETERMINATION

<b>Date of Hearing:</b>	20 <sup>th</sup> December 2023
<b>Application:</b>	Variation of a Premises Licence
<b>Name of Premises:</b>	Sandy Park Stadium
<b>Address:</b>	Sandy Park Stadium, Sandy Park Way, Exeter , EX2 7NN
<b>Licensing Sub-Committee:</b>	Cllr M Asvachin (Chair) Cllr M Vizard Cllr S Warwick
<b>Committee Legal Advisor:</b>	Matthew Hall Max Murphy
<b>Principal Licensing Officer:</b>	Nigel Marston
<b>Democratic Services Officer:</b>	Sharon Sissons
<b>The Applicant:</b>	Exeter Rugby Club Ltd represented Natasha Pavis (Managing Director) and Mark Isaacs (Stadium Operations Director) Chris Over (Director/ Company Secretary)
<b>Representations:</b>	One not in attendance
<b>Hearing Duration:</b>	10:05 – 11:10hrs

#### **TAKE NOTICE:**

That the Licensing Sub-Committee convened on 20<sup>th</sup> December 2023 to determine the application for a variation to the premises licence has resolved to grant the variation subject to conditions set out in the Operating Schedule of the Application and as modified below in accordance with section 35 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

The Licensing Sub-Committee determined to modify the conditions on the Licence as follows:

Events shall be limited to;

- The area of the premises inside of the stadium;
- Saturdays and Sundays;

- 2 Events per month (each Event lasting no longer than two days);
- No more than 2 consecutive weekends (to avoid 3 weekends in a row);
- No more than 6 events in total between May 1<sup>st</sup> and 15<sup>th</sup> July per year avoiding local school holidays.
- A total of 15,500 people on the premises inclusive of the public, staff, crew and artists.

Condition to set Hours of events.

Events shall be permitted only on

- Saturdays and Sundays from 1600hrs to 2230hrs;

**REASONS FOR DECISION**

The Licensing Sub-Committee considered the preliminary issue of compliance with the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 ('the Regulations'). The Licensing Sub-Committee considered the submissions made by the Applicant and determined that in making the application the Applicant had substantially complied with the Regulations. The publication of the advertisement in the local newspaper within 12 Working Days and not 10 Working Days did not cause substantial injustice or prejudice as all other advisement and publication requirements had been complied with and no parties had raised any concerns or late representations in respect of the Application.

The Licensing Sub-Committee turned to the Application submitted and considered all the written and oral representations. The Applicant gave submissions in respect of the success of events held in 2023, compliance with the conditions of the current licence and working with the responsible authorities and notifying residents. The Licensing Sub-Committee was mindful that only one representation from a local resident had been received and no representations had been received from a Responsible Authority. No evidence was presented to the Licensing Sub-Committee to show that the variation would have a negative impact on the Licensing Objectives.

**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.

**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 are advised to contact the court office to check the form of notice required and the fee payable.

*M. Asvachin*

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**Cllr Marina Asvachin  
The Chair of Licensing Sub Committee**

**Dated: 22 December 2023**