

REPORT TO LICENSING SUB COMMITTEE

Date of Hearing:	23.10.2024
Report of:	Head of Environment and Waste
Type of Application:	Application for a new Premises Licence
Premises Address:	Northernhay Gardens, Exeter
Legislation:	Licensing Act 2003 (“the Act”)
Applicant:	Extreme Events Limited

1. What is the report about?

- 1.1 An application attached as Appendix A has been received from the Applicant for the grant of a new premises licence for Northernhay Gardens, Northernhay Place, Exeter.
- 1.2 A plan of the premises is attached as Appendix B.
- 1.3 The Applicant has submitted an event management plan, attached as Appendix I, and alcohol management plan, attached as Appendix J.

2. Are there any representations?

- 2.1 There have been 4 valid representations objecting to the application relating to the Licensing Objective of the Prevention of Public Nuisance, Public Safety and Prevention of Crime and Disorder. The representations have all been received from persons that work or reside within the vicinity of the proposed premises.
- 2.2 Representation 1 was received from [REDACTED] who resides near the vicinity, attached as Appendix C.
- 2.3 Representation 2 was received by [REDACTED] who resides near the vicinity, attached as Appendix D
- 2.4 Representation 3 was received by [REDACTED] who resides near the vicinity, attached as Appendix E.
- 2.5 Representation 4 was received by Lisa Cocks, Environmental Health & Community Safety Manager, attached as Appendix F.
- 2.6 No representations have been received from any other Responsible Authorities.

3. Report details:

- 3.1 The application was advertised on the premises from 28 August 2024, a copy of this notice is attached as Appendix G. The application was also advertised in the local newspaper on 5 September 2024 in accordance with the requirements of the Licensing Act 2003, a copy of this notice is attached as Appendix H. The end date for representations was 25 September 2024.
- 3.2 The Licensable activities applied for are:

Supply of Alcohol (Alcohol is supplied for consumption off the premises)
Monday to Sunday 10:00 to 21:30

Recorded Music
Monday to Sunday 10:00 to 22:00

- 3.3 The Applicant has set out steps it intends to take to promote the Licensing Objectives in the Operating Schedule in the application.

4. What are the legal aspects?

- 4.1 The Licensing Sub-Committee are required to have regard to;
- (a) the representations (including supporting information) presented by all the parties; and
 - (b) the Official Guidance issued under section 182 of the Licensing Act 2003 revised December 2023 which can be viewed at: [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/125442/Revised-Guidance-issued-under-section-182-of-the-Licensing-Act-2003.pdf); and
 - (c) the Licensing Authorities Statement of Licensing Policy which can be viewed at [Statement of Licensing Policy 2020-2025 \(exeter.gov.uk\)](https://www.exeter.gov.uk/media/125442/Statement-of-Licensing-Policy-2020-2025.pdf)
- 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 license 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.

Head of Environment and Waste

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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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