

REPORT TO LICENSING SUB COMMITTEE

Date of Hearing:	2nd April 2025
Report of:	Service Lead - Environmental Health and Community Safety
Type of Application:	To seek a VARIATION of the premises licence for The Duke of York
Premises Address:	Duke of York Inn, 58 Sidwell Street, Exeter, EX4 6PH
Legislation:	Licensing Act 2003 ("the Act")
Applicant:	Craft Union Pub Company Limited

1. What is the report about?

1.1 The application attached as Appendix A has been received by the Licensing Authority for the VARIATION of a premises licence. The existing premises licence and plan is attached as Appendix B.

1.2 The existing licence provisions are as follows:

Opening Hours

Monday to Sunday 10:00 – 00:30

Supply of Alcohol

Monday to Sunday 10.00 - 00.00

Performances of Dance (Indoors)

Monday to Sunday 10:00 - 00:00

Indoor Sporting Events (Indoors)

Monday to Sunday 10:00 - 00:00

Live Music (Indoors)

Monday to Sunday 10:00 - 00:00

Late Night Refreshment (Indoors)

Monday to Sunday 23:00 - 00:30

Recorded Music (Indoors)

Monday to Sunday 00:00 - 00:00

1.3 **The proposed variation:**

Opening Hours

Sunday to Thursday 10.00 – 01:30
Friday and Saturday 10:00 – 02:30

Supply of Alcohol

Sunday to Thursday 10.00 – 01.00
Friday and Saturday 10.00 – 02.00

Performances of Dance (Indoors)

Sunday to Thursday 10.00 – 01.00
Friday and Saturday 10.00 – 02.00

Indoor Sporting Events (Indoors)

Sunday to Thursday 10.00 – 01.00
Friday and Saturday 10.00 – 02.00

Live Music (Indoors)

Sunday to Thursday 10.00 – 01.00
Friday and Saturday 10.00 – 02.00

Late Night Refreshment (Indoors)

Sunday to Thursday 23:00 – 01:00
Friday and Saturday 23:00 – 02:00

Recorded Music (Indoors)

Monday to Sunday 00:00 – 00:00

- 1.4 The Non-Standard timings permitted under the current licence are to remain without variation.
- 1.5 The Premises is situated in Sidwell Street, Exeter and has been operated by the Applicant since 24.07.2023.
- 1.6 In order to promote the Licensing Objectives, the Applicant has included additional conditions in the Operating Schedule located at section 16 of the Application.
- 1.7 The Applicant also seeks to remove the sole existing conditions at Annexe 2 of the licence and replace with new conditions.

2. Are there any representations?

- 2.1 There have been four representations objecting to the variation relating to the Licensing Objectives of the Prevention of Public Nuisance, the Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm. The representations are attached at Appendix C.

2.2 No representations have been received from any Responsible Authorities.

3. Report details:

3.1 The application was advertised on the Premises and in the local newspaper on 20th February 2025 in line with the above legislation. The Premises advertisement is at Appendix D, and the newspaper advertisement is at Appendix E.

3.2 The notice of hearing attached at Appendix F was issued to all parties on 17.03.2025

4. What are the legal aspects?

4.1 The Licensing Sub-Committee are required to have regard to;

4.1.1 the steps that are appropriate to promote the Licensing Objectives;

- Protection of children from harm
- Prevention of public nuisance
- Public safety
- Prevention of crime and disorder

4.1.2 the representations (including supporting information) presented by all the parties; and

4.1.3 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); and

4.1.4 the Licensing Authorities Statement of Licensing Policy which can be viewed at <https://exeter.gov.uk/media/5123/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 representations, must take such of the following steps, if any, as it considers appropriate for the promotion of the Licensing Objectives.

- to modify the conditions of the licence; and/or
- to reject the whole or part of the application.

If the Licensing Sub-Committee considers that none of the above steps are appropriate for the promotion of the Licensing Objectives the Application shall be granted as applied for.

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

Author: **Julie Bennett** Licensing Officer

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-
None

Contact for enquiries:
Democratic Services (Committees)
Room 4.36
01392 265275