



REPRESENTATIONS PROCEDURE NOTES

- A representation can be made against an application for a premises to carry on a licensable activity within the 28 day consultation period. Representations can also be made against applications to make variations to an existing licence.
- Representations may be made by:
 - Responsible authorities
 - Other persons
- To make a representation you must complete and send this form to licensing@shropshire.gov.uk. Representations may also be submitted by post to: Licensing Team, Business & Consumer Protection Service, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND.

PLEASE NOTE: The representation form must be received by the Licensing Team before the end of the consultation period stated on the site notice, newspaper notice and the Council's website, or it will not be accepted. Posted representations not received within a consultation period due to the postal system will be treated as late and not accepted.

- Where a representation is accepted as relevant, **the Council will share the representation in its entirety with the applicant and their agent.** This is to allow them an opportunity to consider the issues raised in the representation and discuss possible ways to mitigate the objector's concerns with them directly.
- Only in exceptional circumstances will personal details be redacted from representations. This will be when the Council considers that there is a genuine risk of intimidation / violence to the persons making representation. Persons making representations who consider this to be a risk should make it clear on their representation and they will be contacted to discuss further.
- At the end of the consultation period, if any representations remain, the name and address of persons making representations will be published on the report to the Licensing Sub Committee, which will be publicly available.

For further information and guidance please visit the 'current licence applications in consultation' page on our website www.shropshire.gov.uk/licensing where you can find further details on all applications and download our guidance on **Making Representations and what to expect in a Licensing Act Sub- Sub Committee.**

**Licensing Act 2003
REPRESENTATION FORM**

The boxes marked * are mandatory. Representations missing this information will be automatically refused

Other Persons

*Name/ Name of business/organisation you represent		
*Postal address		
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Telephone number		
Email address This is the most reliable way for us to communicate with you, please provide an email address if you have one		

*Name & address of premises for which the representation is being made Unit 25 and 26 The Parade, St Mary's Place, Shrewsbury, SY1 1BL
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***Your representation must relate to one or more of the following four licensing objectives. Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.**

<p>REPRESENTATIONS</p> <p>The application submitted by the applicant is woefully inadequate and fails to take into account the suggested steps in association with an application for a premises licence that are contained within Shropshire Council's Statement of Licensing Policy ('the Policy') and the Section 182 Guidance, both of which deal with the issue of grant applications comprehensively.</p> <p>In fact, at paragraph 27.2 in the Policy it sets out in a user friendly and easy to follow way various matters that an applicant should take into account when framing their application. It is clear from the application, even taking a broad-brush approach, that none of these steps have been considered - either consciously or unconsciously. This demonstrates an attitude and an approach which extends way beyond the limitations of the application itself; it speaks of an applicant who has failed to appreciate the characteristics of the premises to which his application relates, and more importantly for the purposes of this representation, the people who live and work around it.</p> <p>Whilst this deficiency may be somewhat addressed by the intervention of responsible authorities throughout the representation period, it does not alter the fact that the applicant has drafted and submitted an application which completely fails to take into account the impact these premises could have on neighbouring properties, and naturally gives rise to an even greater concern about how much consideration he will give to those neighbours should this application be granted.</p>
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This is of particular concern, given these premises are situated in the Quarry and Coton Hill council ward; it is clear from the Policy that this ward has more than double the rate of antisocial behaviour and alcohol related crime than the second ranked wards in those categories, as well as the highest number of violent crimes. It is also the worst ranked ward in terms of noise complaints. Conspicuously, none of this has been taken into account when framing this application.

Therefore, all the objectors I represent want this application to be rejected.

In terms of particular concern in respect of each licensing objective:

THE PREVENTION OF CRIME AND DISORDER

- This is the worst ward in the county by far for antisocial behavior and alcohol related crime and this application does not remotely contain adequate and considered steps to address that;
- This particular part of the ward suffers especially acutely from problems of crime and antisocial behavior associated with the large number of homeless people in the local area. Again the application does not take this into account;
- The proposed door security condition is wholly inadequate and fails to appreciate the positive role that SIA door staff can have in preventing crime and disorder in premises such as the one proposed;
- The CCTV conditions that have been proposed are defective and impose no requirement for retention of images and production of recordings to responsible authorities; CCTV within licensed premises has a long-established track record in solving crimes, not just in relation to licensed premises but also criminality that occurs within their vicinity;
- There is inadequate provision within the operating schedule in relation to staff training; well-trained staff are a well-established means to tackle criminality in licensed premises and avoid offences under the Act (and more widely) being committed;
- There is no requirement for an incident book within the operating schedule;

PUBLIC SAFETY

- There are no steps that take into account the safety of the residents who live directly above the premises especially in relation to fire safety;
- There is no provision in the operating schedule in terms of restrictions to numbers of persons permitted to be on the premises at any one time, and most especially in relation to the outdoor terrace.

THE PREVENTION OF PUBLIC NUISANCE

- The proposed external 'dining area' on the plan that was submitted with the application is included in the licensable area, which includes provision for regulated entertainment until midnight, six days a week - and by way of the Live Music Act 2012, up to 23:00 on a Sunday. This is completely unacceptable and is clear evidence that the rights of local residents to quiet enjoyment of their own homes have been completely ignored by the applicant.
- The application manifestly fails to appreciate the particular location of these premises and the large number of local residents that live in close proximity, and in some instances, immediately above;
- There is no limit whatsoever placed on the numbers of person who can be in the external area at any one time, the times those areas can be utilised and what time regulated entertainment will be permitted in those external areas, save for the wider limits for that licensable activity within the application itself;
- There is no provision within the operating schedule for the premises to monitor noise levels emanating from the premises to prevent public nuisance to noise sensitive properties;
- There is no provision within the operating schedule in relation to doors and windows being closed whenever licensable activities are being carried on;

- There is no provision for a noise limiter within the operating schedule;
- There is no provision for a dispersal policy or noise management plan within the operating schedule;
- There is no provision to restrict the use of the outdoor area to diners and therefore the terrace could operate in an unfettered manner as a vertical drinking space until midnight, six days a week;
- There is no restriction within the operating schedule in relation to delivery times, refuse collections or bottle disposal;
- There is no provision within the operating schedule in relation to the premises clearing up refuse outside the premises that has been disposed of there by patrons

THE PROTECTION OF CHILDREN FROM HARM

- There is no provision within the operating schedule for a Challenge 25 scheme (or similar) being in operation at the premises;
- There is no provision within the operating schedule for a refusals book;
- There is no provision within the operating schedule in relation to staff training in relation to the above;

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary.

Given the foregoing, the objectors do not feel that any conditions will assuage their concerns.

- Generally, if there is to be a hearing to determine the premises licence application, the Licensing Sub Committee will only be able to consider matters that have been previously disclosed. No new evidence can be introduced at the hearing. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. Please attach additional sheet if necessary.
- If you make a representation, you will be expected to attend the Licensing Sub Committee hearing and any subsequent appeal process. **All representations in their entirety, including your name, address and contact details will be disclosed to the applicant for the premises licence and their agent.**
- If limited or withheld personal details are redacted from representations, where notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

I/We fully understand that this representation will be made available to the applicant and included in the Sub Committee's Hearing papers which are publicly accessible documents, and any subsequent appeal court proceedings.

Signed: Hatchers Solicitors LLP Dated 28.6.24

If this form is sent as an email attachment, its transmission will confirm that you have agreed the above conditions

Please return this form along with any additional sheets to:

licensing@shropshire.gov.uk or by post to: Licensing Team, Business & Consumer Protection Service, Shropshire Council, Shirehall, Abbey Foregate,
Shrewsbury, SY2 6ND

This form must be returned within the statutory consultation period, which is displayed on the premises site notice, the newspaper advert, and on the Council's website.

For confirmation on this date please contact the Licensing Team on 0345 678 9026