

Supporting Evidences to assist the
panel in determination of Suitability
of the New Premises Licence

- Public nuisance

- Public safety

Licencee Qualifications and Experience

- Andrew is a charming, affable individual focussed on delivering 'fine dining' experiences.
- He has a formal degree education BSc. He read Town Planning.
- He has developed #5 Sheinton street with a complete refit .
- He has modified and refitted the two flats above the business.

- Given his formal professional education, it would be not unreasonable to expect that his cognisance of Conservation area, Planning Controls and Listed Building Consents of those important controls is required.
- His knowledge of change of use within class E business premises and his liaison with the Much Wenlock Town Council Mayor / Planning committee has given him confidence to begin work in #58, sans building control and LBC.

- His achievement with 'Baker and Cook' is admirable, though none of the development of #5 infrastructure, or the flats above, appear to benefit from building control applications, compliance certificates and , LBC.
- He is demonstrably oblivious / unsympathetic to neighbour disturbances.
- Seemingly repeating prior mistakes / non-conformances, whether intentionally or not

Operating Schedule Transparency

- Confusion as to the actual intended use of the New Premises
 - Pizza Restaurant?
 - Deli? / Charcuterie?
 - Café? / Wine Bar? / Off-licence? / Bottle Shop?
 - Private Party Rent Out?
 - Bakery?
- I welcome clarity and precision regarding the operating schedule. The operating licence should not be a free for all given the now largely residential use of the surrounding street.

Size of the Business

- The application states 30 covers. Licencee response states 20 covers.
- What exactly is the premises capacity? – area is 255 square feet – fine dining / counter service is recommended 18-20 sq feet per guest – therefore 10- 14 persons. This does not include area required for food counters, wine store / display, etc.
- The Existing business has a much bigger footprint – what benefit does the new business bring?

Off Licencing Query

- Police have withdrawn following agreement of Alcohol sales only to be seated, supplied with a meal or as an ancillary to a meal.
- The applicant response states 'premium fine wines will be served with CORAVIN system -
 - **“Alongside this we will be offering quality and some prestigious wines to match the quality food that we will be serving. Our intention is to have a Coravin on site, so that we may be able to offer more prestigious wines by the glass. (see wine list attached) We would also like to offer these wines for off sales. We are also looking at reducing our carbon footprint, by offering a bottle fill station on site.”**
 - Discuss the use of compressed Argon / carbon dioxide and recycling/disposal of metal pressurised canisters in the reduction of energy consumption and waste....
- There is a lack of clarity and commitment to compliance with Police agreement in this statement. Does the applicant intend to diverge from Police Guidance?
- Can the Licencing Panel please expand on how the term 'ancillary' supports off sales and how a bottle fill system to take off site meets that term.

Nuisance Due to Waste Generation.

- Introduction of commercial waste bins into the private car park has already caused issues.
- Residents of Priory court then begin placing their waste into the car park
Flytipping – Christmas trees, Bicycles, Bread trays, Cardboard and black bags beside the commercial bins – some are still there.
- The amount of waste generated – two industrial sized are lockable but always unlocked wheeled bins are filled each week. Bins left with open lids.
- 5:00 am collections – complaint to Veolia and to Shropshire Environment on many occasions.
- 9 or more waste movements across the car park each working day.
- 4 or more noisy bottle drops into the red bin each day
- Staff smoking in the car park – out of sight of the café – cigarette ends left on the concrete block.





Waste and Fly tipping in the Conservation Area – on a private car park. Food, unsealed containers, paper waste.



Nuisance Due to External Noise / Cooking Smells.

- Existing business leaves the Doors open and often wedges them open – noise escapes into street and can be plainly heard in my kitchen.
- Amenity of my dwelling compromised on sunny days as doors and windows have to remain closed.
- Door wedged open on warm evenings when Licencee has private parties, which are often noisy.
- Flat #2 directly above the café is an air B&B. Reviews have noted that the café is noisy and that the noise continues until late.
- ROOT CAUSE – licencee of #5 has not invested in air conditioning equipment / fume extraction means / and allows anti social noise pollution and cooking smells to the adjacent residences.

This Sets the Scene for the New Premises

- Mr Smyth's current behaviours are expected to continue into the new premises which also has no climate control / fume extraction

Existing Baker and Cook Premises Inadequate and Non Compliant to Planning Conditions

 **Andrew Smyth**
5 Jun · 🌐

Looking for a Great Cook to join [Baker and Cook](#) in Much Wenlock. Needs enthusiasm, eye for detail and proper drive. We are a small Restaurant that makes 95% of the produce in house. We love seasonal foods and different flavours .

This is mainly a day time operation with occasional special nights 5 days out of 7.

Salary negotiable, depending on experience and knowledge

Small tight team, in a small space.
If you love food, we want you. We strive to be the best we can.

Please email:
email: kitchentable@bakerandcook.co.uk

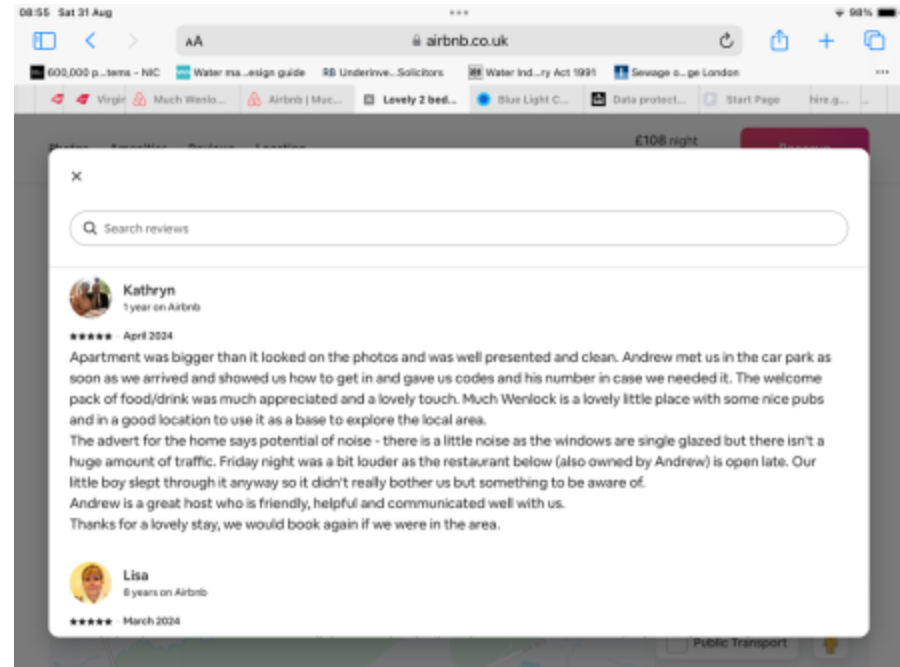
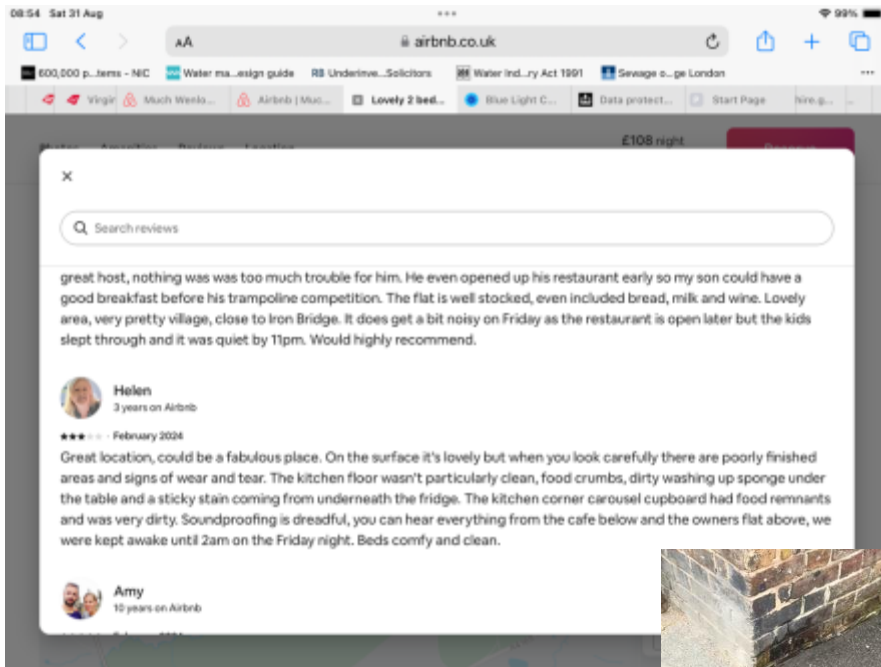
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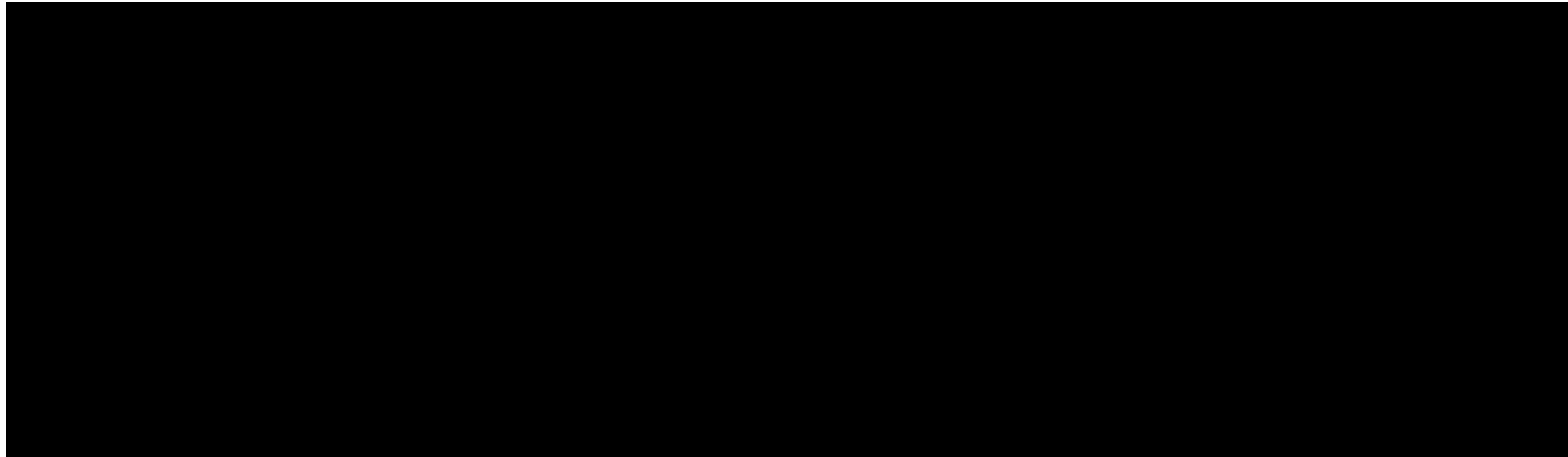
- Commercial Cooking Extraction is non compliant to planning conditions
- Impacts the amenity and quiet occupation of the adjacent property:
- No fume control from cooking
- Excessive extractor fan and cooking noise.

Evidence of Late night noise experienced by Flat #2 above Baker and Cook #5 Sheinton Street. Often the noise escapes into the street



Baker and Cook New Years Party 2023 :- Fell on a Sunday, so should have had restricted hours unless granted TENS

Loud Music past the deadline and into the early hours of 1st January
2024 – [REDACTED] [REDACTED]



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Sent: Mon 05/08/2024 15:26

From: Ross O'Neil <ross.o'neil@shropshire.gov.uk> on behalf of Licensing <licensing@shropshire.gov.uk>
To: kevin hadley
Cc:
Subject: RE: Licensing Enquiry - Kevin Hadley CRM:000001

Hi Kevin,

I have searched the system for 5 Shintan Street, that also has no records of temporary event notices been issued nor is there any licensing complaints that we have investigated in relation to any breaches.

Ross O'Neil
Public Protection Officer – Specialist

Transactional Management and Licensing Team
Business and Consumer Protection Service
Homes & Communities
Place Directorate

☎ 0345 678 9826
✉ licensing@shropshire.gov.uk | 🌐 www.shropshire.gov.uk
📍 Shropshire Council | Shirehall | Abbey Foregate | Shrewsbury | Shropshire | SY2 6ND

Baker and Cook out of Hours Hospitality

Sunday evening doors open, with staff and visitors entering at 10:00pm



Sunday Lunch - the Premises closed at approx. 17:00

Visitors arrived 21:55

Town Mayor left at 22:35

Doors still open at 22:52 – smokers outside

Visitors left sometime after 23:45 hours

Private parties – often with members of the Town Council and Much Wenlock Socialite groups.

Sometimes with Family – presumably from Northern Ireland who visit often.

Applicant states that the sister company does not offer breakfast or lunch – however here are evidences that it does... :-



Public Safety and Nuisance

David Turner (ex Councillor) states in his representation that there was NO risk of harm to children / Public Safety / Nuisance.

In December 2015, following an impact between a child outside #58/59 and a vehicle Mr Turner wrote –

From: David Turner <david.turner@shropshire.gov.uk>
Date: 21 December 2015 at 10:38:15 GMT
To: Kevin Hadley <kaye.hadley@btinternet.com>
Subject: Re: Sheinton Street

Good morning Kaye,
Dawn Wheeler picked the phone up to me on Saturday about this unfortunate incident. Rest assured we will do as much as we can to alleviate the Sheinton Street problems.
Best wishes for Christmas and the New Year,

David

David Turner

Working hard for communities in the Much Wenlock Division of [Shropshire Council](#) and for Shropshire | [Portfolio Holder for Resources, Finance, Support](#) and IT

T: [01952 728802](tel:01952728802)

E: david.turner@shropshire.gov.uk

Twitter: [@turner4wenlock](https://twitter.com/turner4wenlock)

Kevin Hadley <kaye.hadley@btinternet.com> wrote:

Good morning all,

Could you please advise to whether the consultation process is still going ahead for double yellow line markings in Sheinton street?. I spoke with Town Councillor Paul Laming recently who was not aware of the process going forward. He said that also the Town Councillors had not been made aware that the present and recently placed 'keep clear' signage had been extended for traffic issues in that vicinity, which I find surprising as it has been something I have pushed for at least four years!

Secondly, I would like to bring to your attention, that when my daughter and her friends left our house for school yesterday and were outside the property next door, one of the girls was hit on the arm by a van. The driver reversed for a distance , then came back to see if she was slright. I did not find out about this until late last night. The parent of the child concerned, has phoned me this motning to confirm stories from the girls. This has been a learning curve for our daughter. She now realises to take vehicle registration plate details. I am still concerned that we have vehicles parking in this area.

Sending best wishes to you all for the festive season, and look forward to your response.

Best regards,
Kaye Hadley

Change of use of Building #58, #59 and Land #59 Listed Building and Amenity in the Wenlock Conservation Area

When determining whether a material change of use has occurred, or will occur, a local planning authority must consider whether home working or a business has led, or will lead, to a notable change in the character of the property's use. Environmental impacts may be used to indicate a notable change of character of the property, for example: increase in traffic and parking, disturbance to neighbours caused by regular or the number or timing of, visitors or deliveries, abnormal noise or smells, or the need for any major structural changes or major renovations.

Paragraph: 014 Reference ID: 13-014-20230726

Revision date: [26 07 2023](#) See [previous version](#)

If you do need planning permission, then you will need to consider whether your proposal complies with the Council's planning policies. These will consider the impact of your proposal in terms of the impact on the vitality and the viability of the shopping area, the impact on neighbours, and the parking and highway implications.

Permission will also be required for commercial extractor flues if cooking is intended to be carried out on the premises.

The placing of tables and chairs on the highway* is very likely to require a licence from the highway authority to allow them to assess factors such as pedestrian movements, sight lines and road safety.

Changes in signage are likely to require express Advertisement Consent.

You may also require the consent of the landlord or landowner for any works.

**Highway refers to footways and verges associated with publicly maintained roads.*

Evidence of recent installation of surveillance Camera monitoring my property. No visible CCTV declaration in place to comply with legislation.



**WHY
??**

