



**Licensing Sub -  
Committee  
30 April 2025  
Shrewsbury room**

Item

**Public**

LICENSING ACT 2003

## APPLICATION FOR A NEW PREMISES LICENCE

<b>Responsible Officer:</b>	Ross O'Neil, Public Protection Officer (Specialist)		
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<b>Cabinet Member</b> (Portfolio Holder):	Councillor Chris Schofield, Portfolio Holder for Planning and Regulatory Services		

### 1. Summary

To consider an application for a new Premises Licence.

Premises: Red Brick, Unit 1 Thornes Hall, 28 Castle Street, Shrewsbury, SY1 2BQ

Shropshire Council being the authorised licensing authority for the above premises has received an application for a new premises licence.

The application has been accepted as a valid application and during the statutory consultation period relevant representations were made. The application is therefore required to be determined by way of a hearing of the Licensing Sub-Committee.

In determining the application the licensing authority must give appropriate weight to:

- the steps that are necessary to promote the licensing objectives;
- the representations (including supporting information) presented by all parties;
- Guidance issued under Section 182 of the Licensing Act 2003;
- Shropshire Council's Licensing Policy 2024 - 2029.

After considering all the relevant issues the licensing authority may grant the application in full or in part, subject to such conditions that are deemed necessary and appropriate. Any conditions imposed must be appropriate for the promotion of the licensing objectives.

Alternatively the application can be refused if it is considered appropriate for the promotion of the licensing objectives.

Following a hearing, the licensing authority should give its decision and provide reasons to support it. This will be important if there is an appeal by any of the parties.

All parties are required to be notified of a decision and that decision should be accompanied by information on the right of the party to appeal.

## 2. Recommendations

That the Sub-Committee determines the application in accordance with the Statutory Guidance issued under s182 of the Licensing Act 2003, the Council's Statement of Licensing Policy, the information contained within this report, supporting documentation and having had due regard to the applicant and the parties/authorised bodies making relevant representations.

That the Sub-Committee determines the application in accordance with the options in paragraph 11.

That the Sub-Committee provides the reasons for its decision.

# Report

## 3. Risk Assessment and Opportunities Appraisal

The Committee is required to consider the consequences of refusal or approval on the applicant's human rights.

## 4. Financial Implications

None.

## 5. Climate Change Appraisal

No effect.

## 6. Purpose of report

To consider an application for a new Premises Licence for Red Brick, Unit 1 Thornes Hall, 28 Castle Street, Shrewsbury, SY1 2BQ (A copy of the location map and location photographs can be found at **Appendix A and B**).

## 7. Background

- 7.1 RB Shrewsbury Ltd (16029886) have applied for a new premises licence at Unit 1 Thornes Hall, which is a multi-story building with both retail and residential accommodation in and around the vicinity situated on Castle Street in the Town Centre of Shrewsbury. (A copy of the original application and original plan can be found at **Appendix C and D**).

The premises is accessed via Castle Street and the applicant proposes to licence the ground floor and the basement. There is a small canopy area to the front of the premises, the applicant has indicated the land is part of the rental agreement and although this will not form part of the licensed premises, they have applied for off sales which would allow consumption in the area as indicated on the plan, along with takeaways.

The applicant's proposal is for a freshly baked bagel bar serving a variety of fresh bagels, quality coffee and a curated selection of alcoholic and non- alcoholic beverages – evoking the charm and openness of an American diner allowing patrons alcohol to consume with their meal or during events.

- 7.2 The requested licensable activities and opening hours:

### **Supply of Alcohol (Consumption on and off the premises)**

Monday to Thursday 10:00 till 23:30

Friday and Saturday 09:00 till 00:30 the following day

Sunday 09:00 till 23:30

### **Live music (Indoors)**

Friday and Saturday 23:00 till 00:30 the following day

### **Recorded music (Indoors)**

Wednesday and Thursday 23:00 till 00:00

Friday and Saturday 23:00 till 01:00 the following day

Sunday 23:00 till 00:00

### **Late night refreshments (Indoors)**

Wednesday and Thursday 23:00 till 00:00

Friday and Saturday 23:00 till 01:00 the following day

Sunday 23:00 till 00:00

### **Opening Hours**

Monday to Saturday 08:00 till 00:00

Sunday 08:00 till 23:00

Additional hours requested on all UK recognised bank holidays, Christmas Eve, Christmas Day, Boxing Day and New Years Eve for all activities till 01:30 hours the following day, closing at 02:00 hours.

- 7.3 For a new application, applicants are required to submit an operating schedule detailing how they intend to promote the four licensing objectives, these are the prevention of crime and disorder, promotion of public safety, the prevention of public nuisance and the protection of children from harm. The applicant has indicated those steps on their application within section M of the application.

Representations were received off responsible authorities, namely trading standards, police and environmental protection. They subsequently withdraw their representations after agreeing addition conditions for the licence with the applicant.

An additional condition was also agreed with the Shrewsbury Furniture Scheme, the premises next door.

Planning submitted representations, but it was comments only.

- 7.4 A document to show all agreed conditions between the applicant, authorities and 'other persons' to date, including any relevant conditions submitted on the application form has been produced for clarity and to prevent duplication. (A copy of the 'consolidated proposed conditions and times' can be found at **Appendix E**).

## **8. Representations received (Responsible Authorities)**

- 8.1 Police agreed:

### **Prevention of Crime and Disorder**

1. Colour digital CCTV, with a picture quality capable of being used for evidence, will be installed to cover all internal areas of the premises to which public have access (with the exception of the toilets), including point(s) of sale and all entrances/exits, and any external areas used for licensable activities or where outside seating is provided. CCTV will also include the external area immediately outside the premises.
2. The CCTV will be operational at all times the premises is open to the public.
3. CCTV recordings will be retained for a minimum of 1 calendar month and made available in a viewable format to any authorised authority on request. On request

means at the time of the request, in a format which is viewable remotely and not dependent on the premises CCTV system.

4. When the premises is open to the public there will always be a member of staff on site who is trained in the operation of the CCTV system and is able to provide recordings in a viewable format to any authorised authority on request.
5. There will be signage in the premises, clearly visible to members of the public, which states that CCTV is in operation.
6. The Premises will have a zero tolerance to drugs policy. The Licence Holder shall display notices at the entrances to the premises advising attendees that the police will be informed if anyone is found in possession of controlled substances.
7. Drugs found will be placed in a suitable locked receptacle kept for that purpose. Means for securing and unlocking the receptacle will be held by the Premises Licence Holder or a nominated responsible person. A record shall be made of the date and time of the find, the person who made the find and the person who secured the found item(s). This record will be made available to any authorised authority on request.
8. The Premises Licence Holder shall make suitable arrangements with the police for the collection of any found drugs as soon as possible after they are found.
9. There will be a duty of care policy formulated towards persons who are refused admission or who are ejected from the premises.
10. Incidents of crime and / or disorder will be recorded and reported to police as soon as practicable. Copies of these records will be provided to any authorised authority on request. The record will contain full details of persons reporting and any victims along with times and circumstances of the incident.
11. The premises will have a policy around spiking which will ensure staff are trained to identify the signs of spiking and equipped to handle such incidents effectively. Staff must undergo training sessions on spiking prevention and response protocols including recognising unusual behaviour, monitoring patron safety, and reporting suspicious behaviour. Consideration will also be given to utilising preventative measure such as drink covers as well as providing drug spiking detection kits.
12. Two SIA door staff supervisors will be on site, from 19:00hrs, on all Fridays, Saturdays and nights preceding nationally recognised public holidays (this will include Xmas Eve and New Year's Eve) with additional security being provided on a risk assessed basis. These risk assessments would be made available to any authorised authority on request and retained for a minimum of 12 months.
13. The need for door staff at all other times shall be risk assessed by the designated premises supervisor and employed when the risk assessment deems it necessary. Advice from West Mercia Police will be taken when formulating the risk assessments. These risk assessments will be recorded and kept for a period of 12 months and made available to any authorised authority on request. See separate document if require SIA at specific dates / times etc.

14. When door supervisors are on duty, “clickers” or other recognised counting devices shall be used. An accurate log of patron numbers shall be maintained by door supervisors.
15. All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. No person shall be authorised to sell or supply alcohol until this training is completed. **(Duplicate of condition 3 within protection of children from harm, which will take precedence)**
15. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an ‘authorised person’. **(Duplicate of condition 4 within protection of children from harm, which will take precedence)**
17. No Customers will be allowed to enter or leave the premises with any glass receptacles.
18. If there is a local pub watch scheme in operation the premises will be a member and the DPS (or an appointed representative) will attend the meetings.
19. Toughened, polycarbonate or plastic “glassware” will be used for any drinks to be consumed outdoors.
20. Any outside furniture used by premises will be removed and stored securely when not in use.
21. Any outside tables used by premises will be kept clear of empty receptacles.
22. Cutlery / tableware for any outside areas will only be provided when needed and not left on tables.
23. Staff will ensure no vertical drinking takes place in any outdoor areas used by the venue.
24. Any external storage areas used by premises will remain locked and secured at all times with no access to the public.

## 8.2 Environmental Protection agreed:

### Public Nuisance

1. All Regulated Entertainment with the exception of music taking place in the basement shall cease at 23:00 until the end of trading. (Note this does not prevent background / incidental music to provide atmosphere being played in the main floor (street level) after this time).
2. External doors shall be closed after 23:00 until the end of trading with the exception of immediate ingress and egress.

3.The consumption area shall be cleared of patrons by 23:00 and all furniture removed from the area.

### 8.3 Trading Standards agreed:

#### Protection of Children from Harm

1. A Challenge 25 Policy will be implemented with appropriate signage displayed at points of sale.

2. A challenge log for Challenge 25 and refusals will be maintained and made available to any authorised authority on request. The challenge log can be kept either electronically or in a hard backed/bound book.

3. Training on Challenge 25 procedures, proxy sales and individuals' responsibilities under the Licensing Act 2003 will be held for all persons involved in the supply of alcohol, prior to engaging in the serving of alcohol and within 14 days of them commencing this role.

4. Refresher training on Challenge 25, proxy sales and their responsibilities under the licensing act 2003 to be provided no less than annually. Training records retained and available at the premises to any authorised authority on request.

5. After 19:00hrs, all persons under the age of 18 must be accompanied by a responsible adult and shall only be permitted in the premises if they are consuming food.

6. After 22:00hrs, no person under the age of 18 shall be permitted in the premises.

### 8.4 Planning stated:

*In commenting on the abovementioned licensing application as a responsible authority I can advise that planning do not object to a licence for the sale of alcohol being issued, however, planning permission would be required for a Change of Use to a SuiGeneris use (Pub or drinking establishment).*

*The premises currently benefits from Planning Permission for small shop units on the ground floor and basement for retail and office use.*

## 9. Representations received (Other Persons)

9.1 Ten representations were received against the application, one has since been withdrawn after the applicant agreed with Shrewsbury Furniture Scheme to the following condition

- Any rubbish associated with the premises will be cleared up from the front pavement every evening before close.

The representation map displays the general locations of representations in relation to the premises. (A copy of the general location of representations map can be found at **Appendix F**).

- 9.2 Principally concerns are in relation to the four licensing objectives these relate to the potential noise nuisance inside and outside the venue from people noise and regulated entertainment particularly late evening into the early hours of the following day. Anti- social behaviour and crime that may be generated is also a concern due to the proximity of residential dwellings, which may cause a hindrance. (Outstanding representations can be found at **Appendix G** 1 to 9).
- 9.3 All aspects of representations have been accepted, for consideration, giving the benefit of the doubt to the person/s making the representation to allow them to amplify at the hearing.
- 9.4 The applicant has provided supporting information to clarify the application and RB Shrewsbury Ltd intentions. (Applicants supporting information can be found at **Appendix H**).

## 10. Options for Consideration

- 10.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:
- To refuse to grant the licence
  - To grant the licence with conditions
  - To grant the licence but restrict the licensable activities
  - To grant the licence with restricted times
- 10.2 If the application is to be granted in line with the submitted operating schedule then conditions detailed in paragraph 7 and subsequent amendments/ additions in paragraph 8 of this report would need to be included in the licence, if deemed necessary and appropriate, with a justified decision.
- 10.3 Additional conditions or restrictions to licensable activities and/or times should only be imposed if considered appropriate for the promotion of the licensing objectives. If other law already places certain statutory responsibilities on a premises, it would not be appropriate to impose similar duties.
- 10.4 Members of the Sub-Committee should be advised that the applicant or any other person who made relevant representations in relation to the application may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.

## 11. Standard of Decision Making



- 11.1 In accordance with the provisions of the Licensing Act 2003 and the Council's scheme of delegation, all applications where a relevant representation has been made need to be determined by this Sub-Committee.
- 11.2 When determining the application, the Sub-Committee should only consider issues, which relate to the four licensing objectives. The licensing objectives are:
- The prevention of Crime and Disorder
  - Public Safety
  - The prevention of a Public Nuisance
  - The protection of Children from Harm
- 11.3 Members of the Sub-Committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. Members of the Sub-Committee may deviate from the statutory guidance and licensing policy only if they deem that there is good reason to do so.
- 11.4 Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an opportunity to consider all relevant facts.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Shropshire Council Licensing Policy 2024 – 2029

[statement-of-licensing-policy-2024-to-2029.pdf \(shropshire.gov.uk\)](#)

Guidance issued under section 182 of the Licensing Act 2003

[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK \(www.gov.uk\)](#)

The Licensing Act 2003 (Hearings) Regulations 2005

<https://www.legislation.gov.uk/uksi/2005/44/contents/made>

The Licensing Act 2003 (Hearings) (Amendment) Regulations 2005

<https://www.legislation.gov.uk/uksi/2005/78/made>

**Local Member:** Cllr N. Green

**Appendices**

**Appendix A** – Location map

**Appendix B** – Location photographs

**Appendix C** – Application for a new premises licence

**Appendix D** – Premises plan

**Appendix E** – Consolidated proposed conditions and times

**Appendix F** – General location of representation map

**Appendix G** (1- 9) – Outstanding representations ‘other persons’

**Appendix H** – Applicants supporting information