



**Licensing Sub -
Committee
6 August 2025
Council Chamber**

Item

Public

LICENSING ACT 2003

APPLICATION FOR A NEW PREMISES LICENCE

Responsible Officer:	Ross O'Neil, Public Protection Officer (Specialist)		
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Cabinet Member (Portfolio Holder):	Councillor Bernie Bentick		

1. Summary

To consider an application for a new Premises Licence.

Premises: Rowley's Mansion Courtyard, Barker 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 10.

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 Rowley's Mansion Courtyard, Barker 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 Capital Bars Frankwell Ltd (12095842) have applied for a new premises licence at the courtyard of Rowley's Mansion, which is a paved area in front of the multi-story tudor building with both retail and residential accommodation in and around the vicinity situated on Barker 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 courtyard is to be accessed between the small retaining wall off Barker Street and the applicant proposes to licence the rear of the courtyard only which measures approximately 14 x 6 metres, which will house a bar and food vendor operating as an outdoor café bar.

The proposal is to have an unlicensed seating area in front of the bar and food vendor to allow consumption of both food and drink (including alcohol).

- 7.2 The requested licensable activities and opening hours:

Supply of Alcohol

Monday to Sunday 11:00 till 23:00

Late night refreshments

Sunday to Thursday 23:00 till 03:00 the following day

Friday and Saturday 23:00 till 05:00 the following day

Opening Hours

Sunday to Thursday 23:00 till 03:00 the following day

Friday and Saturday 23:00 till 05:00 the following day

The applicant has made it clear in part 3 of the application and the plan that the seating area is for consumption, for this to be achieved both on and off sales are required with a licensing condition to prevent alcohol being removed from Rowley's Court Mansion to read:

'The consumption of off sales is to be restricted to the courtyard, as per the yellow section on the plan (dated 16/06/2025)'.

- 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.
- 7.4 Representations were received off responsible authorities, namely trading standards and police requesting additional timings and conditions, while environmental protection formally objected. All three responsible authorities

subsequently withdrew their representations after agreeing additional conditions and reduced hours with the applicant. Planning made comments only.

- 7.5 A document to show all agreed conditions between the applicant and authorities 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:

The end time on Friday and Saturday will be 03:00 instead of 05:00 hours, and

Prevention of Crime and Disorder

1. Colour digital CCTV, with a picture quality capable of being used for evidence will be installed to cover point(s) of sale, entrances / exits and any external areas used for licensable activities or where outside seating is provided. The CCTV will be always operational the premises is open to the public.
2. CCTV recordings will be retained for a minimum of 30 days 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.
3. 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.
4. There will be signage in the premises, clearly visible to members of the public, which states that CCTV is in operation.
5. 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.
6. 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.
7. The Premises Licence Holder shall make suitable arrangements with the police for the collection of any found items as soon as possible after they are found.
8. There will be a duty of care policy formulated towards persons who are refused admission or who are ejected from the premises.
9. There will be a minimum of two registered SIA door supervisor on duty at the premises from 20:00 onwards until 30 minutes after the premises closes 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.

10. On all other days, there will be a minimum of one registered SIA door supervisor on duty at the premises at all times Late Night Refreshment is being provided from 23:00 onwards until 30 minutes after the premises closes. **(Condition now not required following applicants' agreement with environmental protection to cease trading at 23:00 hours Sunday to Thursday).**
11. At all other times the need for door staff 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.
12. 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.
13. The Premises shall have a policy around spiking. Such policy will ensure appropriate training is provided to staff as well as consideration around providing anti-spiking bottle stoppers / protective drink covers. Consideration will also be given to the provision of drug / spiking testing kits.
14. Drinks in open containers will not be permitted to enter or be removed from Rowley's Mansion Courtyard
15. No glassware, of any description will be in use from 23:00 hours and all tables must be cleared of glassware within Rowley' Mansion Courtyard by 23:30 hours.
16. Cutlery / tableware will only be provided when needed and not left on tables.
17. Any external storage areas used by premises will remain locked and secured at all times with no access to the public.
18. All persons authorised for the sale of Alcohol will be defined in a written document This will detail who is authorised the sale of alcohol and evidence that the staff member has been trained in accordance with 'Challenge 25'. This document will be signed by both the staff member and the DPS. The document will be retained and made available at the premises to any authorised authority on request.

8.2 Environmental Protection agreed:

The end time Sunday to Thursdays will be 23:00 hours instead of 03:00 hours the following day. (Environmental Protection representation can be found at **Appendix F**).

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. 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.

8.4 Planning stated:

I have checked the planning History for Rowleys House/Rowleys Mansion and the most recent is 15/00066/FUL that granted planning permission for Change of use (of the building) from current D1 (Museum) to D1 (Education and Administration) for use by the University. There have been no applications for use of the outside area.

An application for planning permission is required for change of use of the area to a mixed-use café/restaurant, drinking establishment and hot food takeaway (sui generis use). Any fencing and structures can be included in the same application.

9. Representations received (Other Persons)

- 9.1 Five representations were received against the application, who all have concerns in relation to the four licensing objectives. 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 G**).
- 9.2 Principally these concerns are in relation to the potential noise nuisance from patrons due the premises being outside. 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. (Representations can be found at **Appendix H** 1 to 5).
- 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.

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 Alex Wagner

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 – Environmental Protection representation

Appendix G – General location of representation map

Appendix H - (1- 5) Representations 'other persons'