



**Licensing Sub -
Committee
11 May 2026
Council Chamber
Guildhall**

LICENSING ACT 2003

APPLICATION FOR A PREMISES LICENCE

Responsible Officer:	Ross O'Neil, Public Protection Officer (Specialist)		
email:	licensing@shropshire.gov.uk	Tel:	0345 6789026
Cabinet Member (Portfolio Holder):	Councillor Bernie Bentick, Portfolio Holder for Health and Public Protection		

1. Summary

To consider an application for a full variation to a Premises Licence.

Premises: Bobby's, 21 25/ 26 The Parade, St Mary's Place, Shrewsbury, SY1 1DL

Shropshire Council being the authorised licensing authority for the above premises has received an application for a full variation to a 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 full variation at Bobby's, 21, 25/26 The Parade, St Mary's Place, Shrewsbury, SY1 1DL between 31 March and 30 September (A copy of the location map and location photographs can be found at **Appendix A and B**).

7. Background

- 7.1 The premises operates as a food-led restaurant serving Mexican-inspired dishes, alcohol can only be served with a meal/ light snack, or as an ancillary item before and/ or after a meal. The terrace operates as an extension of the restaurant and while it isn't licensed, it's a dedicated seating area provided by the premises utilising 'off sales' to permit alcohol consumption.
- 7.2 The original premises licence was granted in July 2024, after a hearing was held to determine the new premise licence application. At the time representations were received off Environmental Protection and residents objecting to the application. The sub- committee granted the licence, adding these additional nine conditions to the licence on 24 July 2024:
- 1. Windows and doors shall be kept closed after **18:00** except for immediate access and egress.*
 - 2. The external terrace area shall be cleared of patrons by **17:00** Monday - Saturday, save for access and egress to the Premises.*
 - 3. Outside tables and chairs to be cordoned off after **17:00** Monday - Saturday, so they are unusable, subject to safe access to and from the restaurant.*
 - 4. No alcohol or other drinks to be taken into or consumed in the external terrace area after **17:00** Monday - Saturday.*
 - 5. The outside terraced area shall not be used on Sunday, as per consumption on the plan.*
 - 6. All external lighting to be turned off by **17:00** Monday- Saturday except for any lighting required for safety as opposed to decorative reasons.*
 - 7. No smoking on the terrace area, as per consumption on the plan.*
 - 8. The Licence Holder shall ensure that there is a dispersals plan in place to manage patrons leaving the premises, records retained and available to any authorised authority on request.*
 - 9. Prior to the any licensable activities taking place, the license holder will have a noise management plan developed, by a suitably qualified professional. The recommendations must be complied with, records retained and available to any authorised authority on request.*
- 7.3 The license was varied in August 2025 to add unit 21, which received no objections and was subsequently granted. (A copy of the premises licence and plan can be found at **Appendix C and D**).
- 7.4 The current licence holder, Mr Aaron Brown now proposes a seasonal variation and seeks to extend the permitted operational hours of Bobby's external terrace from 17:00 to 20:30, between 31 March and 30 September (inclusive), from Monday to Saturday. The applicant requests five of the nine conditions added by the Sub-Committee in 2024 are amended between 31 March and 30 September to read
- 1. Windows and doors shall be kept closed after **20:30** except for immediate access and egress.*
 - 2. The external terrace area shall be cleared of patrons by **20:30** Monday - Saturday, save for access and egress to the Premises.*
 - 3. Outside tables and chairs to be cordoned off after **20:30** Monday - Saturday, so they are unusable, subject to safe access to and from the restaurant.*

4. No alcohol or other drinks to be taken into or consumed in the external terrace area after 20:30 Monday - Saturday.

6. All external lighting to be turned off by 20:30 Monday- Saturday except for any lighting required for safety as opposed to decorative reasons.

- 7.5 For a full variation 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. (A copy of the application form can be found at **Appendix E**).

8. Representations received (Responsible Authorities)

- 8.1 Trading Standards had “no objections as conditions will remain the same as per LAPREM6418” within the protection of children from harm objective.

- 8.2 Environmental Protection believe the additional hours proposed would be likely to undermine the licensing objective of the prevention of public nuisance and have submitted formal representations objecting to the proposal. (A copy of Environmental Protection’s representation can be found at **Appendix G**).

- 8.3 Planning made comment - *The proposal seeks a variation of the premises licence to allow the external terrace of Bobbys Tacos to operate until 20:30 (currently 17:00) between 31 March to 30 September (inclusive) from Monday to Saturday. For the remainder of the year from 1 October to 30 March, the external terrace to close at 17:00.*

In addition, the proposal also seeks to extend the time doors and windows must remained closed from 18:00 to 20:30 and to amend the time external lighting is to be switched off to 20:30 between 31 March and 30 September (inclusive) Monday-Saturday.

Given the proximity of residential properties with external balconies in relation to the terrace seating. With planning policies emphasising the safeguarding and protection of residential amenities, particularly where commercial outdoor spaces adjoin or are close to residential properties. Therefore, the proposal would not be supported. Further application ref 26/00847/FUL to extend the hours of use of the external terrace to the same times as the proposal has been refused on amenity impact.

9. Representations received (Other Persons)

- 9.1 There have been 19 representations received against the application. 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 Concerns predominantly are in relation to the nature of the noise that will be generated in the evenings and the direct impact on residential properties. (Representations can be found at **Appendix H** 1 to 19).

- 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 Roger Stanley, who submitted representations as ‘other persons’ has also submitted further supporting information (Stanley supporting information can be found at **Appendix I**)

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 conditions within section M of the application form 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/ukxi/2005/44/contents/made>

The Licensing Act 2003 (Hearings) (Amendment) Regulations 2005
<https://www.legislation.gov.uk/ukxi/2005/78/made>

Local Member: Cllr A. Wagner

Appendices

Appendix A – Location map

Appendix B – Location photographs

Appendix C – Premises Licence

Appendix D – Premises Plan

Appendix E – Application form

Appendix F – General location of representation map

Appendix G – Environmental Protection representations

Appendix H – 'other persons' representations (1- 19)

Appendix I – Stanley supporting information