

Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: Wednesday, 29 March 2023

Committee:
Licensing Act Sub-Committee

Date: Thursday, 6 April 2023
Time: 11.00 am
Venue: Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

You are requested to attend the above meeting. The Agenda is attached

There will be some access to the meeting room for members of the press and public, but this will be limited. If you wish to attend the meeting please email democracy@shropshire.gov.uk to check that a seat will be available for you.

Please click [here](#) to view the livestream of the meeting on the date and time stated on the agenda

The recording of the event will also be made available shortly after the meeting on the Shropshire Council Youtube Channel [Here](#)

Tim Collard
Assistant Director - Legal and Governance

Members of Licensing Act Sub-Committee

Roy Aldcroft
Peter Broomhall

Nigel Lumby

Your Committee Officer is:

Tim Ward Committee Officer
Tel: 01743 257713
Email: tim.ward@shropshire.gov.uk

AGENDA

1 Election of Chairman

To elect a Chairman for the duration of the meeting.

2 Disclosable Pecuniary Interests

Members are reminded that they must declare their disclosable pecuniary interests and other registrable or non-registrable interests in any matter being considered at the meeting as set out in Appendix B of the Members' Code of Conduct and consider if they should leave the room prior to the item being considered. Further advice can be sought from the Monitoring Officer in advance of the meeting.

3 Application for the Full Variation of a Premises Licence - The Mytton & Mermaid, Atcham, SY5 6QG (Pages 1 - 66)

Report of the Public Protection Officer (Specialist) is attached, marked 3.

Contact Ross O'Neil on 0345 6789026



Licensing Sub-Committee
Thursday 6th April 2023

Shrewsbury room - Shirehall

Item

Public

LICENSING ACT 2003

APPLICATION FOR A PREMISES LICENCE

Responsible Officer Ross O'Neil, Public Protection Officer (Specialist)
e-mail: licensing@shropshire.gov.uk Tel: 0345 6789026

1. Summary

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

Premises: Mytton and Mermaid, Atcham, Shrewsbury, Shropshire, SY5 6QG

Shropshire Council being the authorised licensing authority for the above premises has received an application for a full variation. (A location map and location photographs are attached to the report as **Appendix A and B**).

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 2019 - 2024.

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 9.

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

REPORT

3. Human Rights Act Appraisal

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

4. Financial Implications

None.

5. Purpose of Report

To consider an application for a variation at Mytton and Mermaid, Atcham, Shrewsbury, Shropshire, SY5 6QG.

6. Background

6.1 Brunning & Price Limited have made an application for a variation of the premises licence. The premises operates as a hotel and restaurant.

The current premises licence covers the ground floor of the building, except for the bedrooms and function room. The premises is situated off the B4380 in Atcham, adjacent to the River Severn and opposite Attingham Park with residential properties to the East.

The current licence was granted in November 2005. Brunning and Price Limited transferred the licence in June 2022 and subsequently undertook a complete refurbishment. From a Licensing perspective there are no historic

complaints. However, a previous review hearing has been heard and Annex 3 conditions added to the licence in relation to noise control measures.

During consultation, amendments have been made by the applicant due to representations received off the Police and Trading Standards.

- 6.2 The existing premises licence (**Appendix C**) and Plan (**Appendix D**) permits the following:

Opening hours

Monday to Sunday 10:00 – 02:00

24 hours for hotel residents

Supply of alcohol (both on and off sales)

Monday to Sunday 10:00 – 01:00

24 hours for hotel residents (End time 02:00 1st March till 30th September)

Late night refreshments (indoors)

Monday to Sunday 23:00 – 01:00

Live music (indoors)

Monday to Sunday 10:00 – 01:00

Recorded music (indoors)

Monday to Sunday 10:00 – 01:00

Additional non- standards hours for all activities and sales on Christmas Eve, New Year's Eve and New Years' Day.

- 6.3 The variation application (**Appendix E**) and proposed Plan (**Appendix F**) seek to amend the following:

- The whole building is to be included within the demise of the licence including the bar/ restaurant, external dining terraces and all bedrooms (to cover the provision of mini bars)

- Adjacent grounds also to be included within the licence so portable bar serveries can be located within the area, weather permitting, to provide the sale of alcohol to customers that wish to use the grounds.
- It is proposed that the hours for the sale of alcohol will commence from 08:00 hours daily to tie in with the company's breakfast offering. Alcohol sold before 10:00 hours to non- residents will be ancillary to food.
- Remove all conditions contained within annexes 2/ 3 and replace with new conditions as per operating schedule.
- There are no proposals to change the nature of the premises which will continue as a hotel and restaurant.

Opening hours

Monday to Sunday 00:00 – 23:59

Supply of alcohol (both on and off sales)

Monday to Sunday 08:00 – 01:00

24 hours for residents and bona fide guests

End time 02:00 1st March till 30th September, Christmas Eve and New Year's Day

New Year's Eve: 08:00 – start of normal hours on New Year's Day

- 6.4 The applicant has requested to remove all current conditions within Annexes 2 and 3 of the current licence:

Annex 2 – Conditions consistent with the operating schedule

Prevention of Crime & Disorder

1. *Entrance/Exits would be well illuminated;*
2. *Good visibility of the public areas from the bar areas would be maintained.*
3. *Regular checks would be made of the toilet and outside areas;*
4. *The premises would not be targeted to attract the 18-25 age group.*

Public Safety

1. *Firefighting and smoke detection equipment would be maintained annually.*

Prevention of Public Nuisance

1. *Customers would be instructed to leave quietly with signs being displayed at exits that effect;*
2. *Firework displays would be arranged through the hotel to finish prior to 22:15 and the Parish Council would be notified of such events.*

Protection of Children From Harm

1. *Staff would be trained to refuse to serve alcohol to anyone who appears under 21 and cannot prove that they are over 18;*

2. *Only a drivers licence or passport would be accepted as proof of age.*

Annex 3 – Conditions attached after a hearing by the Licensing Authority

1. *Firework displays would be limited to ten in number in any calendar year except that in addition there may be a firework display on New Year's Eve between 00:00 and 00:30 the following morning;*
2. *All amplified music would be controlled through a noise limiting device set by the Environmental Health Officer;*
3. *All doors and windows would be closed in any part of the premises in which regulated entertainment is taking place;*
4. *No regulated entertainment would take place in the courtyard area after 23:00.*

- 6.5 The applicant has identified new conditions to promote the four licensing objectives. The operating schedule details that the following steps would be taken:

6.5.1

- *The sale and supply of alcohol before 10:00 hours for non-residents will be ancillary to breakfast/table meal.*
- *Alcohol and hot food will be available 24 hours a day to residents and their bona fide guests.*
- *CCTV will be installed and maintained within the premises to the satisfaction of the police.
Images will be retained for a period of 31 days and made available to any of the responsible authorities upon request.*
- *All members of staff engaged in the provision of licensable activities must receive training in relation to:-*
 - *The licensing objectives contained in the Licensing Act 2003*
 - *Responsible retailing of alcohol, and the law*
 - *Protection of children from harm and this must include how to competently check customers identification where necessary*
 - *Authorised hours for licensable activities and the conditions attached to the premises licence*
- *The staff training records will be maintained at the premises and made available to any Responsible Authority upon request.*
- *The use of the external areas for licensable activities will cease at 23:00 hours.*
- *Portable bar serveries may be used within the external areas. The location of which will be risk assessed prior to use and a copy of the risk assessment kept on the premises during the period of use, copies of which will be made available for inspection by any of the responsible authorities upon request.*
- *A fire risk assessment will be carried out and a copy available on the premises for inspection by any of the responsible authorities upon request.*

- *Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.*
- *Fireworks displays will be limited to 10 events in any calendar year and will finish by 22:15 hours except, in addition, on New Year's Eve there may be a fireworks display between 00:00 and 00:30 the following morning.*
- *Any amplified music will be controlled through a noise limiting device set in agreement with the Environmental Health Department.*
- *All ground floor doors and windows within the premises will be closed while regulated entertainment is taking place.*
- *The premises will operate a challenge 25 scheme. Acceptable forms of identification will be photographic such as a photo driving licence, passport or PASS accredited proof of age card, etc.*

7. Representations received (Responsible Authorities)

7.1 Representations were received off the Police and Trading Standards. These have both been withdrawn following an agreement of additional conditions.

7.2 Police requested a drugs policy and additional CCTV conditions. The following were proposed and agreed with the applicant:

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, including point(s) of sale and all entrances/exits, and any external areas used for licensable activities or where outside seating is provided. The CCTV will be operational at all times 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.*
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. 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.*
6. *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.*
7. *There will be a duty of care policy formulated towards persons who are refused admission or ejected from the premises*

7.3 Trading Standards requested additional conditions in relation to the challenge 25 scheme: The following were proposed and agreed with the applicant:

- *Challenge 25, proxy sales and individuals' responsibilities under the Licensing Act 2003 (Added as an addition condition within the staff training section)*
- *Refresher training to be provided on an annual basis (for all staff training)*
- *Challenge 25 condition amended to include 'with appropriate signage displayed at the points of sales'.*
- *New condition, A refusals log will be maintained and made available to any responsible authority upon request. The refusals log can be kept either electronically or in a hard backed/bound book.*

7.4 There are no outstanding representations from Responsible Authorities.

8. Representations received (Other Persons)

8.1 Two objections have been received off other persons, who have concerns in respect of the four licensing objectives. The representation map displays the location of representations in relation to the premises. (A copy of the 'other persons' location map can be found at **Appendix G**).

8.2 Principally the concerns relate to the additional times, outside alcohol sales and regulated entertainment due to the removal of trees having changed the sound attenuation of the venue. It is also claimed that there has been a previous noise abatement order at the venue and a previous licensing hearing to control noise elements, as per the current Annex 3 conditions. (Representations can be found at **Appendix H – I**).

8.3 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 or clarify at the hearing.

8.4 There has been negotiations during the consultation period in order to remove the need for a hearing, but representations have not been withdrawn and the applicant has indicated they wish to continue with the application as submitted and accordingly amended.

9. Options for Consideration

9.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:

- To refuse to grant the application
- To grant the application with (or without) conditions in full (or in part)

9.2 If the application is to be granted in line with the submitted operating schedule as detailed in paragraph 6 and amendments/additions/conditions as agreed

with authorities detailed in paragraph 7 of this report would need to be included in the licence, if deemed necessary, with an appropriate decision.

- 9.3 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.
- 9.4 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.

10. Standard of Decision Making

- 10.1 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.
- 10.2 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
- 10.3 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.
- 10.4 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)

Licensing Act 2003

<https://www.legislation.gov.uk/ukpga/2003/17/contents>

Guidance issued under section 182 of the Licensing Act 2003 (December 2022)

[Revised guidance issued under section 182 of the Licensing Act 2003 \(December 2022\) \(accessible\) - 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>

Shropshire Council Licensing Policy 2019 – 2024
<https://www.shropshire.gov.uk/media/12345/statement-of-licensing-policy-2019-to-2024.pdf>

Cabinet Member (Portfolio Holder)

Cllr Richard Marshall PFH (Highways and Regulatory Services)

Local Member/s

Cllr C. Wild

Appendices

Appendix A – Location map

Appendix B – Location photographs

Appendix C – Current Licence

Appendix D – Current plan

Appendix E – Application (full variation)

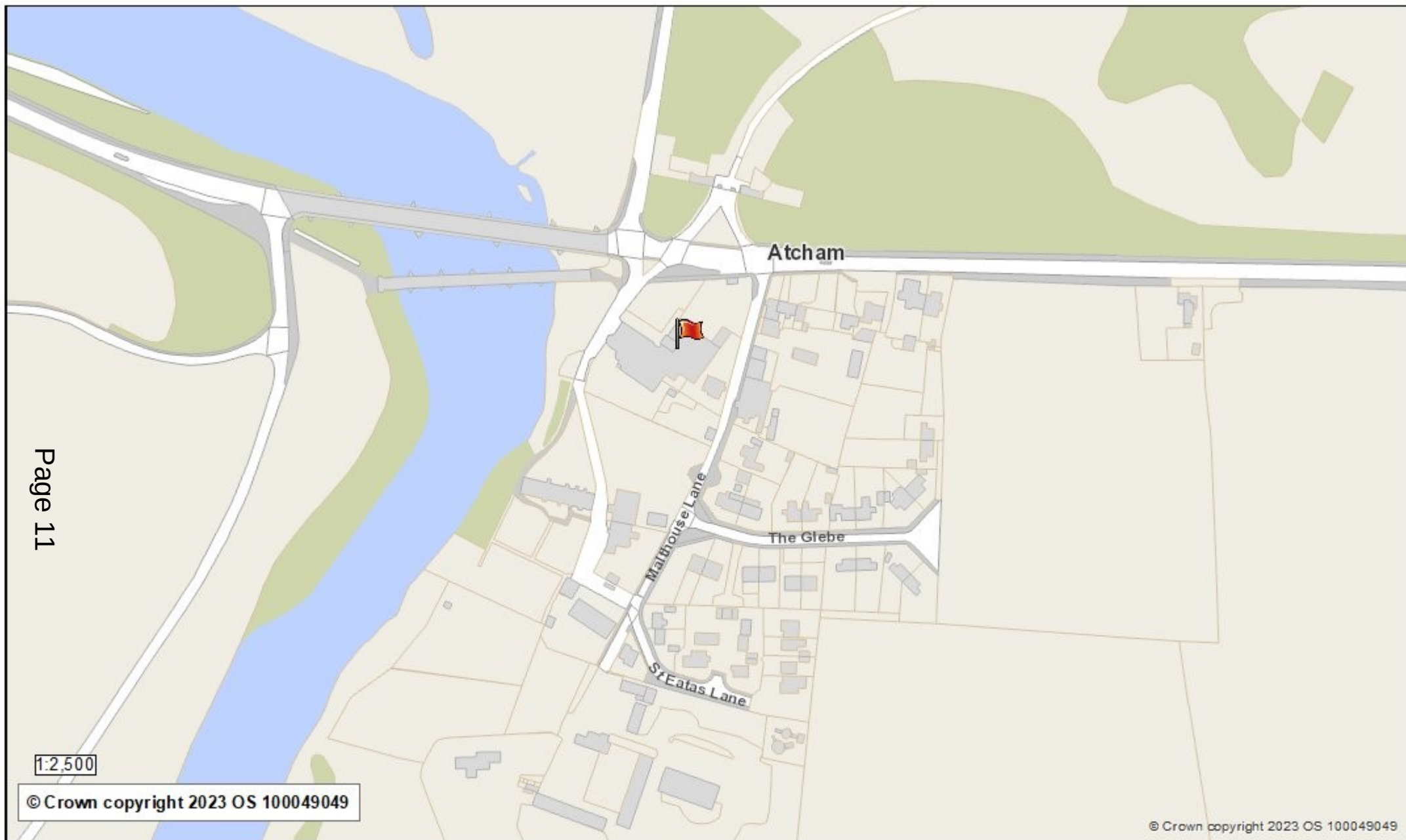
Appendix F – Proposed plan

Appendix G - Location of 'other persons' representation map

Appendix H – Representation Biggs

Appendix I – Representation Nock's

This page is intentionally left blank



Mytton & Mermaid (red flag - premises)



This page is intentionally left blank

Mytton & Mermaid, Atcham, Shrewsbury



- Front view of the premises from B4380 -



- View of the premises (East) B4380 -



- View of the premises (West) B4380 -



- Rear view of the premises -



- Satellite view of premises -

This page is intentionally left blank

This Licence is Issued by



SC/22/01849/LTRPRE

Premises Licence

Licensing Act 2003

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Mytton And Mermaid Hotel
Atcham, Shrewsbury, Shropshire, SY5 6QG

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday to Sunday 10:00 - 02:00

Non Standard timings

Open 24 hours for hotel residents

End time on Christmas Eve and New Years Day 03:00. End time on New Years Eve is start time on New Years Day.

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Sunday 10:00 - 01:00

Non Standard Timings

24 hours for hotel residents

End time 02:00 1st Mar to 30 Sep, on Christmas Eve and New Years Day 03:00.

End time on New Years Eve is start time on New Years Day.

Late Night Refreshment (Indoors)

Monday to Sunday 23:00 - 01:00

Non Standard Timings

End time on Christmas Eve and New Years Day 03:00. End time on New Years Eve is 05:00.

Live Music (Indoors)

Monday to Sunday 10:00 - 01:00

Non Standard Timings

End time on Christmas Eve, New Years Eve and New Years Day 03:00.

Recorded Music (Indoors)

Monday to Sunday 10:00 - 01:00

Non Standard Timings

End time on Christmas Eve, New Years Eve and New Years Day 03:00.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol is supplied for consumption on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of premises licence holder

Brunning & Price Limited

5 -7 Marshalsea Road, Borough, London, SE1 1EP

[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

01543132

Name, Address and Telephone Number of Designated Premises Supervisor Where the Premises Licence Authorises the Supply of Alcohol

[REDACTED]

Personal Licence Number and Issuing Authority of Personal Licence held by Designated Premises Supervisor Where the Premises Licence Authorises for the Supply of Alcohol

[REDACTED]

Annexes

Annex 1 – Mandatory Conditions

For the supply of alcohol

No supply of alcohol may be made under the premises licence -

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of films

For all premises licences and club premises certificate authorising the exhibition of films, access will be restricted only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification.

Admission of children to the exhibition of any film to be restricted in accordance with the recommendations given to films by a body designated under Section 4 of the Video Recordings Act 1984 - the British Board of Film Classification is the only body so designated.

Door Supervision

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

Mandatory Drinks Code Conditions

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or,

(ii) drink as much alcohol as possible (whether within a time limit or otherwise); .

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the

supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures— .

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml.

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Mandatory Price Conditions

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula—

$$P=D+(D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.—(1) Paragraph 2 applies where the permitted price given by sub-paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Embedded Restrictions

Where alcohol is sold for consumption off the premises it shall not be sold in an open container or be consumed in the licensed premises.

Annex 2 – Conditions consistent with the operating schedule

Prevention of Crime & Disorder

1. Entrance/Exits would be well illuminated;
2. Good visibility of the public areas from the bar areas would be maintained.
3. Regular checks would be made of the toilet and outside areas;
4. The premises would not be targeted to attract the 18-25 age group.

Public Safety

1. Firefighting and smoke detection equipment would be maintained annually.

Prevention of Public Nuisance

1. Customers would be instructed to leave quietly with signs being displayed at exits to that effect;
2. Firework displays would be arranged through the hotel to finish prior to 22:15 and the Parish Council would be notified of such events.

Protection of Children From Harm

1. Staff would be trained to refuse to serve alcohol to anyone who appears under 21 and cannot prove that they are over 18;
2. Only a drivers licence or passport would be accepted as proof of age.

Annex 3 – Conditions attached after a hearing by the Licensing Authority

1. Firework displays would be limited to ten in number in any calendar year except that in addition there may be a firework display on New Year's Eve between 00:00 and 00:30 the following morning;
2. All amplified music would be controlled through a noise limiting device set by the Environmental Health Officer;
3. All doors and windows would be closed in any part of the premises in which regulated entertainment is taking place;
4. No regulated entertainment would take place in the courtyard area after 23:00.

Annex 4 – Plans

Plan reference and date: Annex Ground Floor dated 11/11/2003

Licensing Team, Business and Consumer Protection, Place Directorate: Homes and Communities,
Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire SY2 6ND
www.shropshire.gov.uk 0345 678 9026

This Licence is Issued by



SC/22/01849/LTRPRE

Premises Licence Summary

Licensing Act 2003

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Mytton And Mermaid Hotel
Atcham, Shrewsbury, Shropshire, SY5 6QG

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises
--

Monday to Sunday 10:00 - 02:00

Non Standard timings

Open 24 hours for hotel residents

End time on Christmas Eve and New Years Day 03:00. End time on New Years Eve is start time on New Years Day.

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Sunday 10:00 - 01:00

Non Standard Timings

24 hours for hotel residents

End time 02:00 1st Mar to 30 Sep, on Christmas Eve and New Years Day 03:00.

End time on New Years Eve is start time on New Years Day.

Late Night Refreshment (Indoors)

Monday to Sunday 23:00 - 01:00

Non Standard Timings

End time on Christmas Eve and New Years Day 03:00. End time on New Years Eve is 05:00.

Live Music (Indoors)

Monday to Sunday 10:00 - 01:00

Non Standard Timings

End time on Christmas Eve, New Years Eve and New Years Day 03:00.

Recorded Music (Indoors)

Monday to Sunday 10:00 - 01:00

Non Standard Timings

End time on Christmas Eve, New Years Eve and New Years Day 03:00.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol is supplied for consumption on and off the premises

Name, (registered) address of premises licence holder

Brunning & Price Limited

5 -7 Marshalsea Road, Borough, London, SE1 1EP

Registered number of holder, for example company number, charity number (where applicable)

01543132

Name of Designated Premises Supervisor Where the Premises Licence Authorises the Supply of Alcohol

[REDACTED]

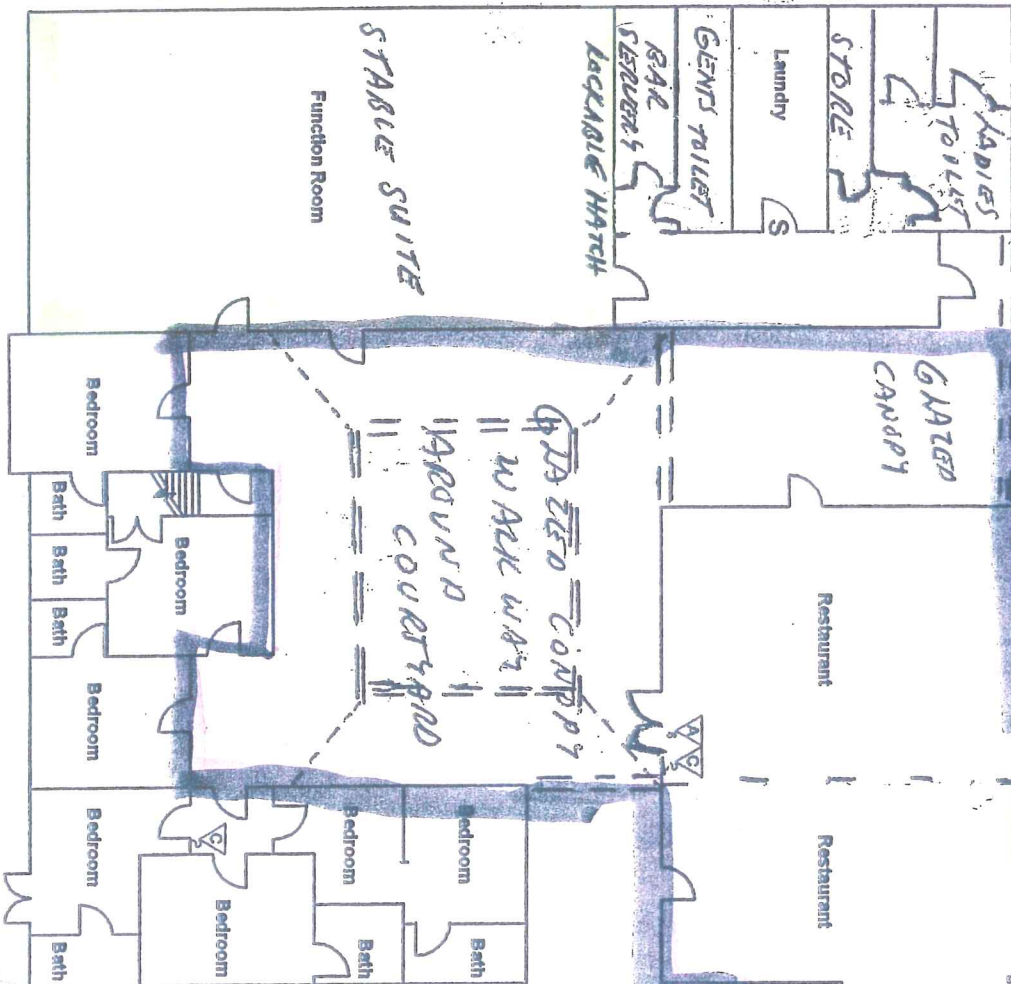
Licensing Team, Business and Consumer Protection, Place Directorate:Homes and Communities,
Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire SY2 6ND
www.shropshire.gov.uk 0345 678 9026

This page is intentionally left blank

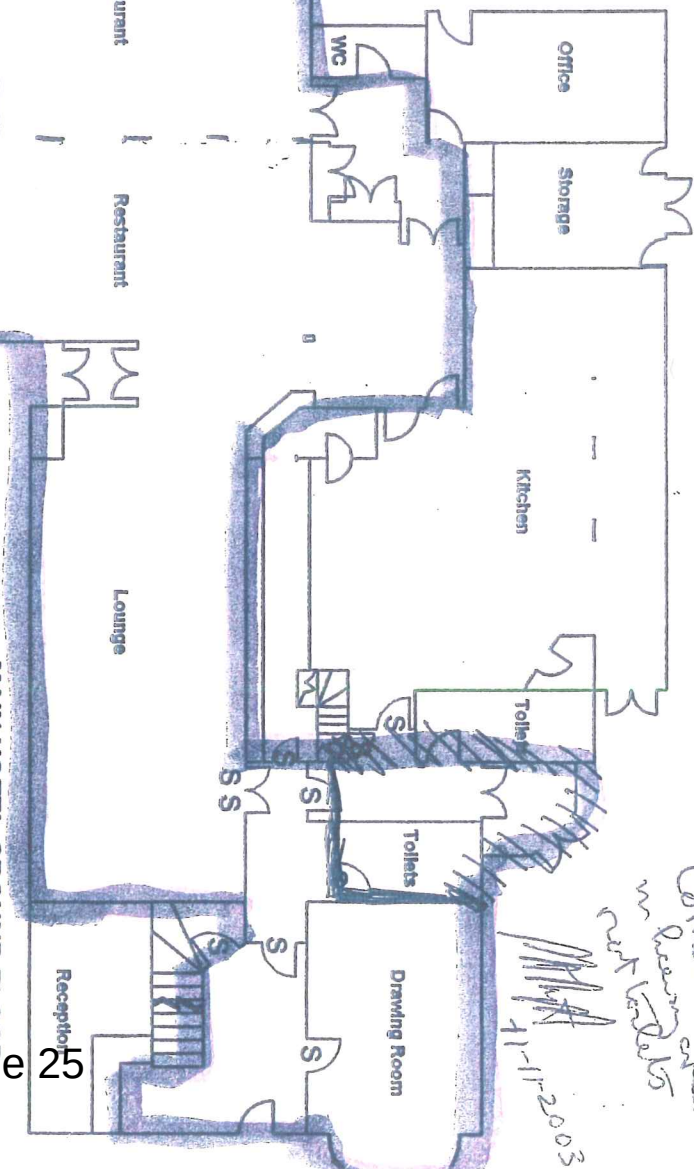
22312

11-11-2003

ANNEXE GROUND FLOOR



MAIN HOTEL GROUND FLOOR



MUTTON & MERMAID
HOTEL
ATCHAN
SHEBARSARY
545 606

Completed under the
in drawing area
not visible
11-11-2003

This page is intentionally left blank

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Brunning & Price Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

SC/22/01849/LTRPRE

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Mytton & Mermaid Hotel
Atcham

Post town

Shrewsbury

Postcode

SY5 6QG

Telephone number at premises (if any)

Non-domestic rateable value of premises

£154000

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

Post town

Postcode

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The premises are currently undergoing a refurbishment and new plans accompany the application showing the changes.
It is proposed that all the old conditions are removed and replaced with a new set of more up-to-date conditions.
The whole building is to be included within the demise of the licence including the bar/restaurant, external dining terraces and all bedrooms (to cover the provision of mini bars). Additionally, it is proposed that the adjacent grounds will be included within the licence so portable bar serveries can be located within the area, weather permitting, to provide the sale of alcohol to customers that wish to use the grounds.
It is proposed that the hours for the sale of alcohol will commence from 08:00 hours daily to tie in with the company's breakfast offering. Alcohol sold before 10:00 hours to non-residents will be ancillary to food.
There are no proposals to change the nature of the premises which will continue as a hotel and restaurant.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box I) ☐

Supply of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	☐
Mon				Outdoors	☐
				Both	☐
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	☐
				Off the premises	☐
				Both	☐
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon	08:00	01:00			
Tue	08:00	01:00			
Wed	08:00	01:00			
Thur	08:00	01:00	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7) 24 hours for residents and bona fide guests 1st Mar-30th Sep: 08:00-02:00 Christmas Eve and New Year's Day: 08:00-03:00 New Year's Eve: 08:00-start of normal hours on New Year's Day		
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	01:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10). N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	00:00	24:00	
Tue	00:00	24:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

All conditions contained with annexes 2 and 3

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

The sale and supply of alcohol before 10:00 hours for non-residents will be ancillary to breakfast/table meal.

Alcohol and hot food will be available 24 hours a day to residents and their bona fide guests.

CCTV will be installed and maintained within the premises to the satisfaction of the police. Images will be retained for a period of 31 days and made available to any of the responsible authorities upon request.

All members of staff engaged in the provision of licensable activities must receive training in relation to:-

- The licensing objectives contained in the Licensing Act 2003
- Responsible retailing of alcohol, and the law
- Protection of children from harm and this must include how to competently check customers identification where necessary
- Authorised hours for licensable activities and the conditions attached to the premises licence

The staff training records will be maintained at the premises and made available to any Responsible Authority upon request.

The use of the external areas for licensable activities will cease at 23:00 hours.

Portable bar serveries may be used within the external areas. The location of which will be risk assessed prior to use and a copy of the risk assessment kept on the premises during the period of use, copies of which will be made available for inspection by any of the responsible authorities upon request.

A fire risk assessment will be carried out and a copy available on the premises for inspection by any of the responsible authorities upon request.

Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

Fireworks displays will be limited to 10 events in any calendar year and will finish by 22:15 hours except, in addition, on New Year's Eve there may be a fireworks display between 00:00 and 00:30 the following morning.

Any amplified music will be controlled through a noise limiting device set in agreement with the Environmental Health Department.

All ground floor doors and windows within the premises will be closed while regulated entertainment is taking place.

The premises will operate a challenge 25 scheme. Acceptable forms of identification will be photographic such as a photo driving licence, passport or PASS accredited proof of age card, etc.

b) The prevention of crime and disorder

As above

c) Public safety

As above

d) The prevention of public nuisance

As above

e) The protection of children from harm

As above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will ☒

be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Harrison Clark Rickerbys Limited</i>
Date	14/02/2023
Capacity	Solicitors for and on behalf of the applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

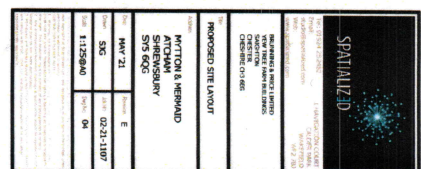
Notes for Guidance

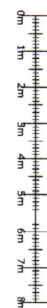
This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

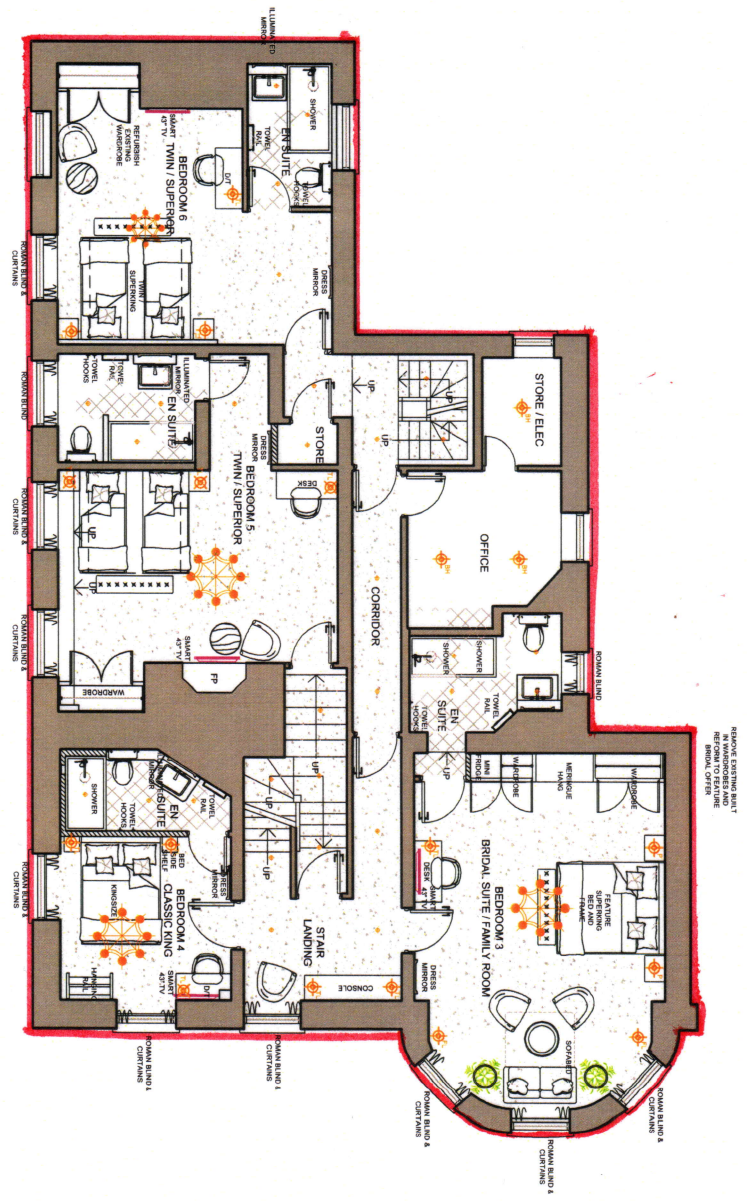
This page is intentionally left blank







E- AMENDED LAYOUT TO BEDROOM 5
 STORE FORMED (SG) 19.08.22



THE OTHER SPACE
 1 WATKINSON COURT
 CALDER PARK
 WATFORD
 WOOD
 WATFORD
 WOOD

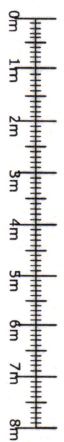
TENDER
ISSUE

THE PROPOSED FIRST FLOOR PLAN

MATTHEW & MERMAID
 ARCHITECTS
 SHREWSBURY
 ST5 6QS

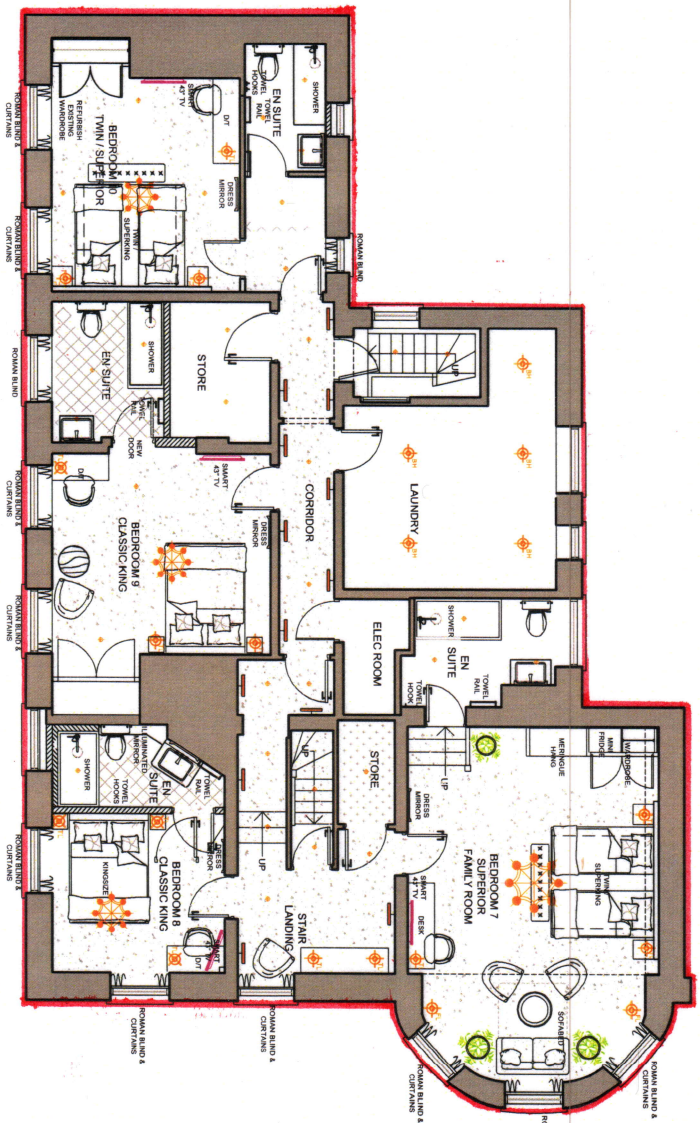
Date: MAY 21
 Drawn: SJC
 Scale: 1:500 A1

Title: E
 Date: 02-21-1107
 Drawn: 06



Brennan & Price

1001 E. JAMESON LANE OFF TO BEDROOM 8
AND 9 (500 1346622)



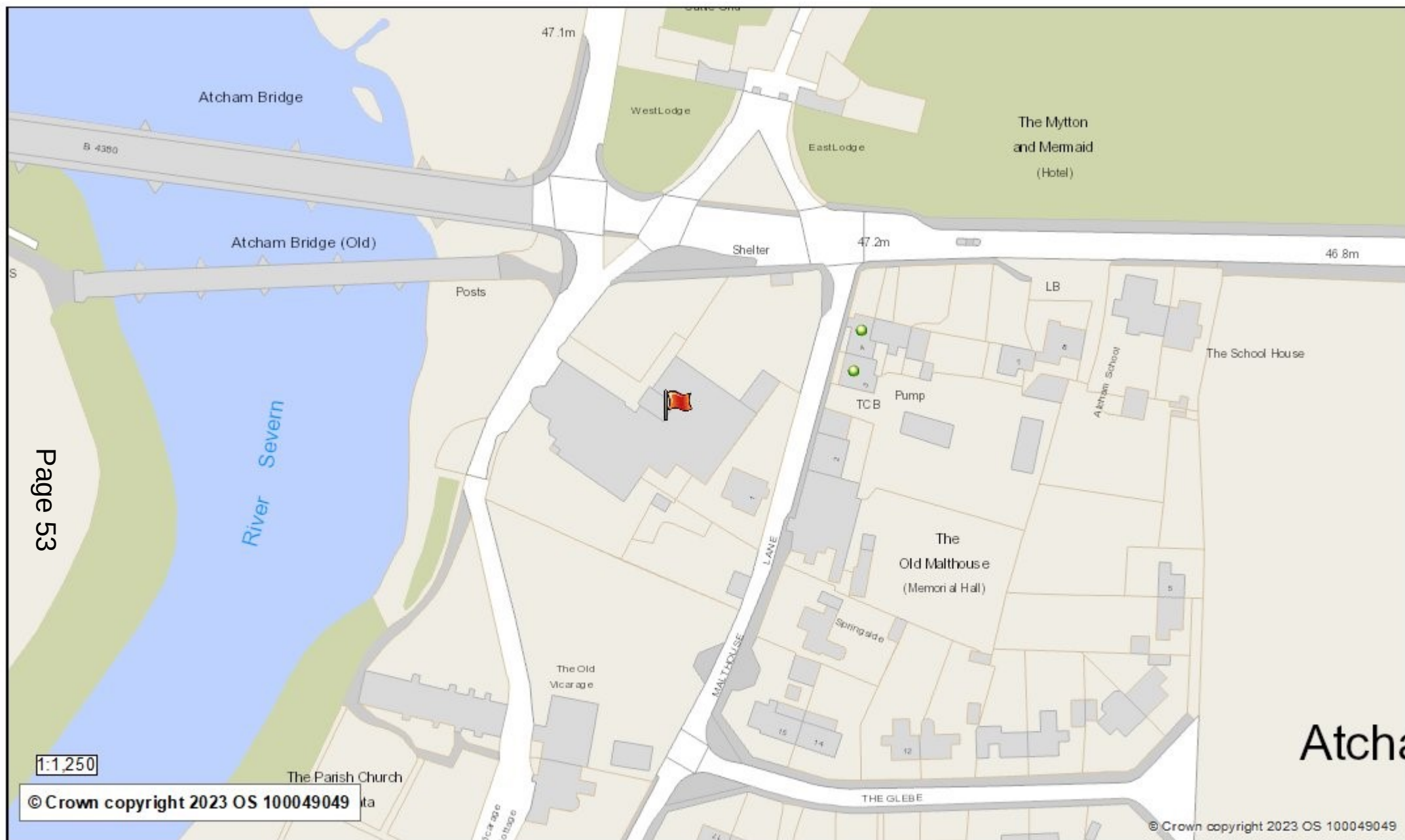
THE SPATIALIZED GROUP
1001 E. JAMESON LANE OFF TO BEDROOM 8
AND 9 (500 1346622)

**TENDER
ISSUE**

PROPOSED SECOND FLOOR PLAN

Architect
MITTON & MERMAID
ATCHAM
SHREWSBURY
S15 6QG

Date: **MAY 21** Revision: **E**
Drawn: **SJC** Date: **02-21-107**
Scale: **1:50@A1** Page No: **07**



Mytton & Mermaid (red flag - premises, green dots - representations)



This page is intentionally left blank



06 MAR 2023

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	Mr DAVID BIGGS
*Postal address	[REDACTED]
Telephone number	[REDACTED]
Email address This is the most reliable way for us to communicate with you, please provide an email address if you have one	[REDACTED]

*Name & address of premises for which the representation is being made
Mytton and Mermaid Hotel ATCHAM SHREWSBURY SY5 6DG

*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.

THE PREVENTION OF CRIME AND DISORDER
PUBLIC SAFETY

THE PREVENTION OF PUBLIC NUISANCE

PLEASE REFER TO ANNEX A.

THE PROTECTION OF CHILDREN FROM HARM

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.

PLEASE REFER TO ANNEX B

- 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.

3/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

Date:

03/03/2023

03/03/2023

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

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 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.**

THE PREVENTION OF PUBLIC NUISANCE / MYTTON MERMAID / A

As we all know the consumption of alcohol is unfortunately not a licensable activity and I would like to raise the following issues with regards to the consumption, timings and the associated activities that have historically emanated from the Beer Garden and the car parks of the Mytton and Mermaid.

On many occasions the noise levels generated by patrons when entering, socialising and subsequently leaving the premises have prevented us from sleeping and has had a detrimental impact on our our quality of life especially in the Summer Months.

We are of the opinion that the removal of several of the trees that have historically surrounded the front Beer Garden will have permanently changed the sound attenuation of the venue particularly in the area known as the front Beer Garden. Many of the Trees have been removed and we now have a direct line of sight from our property into the Beer Garden. We now fear that we will suffer from the lack of acoustic attenuation and as a result we will be subjected to a much higher level of noise emanating from the activities of Patrons enjoying the venue during the proposed 16 hours of daily alcohol sales. Previously where we as residents were acoustically and visually shielded from the sounds of patrons we now have a clear line of sight into the front beer garden and this is not something that we are relishing as we feel that we will now not be able to enjoy sitting outside enjoying our property in what is a very quiet rural area.

The addition of a rear walled garden will increase the potential for alcohol related unsociable noise levels that will no doubt emanate from the external areas where alcohol is proposed to be sold. Historically there has been lots of audible swearing from the outside areas and associated car parks. This includes domestic arguments as well as unrepeatable acts which we have witnessed in the car parks, particularly late at night whilst customers await for their taxis to arrive and depart.

We would like to know the intended capacity of the associated external drinking areas; the plans clearly show that these areas have the potential to accommodate large groups and gatherings. We would like to know how the exponential levels of external noise are to be managed?. We are extremely worried that the levels will have a social, environmental effect on our quality of life and more importantly our mental health. This is due to the close proximity of our property to the external areas of the Mytton and the lack of sound attenuation within the design of the external areas particularly the proposed front Beer Garden.

We feel that the nature of the variation application will have a massive effect on our and fellow residents daily lives. It will cause unwanted anxiety and have a detrimental effect to our Mental Health.

[REDACTED]
[REDACTED]
[REDACTED]
David Biggs

[REDACTED]
[REDACTED]
[REDACTED]
Gillian Biggs

MYTTON MERMAID / B

We request that a sound attenuation barrier is constructed and placed between the external wall of the front car park and the front Beer Garden.

David Biggs

Gillian Biggs

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



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	Anne, Peter and Emma Nock
*Postal address	[REDACTED]
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	[REDACTED]

*Name & address of premises for which the representation is being made Mytton and Mermaid Hotel, Atcham, Shrewsbury SY5 6QG
--

***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.**

THE PREVENTION OF CRIME AND DISORDER
PUBLIC SAFETY

THE PREVENTION OF PUBLIC NUISANCE

We are concerned that the current application to vary the licence will result in additional noise and other nuisance to local residents. We have lived in Atcham for nearly twenty years, and the Mytton and Mermaid hotel has been a problematic neighbour throughout.

Some years ago, under a previous owner, we were forced to seek the involvement of the environmental health team, and a noise abatement order was issued, and conditions were placed on the licence to deal with severe noise nuisance. While these measures helped to a degree, they could not eradicate the nuisance. Over the years it has become clear to us that, even under more responsible management, the premises are simply not suitable for the playing of recorded or live music, as the historic buildings are unable to contain the noise. Under different owners, windows and doors have generally been left open in spite of the licensing condition. In our experience, the layout of the hotel site and other buildings in Atcham leads to sound being “channelled” towards the cottages on Malthouse Lane. We are therefore very opposed to any private parties or public events involving either live or recorded music on these premises, and we consider that any activity on the site after midnight (and particularly on weekdays) tends to result in unacceptable nuisance.

In addition to any events/functions, we have experienced ongoing nuisance from the sheer volume of customers. This is exacerbated by the location of the hotel in a small rural settlement, which would be very quiet at night without the hotel: the lack of other background noise makes any noise from either customers or music even more intrusive. In the past we have found that customers/hotel guests have tended to gather in large noisy groups outside on the front lawn or car park into the early hours of the morning. We are therefore very concerned that the current owners have made it clear they intend to intensify and expand their operations inside and out, which will only make matters worse. The expansion of the licensed area and the proposal to sell alcohol from outdoor bars seem entirely unnecessary and would inevitably result in additional noise for neighbours. The owners have also recently removed almost all trees and shrubs surrounding the front lawn, and the lack of this barrier will surely result in greater noise nuisance.

There has always been insufficient parking for staff and customers, with the result that Atcham becomes clogged with parked cars at busy times of the day and night (all along Malthouse Lane, which has often been obstructed, and on private land). When these customers leave late at night, we therefore experience the noise from their loud conversations, slamming car doors, revving engines etc in the lane in front of our house, and we experience similar nuisance from the front car park directly opposite our house: there we have also previously often observed arguments, people changing clothes, people playing their own music, drinking their own alcohol, sleeping overnight in vehicles and urinating on the car park. Our relaxation and sleep are inevitably disturbed by these activities, which impacts on our wellbeing. We therefore believe that the sale of alcohol until 1am, and late hours in the summer, at Christmas/New Year and all night on New Year’s Eve are demonstrably unreasonable in this location.

Since Brunning and Price acquired the hotel, we have already had a number of issues around noise and inadequate management of the site during building works. This includes noisy vehicles and working from around 7am seven days a week, and the clanking of the site gate opposite our house at all hours. We also had a severe issue when they set up a generator to power the site 24 hours a day, which caused extreme noise and vibrations in our house. It appeared that, had we and our neighbours not repeatedly complained, this was intended to be a fairly long-term solution, which demonstrated a lack of consideration and consultation. This leads us to fear that Brunning and Price are unlikely to manage premises in a way that will minimize nuisance to us and our neighbours.

THE PROTECTION OF CHILDREN FROM HARM

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.

Over the years it has become evident to us that, given the issues with the fabric, arrangement and location of the premises, most standard conditions can only somewhat reduce noise nuisance, but not solve the problem. Therefore, while we would like to see the old conditions retained (ie: a noise limiter to be in place in any space where music is to be played; windows and doors to be kept closed when music is played) we remain convinced that these conditions are not sufficient for these premises. Therefore we would ask that you also consider:

- No live music.
- No music outdoors.
- No live or amplified music in the stables function room, which is a particularly problematic space.
- Reducing hours for entertainment and sale of alcohol to those more appropriate for a hotel/restaurant (eg to end at 11pm).
- No extended hours in the summer/Christmas/New Year.
- No sale of alcohol outdoors, and outdoor areas to be closed at midnight.

- 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: Anne Nock

Date: 12/03/2023

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:

Page 64

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

This page is intentionally left blank