



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	██
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	██

*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:

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