



REPRESENTATIONS PROCEDURE NOTES

- A representation can be made against an application for a premise to carry on a licensable activity within the 28 day consultation period. Representations can also be made on premises that are making variations to an existing licence.
- Representations are made by:
 - Responsible authorities
 - Other persons
- Fill in the appropriate form and send to Licensing Team, Public Protection, 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 or it will not be accepted.



LICENSING ACT 2003
REPRESENTATION FORM

Other Persons

| | |
|---|--|
| Name/Company Name/Name of Body you represent | Gill George Shropshire, Telford and Wrekin Defend Our NHS |
| Postal & email address | [REDACTED] |
| Telephone number | [REDACTED] |

Name & Address of premises for which the representation is being made
Gather/ Art-Iculate, Units 1 and 2, SY8 Studios/Former Maternity Block, Gravel Hill, Ludlow SY8 1FP

Your representation must relate to one 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 HARM TO CHILDREN – See attached sheet

TO PREVENT PUBLIC NUISANCE- - See attached sheet

TO PREVENT CRIME & DISORDER – See attached sheet

PUBLIC SAFETY - See attached sheet

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 - refer to checklist. – See attached sheet

THE PREVENTION OF HARM TO CHILDREN

This is a complex area, and one where perhaps a public health or specialist clinical opinion should be sought. The old maternity building was sold for private development in 2022, with a small parcel of land: entry and 12 car parking spaces to the front, and a small garden to the rear. The former maternity building is now known as 'SY8 Studios'. Ludlow Hospital's inpatient area is in an immediately adjacent building. The buildings share an access road/walkway and people entering the hospital building will pass very close to the entrance to SY8 Studios. This is probably a unique situation nationally.

Maternity services are now on the 1st floor of the hospital building. Pregnant women are obviously very regular visitors. The licence sought by the applicant currently makes provision for alcohol to be sold for consumption on and off the premises between 12 noon and 11 pm (10 pm on Sundays). NHS advice now is that there is no safe level of alcohol consumption for pregnant women. Alcohol intake during pregnancy increases the risk of miscarriage, premature birth, and a baby having low birthweight. It can also be associated with FASD, foetal alcohol spectrum disorder, with a range of lifelong consequences.

Shropshire for the last couple of years has had an above average incidence of female hospital admissions (STW Drug & Alcohol Strategy <https://www.shropshire.gov.uk/media/21854/drug-and-alcohol-strategy-draft.pdf>). The same document notes 2018 findings that in the West Midlands, 10% of women aged 16 years or older drink more than 14 units and up to 35 units a week, while 3% are classified as higher risk drinkers (i.e. those who drink more than 35 units per week). A proportion of pregnant women who attend Ludlow's maternity services will of course be alcohol users. A small number will have a history of significant alcohol misuse. These women will have received clinical advice to stop drinking. They may be stressed, they may be struggling.

The applicant seeks a licence to sell alcohol from 12 noon to 11 pm daily (10 pm on Sundays). Of course pregnant women walk past pubs and bars and alcohol outlets routinely – but probably not usually with an alcohol outlet very literally on the doorstep of their maternity unit. (Should SY8 Studios visitors be smoking tobacco in front of the building or in the vicinity of the building, this might also be an issue.)

I would be grateful if the Council could seek appropriate specialist advice on this. If the risk is considered to be a significant one, perhaps the Council might recommend appropriate conditions to mitigate potential harm to unborn children.

TO PREVENT PUBLIC NUISANCE

This is at the core of my concerns. Again, this reflects the probably unique situation of having a private venue seeking to sell alcohol and organise public events as a little 'island' on the site of an operational hospital offering clinical care.

The hospital building which has maternity services on its first floor **also** houses the hospital's 24-bed inpatient beds on its ground floor. Additionally, the ground floor has the hospital's four end-of-life care rooms. This building is immediately adjacent to SY8 Studios. At the closest point, the two buildings are 10 feet apart.

This premises licence application is related to planning application 23/05098/COU in which a change of use is requested.

The application notes that pre-application advice includes, *'Lastly, with reference to the events space which you indicated would include children's workshops for school holiday periods, a film club, listening events (live or recorded music but to a small group of 50, reading groups, writer's workshops, craft classes at weekends). This would not fall within Class E and is more likely to fall under Use Class F1* or F2*. Therefore a formal Change of Use would be required from Class E to Class F1/F2.'*

Discussion on social media suggests that the intention is for the space to be used primarily for co-working, probably with some workshops and meetings, during the day. In the evening and at weekends, the space will be used for a range of public events – including film showings and live music events. An area of strong concern for me is the suggestion that an attendance of 50 people is regarded as a small group.

Evening events are intended to terminate no later than 10 pm. Alcohol will be sold until 11 pm. The premises can remain open until 11.30 pm. With these timings, there will of course be social drinking taking place in the late evening. An open-ended licence is being sought, with no constraints on numbers. The indicative number of 50 people has been discussed. This could potentially be exceeded as the applicant will have control of 250 square metres of internal space, and in practice will be the main user of the building. The premises have an open area to the front and a garden to the rear.

If people drink, smoke or chat outside the building, the chances of this causing a noise nuisance are high. People will be leaving the site on foot, as there are very few parking spaces. A group of people leaving at 11 pm or 11.30 pm who have been drinking socially, perhaps for several hours, will of course make a noise. There is no suggestion from me of irresponsible drinking. It is simply that social drinking promotes disinhibition – and noise.

In other locations, a sign on the door and a reminder to customers might well suffice. Here, the sale and consumption of alcohol will take place very close to a clinical area where sick people are being cared for and others are dying. As people leave, sound will of course carry. This is almost without question a unique situation. NHS premises and alcohol don't go together. They just don't. In NHS terms – and I spent much of my working life as an NHS clinician – this is an absolute.

There will inevitably be a public nuisance – to sick people, dying people, and their families. A peaceful and dignified death – in my view – must take priority over potential economic development. The NHS increasingly understands that there is one chance to get death right.

Particularly because of the impact on people in their final days or hours, I am opposed to this licence being granted.

TO PREVENT PUBLIC NUISANCE (continued)

A lesser but nevertheless very real public nuisance is around traffic management and the additional pressure on car parking. There are only 12 designated car parking spaces for SY8 Studios. Hopes have been expressed in the past that people will travel to the site by public transport. In Ludlow, the relevant bus routes are the 701 and 722 town buses. Neither runs in the evening or on Sundays. Ludlow people of course will not be attending by train. The reality is that most people visiting SY8 Studios will drive to the venue and will then seek parking in neighbouring streets.

It's a part of town I know, as I have friends who live in the immediate area. Parking is already difficult for people living in the narrow residential streets around the hospital. If events of any significant size take place, and if these take place with any regularity, there will of course be a nuisance caused to local residents.

TO PREVENT CRIME AND DISORDER

A quick thought, and I defer to the Council on the relevance of this. The same concern could obviously apply to any out-of-town pub, and this point may therefore be of no significance.

This is a venue which is slightly out of town. It is not an area that town centre residents or people from other parts of Ludlow would typically walk to or stroll around. People visiting SY8 Studios will tend to drive here, particularly in the evening – and the risk is that some of them will also drink and then find themselves over the limit on their drive home.

PUBLIC SAFETY

Arguably the distress that is likely to be caused to sick and dying people is a public safety issue.

Another concern, and one mentioned to me by a doctor friend, is this. The hospital of course sometimes treats people with a history of alcohol dependence. A proportion of hospital inpatients will have medical problems associated with alcohol misuse, and may be receiving support around managing their alcohol consumption.

For these people to be in the immediate vicinity of alcohol being sold and consumed is at best insensitive. There are also greater risks. Where patients have alcohol dependence, there may be a temptation – if alcohol is on sale a minute's walk away – to buy alcohol themselves or to ask a visitor to buy alcohol for them. A very immediate availability of alcohol risks compromising treatment and support around management of addiction.

In this scenario, patients are members of the public. Their safety may be compromised.

Smoking and alcohol consumption tend to go hand in hand. The NHS in recent years has recognised the need to play a more active role in tackling tobacco use, and as part of this, most trusts now have anti-smoking policies. Shropshire Community Trust has a policy that seeks to stop patients, visitors and staff from smoking in or near NHS premises. That will effectively be unenforceable at Ludlow Hospital if SY8 Studio staff or visitors are smoking a few feet away.

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 - refer to checklist

So many of these concerns arise from the entirely novel circumstances in which we find ourselves. I have worked in many, many NHS buildings. I have never worked in an NHS building where the site is shared with premises that sell alcohol. What is being proposed here in Shropshire is genuinely remarkable. I very much hope that Shropshire Council will seek public health and appropriate clinical guidance in this immensely unusual situation.

I note that Ludlow Hospital League of Friends, following meetings with hospital management, will be opposing both the licence to sell alcohol and the planning application. I know first hand of the strong concerns from hospital staff.

For some of the concerns I've raised, there might be mitigations.

There is something really fundamental here though. This is a hospital – an operational hospital that cares for sick people and dying people. If the license is granted, it is a virtual certainty that patient care will be compromised and that distress will be caused to sick and dying patients, to their family members, and to hospital staff. It is also entirely possible that the long-term future of the hospital would be jeopardised.

This would be the wrong outcome.

Generally if there is to be a hearing to determine the premises licence application, the 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 sheets if necessary.

If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal process. All representations in their entirety, including your name and address, will be disclosed to the applicant for the premises licence and any other interested parties. If all parties agree, the application can be dealt with without holding a hearing.

Signed:

G H George

Date:

08/01/2024

Please return this form along with any additional sheets to the address below:

Licensing Team
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

This form must be returned within the statutory period, which is generally 28 days from the date the notice was displayed on the premises or the date specified in the newspaper advert.

For confirmation on this date please contact the Licensing Team on 0345 678 9026