

South Hams Licensing Sub-Committee



Title:	Agenda
Date:	Tuesday, 3rd October, 2023
Time:	10.00 am
Venue:	Council Chamber - Follaton House
Full Members:	<p style="text-align: center;">Chairman Cllr Rake</p> <p style="text-align: center;">Vice Chairman</p> <p><i>Members:</i> Cllr Abbott Cllr Carson</p>
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Committee administrator:	Democratic.Services@swdevon.gov.uk

1. Division of Agenda

to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;

2. Urgent Business

Brought forward at the discretion of the Chairman;

3. Declarations of Interest

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;

4. Application for a new Premises Licence at Riverside Café, Steamer Quay Road, Totnes, Devon, TQ9 5AL

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Agenda Item 4

Report to: **Licensing Sub-Committee**

Date: **3rd October 2023**

Title: **Application for a new Premises Licence at Riverside Café, Steamer Quay Road, Totnes, Devon, TQ9 5AL**

Portfolio Area: **Customer First**

Wards Affected: **Totnes**

Relevant Scrutiny Committee:

Urgent Decision: **N** Approval and clearance obtained:

Author: **Naomi Stacey** Role: **Senior Specialist - Licensing**

Contact: **01803 861268 / naomi.stacey@swdevon.gov.uk**

Recommendations:

That the Sub-Committee consider the application for a new Premises Licence and make determinations in respect of this application, namely to:

- i) grant the application as submitted, subject to any Mandatory Conditions required;**
- ii) modify the conditions of the licence;**
- iii) exclude any of the licensable activities to which the application relates;**
- iv) to refuse to specify a person in the licence as the premises supervisor;**
- v) reject the application,**

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

The decision must be in line with the licensing objectives contained within the Licensing Act 2003.

1. Executive summary

- 1.1 The purpose of the Licensing Sub-Committee meeting is to determine an application for a new Premises Licence at **Riverside Café, Steamer Quay Road, Totnes, Devon, TQ9 5AL** in accordance with Section 18 of the Licensing Act 2003.
- 1.2 The Licensing Department have received one representation in objection to the application and therefore the application will need to be determined by the Licensing Sub-Committee.

2. Background

- 2.1 The Licensing Authority received an application from BRM Developments (Torbay) Ltd for a new premises licence on 14th August 2023. The application is for:
 - Late Night Refreshment (indoors and outdoors): Monday to Sunday from 23:00 to 00:00.
 - Supply of alcohol for consumption on and off the premises: Monday to Sunday from 10:00 to 00:00.
 - Opening Hours: Monday to Sunday 08:00 to 00:30.
 - Non-standard timings for late night refreshment and supply of alcohol: New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

A copy of the application form and plan is attached at **Appendix A**.

- 2.2 The premises is situated on Steamer Quay in Totnes, next to the River Dart. The location of the premises can be seen at **Appendix B**. The sale of alcohol will take place from the cafe, with alcohol being consumed in a designated area inside and outside (as marked on the plan at **Appendix A**).
- 2.3 During the consultation period, one relevant representation was received in objection to the application from Totnes Town Council, which is attached at **Appendix C**.

Representations

- 2.4 Issues raised in the representation relate to Public Safety with respect to concerns about the proximity of the café to the stretch of river where there is no barrier. The Town Council have highlighted the risk of members of the public falling into the river in this area. Also of concern is the lack of toilet provision and potential Public Nuisance this could cause.
- 2.5 During the consultation period the Police requested that two of the proposed conditions were amended and that six additional conditions were included to promote the prevention of crime and disorder licensing objective, which the applicants have agreed to, see **Appendix D**. The Police have confirmed that with the inclusion

of these additional conditions, they have no objection to the application.

- 2.6 Any information contained in the representation which is not relevant to the promotion of the four licensing objectives (see 2.14) cannot be taken into consideration when determining the premises licence application.

Applicant Response to Representation

- 2.7 The Applicant has responded to the concerns raised in the representation, see **Appendix E**. He has proposed the installation of a barrier along the section of river which is currently open. He has also clarified the arrangement between himself and South Hams District Council regarding the use of the nearby public toilets.

The Live Music Act 2012

- 2.8 The Live Music Act 2012 and subsequent amendments, allow the provision of live and recorded amplified music at any premises licensed for the sale of alcohol for consumption on the premises between the hours of 08:00 and 23:00. There is no way to restrict these activities through the premises licence during these hours, other than through the review process once a licence has been granted. Music played in the background (at a level where a conversation can be easily held) is never licensable. Should a licence be granted to include the sale of alcohol for consumption on the premises, live and recorded amplified music will automatically be permitted until 23:00 on any day, or until the end of alcohol sales (whichever is earlier).

Temporary Event Notices

- 2.9 Riverside Cafe have operated with the sale of alcohol recently using temporary event notices (TENS).
- 2.10 There is a restriction on how many days TENS can be used in any one location of 21 days per calendar year (maximum of 15 TENS). This has temporarily been increased to 26 days (maximum 20 TENS) for 2022 and 2023 due to changes brought in following COVID restrictions. These changes will not be extended.
- 2.11 A premises licence would not restrict the number of days during which licensable activities can take place, unless conditions were placed on the licence.
- 2.12 As relevant representations in respect of this application have been received, which have not been withdrawn and mediation has not been possible, the Licensing Sub-Committee acting on behalf of the Licensing Authority must make a determination on this application. When coming to a decision, the Licensing Sub-Committee must give consideration to the Council's Statement of Licensing Policy (the

Policy) and Home Office guidance issued under Section 182 Licensing Act 2003 (revised August 2023).

Policy and Statutory Guidance

- 2.13 Section 3.1 of the Policy states: The Licensing Authority has a duty under the Act to carry out its licensing functions with a view to promoting the four licensing objectives.
- 2.14 The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 2.15 Section 3.2 of the Policy states: These objectives are the only matters to be taken into account in determining the application and any conditions attached must be appropriate to achieve the licensing objectives. Each objective is of equal importance. A licence will only be granted where the Licensing Authority is satisfied that these objectives have been met.
- 2.16 Section 2.4 of the Policy sets out additional legislation, strategies, policies and guidance to which the Licensing Authority will have regard.
- 2.17 The Guidance issued under Section 182 of the Licensing Act 2003 which was revised and re-published in August 2023 state: The Licensing Authority may not impose conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives (paragraph 10.8 of the guidance).
- 2.18 The following responsible authorities are statutory consultees under the Licensing Act 2003:
- Devon and Cornwall Police
 - Devon and Somerset Fire and Rescue Service
 - Devon Safeguarding Children's Board
 - Devon County Council Trading Standards
 - Devon Drug and Alcohol Action Team, NHS Devon
 - South Hams District Council Planning Department
 - South Hams District Council Environmental Health (Health & Safety)
 - South Hams District Council Environmental Health (Pollution Control)
- 2.19 No representations have been received from responsible authorities.

- 2.20 The Police have agreed to additional conditions with the applicants (see **Appendix D**).
- 2.21 In addition to the above responsible authorities, any person may make a representation in relation to a premises licence application.

3. Outcomes/outputs

- 3.1 When determining an application for a premises licence, particularly when considering appropriate conditions and operating hours, the following sections of the Statement of Licensing Policy (the policy) and Section 182 Guidance (the guidance) are especially relevant:
- 3.2 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave (paragraph 2.24 of the guidance).
- 3.3 Sections 5.5.1 and 5.5.2 of the policy states: The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application, but the presumption will be to grant the hours requested unless there are relevant objections to those hours raised on the basis of the licensing objectives.
- 3.4 However, when issuing a licence with hours beyond midnight it is more likely that relevant representations will be made unless there are higher standards of control within operating schedules in order to promote the licensing objectives, especially for premises which are situated near residential areas or in areas where anti-social disorder takes place.
- 3.5 Section 5.5.5 of the policy states: The terminal hours will normally be approved where the Applicant can show that the proposal would not adversely affect the licensing objectives unless, after hearing relevant representation the Licensing Authority believe it appropriate to restrict the hours required due to the nature of the activities and the amenity of the area. If the Licensing Committee or a sub-committee believes that granting longer hours would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 3.6 Section 3.8.1 of the Policy states: The Authority recognises the great variety of premises for which licences may be sought. These include theatres, members' clubs, sports clubs, cinemas,

restaurants, pubs, nightclubs, cafes, takeaways, community halls, schools and off-licences. The Authority will not restrict access by children to any particular type of premises unless it is considered appropriate to do so in order to protect them from harm.

3.7 Section 3.8.6 of the Policy states: When deciding whether or not to limit access to children the Licensing Authority will judge each application on its own individual merits. Examples which may give rise to concern in respect of children would include premises: -

- where entertainment of an adult or sexual nature is provided
- where there is a strong element of gambling taking place
- with a known association with drug taking or dealing
- where there have been convictions of the current management for serving alcohol to those under 18 years
- where the supply of alcohol for consumption on the premises is exclusive or primary purpose of the services provided at the premises
- where there are unsupervised areas (for example toilets, beer gardens, play zones).

3.8 At paragraph 2.15 of the guidance it states:
Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home.
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

3.9 The desired outcome is a determination of the application with reasons provided which relate to the four licensing objectives and when conditions are imposed, that these are appropriate to address the licensing objectives.

4. Options available and consideration of risk

4.1 The Licensing Authority may decide to impose additional conditions to address the four licensing objectives, or to amend or remove requested licensable activities. When coming to their decision the Licensing Sub-Committee must give consideration to the Section 182 Guidance and the Statement of Licensing Policy. Reasons must be given which relate to the licensing objectives for any decision made.

4.2 The Sub-Committee will need to consider the hours of operation proposed, the effectiveness of the operating schedule proposed by the applicant, the representations received, the location of the premises in relation to residential properties, the history of the management of the premises (if applicable), the evidence provided of any problems in the past, the likely impact of any extension of hours and activities, public transport, taxi availability, the right the

applicant has to operate a business and balancing the rights of residents to the quiet enjoyment and privacy of family life. The South Hams relies on tourism, with the population in the district doubling in the summer months with holidaymakers both from this country and international visitors who are, in the main, families with young children and retired people – the very segment of society who would perhaps be deterred by anti-social behaviour. These, and any other relevant issues, may be explored at the hearing in so far as it reflects the four licensing objectives.

- 4.3 A decision made by the Licensing Sub-Committee may be appealed by the applicant or any person who has made relevant representations. The right of appeal is to the Magistrates’ Court by virtue of Section 181 and Schedule 5 of the Licensing Act 2003. The Magistrates’ Court may dismiss the appeal, or substitute its own decision, or send back the case to the Licensing Authority with directions as to how the case is to be dealt with. The Magistrates’ Court may make any costs order it thinks fit.
- 4.4 The Licensing Act 2003 contains a provision which enables a responsible authority or any other person to apply to this Licensing Authority for a review of the premises licence once granted. A hearing follows which enables the Sub-Committee to use the normal powers available, but also to suspend the licence for a period of up to three months or to withdraw it.

5. Proposed Way Forward

- 5.1 That the Sub-Committee consider the application for a new Premises Licence and make a determination in respect of this application, namely to:
- i) grant the application as submitted, subject to any Mandatory Conditions required;
 - ii) modify the conditions of the licence;
 - iii) exclude any of the licensable activities to which the application relates;
 - iv) to refuse to specify a person in the licence as the premises supervisor;
 - v) reject the application, in line with the licensing objectives (Section 4) contained within the Licensing Act 2003.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address

Legal/Governance	Y	<p>The Licensing Act 2003 gives Licensing Authorities the responsibility for determining applications submitted under this provision. This is a statutory obligation.</p> <p>As there have been relevant representations in respect of this application which have not been resolved, this hearing must be held. Relevant representations are about the likely effect of the grant of the application on the promotion of the licensing objectives, by responsible authorities or any other person. The Licensing Sub-Committee must disregard any information or evidence not relevant to the licensing objectives.</p> <p>The Licensing Sub-Committee must consider this application in accordance with Section 4 of the Licensing Act 2003, which requires that licensing functions must be carried out with a view to promoting the four licensing objectives. The Licensing Authority must also have regard to its own licensing policy and the Secretary of State's guidance, but may depart from both if it has good reason to do so. Those reasons should be stated.</p> <p>The Act requires (Section 18) that in dealing with a new premises licence application, the committee takes any of the following steps which are appropriate for the promotion of the licensing objectives:</p> <ul style="list-style-type: none"> (a) to grant the licence subject to:- <ul style="list-style-type: none"> i) the conditions mentioned in section 18 (2)(a) [ie as applied for] modified to such an extent as the authority considers necessary for the promotion of the licensing objectives, and ii) any conditions which must under section 19, 20 or 21 be included in the licence; (b) to exclude from the scope of the licence any of the licensable activities to which the application relates; (c) to reject the application <p>The Sub-Committee must give its reasons for its decision to take any of these steps. Similarly, if the application is rejected, the Sub-Committee must give its reasons.</p> <p>The applicant or any person who has made relevant representations has the right to appeal a decision made by the Licensing Sub-Committee to the Magistrates' Court by virtue of Section 181 and Schedule 5 of Licensing Act 2003.</p>
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		<p>On appeal, the Magistrates' Court may:</p> <ul style="list-style-type: none"> a) dismiss the appeal; b) substitute for the decision appeal against another decision which could have been made by the Licensing authority; c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.
Financial	N	There are no direct financial implications to the Council from this Report. However, should a decision be challenged this could result in the Council facing an appeal to the Magistrates Court with the risk of costs being awarded against the Council.
Risk	Y	<p>The Licensing Authority must follow strict legislation in accordance with the Licensing Act 2003 and adhere to the statutory instruments contained with the Act.</p> <p>All decisions must be taken in consideration of the four licensing objectives (section 2.9). These objectives are in place to give protection to the public from the potential negative impacts caused by licensed premises.</p> <p>Decisions may be appealed (see financial and legal/governance sections above).</p>
Comprehensive Impact Assessment Implications		
Equality and Diversity		Compliance with the Human Rights Act 1998 – Article 6: right to a fair trial.
Safeguarding		All decisions must take into consideration the 'protection of children from harm' licensing objective.
Community Safety, Crime and Disorder		Section 17 Crime and Disorder Act 1998 applies. Decisions made must relate to the four licensing objectives as detailed in section 2.3 of this report.
Health, Safety and Wellbeing		All decisions must take into consideration the four licensing objectives, including 'public safety' and 'protection of children from harm'.
Other implications		

Supporting Information

Appendices:

Appendix A(i) – premises licence application

Appendix A(ii) – premises licence application (Section M)

- Appendix A(iii) – premises licence plan
- Appendix B – location plan
- Appendix C – representations
- Appendix D – additional conditions agreed with Police
- Appendix E – additional information from Applicant

Background Papers:

[under provisions of the Local Government Act 1972]

- The Licensing Act 2003
- Guidance issued under Section 182 of the Licensing Act 2003
- South Hams District Council’s Statement of Licensing Policy
- Responses to Notices of Hearing
- Consent to be DPS form

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No
Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Committee/Scrutiny)	Yes/No



Application for a premises licence to be granted 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	
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(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

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

Telephone number at premises	
Non-domestic rateable value of premises	£

Part 2 - Applicant details

Please state whether you are applying for a premises licence as:

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) Individual Applicants (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname			First names		
Date of birth	I am 18 years old or over <input type="checkbox"/>		Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

Second Individual Applicant (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname			First names		
Date of birth			I am 18 or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address					

(B) Other Applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?	DD MM YYYY <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
If you wish the licence to be valid only for a limited period, when do you want it to end?	DD MM YYYY <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

Please give a general description of the premises (please read guidance note 1)

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

B - Films

Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finis@		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue			Please give further details here (please read guidance note 4)		
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Fri			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 (please read guidance note 6)		
Sat			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 (please read guidance note 6)		
Sun			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 (please read guidance note 6)		

C - Indoor sporting events

Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			
Fri			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 (please read guidance note 6)
Sat			
Sun			

D - Boxing or wrestling entertainments

Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

E - Live music

Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

F - Recorded music

Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed					
Thur					
			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

G - Performances of dance

Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur								
Fri						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 (please read guidance note 6)		
Sat								
Sun								

H - Anything of a similar description to that falling within (e), (f) or (g)

Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I - Late night refreshment

Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

J - Supply of alcohol

Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

<p>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 9).</p>

L - Hours premises are open to the public

Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)	
Day	Start	Finish		
Mon				
Tue				
Wed				
Thur				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 6)
Fri				
Sat				
Sun				

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

It is an Offence under Section 24B of the Immigration Act 1971 for a person to work when they know or have reasonable cause to believe that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under Section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same Act will be committing an Offence where they do so in the knowledge or with reasonable cause to believe that the employee is disqualified

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	
Capacity	

For joint applications, signature of Second applicant or Second applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number			
E-mail address			

Once you have completed this form, please save it, then use the link below to upload the form and any supporting documentation.

You can also pay for your licence at the same time.

www.southhams.gov.uk/licensing-application
www.westdevon.gov.uk/licensing-application

Data Protection

The information that you provided will be held by South Hams District/West Devon Borough Council and will be used to process your application. It will be held securely at all times in accordance with current Data Protection legislation. We must protect the public funds that we handle, so we may use the information you have provided on this form to prevent and detect fraud.

We may also share this information with other organisations that handle public funds. Information you provide may also be used to check the accuracy of records held elsewhere in the council. If you wish to see the personal data that the Council holds about you please contact the Data Protection Officer.

Notes for Guidance

1. 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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.
 10. Please list here steps you will take to promote all four licensing objectives together.

11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online Right to work checking service

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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APPENDIX A(ii) – Section M Premises Licence Application – proposed conditions

Riverside Café, Totnes – Premises Licence Application Section M

General

1. Any misuse of the premises must be quickly and ably dealt with by the Premises Supervisor
2. Children must be supervised by duly qualified responsible adults at all times on the premises.
3. All staff will receive training on the license.
4. A Personal Licence holder on the premises at all times
5. A sufficient number of staff on the premises to cover longer hours & busy times when entertainment is provided.
6. The Premises Supervisor shall be committed to providing a safe, friendly and comfortable environment for patrons, guests, visitors and local residents.

The Prevention of Crime & Disorder

1. A CCTV system capable of providing images of an evidential standard in all lighting conditions, particularly with regard to facial recognition, shall operate throughout the times the premises are open to the public, with monitors behind all bars and a recording system. All recordings shall be kept for a minimum of 14 days and copies of recordings shall be supplied to the police within 7 days of any request.
2. Customers will not be permitted to take open containers of alcoholic drinks from the premises.
3. Alcohol sold for consumption off the premises will be in sealed containers only.
4. Glasses will be removed from public areas as soon as they are finished with or empty.
5. An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

Public Safety

1. Annual gas safety check;
2. Ring main electrical check (once every 5 years);
3. PAT testing (portable electrical appliance testing);
4. Up to date health & safety policy & risk assessments;
5. Employers & public liability insurance in place;
6. Sufficient lighting internally & externally;
7. Regular fire checks & servicing of fire detection & extinguishing equipment;
8. Emergency procedures in place;
9. Good housekeeping procedures in place.
10. All Safety Certificates and inspection reports will be kept on site and made available for inspection by officers of relevant statutory bodies.
11. There will be adequate arrangements for first aid provision. A first aid box with an adequate and appropriate supply of first aid equipment and materials must be available for the use of patrons. Suitable protective equipment will be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures must be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable disease.
12. When disabled people are present, adequate arrangements will exist to enable their safe evacuation in the event of an emergency.

The Prevention of Public Nuisance

1. Noise or vibration must not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. In general terms, noise from the premises shall not be audible within any noise sensitive premises (e.g. dwelling) with windows open for normal ventilation especially after 11:00pm. This will be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that will be applied are:-
 - i) Before 11:00pm - noise emanating from the premises will not be clearly distinguished above other noise.

ii) After 11:00pm - noise emanating from the premises will not be distinguishable above background levels of noise.

iii) The local authority will reserve the right in cases of tonal noise and where premises are attached to other (i.e. semi's and terraced properties), to make further assessments from within the residential property.

2. The placing of refuse, such as bottles into receptacles outside the premises must take place at times that will prevent disturbance to nearby properties.
3. The volume of amplified sound used in connection with the entertainment provided must at all times be under the control of the Licensee/Management and the controlling mechanism shall be operated from a part of the premises not accessible to the public.
4. Deliveries of kegs, bottles, food and other materials necessary for the operation of the business must be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
5. Provision of mechanical ventilation and air conditioning system shall not allow noise breakout from the premises or cause a nuisance by its operation.
6. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
7. Cooking, noxious or persistent smells from the premises shall not cause a nuisance to nearby properties and the premises must be properly vented.

The Protection of Children from Harm





1. The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification as outlined with the South Hams Council's Licensing Statement of Principles.
2. No persons under the age of 18 shall be on the premises after 21:00 hours except when consuming a meal with an appropriate adult or attending a function, in which case they shall leave the premises by no later than 22:00 hours.
3. The premises shall display prominent signage indicating that a Challenge 25 scheme is in operation.

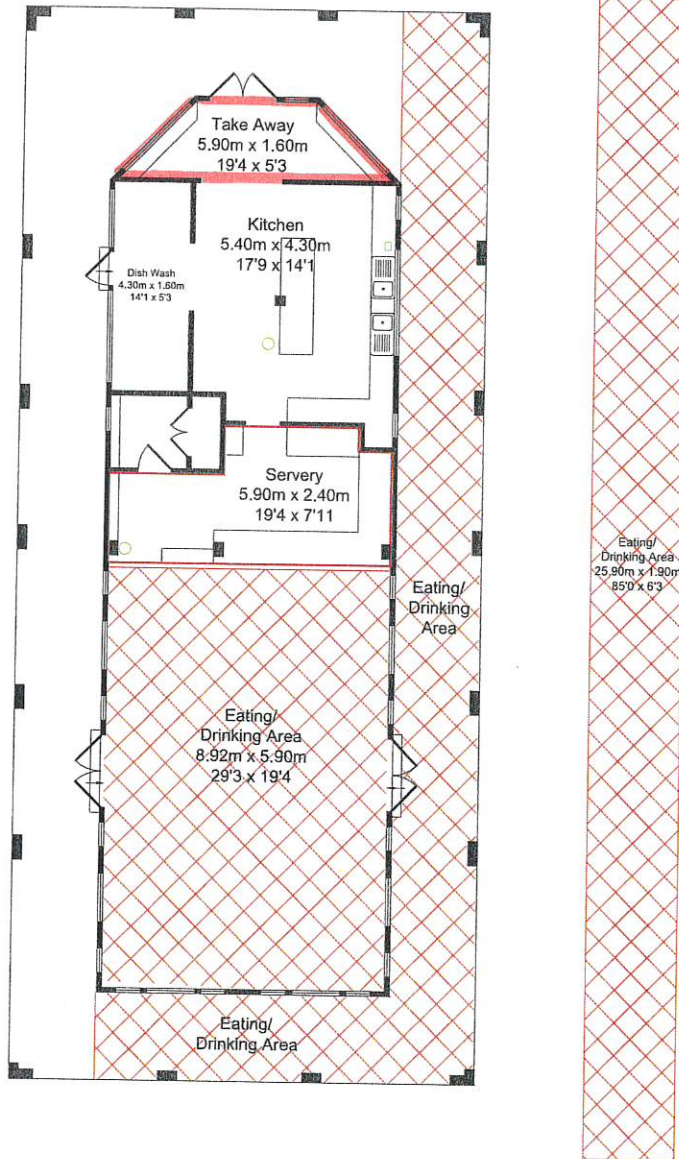
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Riverside Cafe, Steamer Quay Road, Totnes, TQ9 5AL

TOTAL FLOOR AREA 1132.36 SQ FT / 105.20 SQM

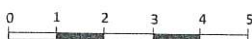
Key:-

-  Fire Blanket
-  Fire Extinguisher
-  Area for the supply of Alcohol
-  Area for the Consumption of Alcohol



APPROX. GROSS INTERNAL FLOOR AREA 1132.36 SQ FT / 105.20 SQM

1:150 CM @ A4



SCALE: From the plan to be scaled, the above scale bar must measure correct, e.g. 5 Centimeters when printed



Le Gallez Surveys LTD

Non Domestic EPCs & Land Registry Compliant Plans

www.legallez.co.uk

Page 43

07660 611568

Drawing title : Premises Licence

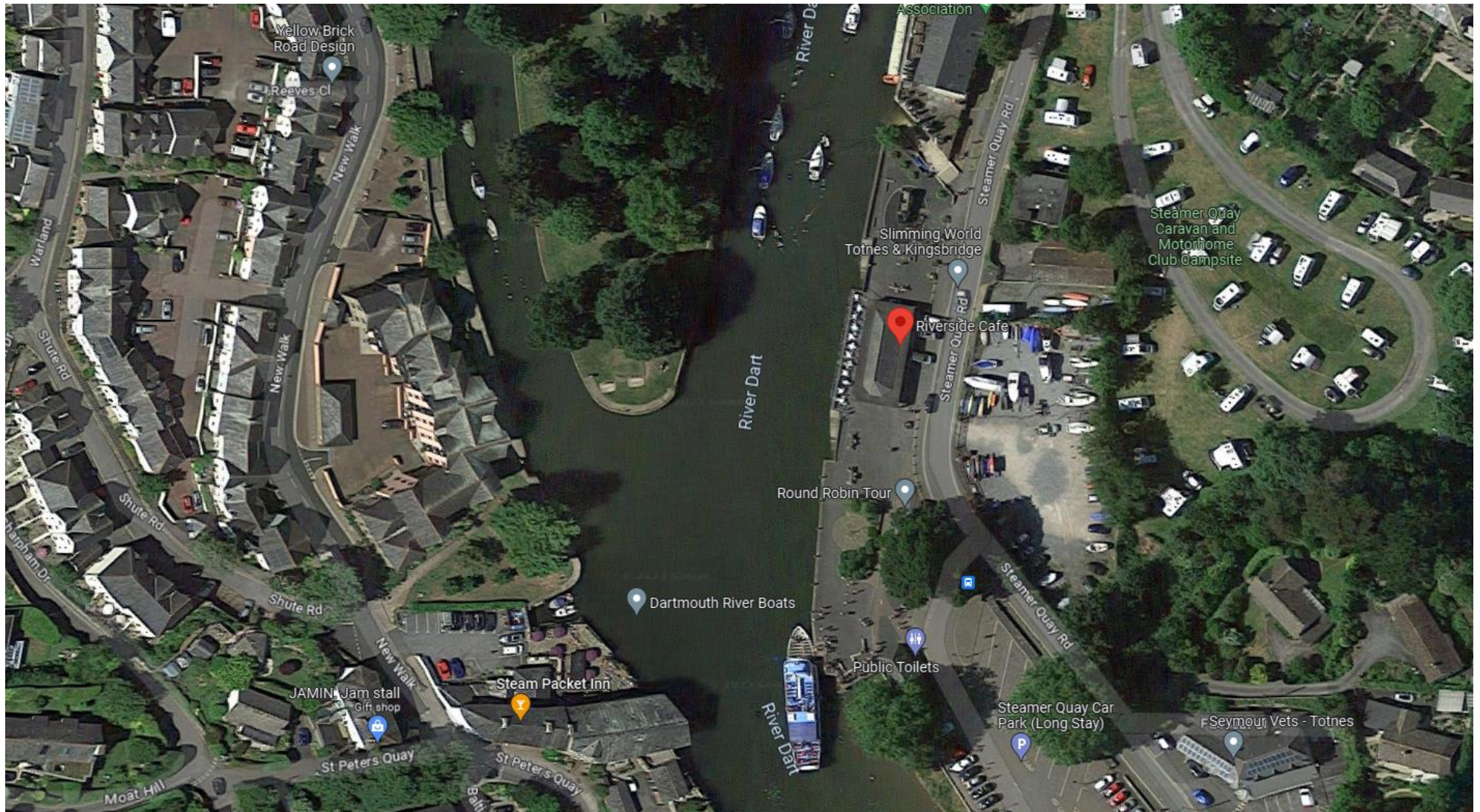
Scale : 1:150 CM @ A4

Copyright :

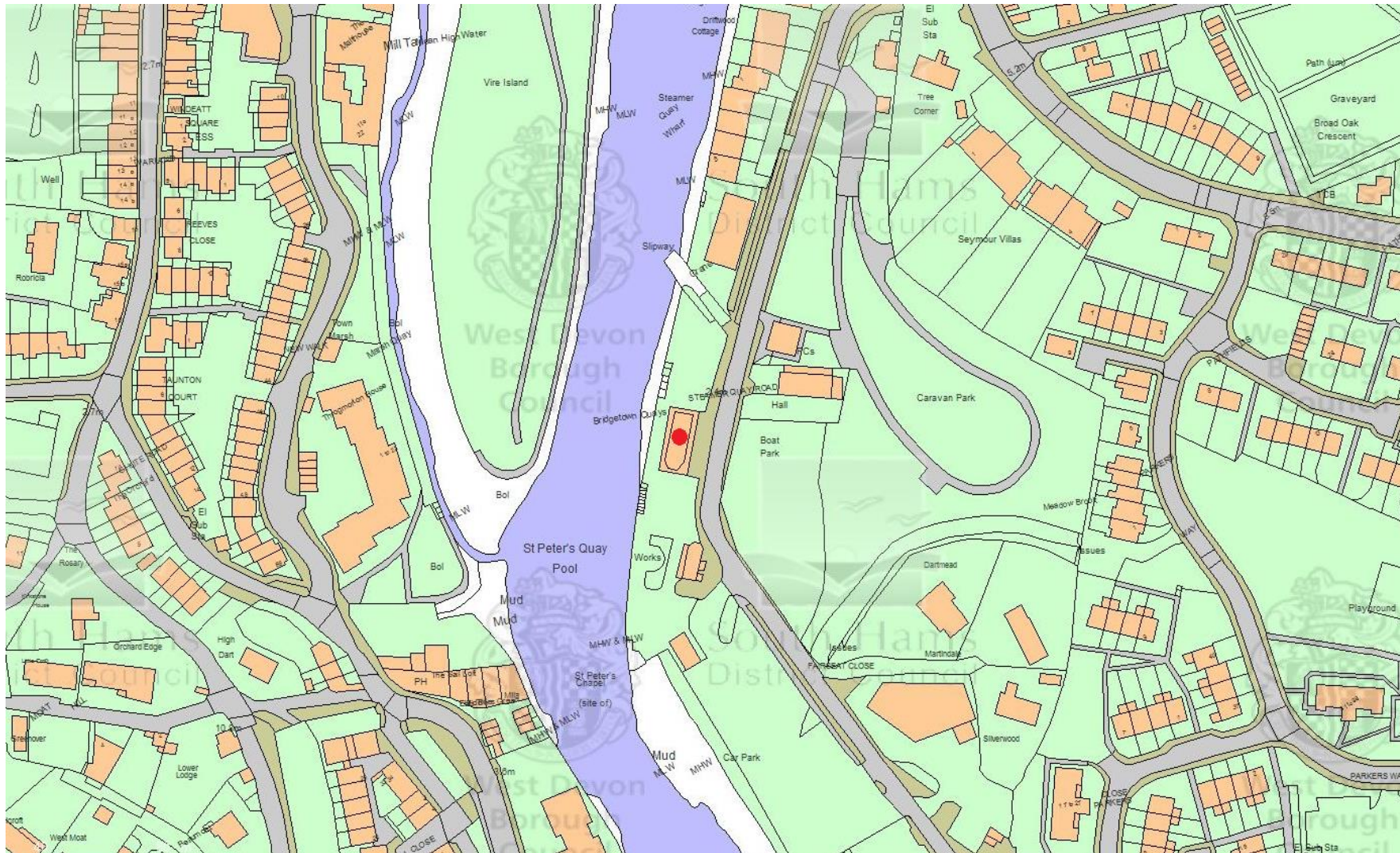
Date: 17-03-2023

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APPENDIX B – Riverside Café, Totnes - location of premises



APPENDIX B – Riverside Café, Totnes - location of premises



 = Riverside Café

APPENDIX C – Representation

Riverside Café, Totnes – Representation

Email received 6 September 2023

Dear Naomi,

Following discussion of this licencing application at Full Council on Monday 4th September, please see below the comments of Totnes Town Council:

Councillors were supportive of the idea with the following conditions:

- a) Provision of toilet facilities is essential (the only existing facilities are those in the SHDC Steamer Quay Car Park which are not open 24hrs).
- b) Opening times must be standardised to other license d premises.
- c) Additional longer opening hours for special occasions should be dealt with by separate application.
- d) No off sales should be permitted.
- e) The safety in terms of the proximity to the river should be considered with barriers and/or stewarding/security provided (there is a stretch near the café where the riverboat docks which has no barrier/wall/chain at all). Risk there was considered very high due to poor visibility.

Email received 7 September 2023

Dear Naomi,

Thank you for your email and the attachments, particularly the building plan which clearly shows no toilet facilities within the café itself, so this concern raised by the Town Council doesn't seem to have changed. In terms of objection the following points are of relevance:

Publicsafety – ability to fall into the river from the open/level surface.

Prevention of Public Nuisance – no toilet facilities in the venue. There are already issues of people using the Longmarsh area for toileting creating a public health problem.

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APPENDIX D – Conditions agreed with the Police

Alcohol sold for consumption on the premises will be consumed whilst seated.

Substantial food will always be available when the premises is open for sale of alcohol.

The premises will only open beyond 2230 hours for a pre booked bone fide function or pre advertised event where the sale of alcohol will cease at 0000 and the premises will close to the public at 0030hrs.

Any time the venue is open beyond 2230 hours there will be a risk assessment carried out as to the need for door staff and or plastic receptacles.

If the premises is due to close at 2230 hours the sale of alcohol will cease at 2200 hrs.

CCTV

The premises shall install, operate and maintain comprehensive digital colour CCTV.

All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.

The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

All equipment must have a constant and accurate time and date generation.

All recordings will be stored for a minimum period of 14 days with date and time stamping.

Viewable copies of recordings will be provided on request to the Police or local authority officers within 7 days and in accordance with the Data Protection Act 2018 (or any replacement legislation)

The CCTV system will be capable of downloading images to a recognisable viewable format.

There will be security measures in place to ensure the integrity of the system to prevent the tampering with or deletion of images.

STAFF TRAINING

All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

REFUSALS REGISTER

An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority.

All entries must be made within 24 hours of the refusal.

SUMMARY OF KEY POINTS. 22/09/23.

RIVERSIDE CAFE. TOTNES.

1. PUBLIC SAFETY.

Thank you for your concerns regarding my customers safety in walking the short walk (30/35 meters) from the cafe to the public toilets. The cafe clientele is predominantly between the ages of 40 to 60 years of age with a strong local background. We do not consider that these customers are going to sit and spend many hours at the cafe drinking large quantities of alcohol and frequently using the public toilets. The vast majority of these customers come to the cafe to have breakfast, mid morning snacks, lunch or afternoon tea + cake, and relax in the friendly atmosphere + enjoy the lovely views. The sale of alcohol is to offer our customers a glass of locally made Beer or cider and perhaps a glass of wine, whilst enjoying our home cooked food. We consider the risk of anybody falling into the river to be extremely low, having consumed very little alcohol. I have contacted DART HARBOUR AUTHORITY and raised the question of installing a simple chain barrier to the existing timber stations that are spaced at about 4/5 meters apart along this section of Wharf/QUAYSIDE but at the moment due to staff holidays, have not had a answer back from them. A simple chain barrier @ 450mm + 900mm above floor level to the existing timber stations as detailed in your email dated the 6/09 section E, would I feel address your concerns + would be very economical to install, about £1,700-00 for 45 meters of Darnice chain and installation. Alternatively a post + rail system could be fitted using some galvanised steel tube to match the existing barriers either side of this section.

Continued over.

PUBLIC SAFETY CONTINUED.

There are also 2 LIFE BUOYS LOCATED ON THE EXISTING GALVANISED TUBE BARRIERS, ONE AT EACH END OF THE SECTION OF WHARF IN QUESTION. ALSO AT THESE POSITIONS ARE CONCRETE STEPS THAT DESCEND DOWN TO THE WATER TO ENABLE EXIT FROM THE WATER. I HAVE OVER 30 YEARS EXPERIENCE IN THE CATERING + HOSPITALITY TRADE AND MY STAFF THAT ARE ON DUTY WILL BE FULLY TRAINED IN THE SAFE OF ACCIDENT + ALL MEASURES OF PUBLIC SAFETY. WE WOULD ALSO AS A PRECAUTION, LOCATE SIGNS IN A PROMINENT PLACE TO INFORM CUSTOMERS THAT CARE SHOULD BE TAKEN ALONG THE SHORT WAY TO THE TOILETS AND, ADVISE OTHER FAMILY OR GROUP MEMBERS TO ESCORT ANYBODY THAT COULD BE AT RISK ACCORDINGLY.

Prevention of Public Nuisance 3.

Whilst we do not have our own toilets at the cafe + rely on the South Hams Council public toilets we make the following comments,

1. As leaseholder of the cafe I do have authority from Head of Assets at South Hams Council, that as a keyholder of the toilet block I can open ~~and~~ close the toilets at my discretion. The arrangement I have is that they will close the toilets @ there standard time, locking both the mens + ladies sections, but leaving the central disabled toilet open, which has had the lock changed to allow a keyless entry. These toilets are available to myself + the cafe 24 hrs a day + 365 days of the year. There are also countless other establishments that adopt the same situation as I have here and work well together. With regard to the second point raised, the cafe is in a very open section of steamer quay road + not at all like the Langmarsh area further down the road. This area is frequently used by visiting camper vans and ordinary people using the car park and I do not see my customers performing + creating a public health problem in full view of the cafe + customers using our seating area etc. The fact that we have full toilet facilities virtually on site + have the benefit of using them as we like, I think satisfies this issue raised.

Brain Moss

22/09/23.

RIVERSIDE CAFE, TOTNES, TQ9 5AL.

New EU legislation requires us to inform you that we use cookies. Our use of cookies is limited, but you may wish to **read our policy** before continuing. Please click OK to dismiss this message.

OK

PRODUCT INFORMATION

8 X 42 Galv Chain 25M Long

Welded long link chain

PRODUCT SPECIFICATIONS

- Link diameter: 42mm
- Link length: 44mm
- Finish: galvanised

CODE

05C0825

CATALOGUE INFORMATION

702

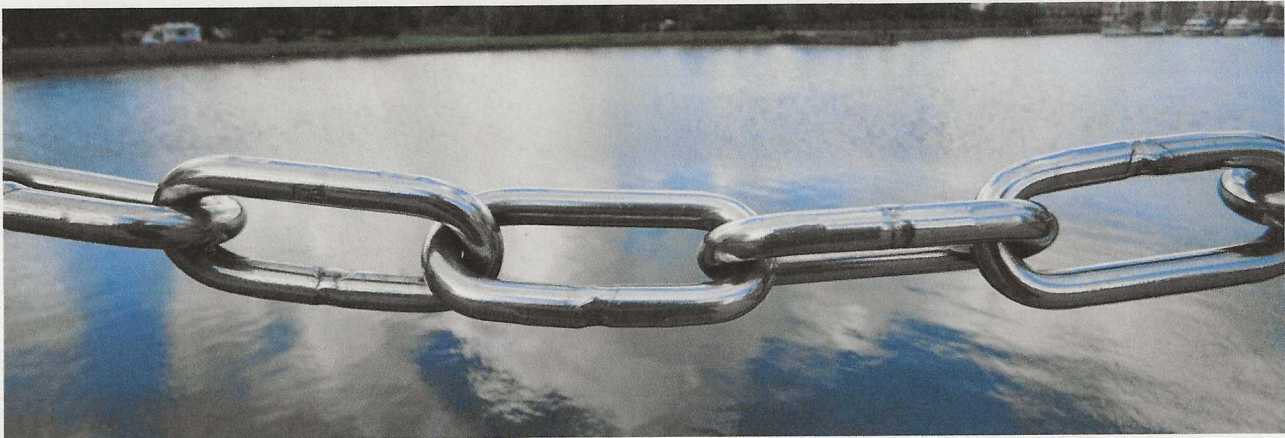
Request copy

WEIGHT

2575 kg

I am a member of

Chain & Fittings



Showing 1-14 of 14

Sort By:

Most Relevant

Filter Products

Price



Material



BZP (2)

Galvanised (7)

Mild Steel (5)

Type



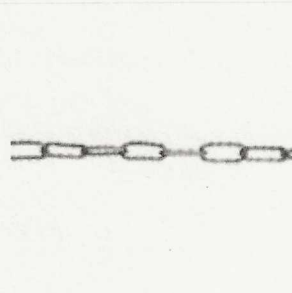
Chain (8)

Fittings (6)

Clearance



Hide clearance (11)



PRODUCT

Chain In 5mm Twisted Square Bar - L 3m

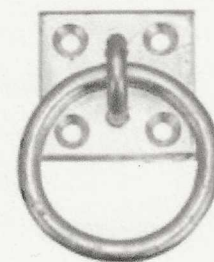
CODE

0512294129

£ 6.00 EACH

1

Add to basket



PRODUCT

Ring On Plate

CODE

05C0201

£ 0.90 EACH

1

Add to basket

New EU legislation requires us to inform you that we use cookies. Our use of cookies is limited, but you may wish to **read our policy** before continuing. Please click OK to dismiss this message.

OK



PRODUCT INFORMATION

Tube Clamp Intermediate Post Tube (42.4mm)1100mm Finis Handrail Height

PRODUCT SPECIFICATIONS

- Length: 1100mm
- Diameter: 42.4mm
- Finish: Galvanised

Please Note: posts are supplied assembled.

CODE

1603002C

CATALOGUE INFORMATION

428

Request copy

WEIGHT

5.727 kg

PRICE

£21.60 EACH Ex VAT @ 20%

24+

£19.40

This kit contains



PRODUCT...

Tubeclamp 132C Railing Base Flange

16132C



PRODUCT...

Tubeclamp 119C Two Socket Cross

16119C



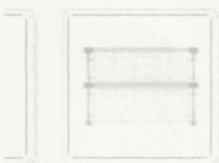
Tubeclamp 104C Long Tee

16104C

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REQUIRED QUANTITY

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Drawings

1603002C
267.4 Kb

PDF

1603002C
99.2 Kb

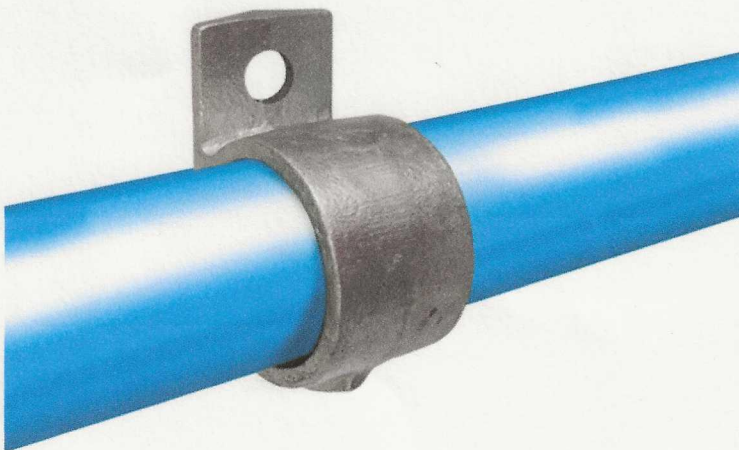
STP

1603002C
3970.3 Kb

You may also need

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PRODUCT INFORMATION

Tubeclamp 199D Adjustable Fixing Bracket

Typically used for fixing panels, display boards or floorir structures. This fitting is supplied with a pre-drilled hole

CODE
16199D

CATALOGUE INFORMATION

434 Request copy

WEIGHT
.37 kg

PRICE
£6.60 EACH Ex VAT @ 20%







1 Add to basket

Drawings

16199B 88.7 Kb	DWG	16199D 62.1 Kb	STP	16199D 175.3 Kb
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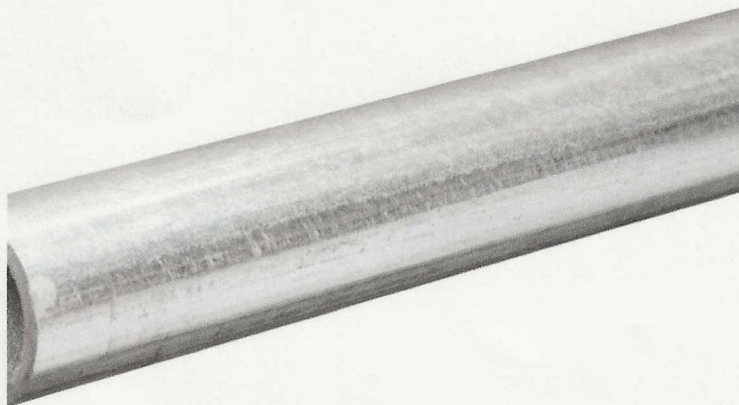
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Our customers tend to buy one of the following...

 <p>PRODUCT Tubeclamp 125D 90 Degree Elbow</p> <p>CODE 16125D £ 4.50</p>	 <p>PRODUCT Galvanised 'D' Tube 48.3mm x 3.25mm In</p> <p>CODE 160248 £ 45.90</p>	 <p>PRODUCT Tubeclamp 128D 3 Way 90 Degree Elbow</p> <p>CODE 16128D £ 7.60</p>
 <p>PRODUCT Tubeclamp 132D Railing Base Flange</p> <p>CODE 16132D £ 7.40</p>	 <p>PRODUCT Tubeclamp 101D Short Tee</p> <p>CODE 16101D £ 4.50</p>	 <p>PRODUCT Tubeclamp 116D Corner / Through Tube</p> <p>CODE 16116D £ 5.50</p>

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PRODUCT INFORMATION

Galvanised 'D' Tube 48.3mm 3.25mm In Lengths Of Appro 6.5 Metres

PRODUCT SPECIFICATIONS

- Length: 6500mm
- Diameter: 48.3mm
- Thickness: 3.25mm
- Kg/m: 3.5kg
- Finish: galvanised

MATERIAL SPECIFICATIONS

- Malleable cast iron to BS EN 1562 - Grade 330 -08
- Ductile iron to BS EN 153 grade 450 -10
- Hot dipped galvanised to BS EN ISO 1461 - minimum 45 microns

NOTE: the standard finish is hot-dipped galvanised to BS EN ISO 1461. Tube can also be supplied to order, plyeste powd in a range of colours.

CODE

160248

WEIGHT

23.562
kg

CATALOGUE INFORMATION

15	414	412	697
418	427	455	453
454	428	442	

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PRICE

£45.90 EACH Ex VAT @ 20%

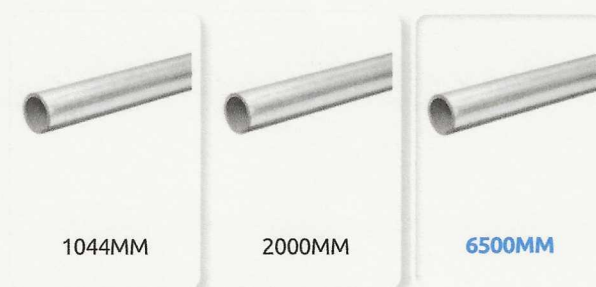
20+ 40+
£41.30 £36.7

1

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