



**Oversight & Governance**

Chief Executive's Department  
Plymouth City Council  
Floor 3 (West) Ballard House  
West Hoe Road  
Plymouth PL1 3BJ

Please ask for Democratic Advisor  
T 01752 305155  
E [democraticsupport@plymouth.gov.uk](mailto:democraticsupport@plymouth.gov.uk)  
[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)  
Published 27 August 2020

#plymlicensing

## Licensing Sub Committee

Tuesday 8 September 2020  
10.00 am  
Virtual Meeting

**Members:**

Councillors Jordan, Parker-Delaz-Ajete and Rennie.

**Fourth Member:**

Councillor Corvid.

Members are invited to attend the above meeting to consider the items of business overleaf.

Please note that, due to the nature of this Committee, we may need to send 'to follow' documents which were not expected at the time of the agenda publication. These documents may be considered under part I or part II.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - <http://www.plymouth.gov.uk/accesstomeetings>

**Tracey Lee**

Chief Executive

## Licensing Sub Committee

### Agenda

**1. Appointment of Chair and Vice-Chair**

The Committee will appoint a Chair and Vice-Chair for this particular meeting.

**2. Apologies**

To receive apologies for non-attendance submitted by Committee Members.

**3. Declarations of Interest**

Members will be asked to make any declarations of interest in respect of items on this agenda.

**4. Chair's Urgent Business**

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

**5. Variation of Premises Licence - Bar Rakuda, 10 & 11 Quay Road, The Barbican, Plymouth, PL1 2JZ (Pages 1 - 24)**

The Director for Public Health will submit a report in respect of Bar Rakuda, 10 & 11 Quay Road, The Barbican, Plymouth, PL1 2JZ for the variation of premises licence under Section 34 of the Licensing Act 2003.

**6. Exempt Business**

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

**VARIATION OF PREMISES LICENCE NOTICE REPORT**

Licensing Sub Committee



Date:	08 September 2020
Title of Report:	Variation of Premises Licence
Lead Member:	Councillor Sally Haydon (Cabinet Member for Customer Focus and Community Safety)
Lead Strategic Director:	Dr Ruth Harrell (Office of the Director of Public Health)
Author:	Marie Price (Licensing Officer)
Contact Email:	Licensing@plymouth.gov.uk
Your Reference:	Bar Rakuda
Key Decision:	No
Confidentiality:	Part I - Official

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**Purpose of the report:**

An application has been received from N J Trading Limited in respect of the Bar Rakuda. 10 & 11 Quay Road, The Barbican, Plymouth. PL1 2JZ for the Variation of a premises licence under Section 34 of the Licensing Act 2003.

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**Recommendations and Reasons:**

That Members consider this report.

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**Alternative options considered and rejected:**

None.

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**Relevance to the Corporate Plan and/or the Plymouth Plan:****Our Plan – A City to be proud of.**

This report links to the delivery of the City and Council objectives and outcomes within the plan.

**A Growing City:** The Licensing Policy and system aims to provide a balance between the need to protect residents and to enable legitimate businesses to operate within a necessary and proportionate regulatory framework. This in turn makes a safer, more vibrant Plymouth to allow economic growth and opportunities for increased levels of employment.

**A Caring Council:** The Licensing Policy has put in place an appropriate framework to allow the effective control of alcohol supply and regulated entertainment to keep all members of society protected and feeling safe by focusing on prevention and early intervention. The licensing system minimise the burdens on business and to allow communities the opportunity to influence decisions.

See [Our Plan](#)

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**Implications for Medium Term Financial Plan and Resource Implications:**

Not applicable

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**Carbon Footprint (Environmental) Implications:**

None

### Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

\* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

### Published work / information:

For more information please see the below links.

[Statement of Licensing Policy](#)

[Licensing Act 2003](#)

[Revised guidance issued under section 182 of the Licensing Act 2003 - April 2018](#)

### Appendices

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable)						
		1	2	3	4	5	6	7
A	Briefing report (mandatory)							

### Background papers:

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of background paper(s)	Exemption Paragraph Number (if applicable)						
	1	2	3	4	5	6	7

Application									

**Sign off:**

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Originating Senior Leadership Team member: N/A

Please confirm the Strategic Director(s) has agreed the report? N/A

Date agreed: N/A

Cabinet Member signature of approval: [electronic signature (or typed name and statement of 'approved by email') on Cabinet member approval only]

Date: N/A

## 1.0 INTRODUCTION

1.1 On the 16<sup>th</sup> July 2020 the licensing department received an application from N J Trading Ltd for the Variation of a Premises Licence under Section 34 of the Licensing Act 2003 in respect of Bar Rakuda situated at 10 & 11 Quay Road, The Barbican, Plymouth. PL1 2JZ

### 1.2 Details of variation

Current Licensable Activities	Variation Application
<p><b><u>(j) Supply of Alcohol for consumption ON and OFF the premises.</u></b></p> <p>Monday to Sunday 09:00 02:00</p> <p>Non Standard Timings.</p> <p>All bank holidays, Christmas Eve, New Year's Eve, Valentines Day, May Day, Easter Saturday and Sunday 09.00hrs until 04.00hrs</p> <p>The use of outside areas will cease at 24.00hrs every day</p>	<p><b><u>(j) Supply of Alcohol for consumption ON and OFF the premises.</u></b></p> <p>Monday to Sunday 09:00 02:00</p> <p>Non Standard Timings.</p> <p>All bank holidays, Christmas Eve, New Year's Eve, Valentines Day, May Day, Easter Saturday and Sunday 09.00hrs until 04.00hrs</p> <p>The use of outside areas will cease at 24.00hrs every day</p> <p><b>The use of Outdoor bar Monday to Sundays 09:00 till midnight.</b></p>
<p><b><u>(l) Hours premises are open to the public</u></b></p> <p>Monday to Sunday 09:00 02:30</p> <p>Non Standard Timings.</p> <p>All bank holidays, Christmas Eve, New Year's Eve, Valentines Day, May Day, Easter Saturday and Sunday 09.00hrs until 04.00hrs</p> <p>Use of outside areas will cease at 00.30hrs every day.</p>	<p><b><u>(l) Hours premises are open to the public</u></b></p> <p>Monday to Sunday 09:00 02:30</p> <p>Non Standard Timings.</p> <p>All bank holidays, Christmas Eve, New Year's Eve, Valentines Day, May Day, Easter Saturday and Sunday 09.00hrs until 04.00hrs</p> <p>Use of outside areas will cease at 00.30hrs every day.</p> <p><b>The use of Outdoor bar Monday to Sundays 09:00 till midnight.</b></p>

### 1.3 Variation application

The nature of the proposed variation is to include an outside bar in the existing seating area for on and off sales between 09:00am and Midnight. (Appendix 1)

1.4 Representations have been received in respect of this application.

### 1.5 Cumulative Impact Policy

This application does fall within an area to which the Cumulative Impact Policy applies and creates a rebuttable presumption that applications for new licences or variations to existing ones which are likely to add to the existing cumulative impact will normally be refused unless the applicant can

demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives if the application were granted. However before the Licensing Authority can lawfully consider giving effect to this policy there must be a relevant representation from either a responsible authority or an interested party referring to information which was before the Licensing Authority when this special policy was developed.

## **2.0 RESPONSIBLE AUTHORITIES**

- 2.1 *Devon & Cornwall Police* – has made representation relating to the prevention of crime and disorder (Appendix 2)
- 2.2 *Environmental Health* – has made representation relating to the prevention of Public Nuisance (Appendix 3)
- 2.3 *Devon & Somerset Fire & Rescue Service* – no representations.
- 2.4 *Trading Standards* – no representations
- 2.5 *Planning Officer* - no representations.
- 2.6 *Child Protection* – no representations
- 2.7 *Health & Safety Executive* – no representations.
- 2.8 *Health Authority (ODPH)* – no representations.
- 2.9 *Licensing Authority* – no representations

## **3.0 OTHER PARTIES**

A representation has been received from the Local Ward Councillor (Appendix 4). One representation has been received from a resident (Appendix 5) along with the support from one other resident attaching the same representation (Appendix 6) and a further representation from another resident (Appendix 7)

## **4.0 CONSIDERATIONS**

- 4.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the protection of children from harm.

In making its decision the Committee is also obliged to have regard to:

- the guidance issued under section 182 of the Licensing Act 2003 with the following paragraphs relevant to this application: 1.2 – 1.5, 1.16 – 1.17, 2.1,2.3, 2.14 – 2.15, 9.3,9.11, 9.33 - 9.36, 9.38 – 9.40 and 10.10,
- the Council's own Licensing Policy with the following headed paragraphs being relevant to this application: Dispersal Policy (Page 11); Licensing Hours (Page 11), Location and Trading restrictions (page 15), Protecting children from harm (page 16), Public Nuisance (Page 17), Licensing conditions (page 20) Cumulative Impact Policy (27 and 33), the representations (including supporting information) presented by all the parties.

The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

1. Modify the conditions of the licence
2. Reject the whole or part of 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 Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.



Latest Application Form details for application details here...

Appendix I

<i>Continued from previous page...</i>	
Non-domestic rateable value of premises (£)	<input type="text" value="31,250"/>
<b>Section 3 of 18</b>	
<b>VARIATION</b>	
Do you want the proposed variation to have effect as soon as possible? <input checked="" type="radio"/> Yes <input type="radio"/> No	
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? <input type="radio"/> Yes <input checked="" type="radio"/> No	
<p>You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.</p>	
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend <input type="text"/>	
<b>Describe Briefly The Nature Of The Proposed Variation</b>	
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.	
<p>We would like to be able to serve alcohol from our outside bar which is in the middle of our outside area. The bar is just outside the main Rakuda entrance on the other side of the pavement. We have a large outside area with tables and chairs for customers to sit, or if the area is full due to covid-19 restrictions and social distancing we will be serving it as a take away to be taken away and off the Barbican. We think it's a good idea to open this bar as it is outside and is more in line with the covid-19 guidelines as it will prevent a lot of customers having to enter the bar. We will only be serving from this bar up to 12PM.</p>	
<b>Section 4 of 18</b>	
<b>PROVISION OF PLAYS</b>	
<a href="#">See guidance on regulated entertainment</a>	
Will the schedule to provide plays be subject to change if this application to vary is successful? <input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 5 of 18</b>	
<b>PROVISION OF FILMS</b>	
<a href="#">See guidance on regulated entertainment</a>	
Will the schedule to provide films be subject to change if this application to vary is successful? <input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 6 of 18</b>	

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Latest Application Form details for application details here...

*Continued from previous page...*

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

a) General – all four licensing objectives (b,c,d,e)  
List here steps you will take to promote all four licensing objectives together.

As per our current Premises License.

b) The prevention of crime and disorder

As per our current Premises License.

c) Public safety

As per our current Premises License.

d) The prevention of public nuisance

As per our current Premises License.

e) The protection of children from harm

As per our current Premises License.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

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**Price, Marie**

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**From:** SEYMOUR Duane 52714 <Duane.SEYMOUR@devonandcornwall.pnn.police.uk>  
**Sent:** 12 August 2020 08:28  
**To:** Licensing  
**Cc:** MOORE David 14571; Price, Marie  
**Subject:** RE: Police objection to vary the premise licence Bar Rakuda.

**Categories:** Representation Bar Rakuda

Good Afternoon Marie Price

Ref:- Police Objection

The Police would like to make a representation regarding a recent application to vary a premise licence Known as Bar Rakuda, 10 & 11 Quay Road, The Barbican, Plymouth PL1 2JZ.

The Premises is located within the Plymouth City Council Cumulative Impact Area this area is also subject Public Space Protection Area.

This application to vary the premise licence would have a negative impact on the licensing objectives namely:-

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance

10 & 11 Quay Road lies within the Plymouth City Council's Cumulative Impact Area, and enabling the premises to sell alcohol from an outside bar would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption on and off the premises between 9:00am and 2:00pm, seven days a week. Granting this variation to the licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police.

Both the Licensing act and the Plymouth City Council Licensing policy require any application for a material variation within a cumulative impact area to demonstrate how the applicant intends to ensure that the variation will not impact on the promotion of the four licensing objectives.

This application does not provide sufficient detail to demonstrate how it will not have a negative effect on the Licensing Objectives

Kind regards

Duane Seymour  
Licensing Officer  
Plymouth Licensing Office  
Charles Cross Police Station  
Email: licensing.team@devonandcornwall.pnn.police.uk

OFFICIAL

**MEMO**

Public Protection Service

**Licensing Act 2003****Environmental Health Representation**From: **Unit Manager, Public Protection Service**To: **Head of Licensing Section**FAO: **Fred Prout**Date: 11<sup>th</sup> August 2020Schedule Ref: **TC/921707**

Investigating Officer: Will Tomkins

Extension Number: 4740

**Application Details: 921707****Premises: Rakuda Kitchen and Cocktail****Name of Applicant:****Address: 10-11 Quay Road, Plymouth, , PL1 2JZ****Type of Application:** Alcohol (Off) Variation**Date of Inspection:** N/A**Representation**

This department would like to make the following representation:

**I consider the application to undermine the following licensing objectives:****(please delete as appropriate)**

The Prevention of Public Nuisance

**The likely effect of granting the licence as applied will undermine the licensing objectives because:***(How will the application undermine one or more of the four licensing objectives – under each objective explain what problems would occur if the licence were granted as applied for. Provide evidence/experience where possible.)***The Prevention of Public Nuisance**

OFFICIAL

The COVID 19 pandemic has seen the relaxation of the rules on off-sales by the government. This has been linked to a significant increase in anti-social behaviour on the Barbican which has included, but is not limited to, littering, noise and urination in back lanes and alley ways.

The Barbican has a PSPO in place and as such the consumption of alcohol in any area that is not licenced is an offence. The additional bar providing off sales from outside the premises will reduce the control the premises has on who is purchasing alcohol. The venue will have a reduced ability to ensure that this alcohol is consumed outside the PSPO without causing further disruption to nearby residents.

As such the additional provision of a bar for off sale alcohol has the potential to increase anti-social behaviour in the surrounding area, having a negative impact on the licensing objective for the prevention of public nuisance.

#### **Recommendations**

**I therefore recommend that this application is refused because:**

*(Reinforce the points mentioned above about how the application will undermine one or more of the four licensing objectives if the licence were granted as applied for.*

*Explain why conditions will not address the problems identified and why the hours or licensable activities could not be varied to address the problem).*

The Barbican has already seen an increase in anti-social behaviour due to the relaxing of restrictions on the off sale of alcohol during the COVID-19 pandemic. An additional bar providing off sales into an area where alcohol is not permitted to be consumed would have a negative impact on the licensing objective for the prevention of public nuisance.

## LICENSING REPRESENTATION FORM



If you wish to make a representation against or in support of any licensing application, please read the guidance note '[How to make a licensing representation](#)' prior to completing this form.

Please note that a full copy of your representation will be sent to the applicant at any hearing of this matter.

### Section 1: Licence application details

I wish to object to the following application

Name of applicant (if known) N J Trading

Premises name and address Bar Racuda ,

10 & 11 Quay Road, Barbican , Plymouth

Postcode PL1 2JZ

Which type of application you wish to make your representation about?

Application to vary a premise licence

### Section 2: Your personal details

If you are acting as a representative, please go to Section 3

Title  Mr  Mrs  Miss  Ms  Other (please state)

Surname

Forenames

Address

Postcode

Email

Telephone

You must provide your full residential address (or business address if you are objecting from a business)

### Section 3: Representative details

If you represent residents or businesses please complete the details below

Name of representative/organisation

Cllr Ian Tuffin, St Peters and the Waterfront

Ward

Address

I am

- Representative of residents association
- Ward Councillor
- MP
- Representative of trade/business association
- Other (please specify) \_\_\_\_\_

**Section 4: Reason(s) for representation**

Under the Licensing Act 2003, for a representation to be relevant it must set out the **likely effect** of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided under each Licensing Objective it relates to. You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples such as "I February, I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises opens until 2am that this will cause a nuisance to me and other residents in the street and will affect my sleep."

**The prevention of crime and disorder**

For example evidence of anti-social behaviour, police incidents

During the opening up of licenced premises since the corvid 19 lockdown, many instances of anti-social behaviour have been recorded, including incidents outside the permitted drinking areas residents have informed me of multiple occasions of drunkenness and anti-social behaviour in and around the no drinking zones, causing nuisance and threatening behaviour to local residence ,who have informed me they fear for their safety .

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Public safety**

For example alterations to the premises, capacity limits

My main concerns are by opening the bare outside the premises , this will increase the off sales to a much larger number of customer therefor very probably increasing the opportunity to take drinks and bottles outside of the managed area ,this in turn is going to increase drinking over a much wider area causing greater harm to the local community and making it much more difficult e for the police to manage available recourses.

\_\_\_\_\_  
\_\_\_\_\_

**The prevention of public nuisance**

For example noise disturbance, littering

By reducing the availability of off licence sales to a single bar area ,it will be easier manage the groups who are purchasing off sale ,this will also make it easier for door staff to manage who is purchasing alcohol then use their professional judgment about the possibility of public nuisance being caused. I believe we are all aware the licensees must be part of the solution we need to work together the police and authority have limited recourses .

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**The protection of children from harm**

For example underage sales, exposure to certain performances

My only concerns are children and young people seeing and being caught up in drunken behaviour that in the past has led to member of the public urinating and fighting around the Barbical area.

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I Ian Tuffin \_\_\_\_\_, hereby declare that all information I have submitted is true and correct.

Signed Cllr Ian Tuffin \_\_\_\_\_

Date 31\07\2020 \_\_\_\_\_

**Please note:**

If you do not want your personal details to be released then you will need to provide good reason for this information to be withheld, for example the fear of intimidation or violence.

**Please send the completed form to**

Licensing Department  
Windsor House  
Plymouth. PL6 5UF  
T: 01752 668000  
E: [licensing@plymouth.gov.uk](mailto:licensing@plymouth.gov.uk)



Appendix 5

**LICENSING REPRESENTATION****Case reference: FS-Case-238416860**

<b>Premises</b>	
<b>Name of the premises:</b>	Bar Rakuda
<b>With regard to the following application I want to:</b>	Object
<b>Premises address:</b>	10 Quay Road, Plymouth, Devon, PL1 2JZ
<b>Representation</b>	
<b>In what capacity are you applying:</b>	Any other person

div&gt;

<b>Name:</b>	
<b>Telephone number:</b>	
<b>Mobile number:</b>	
<b>Email address:</b>	
<b>Address:</b>	

**Representation details**

<b>Which of the following Licensing Objectives is this representation relevant to:</b>	A. The prevention of crime and disorder, B. Public safety, C. The prevention of public nuisance
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The basis for this opposition is that granting a licence for these premises will not comply with the licensing objectives, particularly the prevention of crime, disorder and public nuisance.  
I live close to the bar and the likely effect it is to have on me, my family and residents living in the vicinity is:

Crime and Disorder

Anti-social behaviour, vandalism, low-level nuisance such as non-reportable crime inc. shouting, swearing as well as urinating, defecating, taking drugs and people having sex in public is likely to be increased. This has already been evident since the 24th June and continues to be a severe problem, in which I

**Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:**

know many of the residents around the Barbican have complained about. There is plenty of evidence of this being an issue with this particular bar as seen on social media and Plymouth Live reporting. Alcohol negatively affects the lives of too many of our residents and visitors. It contributes to anti-social behaviour, violence, harm to children and young people and a range of health problems. Experiencing drunken behaviour makes you feel threatened, unsafe and creates a heightened fear of crime.

#### Public Nuisance

Unwelcome attention and increased footfall at unsociable hours. Closing times are considered to be particularly noisy causing breaches of the peace. This will and is having a negative impact in a quiet residential area causing disturbed sleep and stress impacting on quality of life and social well-being. Again since the 24th June this has been a huge issue and continues to be so. The Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. However, my understanding is the legislation also supports a number of other key aims and purposes, that are vitally important and should be principal aims for everyone involved in licensing work, including protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises, which clearly is not occurring locally.

#### 24th June

However, the local residents are still being exposed to a relentless amount of alcohol-related disorder particularly over the weekends when the weather is good. Examples of this continue to include urinating and defecating in the streets, when challenged a resident was informed by an offender who was defecating in Pin Lane that they 'had to go somewhere' suggesting the extra 3 porta loos and the re-opening of the toilet block is still not enough facilities for the large gathering. Big groups of people continue to be walking around with glasses (both plastic & glass) containing alcohol, though the number of bottles of wine and cans appear to have reduced, suggesting that shop sold alcohol is not as significant a problem as over the initial weekend that restrictions were lifted, the major issue is now alcohol sold by bars for consumption off site. The urinating in Castle Dyke Lane and in New Street by rowdy drunken men and women started in broad daylight at around 6.30pm and continued well into the early hours of Sunday morning. Local residents gathered on the roadside in New Street from 10.45pm until 01.00am collectively seeking to protect their homes and offer support to one another. In all this time, we witnessed people urinating and staggering along the public roads with drinks in hand. For many of these individuals it appears that there is no reason for them to in the back streets of the Barbican other than in to undertake antisocial behaviour.

#### 11 July 2020

.Urinating in Castle Dyke Lane and in New Street by rowdy drunken men and women started in broad daylight at around 6.30pm and continued well into the early hours of Sunday morning. Local residents gathered on the roadside in New Street from 10.45pm until 01.00am collectively seeking to protect their

	<p>homes and offer support to one another. In all this time, we witnessed people urinating and staggering along the public roads with drinks in hand. I had to call 999 because there was an alcohol fuelled fight outside my front door on New Street, two men were kicking one man severely. The police responded within in a matter of minutes but the two men had run off laughing.<a href="https://www.facebook.com/1257256473/posts/10223154157343097/?d=n">https://www.facebook.com/1257256473/posts/10223154157343097/?d=n</a></p> <p>12th July 2020                  5.30pm - Groups of young men were wandering around The Hoe and the streets leading to The Barbican openly carrying boxes of beer and alcohol and drinking as they walked (barely in a straight line) and engaging in drunken conversation at raised voice levels</p> <p>7th August                  a group of 10 lads walking around with litre bottles of vodka from the coop, they decided to congregate at steps on Pin Street, my neighbour &amp; I went to speak to them and asked them to move on as they were causing a horrendous amount of noise, their response was we're not allowed to drink at the quay side so thought they would drink on the steps, I explained that they were not also allowed to drink on the surrounding streets either and that they were being extremely loud however, because they weren't causing any physical damage they did not think there was an issue.</p> <p>2 girls and 2 boys drug taking in front of Sea Salt apartment. urinating &amp; defecating in New Street and Castle Dyke Lane and no doubt there will have been other incidences in the other streets on the Barbican</p>
<p><b>Is there any reason why you do not want your personal details to be passed on to the premises licence holder:</b></p>	<p>Yes</p>

<b>Provide reasons:</b>	I am afraid I may be victimised
<b>Number of documents in support of your representation uploaded:</b>	0
<b>Declaration</b>	
<b>By submitting this form I declare that I have read the representation guidance notes and agree that a copy of my representation will be given to the licence premis owner:</b>	
<b>I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises licence holder.</b>	
<b>Signed:</b>	
<b>Date:</b>	14/08/2020

Appendix 6
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**From:****Sent:** 14 August 2020 15:18**To:** Prout, Frederick <[Frederick.Prout@plymouth.gov.uk](mailto:Frederick.Prout@plymouth.gov.uk)>**Subject:** Bar Rakuda

Hi Frederick

Just a copy of the complaint from some neighbours-I've lost the attachments from last email but can confirm and agree with everything in this email. We have out our property on the market so hope to be leaving this sorry state behind us in the not too distant future.

Many thanks for your help

Kind regards

[Sent from Yahoo Mail for iPhone](#)

The basis for this opposition is that granting a licence for these premises will not comply with the licensing objectives, particularly the prevention of crime, disorder and public nuisance.

I live close to the bar and the likely effect it is to have on me, my family and residents living in the vicinity is:

#### Crime and Disorder

Anti-social behaviour, vandalism, low-level nuisance such as non-reportable crime inc. shouting, swearing as well as urinating, defecating, taking drugs and people having sex in public is likely to be increased. This has already been evident since the 24th June and continues to be a severe problem, in which I know many of the residents around the Barbican have complained about. There is plenty of evidence of this being an issue with this particular bar as seen on social media and Plymouth Live reporting. Alcohol negatively affects the lives of too many of our residents and visitors. It contributes to anti-social behaviour, violence, harm to children and young people and a range of health problems. Experiencing drunken behaviour makes you feel threatened, unsafe and creates a heightened fear of crime.

#### Public Nuisance

Unwelcome attention and increased footfall at unsociable hours. Closing times are considered to be particularly noisy causing breaches of the peace. This will and is having a negative impact in a quiet residential area causing disturbed sleep and stress impacting on quality of life and social well-being. Again since the 24th June this has been a huge issue and continues to be so.

The Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. However, my understanding is the legislation also supports a number of other key aims and purposes, that are vitally important and should be principal aims for everyone involved in licensing work, including protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises, which clearly is not occurring locally.

#### 24th June

However, the local residents are still being exposed to a relentless amount of alcohol-related disorder particularly over the weekends when the weather is good. Examples of this continue to include urinating and defecating in the streets, when challenged a resident was informed by an offender who was defecating in Pin Lane that they 'had to go somewhere' suggesting the extra 3 porta loos and the re-opening of the toilet block is still not enough facilities for the large gathering. Big groups of people continue to be walking around with glasses (both plastic & glass) containing alcohol, though the number of bottles of wine and cans appear to have reduced, suggesting that shop sold alcohol is not as significant a problem as over the initial weekend that restrictions were lifted, the major issue is now alcohol sold by bars for consumption off site. The urinating in Castle Dyke Lane and in New Street by rowdy drunken men and women started in broad daylight at around 6.30pm and continued well into the early hours of Sunday morning. Local residents gathered on the roadside in New Street from 10.45pm until 01.00am collectively seeking to protect their homes and offer support to one another. In all this time, we witnessed people urinating and staggering along the public roads with drinks in hand. For many of these individuals it appears that there is no reason for them to be in the back streets of the Barbican other than in to undertake antisocial behaviour.

11 July 2020

.Urinating in Castle Dyke Lane and in New Street by rowdy drunken men and women started in broad daylight at around 6.30pm and continued well into the early hours of Sunday morning. Local residents gathered on the roadside in New Street from 10.45pm until 01.00am collectively seeking to protect their homes and offer support to one another. In all this time, we witnessed people urinating and staggering along the public roads with drinks in hand. I had to call 999 because there was an alcohol fuelled fight outside my front door on New Street, two men were kicking one man severely. The police responded within in a matter of minutes but the two men had run off laughing.<https://www.facebook.com/1257256473/posts/10223154157343097/?d=n>

12th July 2020

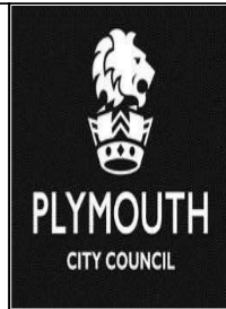
5.30pm - Groups of young men were wandering around The Hoe and the streets leading to The Barbican openly carrying boxes of beer and alcohol and drinking as they walked (barely in a straight line) and engaging in drunken conversation at raised voice levels

7th August

a group of 10 lads walking around with litre bottles of vodka from the coop, they decided to congregate at steps on Pin Street, my neighbour & I went to speak to them and asked them to move on as they were causing a horrendous amount of noise, their response was we're not allowed to drink at the quay side so thought they would drink on the steps, I explained that they were not also allowed to drink on the surrounding streets either and that they were being extremely loud however, because they weren't causing any physical damage they did not think there was an issue.

2 girls and 2 boys drug taking in front of Sea Salt apartment. urinating & defecating in New Street and Castle Dyke Lane and no doubt there will have been other incidences in the other streets on the Barbican

Appendix 7

**LICENSING REPRESENTATION****Case reference: FS-Case-238500755**

<b>Premises</b>	
<b>Name of the premises:</b>	Bar Rakuda
<b>With regard to the following application I want to:</b>	Object
<b>Premises address:</b>	10 Quay Road, Plymouth, Devon, PL1 2JZ
<b>Representation</b>	
<b>In what capacity are you applying:</b>	Any other person

div&gt;

<b>Name:</b>	
<b>Telephone number:</b>	
<b>Mobile number:</b>	
<b>Email address:</b>	
<b>Address:</b>	

**Representation details**

<b>Which of the following Licensing Objectives is this representation relevant to:</b>	A. The prevention of crime and disorder, C. The prevention of public nuisance
	<p>I wish to raise my objection to Bar Rakuda's application, 078651, which is a Variation Application for Premises Licence, on the grounds that this bar sits within the Barbican cumulative impact assessment area, and the submitted variation application will add to the extensive problems of crime and anti-social behaviour experienced around the Barbican, particularly over the last two months.</p> <p>As an area with a high density of licensed premises, the amount of alcohol available for consumption on the Barbican is excessive as it stands, approving this variation can only add to the issues.</p> <p>In line with the Cumulative Impact Assessment, 31.3.19 – 31.3.2022, I would request that this application for the variation of Bar Rakuda's existing licence be refused on both the grounds that the council will have</p>

**Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:**

received a significant number of representations hi-lighting that the application will add to the problems of crime and disorder and public nuisance already experienced around the Barbican, and having read the application, I cannot see that the applicant has in anyway demonstrated that, within their operating schedule, there will be no significant negative cumulative impact on one or more of the Licensing objectives, or that they will be taking any additional measures to reduce the impact the variation in their licence will have on the surrounding area of the Barbican.

As the licensing authority will no doubt already be aware, there have been very significant issues with crime and disorder and public nuisance around the Barbican, with numerous complaints having been made by local residents as per the emails accompanying this representation, which include communications with Local MP Luke Pollard, PCC Community Connections Strategic Manager Dave Ryland, PCC Councillor Chris Penberthy and Patrick Knight of the Waterfront Partnership.

Three of the numerous bars around the Barbican have been at the heart of the issues experienced across the area, Three Crowns, Bar Rakuda and OMG (Police had already submitted an expedited licence review for OMG to the council, which I understand was unsuccessful following council review).

Under ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE, the premises are not permitted to allow open or sealed vessels containing alcoholic drinks to be taken outside the premises, unless they are to be consumed within a designated external licensed seating area. Bar Rakuda is already in breach of this condition, as we have witnessed high numbers of inebriated individuals wandering the streets and backstreets of the Barbican drinking from plastic glasses of alcohol purchased from Bar Rakuda causing nuisance by micturating, defecating, vomiting, having sex and being generally anti-social in the local streets.

I do recognise that E.N.T.E. is an important part of the cities character and its economic success and supporting local businesses is absolutely crucial to economic recovery following the Coronavirus pandemic; however this should not be at the expense of resident's quality of life. Also with the issues experienced around the Barbican having resulted in the Police and Council having to invest significant resource in an attempt to manage the crime and public nuisance which will have come at an expense to the public purse, counter productive to the aim of improving the economy.

As such, I hope the licensing authority sees that there is no place for any variation to Bar Rakuda's existing licence during the present time, whilst ongoing concerns about coronavirus persist.



<b>Is there any reason why you do not want your personal details to be passed on to the premises licence holder:</b>	No
<b>Number of documents in support of your representation uploaded:</b>	1
<b>Declaration</b>	
<b>By submitting this form I declare that I have read the representation guidance notes and agree that a copy of my representation will be given to the licence premis owner:</b>	
<b>I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises licence holder.</b>	
<b>Signed:</b>	
<b>Date:</b>	14/08/2020

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