

CITY OF PLYMOUTH

Subject: River Cottage Canteen & Deli. Unit I The
Brewhouse, Royal William Yard. Plymouth. PLI
3QQ.
Grant of Premises Licence

Committee: Licensing Sub Committee (Miscellaneous)

Date: 26 July 2011

Cabinet Member: Councillor Michael Leaves

CMT Member: Director for Community Services

Author: Marie Price (Licensing Officer)

Contact: Tel: 01752 307981
e-mail: licensing@plymouth.gov.uk

Ref: ERS/LIC/PREM

Part: I

Executive Summary:

An application has been received from TLT Solicitors on behalf of River Cottage Canteen Plymouth Limited in respect of River Cottage Canteen & Deli. Unit I The Brewhouse, Royal William Yard, Plymouth. PLI 3QQ for the Grant of a premises licence under Section 17 of the Licensing Act 2003.

Corporate Plan 2011- 2014:

This report links to the delivery of the corporate improvement priorities. In particular:

1. Informing and involving residents.
 2. Improving culture and leisure activities.
-

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Not applicable.

Other Implications: e.g. Section 17 - Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment etc.

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.

Recommendations and Reasons for recommended action:

That Members consider this report.

Alternative options considered and reasons for recommended action:

None.

Background papers:

Application.
Licensing Act 2003.
Guidance issued under Section 182 Licensing Act 2003.
Council's Licensing Policy.

Sign off:

Head of Fin		Head of Leg	5.7.11/12 156/SD	Head of HR		Head of AM		Head of IT		Head of Strat Proc	
Originating CMF Member											

1.0 BACKGROUND

1.1 On the 31 May 2001 the licensing department received an application from TLT Solicitors on behalf of River Cottage Canteen Plymouth Limited for the Grant of a Premises Licence under Section 17 of the Licensing Act 2003 in respect of the River Cottage Canteen & Deli situated at Unit 1 The Brewhouse, Royal William Yard, Plymouth.

1.2 Grant application.

The application is for a Restaurant, café and shop.

1.3 Licensable Activities.

The following licensable activities and timings have been requested:

Live music (Indoors)

Monday to Saturday 6pm to 10:30pm

Sundays 10am to 10pm

Amplified and unamplified live music on no more than one occasion per week.

Non Standard Timings: From the end of permitted hours New Years Eve until the start of permitted hours New Years Day.

Recorded music (Indoors)

Monday to Saturday 9am to 11pm

Sundays 10am to 10pm

Recorded music within the premises on no more than one occasion per week.

Non Standard Timings: From the end of permitted hours New Years Eve until the start of permitted hours New Years Day.

Late night refreshment (Indoors)

Monday to Saturday 11pm to Midnight

Sundays 11pm to 11:30pm

Non Standard Timings: From the end of permitted hours New Years Eve until the start of permitted hours New Years Day.

Supply of alcohol (For consumption on and off the premises)

Monday to Saturday 9am to Midnight

Sundays 10am to 11pm

Non Standard Timings: From the end of permitted hours New Years Eve until the start of permitted hours New Years Day.

Hours Premises are Open to the Public

Monday to Saturday 8am to Midnight

Sundays 8am 11:30pm

Non Standard Timings: From the end of permitted hours New Years Eve until the start of permitted hours New Years Day.

1.4 Steps the applicant has taken to promote the four licensing objectives (Appendix 1).

1.5 Representations have been received in respect of this application.

1.6 Cumulative Impact Policy

This application does not fall within an area to which the Cumulative Impact Policy applies.

2.0 RESPONSIBLE AUTHORITIES

- 2.1 *Devon & Cornwall Police* – no representations.
- 2.2 *Environmental Health* – have made representation relating to the Prevention of Public Nuisance (Appendix 2)
- 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 relevant representation under the terms of the Licensing Act 2003 was received however it is understood that conditions with respect to age restricted sales were agreed between child protection and the applicant. This is provided for information purposes only.
- 2.7 *Health & Safety Executive* – no representations.

3.0 INTERESTED PARTIES

4 letters have been received from residents living within the vicinity of the premises. (Appendices 3-6)

1 letter of representation has been received from three local councillors from the St Peter and Waterfront ward. (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 and the Council's own Licensing Policy and the representations (including supporting information) presented by all the parties.

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

1. Grant the licence as asked.
2. Modify the conditions of the licence, by altering or omitting or adding to them.
3. Reject the whole or part of the application.
4. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities.

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 necessary in order to promote the licensing objectives.

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time

b) The prevention of crime and disorder

CCTV is installed and maintained at the premises.

c) Public safety

First aid kit on site.
Staff will be trained in legislation relevant to their job role.

d) The prevention of public nuisance

Regulated entertainment is limited to no more than one occasion per week.
Doors and windows will be closed during the provision of regulated entertainment except for access to and egress from the premises.
Customers requested to leave quietly.
Outside area to be closed for the consumption of food and drink at 22.00.

e) The protection of children from harm

A proof of age policy to be in place.

Memorandum



From: Head of Public Protection Service
To: HEAD OF LICENSING SECTION
FAO: PETE CLEMENS
Date: 27th June 2011
Our Ref: EH.800692.RMO
Investigating Officer: Rhodri Morgan
Extn: 4851

LICENSING ACT 2003
ENVIRONMENTAL HEALTH REPRESENTATION

Premises: River Cottage Canteen & Deli
Name of Licensee: River Cottage Canteen Plymouth Limited
Type of Application: Alcohol (On/Off/Both)/Entertainment Licence/Late Night Refreshment
Report Prepared By: Rhodri Morgan

Recommendations

1. ~~That this department has no comments regarding the Application.~~
2. This department would like to make the following representation;

LICENSING ACT 2003
ENVIRONMENTAL HEALTH REPRESENTATION
Name: River Cottage Canteen & Deli
Address: The Brewhouse, Royal William Yard, Plymouth, PL1 3QQ

Report By: Rhodri

Date of Inspection: 23rd June 2011

The text in bold are the conditions that this department will be putting before committee to be included in your operating schedule.

The text in italics is for your information.

Public Nuisance

1. **The Licence Holder or nominated person will assess the impact of any noisy activities on neighbouring premises at the start of the activity/entertainment and periodically throughout the activity/entertainment and take action to reduce noise levels if they are found to be excessive/distinguishable above background levels at the nearest residential property.**
2. **The performance of live entertainment will be limited to a maximum duration of 2 hours inclusive of any breaks**
3. **The supply of alcohol shall be by waiter or waitress service only and ancillary to the consumption of substantial food at tables. (Except for customers using the Deli facility)**
4. **Management will control levels of noise in the outside area and advise customers of the need to respect local residents where appropriate. Any patrons continuing to cause any disturbance or disorder will be asked to leave the premises.**
5. **A telephone number will be made available and displayed in prominent locations in the Brewhouse and Clarence buildings for local residents to contact in the case of noise-nuisance or anti-social behaviour by persons associated with the premises. The telephone number will be a direct number to the management who are in control during opening hours. A record will be kept by management of all calls received, including the time, date and information of the caller, including action taken following the call. Records will be made available for inspection either by authorised officers or Police throughout the trading hours of the premises.**

6. A designated, de-lined and bordered smoking area will be allocated outside the premises.
7. Suitable receptacles will be provided for cigarette litter within the designated smoking area.
8. A specific taxi operator has been nominated for staff and customers use. The company's telephone number is advertised to customers. The operator and all drivers are aware that they should arrive and depart as quietly as possible, should not sound vehicle horns as a signal of their arrival or leave engines idling unnecessarily. In addition, staff will leave as quietly as possible, particularly at night and early in the morning.
9. The handling of beer kegs, bottles and other similar items will not take place in the late evening, at night and during the early morning, when the noise generated could cause a nuisance particularly outside buildings.
10. Provision of mechanical ventilation and air conditioning systems will not allow noise breakout from the premises or cause a nuisance by its operation.
11. There will be kitchen extract systems taking smells and grease away from habitable areas.
12. Ventilation equipment will be regularly cleaned and maintained to control the levels of odour generated by the premises.

Licensing Act 2003
Supporting Information for Committee Hearing following the Public Protection
Service Representation

Premises Name:

This department has made representation based on the following information.

It is this Responsible Authority's opinion that, having considered the applicants operating schedule if the application were to be granted as applied, then there is potential for a negative impact on the licensing objective of public nuisance.

The proximity of these premises to residential properties gives this authority cause for concern in respect of the potential for noise nuisance that may affect local residents in the use and enjoyment of their properties. The outside area of the premises if granted as applied has the potential to cause a public nuisance to local residents.

The conditions submitted above are ones which in this authority's opinion are both reasonable and workable in controlling the potential public nuisance issues arising from the premises.

From:
Sent: Wednesday, June 22, 2011 8:28 PM
To: Clemens, Peter (DEVELOPMENT)
Cc: Planning Consents (DEVELOPMENT)
Subject: Brewhouse - River Cottage Licensing 08461 and Planning 11/00757/LBC applications

Good morning Mr Clemens and Miss Barrett

We apologise as our email is rather tardy as any objections to the above applications by River Cottage deli/cafe/bar at the Brewhouse, Royal William Yard, are due already, but as we are living in Arizona, USA at present to avoid the noise and smoke generated by Seco Lounge which is situated directly beneath our home, we were not aware of such applications having been filed or the urgency to object until last evening.

This application will subject the residents of the Brewhouse RWY to a continual flow of noise, smoke and general disturbance for most of twenty four hours a day, just as we owners/residents of homes in the Mills Bakery, RWY have been subjected to over the past year.

As you must be very aware, the patience and good humour of the residents of the Mills Bakery have been sorely tested by the unbelievable disruption to their lives by the noise generated by the installation and later the everyday running of the Seco Lounge and it's recent extension to the original premises, and more recently also the installation of the Prezzo restaurant. The whole area of the dockside fronting the Mills Bakery building is now covered with tables and chairs which are a hazard to the safety of residents, as emergency vehicles cannot gain speedy access as tables and chairs, plus the patrons, have to be moved to allow vehicles to enter, as we had horrendous experience of when our daughter hemorrhaged 10 days after surgery.

When and if River Cottage is permitted to have tables outside on the dock, this will also cause a safety hazard, and health hazard with continual noise and smoke inhalation.

The noise and smoke infiltrating our home in Mills Bakery from Seco Lounge has made it impossible for us to spend the summer months in our home and we have had to resort to buying a second home here so we are able to escape. Due to asthmatic problems inhalers have to be used by my husband and son-in-law when he visits due to the smoke spiralling up from tables directly beside the building, the walls of which act like a chimney, and normal levels of conversation are impossible in our home with headphones having to be worn to hear the TV or listen to music. Loud speaker commentary from the Monday night quiz night is clearly audible. An acoustic ceiling was never installed, just double levels of boarding which is not sufficient. At least it appears River Cottage will have to install acoustic soundproofing.

The noise generated beneath the homes in the Brewhouse will lower the quality of life of any owner residents.

Why should other residents have to undergo a life of misery such as we do, when we all paid a very high price for our homes and all pay extortionately high council tax, levied on the basis that we have sea views, which we do not, we look across the river and are situated in what is now an area of busy and noisy bars open from early morning to the small hours of the morning, and is

05/07/2011

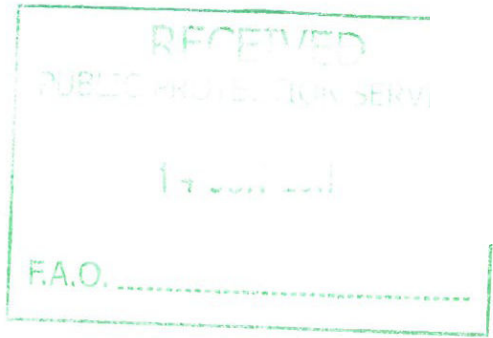
Page 2 of 2

becoming an undesirable area of the city instead of the idyllic and historic area of superb restoration that it could have been.

We object strongly to this application for licensing and also planning.

Your sincerely
Lesley and Terence Marshall
23 Mills Bakery
RWY and
6606 E Telegraph Street
Yuma, Az 85365

Plymouth City Council Licensing Authority
Floor 10
Civic Centre
Armada Way
Plymouth
PL1 2AA



10th June 2011

REF: Application by River Cottage Canteen Deli Ltd for Live and Recorded Music at The Brewhouse, Royal William Yard, PL1 3QQ

Dear Plymouth Licensing Authority,

I am writing as an owner of Flat [redacted], Royal William Yard, PL1 3PA. I note the application above for live and recorded music at this venue in the Brewhouse and would like to oppose this application for the following reasons:

It will destroy the peace of the Royal William Yard especially in this part of the Yard – my flat overlooks this venue
The residents living nearby do not want music – whether it be
.. to be allowed at this venue
s for music every night of the week to a late
1 would interrupt the normal lives for residents.

to add that there are already 2 other cafes in a different part of the yard (ie Prezzi's and The Seco Lounge) so don't see the need for another alcoholic beverage license to be

se, please don't hesitate to get in touch,

Yours sincerely,

RECEIVED
PUBLIC PROTECTION SERVICE

21 JUN 2011

F.A.O.

Dear Sir/Madam

We are writing to make representation regarding application 028461 under the Licensing Act 2003. We are an Interested Party who will be living in the direct vicinity of the premises.

We are concerned about the following points on the grounds of the Prevention of Public Nuisance and of Health and Safety

Opening Hours: Appropriateness within residential area

Our main objection is that the areas to be affected are, first and foremost, residential. We would question therefore the appropriateness of premises being open up until midnight. From experience of other developments on site this will mean late night drinkers disturbing residents in the early hours of the morning.

Live/recorded music

We also object to the application for the ability to play live/recorded until midnight. Monday to Saturday. This is unacceptable in a residential block. Sound proofing to all flats on site is not adequate. Even at conversational levels. From our experience of previous food/drink outlets within Brewhouse we know that the building is not able to contain the noise of recorded music let alone live music. We are also aware that when PCAD students were in the area now proposed for River Cottage and playing recorded music that too travelled throughout the building.

Residents are bound by the terms of their lease not to use/play any music beyond eleven o'clock at night. They are also required not to make noise to the annoyance of other residents at any time.

We are extremely concerned therefore that there seems to be no provision whatsoever for any sound proofing in the plans that we have seen.

Internal noise of clearing up/removal of waste

There have been many issues elsewhere on site regarding noise when staff have been clearing up beyond midnight. As residents we are bound by the lease to make no noise to the annoyance of other residents at any time.

We would want to know what steps will be taken to minimize disturbance to residents when waste is being removed. We would also want to know when such activity is scheduled to take place. In this instance we know that Seco has taken steps to minimize noise by using rubber wheeled trolleys.

We would again raise our concerns that there seems to be no provision whatsoever for any sound proofing in the plans that we have seen.

Outside drinking/seating

We are also objecting to the proposal for an outside seating area. No numbers are given specifying regarding how much seating is anticipated. There is no mention either of how behaviour is to be controlled there.

The proximity of the outside area will result in noise and cigarette smell coming into apartments and we object on the grounds of the public health and nuisance problems that this will cause.

There also seems to be no sign of an application being made for tables to be placed outside. The area shown in the proposals is on land that is public realm in any case.

Serving of alcohol without food

There seems to be no requirement for alcohol to be served with substantial food (as was stipulated for Prezzo restaurant which recently opened in the Royal William Yard). It would seem highly likely therefore that River Cottage Canteen will be simply used as a late night drinking and music venue. This is we feel unacceptable in a purely residential area.

We are also aware of instances in nuisance behaviour arising elsewhere on site which have involved the security team from the Royal William Yard. There is no provision in the proposals for how such behaviour - should it occur - is to be managed.

Smells from kitchen

We can also speak from our experience of the two food establishments that were on the Brewhouse site. Food smells permeated the entire building throughout the day. The development has applied for food to be served up until midnight. This will cause unacceptable disturbance to residents we feel.

Deliveries/Staff and customer entrance.

We will be living directly above the proposed entrance for deliveries and for staff/customer access. We would like to know where the parking is to be for deliveries and where staff/customers will park to gain access to the building. There are no parking facilities in the immediate vicinity of the proposal for outside traffic. The courtyard area of Brewhouse and the area outside Clarence are reserved for residents' parking only. The thoroughfare that runs alongside Brewhouse and to Clarence is designated as a private one and parking is not allowed upon it.

We would also want to know when deliveries are scheduled and that they would be done to minimal disturbance to residents.

This is the case we believe now for deliveries to Seco.

We would want to know if it is envisaged that deliveries will drive to the delivery entrance itself. To do so would mean passing directly past residents who live on the ground floor. From our experience elsewhere we know that for refrigerated goods being delivered this means that engines are kept running. The exhaust

fumes from general delivery traffic beneath and alongside flats is not acceptable on health grounds.

We would also suggest that there is a safety issue here since the area that vehicles would be using is for pedestrian use and for residents coming into and out of Brewhouse.

Taxis

There will inevitably be a significant increase in taxi traffic wishing to access the area. This will increase noise in the general area (taxi engines running/noise as people leave the proposed development) especially late at night. We would raise objections to this - again on the grounds of public nuisance. We also query the use of a residential courtyard area for taxi pick ups/drop offs.

Parking facilities/traffic movement

We would again point out that the areas within the immediate vicinity of the proposed development are solely for residents only and that no parking is permitted at any time on what is a private thoroughfare. The parking here is monitored by a parking company.

Current parking space for residents and visitors to the Royal William Yard is not adequate. This has led to indiscriminate parking in the main thoroughfare through the Yard, despite a long-standing agreement to the contrary between Urban Splash and Plymouth City Council. Pedestrian areas have been blocked meaning that wheel-chair users have been obliged to negotiate the main thoroughfare and its speed bumps. Other cars have blocked fire service/emergency vehicle access areas.

The opening of another attraction is likely to exacerbate this situation and cause overspill parking into the neighbourhood surrounding the Royal William Yard. Before permission is granted for yet another commercial venue, provision needs to be made for sufficient parking space.

From:**Sent:** Monday, June 20, 2011 5:43 PM**To:** Licensing (DEVELOPMENT)**Subject:** Licensing Application 028461 River Cottage Canteen & Deli

Dear Sir/Madam,

I am writing to make representation regarding application 028461 under the Licensing Act 2003 as an Interested Party living in the vicinity of the premises.

I am concerned about the following points on the grounds of the Prevention of Public Nuisance:

1. Outside Seating Area:

I am objecting to the outside seating apparently proposed which seems to anticipate large amounts of seating (of an unspecified number) both immediately next to the Brewhouse building, and all along the glass wall next to the waterfront. Because of the prevailing wind, cigarette smoke and noise is going to be blown towards the apartments, which will cause considerable public health and nuisance problems. Also because of the nature of the environment then sound tends to echo around the stone walls and off the water causing a disturbance to a large number of local residents. As a result I urge that the outside seating be controlled with respect to how far it spreads along the waterfront to the neighbouring building of Clarence and that it is closed by 11pm at the latest and guests are quietly dispersed by that time. This is in line with the condition of the Brewhouse and Clarence lease that no loud noise should be heard after 11pm.

2. Opening Hours:

I do not believe it is appropriate in an otherwise purely residential area of the Royal William Yard for premises to be open up until midnight, which will mean late-night drinkers disturbing residents in the early hours and staff clearing up well after midnight. The resident's lease explicitly forbids loud music coming from apartments after 11pm. The same lease says there should be no noise at all causing a nuisance to other residents at any time. Combined with the outside seating area this nuisance will affect many residents not only those immediately adjacent to the premises if the premises closing time is midnight.

3. The serving of alcohol without food:

Without the requirement that alcohol can only be served with substantial food (as was stipulated for Prezzo restaurant which recently opened in the Royal William Yard), it is highly likely that River Cottage Canteen will be used as a late night drinking and

music venue, in what is an otherwise purely residential area. It is not in keeping with the name "Canteen & Deli" to have what is basically a late night bar. This is not acceptable for the reasons as stipulated above.

Yours faithfully,

Price, Marie (DEVELOPMENT)

From: Penberthy, Chris (CLLR)
Sent: 23 June 2011 19:39
To: Licensing (DEVELOPMENT)
Cc: McDonald, Susan (CLLR); Tuffin, Ian (CLLR)
Subject: River Cottage Canteen and Deli - application 028461

Dear Sirs

I am writing on behalf of all three local Councillors from St Peter and the Waterfront ward with regard to the above license application. A number of local residents have spoken to us about concerns they have regarding this.

As ward Councillors we want to ensure that the use of redeveloped buildings within the Royal William Yard is economically viable, in sympathy with the historic nature of the site and is appropriate to a mixed use environment. We would therefore welcome River Cottage being part of the local economy and offer to members of the public.

With both planning and licensing applications for River Cottage use of Unit 1 and Brewhouse currently going through their process with the Council we have had a number of meetings with local residents, officials from both departments over recent weeks. Today I have also had a very useful meeting with one of the River Cottage joint Managing Directors and their licensing solicitor in order to talk about local concerns with both of their current applications and the potential for resolving these. As a result of this meeting we will be having further contact and have agreed to try to convene a meeting between River Cottage and members of the Royal William Yard Residents Association to talk about their plans and approach as well as giving further opportunities for residents concerns to be addressed.

Given this background, and the deadline for comments on the application, we are writing to raise objections about a number of areas of the application. However, we would hope that these can be addressed through the processes that we have agreed with River Cottage today. We might therefore wish to supplement this response in the light of this ongoing activity.

Our objections fall predominantly within the licensing objective of prevention of public nuisance.

- The premises in question has no extraction/ventilation system and is sited in a prominent position within a Grade 1 listed building. We therefore believe that a license allowing late night refreshment would be inappropriate as the preparation of food would produce unacceptable air quality within the premises and mean that all ventilation would be through windows and doors directly beneath residential units. However, following conversations with Planning, Building Control and then with River Cottage to alert them to this issue and our subsequent meeting of today we understand that River Cottage will be resolving this.

Subject to both appropriate Listed Building Consent being gained from Planning and

approval from Building Control of the appropriate extraction and ventilation system proposed and installed we would withdraw this objection.

- The premises in question has no sound insulation and is in a building containing 77 residential apartments. We therefore believe a license allowing any performance of live or recorded music would be inappropriate as this would create substantial nuisance in both residential and communal areas of Brewhouse. However, following conversations Planning, Building Control and then with River Cottage to alert them to this issue and our subsequent meeting of today we understand that River Cottage will be resolving this.

Subject to both appropriate Listed Building Consent being gained from Planning and approval from Building Control of the appropriate nature of the sound insulation proposed and installed we would withdraw this objection.

- Given the residential nature of the building in which the premises are sited, we believe that the exception from the end of permitted hours New Years Eve until the start of permitted hours New Years Day is unacceptable and would cause disturbance to residents sleep and quiet enjoyment. This exception specifically relates to:
 - Playing of recorded music;
 - Performance of live music with or without amplification;
 - Late night refreshment (indoors);
 - The sale by retail of alcohol for consumption ON the premises.

Should River Cottage curtail this requested non standard timing we would withdraw this objection.

- In addition to the above point, we believe that the exception from the end of permitted hours New Years Eve until the start of permitted hours New Years Day for the sale by retail of alcohol for consumption OFF the premises is unacceptable and has the potential to cause disturbance to residents sleep, not only in the immediate vicinity but in the wider area as this would enable people to drink anywhere in the locality. This could also have an impact on crime and disorder.

Should River Cottage remove this requested non standard timing we would withdraw this objection.

There are a number of other areas of concern that have been raised with us, and we wish to reflect these in our objection. Following today's meeting we anticipate exploring these with River Cottage over the coming weeks.

- We understand the application includes provision of refreshments and alcohol sales in an outside seating area both immediately adjacent to the building and along the sea wall. We would like some clarity about:
 - The number of customers that will be able to be seated in these areas in order to avoid overcrowding;
 - How these areas will be defined in order to stop the whole quayside becoming an outside seating area and to ensure there is easy access along the quayside for members of the public, residents and emergency services;
 - Whether drinks in these areas will be available as a bar service or whether they

- will be waited service;
 - How use of these areas will be controlled and managed;
 - The potential for the seating areas immediately adjacent to the building to be designated as no smoking tables in order that cigarette smoke does not enter the apartments immediately above them and cause nuisance to residents.
- We acknowledge that River Cottage will need deliveries to be made on a daily basis and will need to remove waste. We believe that in order not to disrupt residents in the courtyard through which these will be made:
 - A condition limiting the hours of delivery/collection should be applied, possibly from 9-5 (Monday - Friday) and 10-4 (Saturday - Sunday);
 - There should be agreement that delivery/collection vehicles will not use the Brewhouse Courtyard, but will offload/load from Main Street.
 - Through the nature of its activities River Cottage will increase taxi traffic. This has the potential to create substantial additional traffic and noise in the immediate area, which is currently a quiet residents only parking zone and not a through route. The potential for designated drop off and collection points, booking services, non use of horns, not leaving engines running, etc should be explored and a workable solution agreed.
 - The licence application is, by its nature, broad in brush-stroke and non-descriptive. There is therefore a perception that these could lead to public nuisance. Because of this there are concerns about how a number of licensed activities will occur:
 - How much the premises will be a bar, and how much trade will be food driven;
 - The nature and frequency of live performances and the playing of recorded music.
 - The costs of maintenance and management of the Brewhouse courtyard, including street lighting, are met exclusively by the residents of Brewhouse. Agreement on safety issues relating to lighting needs to be arrived at as this provides a route for both members of the public and the River Cottage staff.

Whilst not all of these issues will be easily resolved as a permitted use condition, many can be addressed through this. We would hope that through dialogue between River Cottage, residents and ourselves we are able to agree a way forward on these.

If we are able to arrive at resolutions that we believe should be acceptable to both residents and River Cottage we will withdraw these objections.

Kind Regards

Chris

Councillor Chris Penberthy
St Peter and the Waterfront

P: 01752 260655
M: 07557 481282
E: chris.penberthy@plymouth.gov.uk