

# **Rockfish New Premises Licence Application**

## **List of Objections**

### **Objection 1**

Rock fish have put an application for a licence. As a local Councillor I know there is already an issue with rubbish from rock fish in the local area. There are also several public houses very close by who have suffered enough and will be fighting to survive as it is. I do not feel that a take away fish shop should or need to sell alcohol.

I know that last year the bins in the area were overflowing with rubbish most of which was from rockfish. The seagulls would then pull the rubbish from the bins crating an awful mess at bayards cove and on the Embankment. Obviously if the bins are already causing issues then how will this problem be addressed by adding to its volume. The public houses in that area are very good at clearing their outside areas to prevent mess. Rockfish however are already a cause of complaints with their waste and its obvious that there is going to be an increase in tourists this year. My complaint / objection is as a local person but as a Councillor, I already can anticipate the complaints we will get when cans, bottles and plastic will be blowing into our river. If that indeed does materialise we will gather the evidence and follow the trail. We have signed upto the environmental recovery and I really feel that the impact this will have will not be welcome. I'd also like to add there is no need for alcohol to be sold there.

### **Objection 2**

I declare an interest in this as I am ... a) a councilor and b) a resident very close to this location.

I would object to this for the following reasons...

- 1) It is next door to a licensed Café
- 2) It is 2 doors away from a Public House
- 3) It is less than 3 minutes walk from at least 2 other off-licenses.
- 4) The area around Rockfish and the Lower ferry slip is already strewn with rubbish from the takeaway (when it is open) as is Bayards Cove including soft drink cans.. we don't need alcoholic bottle and cans as well
- 5) It will harm existing traders who have licenses and do tidy up after their customers.

In part I would say that all other local premissis in the area, because of the historic nature of Bayards Cove and the amount of public there in the summer, all have to provide plastic glasses to take out alcohol or other soft drinks so that there can be no injuries to pets or children from Broken glass or tin cans in the area, with no glass allowed because of the cobbled surface which is hard to remove shards of glass from.

In addition.. what litter bins? There are 3 public litter bins, (2 on the cove and 1 near the shop) but none provided by Rockfish, even though when they first started trading I believe they were supposed to help with the litter collection.. there are only those few SHDC bins around the area, and in the summer they are always overflowing at night with Rockfish takeaway packaging.

### **Objection 3**

I wish to object to the application for licence to sell alcohol by Rockfish Takeaway at 28 Lower Street, Dartmouth.

My reasons are:

- a) There will be even more bottles cans glasses and plastic rubbish that will be discarded on the street or left by overflowing bins.
- b) It will increase rowdy behaviour in a largely residential area
- c) Rockfish Takeaway is very close to the Lower Ferry slipway. As such it is an attractive place to consume alcohol in spite of the danger from the ferry and vehicles
- d) It creates a precedent for other chip shops, pasty shops Thai takeaway shops etc in Dartmouth to use in support any licence applications that they might make in future.
- e) It would be inconsistent with council policy which is to avoid alcohol consumption on the street and in public areas.
- f) Alcohol is already available from the Dartmouth Arms and Bayards Inn that are within 25 metres of Rockfish Takeaway.
- g) The application is being made as a precaution and in advance of any future licensing restrictions that may be under consideration or being made in the near future.

Please refuse this Licence Application

## **Objection 4**

Dear Licensing Authority,

I am writing as a former resident of Dartmouth, and as a now frequent visitor, to register my objection to the above named application.

My objections are as follows:

### **The Prevention of Public Nuisance and Safety**

The Rockfish is situated directly next to two businesses, The Dartmouth Arms and Bayards Cove Hotel, where alcohol is already served, both inside their premises and for outside drinking.

Bayards Cove is a historical site, and beauty area for locals and tourists alike, to enjoy the spectacular views. The two businesses already mentioned are responsible for taking care and pride for keeping the area clear from empty plastic glasses and general debris from their premises.

The Rockfish does not provide any waste bins for customer use, which means the seagulls have a feast from the overflowing general use bin in Bayards Cove, adding to the nuisance value. Will they be providing recycling bins for cans/bottles of alcohol?

The popularity of this business means that the pavements outside get blocked by queuing people, and pedestrians have to pass in this bottleneck of a narrow road. There is also the traffic from the Lower Ferry loading and unloading vehicles. This is a real danger to families with young children

Unregulated outdoor drinking has a negative effect on the considerably sized local residential population of the area, with anti-social behaviour, potential for under age drinking and noise.

The Rockfish does not provide toilets on the premises and the nearest public toilets are situated a distance away in Royal Avenue Gardens.

There are numerous places already to buy alcohol in the town, negating the need for a Takeaway shop to also supply it.

## **Objection 5**

Reasons for objecting to the granting of a licence to sell alcohol to be consumed off the premises by Rockfish Takeaway, Lower Street, Dartmouth.

The extra litter – particularly in the form of broken plastic, glass bottles and tin cans – that would be created on Bayards Cove and the South Embankment would be unacceptable. As things are at the moment, almost every morning during the tourist season, before I open my shop, I have to go onto the Cove with a litter picker and collect up all of the cardboard boxes, waxed paper, plastic sauce pots and lemon wedges that his take-away customers leave strewn around the area. Mr. Tonks appears to have done nothing to combat the shocking levels of litter that his businesses already create – no extra bins, or teams of litter collectors etc. If he begins selling alcohol as well, the problem would not just be cardboard and broken plastic, but also glass, inevitably broken glass, and tin cans.

The landlord of the Dartmouth Arms has a responsibility to maintain the Cove and keep it free from the debris caused by his customers dining and drinking outside, and I believe is compelled to do so as part of his licence. The Dartmouth Arms is obliged to provide plastic glasses for their customers if they wish to drink outside, and have to police this strictly. However, it is unfair in the extreme to expect them to also police visitors who are not their customers. Mr. Tonks will certainly not be able to ensure his customers are not leaving broken plastic, glass and litter on the Cove and on the South Embankment that can be dangerous to adults, children and wildlife.

The next issue is toilets. People who visit the Cove to drink in the sun will need to visit the toilet. As the public toilets at Manor Gardens are closed, and people almost certainly will not wish to walk to Avenue Gardens, there can be no doubt that these people will be using the toilets in the Dartmouth Arms and the Bayards Cove Inn. Will the owners of these businesses be subsidised in order to accommodate non-customers who wish to use their toilets? The alternative is members of the public urinating in the street – a real possibility at night time when people are drunk and are not allowed access to the toilets in the Dartmouth Arms or Bayards Cove Inn as they are not customers from these places.

During the season, there is often a long queue of people outside Rockfish on Lower Street. They often obstruct entry into other shops (The Good Intent) and peoples homes. As well as this they occasionally can be seen sitting on the bonnets of cars parked there, potentially causing damage to vehicles that they do not own (my own car included). Once the prospect of buying alcohol is added to this, surely the queues will only become longer and more troublesome, with an increased chance of aggression and fighting. Longer queues can also result in people spilling onto the road, either as part of the queue, or trying to avoid the queue and walk around it. This can cause a danger to the public and an obstruction to traffic disembarking from the Lower Ferry. Again, later at night this is going to cause even more of a problem as more potentially drunk people will be gathering outside Rockfish to buy more alcohol.

In summation, I do not think that a licence should be granted due to the many inevitable nuisance issues, particularly excessive litter, that it will cause.

## **Objection 6**

Name: **Mr Andrew Birss & Ms Connie Putt**

Address: **The Dartmouth Arms, 26 Lower Street, Dartmouth, TQ6 9AN**

Reasons for objecting to the application by Rockfish (Dartmouth) Ltd for a licence to sell alcohol off the premises.

Our concerns for the four licensing objectives are as follows:

### **The prevention of public nuisance**

We are currently picking up the rubbish created by Rockfish on a daily basis. As part of our licence we have to serve ALL drinks in plastic containers and our staff go outside every 30 minutes to collect these containers from a recycling bin we provide for this service, as well as patrolling along Bayards Cove for any containers not placed in the bins.

Since the Takeaway opened I have spoken with the staff and management on numerous occasions about the mess created by them and their patrons and have also reported it to Mr Tonks. Not once have they ever made an effort to clear it or take the environment into account, and it falls to us and our staff to clear this rubbish at our own cost (£2.05 +VAT/ bin bag to be exact). We can not continue to clear up after Rockfish takeaway and especially with the added drinks containers on top, Mr Tonks and his representatives have not taken this issue seriously thus far so can not be expected to do so in the future. The response we get is "Rockfish sponsor bins", this attitude is clearly neglectful.

Photo attached for perspective of the bin issue, if they are going to add a bottle bin and packaging bin, where will they put them without blocking the pavement even more?





### **The Prevention of crime and disorder**

Who is going to be a responsible licence holder to manage and prevent crime and disorder? If there is no one to take responsibility for rubbish how can we rely on them to check the sale of alcohol to under 18's and prevent crime and disorder. At The Dartmouth Arms we monitor the outside areas to ensure there is no under age drinking and that people are respectful to our neighbours and drinking responsibly. The Rockfish takeaway is often staffed by young individuals with a senior member of staff only appearing to cash up at the end of the night. The Dartmouth Arms work with other licensed premises to ensure the "banned from one banned from all rule" exists, to prevent trouble just moving around the town. We are concerned that if we refused to serve someone alcohol due to being intoxicated or troublesome then they may get served 2 doors down at Rockfish.

### **Public safety and Protection of children from harm**

We live at 26 Lower Street with our 4year old daughter and are quite often having to walk in the road with her due to the bins outside Rockfish taking up the pavement and the queueing of people. Walking in the road in peak season can be very dangerous with cars going on and off the ferry and it being a junction. On their promotion nights selling cheap fish and chips on a Friday, there are crowds of people in the road and leaning on our parked cars and they often block access to houses and other businesses. Adding alcohol to this already problematic scenario can cause even more issues. Who is going to manage the queues of people and prevent our children having to walk in the road?

### **Another big issue..**

Toilet and hand washing facilities, they will need to provide these for their customers. If Rockfish are serving food and drink, where will their customers go to use the toilet as the nearest public toilets are in 1/2 a mile away? This will just result in people urinating in the street.

Since the closure of Manor Gardens public toilets we have noticed a substantial increase in the number of people wanting to use our facilities. The water bill and consumables for the toilets have increased greatly, we can not continue to be used as a public toilet and will be enforcing the rule that they are for use by our customers only.



To summarise, we object to the sale of alcohol by Rockfish Takeaway for the above reasons and the disregard they have had so far to our beautiful town and local businesses.

### **Objection 7**

<b>Public Safety</b>	<p>Property is directly in line with cars leaving from the lower ferry. I feel this will encourage more people to use this takeaway possibly creating higher incidents to the public.</p>
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### **Objection 8**

Good Morning,

I write to object to an alcohol license being granted to Rockfish Takeaway, 28 Lower Street, Dartmouth. I object under the grounds of 'Prevention Public nuisance'.

My objection comes from both an inability (either by design or unwillingness) of the current business to take responsibility for the rubbish produced as a byproduct of their take away business, and also the further increase of the ability to drink in an area (Bayards Cove) that is both close to homes but also in extremely close proximity to several already licensed establishments.

Whilst the nuisance rubbish issue could be easily addressed by the applicant if desired and made a condition (currently only 1 x waste bin sponsored in the locality of a different Rockfish property) it hasn't been so far - the second is more thorny and difficult to address. With a plethora of licensed premises within 100m of the proposed off-license, it would be compounding the likelihood for alcohol related public nuisance in a town that is notably short of a police presence, and thus potentially irresponsible and blameworthy for such an additional license to be granted.

There should also be caution applied to the detailed noting of objections in this case, in conjunction with others, as the business (as a whole) in question has also had the perception/scrutiny that 'other rules apply' has been applied in recent history.