

Thank you for taking the time to contact the Licensing Authority in respect of the above premises and their application to allow off sales for the duration of the Covid19 restrictions.

Having taken into consideration the comments raised in your representation, and those of others, it has been decided to grant the application.

The issues raised in all the representations received were forwarded to the applicant and they have responded in the following terms:-

1. **Impact on the surrounding area.** The Boathouse has been offering a takeaway facility (permitted by statute) since the Government relaxed the lockdown restrictions, and the only comment received has been to congratulate the operators on their part in making the Quay area so welcoming and family friendly for those who are pleased to be able to get out again. There has been no complaint of large groups of youths gathering or other behaviour which could be described as anti-social or a nuisance.
2. **Drunkenness.** There have been no complaints of drunkenness in the area. The well trained, experienced and responsible staff are well aware of those persons who may not be sold alcohol, which includes drunk people.
3. **Litter.** The operator is being exceptionally socially responsible by taking steps well above and beyond any duty to keep the immediate environs clear of litter. A cleaner is employed at the sole cost of the operator to clear litter from any source in the Quay area as a whole, to keep the Quay as free from litter as possible during the time of their employment, which is noon to 8pm. Litter includes that brought in by people attending the Quay having picnics etc and drinking drinks they have brought with them; polystyrene containers from a takeaway on the corner; cans and bottles from other sources as well as paper, and other litter. Contrary to the fear that enabling the operator to fully pursue the takeaway operation here would cause litter the exact opposite is the case – if he is forced to stop then so would the cleaner and it is inevitable that litter will exponentially increase.
4. **WCs and anti-social behaviour.** There are apparently public toilets in the area, but the operator once again has well exceeded all expectations in his socially responsible approach and attitude by also paying for four top quality mobile WC cubicles to be placed on his land. Not only does he make these available for customers, they are also free for non-customers to use, which is an invaluable asset and is certainly very much appreciated by visitors to the Quay. The cleaner being employed (see 3 above) has hourly cleaning and sanitising of these facilities as part of their duties. As with the litter, therefore, to prevent the operator from continuing will mean that there will no funds to continue this public facility, and the Quay area will be very much more at risk of anti-social behaviour than if the operation is permitted to continue. Having regard to the acknowledged very high risk factor of the virus remaining in human waste for up to 30 days, it is obviously very desirable that the WCs currently being voluntarily provided and properly sanitised by the operator should remain at this time.
5. **Glass.** The operator has always made it clear that no glass will be used in off sales, and none is or will be used. Glass is sometimes found on the Quay, but it does not come from these premises. At the moment, it is cleared up by the operator's cleaner.
6. **Covid-19 physical distancing requirements.** It is confirmed that signage is displayed clearly advising customers of the requirements, and markers for queues to maintain the 2m distance. These public safety requirements are enforced in respect of those using the takeaway.

7. **People using cafe and drinking until the early hours.** The kiosk closes to the public at 8pm at the latest. Staff are cleared up and away by 9pm. If there is anyone still eating and drinking in the area in 'the early hours', it has nothing to do with these premises.
8. **Large groups of people congregating with food bought from the kiosk.** The Quay has, following the relaxations, proved particularly popular with families, who no longer have the opportunity to go into restaurants etc, to be able to share time and food together. The operators have noted that these family groups often come with their own chairs and picnics, but some do like to take advantage of the takeaway offers on the Quay. Those serving at the kiosk have not been aware of any preponderance of non-related large groups, which would be contrary to the Government advice on social distancing, wanting to use their facilities.

In addition to consideration of the above the decision to grant was made also taking into account –

- No representation being received from Dorset Police under the prevention of crime and disorder licensing objective.
- No representation being received from Environmental Health under the prevention of public nuisance licensing objective.
- Government guidance encouraging Councils to be supportive of businesses and pragmatic in their approach when dealing with requests during this time.
- Whilst Government is making it clear that 4<sup>th</sup> July 2020 is the earliest date it could be some time after that before viable reopening may be permitted.
- The applicant's offered condition which will be attached to the licence which reads *"This variation will only have effect during the imposition of restrictions under the Coronavirus Act 2020 prohibiting or rendering unviable the normal use of the premises under the Premises Licence"*.
- Social distancing and water sports being conducted in the Quay is not within the remit of the Licensing Act.
- Closed public facilities and the full bins are a matter for the Council to provide adequate provision and not the premises
- The relaxation of planning conditions to allow all restaurants, cafes and bars to sell takeaway food during these times and the need to balance the fact that The Boat House are doing litter picks to clear all waste in the area in any event. Members of the public are buying takeaways from the High Street and coming to the Quay to sit and eat it.

I hope this clarifies the situation for you.