

**From:** [REDACTED]  
**To:** [Licensing](#)  
**Subject:** Re: Fw: Torbay Council premises licence application - Cafe Rio  
**Date:** 31 January 2023 12:03:53  
**Attachments:** [image001.png](#)

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[REDACTED]

Hi,

I am a resident of Maidencombe and I would like to express my support for this application.

Thank you,

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]



February 2<sup>nd</sup> 2023

Licensing and Public Protection  
Torbay Council  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

Dear Sirs

Re Licensing Application – Café Rio - 063019

I am a resident of Maidencombe and would like to voice my objections to the above application.

I am aware that I am only able to object on the basis of the four specifications outlined, but I would like to add some other concerns relating to this matter, however I will address the following first.

1. Prevention of Public Nuisance

My property is situated [REDACTED] in Maidencombe and we already experience public nuisance caused by inconsiderate parking, vehicles playing loud music in the evening, littering and also, when the nearby toilets are closed, the car park is used a toilet facility with the all associated detritus left behind. I am concerned that if the licence is granted the noise and possible drunken behaviour will only exacerbate these problems.

2. Public Safety

The café is situated down some very steep, narrow steps which can be difficult to navigate in the daytime. The steps are unlit, so they could certainly be hazardous in the dark, especially if the person using them has consumed alcohol in any quantity. As I understand it, the steps are in the remit of Torbay Council so who would be responsible for any injury that might occur, would the café have to have insurance to cover them for any claim and is this a requirement of the licence?

### 3. Prevention of Crime and Disorder

Whilst I have no real concerns as to any crime being committed, there is always the possibility of disorder where alcohol is involved and petty crime, such as graffiti, damage to property etc., has to be a consideration.

I would also like to make the following points.

1. The licence is for consumption on and off the premises. Does this mean the beach? What are the implications of littering? Who will be responsible for making sure that any litter will be disposed of correctly? Again, the beach is under the remit of Torbay Council but would the terms of the licence mean that the licensee would be responsible?
2. At the moment the café's bins are not really adequate for the amount of refuse created by the café and the bins in the car park sometimes struggle with the amount of litter placed in them. Is there a requirement for the café to have much larger bins to cope with all the extra items caused by the sale of alcohol as I presume the all the 'glasses;' will be plastic or board.
3. The café does not currently have toilet facilities for its staff and customers and whilst I note that on the plans a WC is indicated it is not clear what kind of toilet this will be. Maidencombe is not on mains sewerage and all properties have to use septic tanks, including the toilet facilities by the beach. Is the proposed WC going to have to use the tank that is already in existence? If not, where will the sewage go?

I appreciate that at the moment the amount of people who might take up the opportunity to consume alcohol at the café is unable to be calculated, but I do think that having alcohol available at a beach location, especially in the summer months, is a disaster waiting to happen. Maidencombe Beach is very difficult to access and there are no lifeguards at the location. Who knows how many people will decide, after a few drinks, that a dip in the ocean, especially at night, is a really good idea.

I hope you will give my concerns their due consideration.

Yours faithfully


Licensing Department Community & Customer Services

Torbay Council

Town Hall

Castle Circus

Torquay

TQ1 3DR



Dear Sirs

Re Licensing Application - Café Rio, Steep Hill, Maidencombe, TQ1 4TS (0630919)

I am aware of the above application being considered for the purpose of selling/consuming alcohol on the premises of Café Rio. I would like to put forward various objections for consideration to this application of which I am sure you have received many from your valued lifetime locals. Although I do not live in this beautiful part of our country, I visit many times throughout the year and take in this site often making use of the well kempt area and its divine, unspoilt and idyllic scenery. Whilst only being a short distance from the hustle and bustle of the city it keeps its charm and quietness quite marvellously. It is my understanding that Maidencombe is an area of preservation managed by Torbay Coast and Countryside Trust who value the nature, views, walks and country style of life on offer from this wonderful Hamlet. Is it then this Coast and Countryside Trust who is going to become responsible for all the extra disruption, pollution, noise and upkeep of this already sensitively eroding shore and cliff face?

This leads me on to areas of concern for objection of the application

- The Prevention of Crime and Disorder

Whilst this area has a low crime and disorder rate there is a valid concern for this to become at increased risk of rising where alcohol is widely available in an area to be consumed without careful consideration of policing (not in authoritative sense) Customers will be tempted to wander down to the beach area under the influence of drink taking bottles and glasses with them leading to breakages and spillage. What might start as harmless fun could turn into something worse if others are trying to enjoy a summer sunset not taking kindly to broken glass, unwanted drunken banter and additional ocean pollution. This could not only be something that may be isolated to the beach area but could present around the car park area and even worse in and around the private homes of the Hamlet leading to worse situations for the increasing population of Maidencombe. There is managed prevention (policing) in public houses as the management have it contained in the area of the establishment; this would not be the case for Café Rio unfortunately.

- **Public Safety**

There is a great risk for public safety where alcohol is involved and non-more so where there is added danger of water and then some dangerous steps. Is the Coast and Countryside Trust and the Council willing to upgrade and repair the already degraded and unsteady stairs and railing down to the café and the beach? Is the Coast and Countryside Trust and the Council willing to enlist and pay for a Lifeguard to be placed in situ? A little wander down to the beach for an ocean dip will be ok after a few beers won't it?! And yes, I know this can happen with or without a license being granted but where does the onus lie? The Council? Café Rio? No one to blame? Hmm, that's a tricky one but one which I'm sure has had extra consideration. Does Café Rio need to keep an eye on them so they don't wander down? Is the Coast and Countryside Trust and the Council willing to pay for upgrade to the waste disposal, more collections will be required or will the café be expected to take responsibility of disposal of such. Even so this would need stringent monitoring due to possible infestation of vermin should this lack in 100% daily disposal. The already overflowing bins cannot be expected to cope with the additional capacity and it can't be strewn down the stairs, into the sea, making an already precarious situation worse

- **Prevention of Public Nuisance**

It is my understanding that there is already a little public nuisance from this area in the summer months from inconsiderate parkers and lack of toilet facilities. The granting of this licence would only exacerbate this situation as more inconsiderate car parkers would be headed in that direction and there would be more people with no toilet facilities available. It doesn't end with just a few drinks, there has to be music too when drink is unloved and the more drink, the louder the music gets, and because they're near the beach it's ok!! Oh, and then there's the vaping and the smoking, OH and then it will be "Let's light a camp fire"!! Can you imagine! Please also consider the fact that they are mainly thatched dwellings in this area and it only takes a rogue ember or a drunken folly. This, (for now) unspoilt area is going to quickly become a toxic waste area with crumbling grounds and no one with any funds or passion to repair and care for it. Somewhere which is peacefully tranquil will soon become a noise polluted, all hellraising and unloved Hamlet if not carefully scrutinised and thought out.

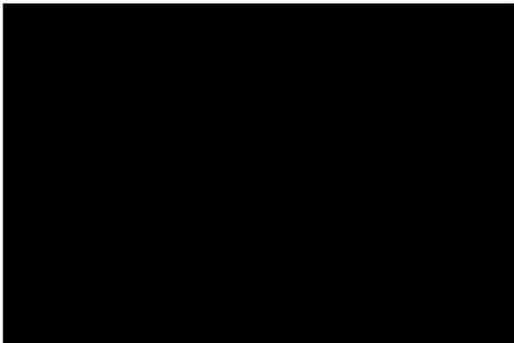
Whilst I appreciate, I have no hard evidence and no case studies to put forward that Café Rio would lend itself to falling victim to poor ways of alcohol infused nights there is enough in the everyday lives of the young ones of this day and age that goes on in and around our towns and cities that tells you it's highly probable that's the way it would go. It would be widely advertised and could potentially attract some unsavoury people to the area.

You have the power as a council not to allow this to happen to a beautiful sleepy Hamlet and coast. One that deserves to stay unspoilt for as long as you have those powers for it to remain that way. The walkers and the beachgoers deserve to drop in at Café Rio and get a coffee and a cake, a sandwich and a tea or an afternoon cream tea enroute to wherever life is taking them. They get to take in the views at a great little spot and then go home and tell everyone about that fabulous little

place they found with the great walks and the brilliantly looked after coastline we have in our Country thanks to our Heritage being looked after now.....and hopefully for centuries to come.

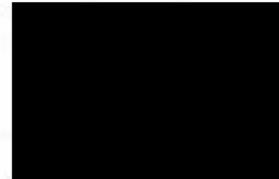
Thanking you in anticipation of careful consideration of my concerns

Yours faithfully

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**Maidencombe Residents' Association**



**Phone:** [Redacted]  
**Email:** [Redacted]

Licensing (by email)  
Torbay Council  
Castle Circus  
Torquay  
TQ1 3DR

Your Ref: 063019

25 February 2023

Dear Sir or Madam ,

**Premises License, Café Rio, Steep Hill, Maidencombe, Torquay, TQ1 4TS**

The Maidencombe Residents' Association (MRA) is a properly constituted body representing over 70 households in Maidencombe. A number of our members have expressed concerns about this proposed License Application, and have asked the MRA Committee to submit a response.

The MRA Committee has identified a number of issues and concerns.

**Toilet facilities and waste water**

There are no permanent toilet facilities available at the site. There are public toilets at the top of the >100 steps down to the beach, but these are seasonal, open from Easter to September, and only from 10:00 to 16:00. In addition, any waste water is discharged into the sea, which could affect the microbiological status of the beach. The MRA can foresee people relieving themselves on the beach or behind the rocks.

**Public safety**

The >100 steps to the beach could present a safety hazard to those under the influence of alcohol. Furthermore, the rocky nature of the beach encourages visitors to climb the rocks, which could be unsafe for those under the influence of alcohol.

There is no lighting for the access to the beach, which raises safety concerns for the hours of darkness. It is noted that the License is requested for sale of alcohol until 23:00, or 01:30 next day on New Year's Eve.

There are no lifeguards at the beach. Alcohol consumption can lead to greater risk of adverse events while swimming, particularly from low water temperatures and rip currents.

**Antisocial behaviour**

Maidencombe Beach is recognised as a small peaceful beach. The availability of alcohol from 09:00 to 23:00 could result in excessive consumption. This level of drinking could lead to noise and antisocial activities, particularly as the size of the beach diminishes with the rising tide. This



could result in conflict between occupants as overcrowding develops. The sand is totally covered at high Spring Tides, which occur in the evenings. The MRA is also concerned about an increased potential for substance abuse, particularly in the evenings.

**Litter**

Discarded drinking vessels and containers would be unsightly and harmful to the environment. Glass and hard plastics would be a safety hazard for all users of the beach.

In conclusion, on the basis of these concerns, the MRA Committee Objects to the granting of this License.

Yours faithfully,



Maidencombe Residents' Association

Cc: Ward Councillors



Feb – 23rd , 2023

Licensing and Public Protection  
Torbay Council  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

Dear Sir / Madam  
REF - Licensing Application. Cafe Rio 063019

I am a resident and business owner in Maidencombe and would like to voice my objections to the above application.

Prevention of Public Nuisance.

My property and many more local Maidencombe resident's properties are situated close to the car park. (The only access to Care Rio). We already experience inconsiderate parking (especially when the car park is full), Vehicles play loud music late into the evening over the summer months, littering is also a big problem in that area and when the nearby toilets are closed (Opening time Easter – September / 1000 – 1600) the surrounding area is used as a toilet with all the associated mess been left for the locals and carpark lease holder to clean up. I am extremely concerned that if an alcohol licence is permitted the noise and bad behaviour will only become worse adding to the already problematic behaviour experienced by locals and if people are drinking into the evening at the café where will they be going to the toilet? the café has no toilet facility for customers or staff already breaking HSE regulations.

Public Safety,

The Café is situated down a set of very steep narrow uneven steps which are difficult to navigate in the daytime the area from the carpark past toilets then to the Cafe down the steps are completely unlit of an evening and would be very hazardous in the dark, especially when a person has consumed alcohol.

As I understand, the responsibility for the steps lay with Torbay council so I ask the question would the Council be liable for any injuries occurring after issuing a licence and having been warned about the steps and lack of lighting, or would the Cafe be required have to adequate insurance to cover everything? Also, out sales and times of licence application 0900 – 2330 is this appropriate for a family beach or any beach for that matter with the dangers of drinking and entering the water.

Prevention of Crime and Disorder

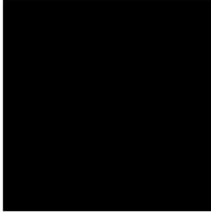
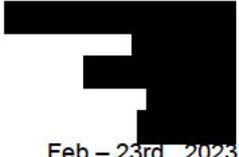
There is a greater risk of crime and disorder where alcohol is involved especially in a secluded out of the way area this must be considered. Please can you consider the following.

The parking in Maidencombe is a big Issue, as Torbay Council are aware adding an extra licensed facility will only add to the problem. The residents already suffer from inconsiderate and often confrontational vehicle owners, especially when the car park is full, leading to people parking on residents drives and on bends / passing areas so blocking access to resident's properties it is also a concern that emergency services could not access these properties if needed most of which are thatched!

The Cafe does not have its own parking facilities parking vehicles on the unlit streets at night has its own risks attached, that risk of possible damage is considerably increased by the introduction a number of extra Intoxicated people late at night in a secluded dark area this is not an acceptable risk to place on Maidencombe residents and their property, all in all it's a disaster waiting to happen!

Yours Faithfully





Feb – 23rd , 2023

Licensing and Public Protection  
Torbay Council  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

Your ref: 063019

Dear sir or madam,

**premises License, Café' Rio, Steep Hill, Maidencombe, Torquay, TQ1 4TS**

As business managers of [REDACTED], Myself [REDACTED] and Partner [REDACTED] wish to express our concerns with regards to the proposed Licence Application.

### Litter

We worry that litter such as a bottles cans and wrappers may become even more of an issue, as a business we are already responsible for most of the waste collection for visitors to the village. We have 4 Bins which in the summer are emptied daily. We feel that should a Licence be granted things such as BBQs on the beach would become common and would run the risk of bin fires (something we already experience in the summer months) with people putting their lit BBQ's in our bins.

Glass and plastic on the beach is also a real concern, we have a large community of sea swimmers that visit the beach daily along with family's in the summer time, Glass in the sand would mean people would run the risk of cutting their feet. Plastic and cans would also be detrimental to the local wildlife, we have a colony of seals that live no more than 200 meters from the cove and often have seal pups with them, wrappers cans and bottles ending up on the beach or sea could be potentially dangerous to a naturally inquisitive seal pup!

### Toilet Facilities

We are currently responsible for the lease for the beach car park and toilets, we have already had to have the toilets repaired due to vandalism, The sinks have been ripped from the walls and smashed. We feel that this would come more common with the increased likelihood of intoxicated people hanging around the car park.

The toilet facilities shut at 16:00 so it would pose the question where would drunk people urinate and defecate after this time as the Café has none of its own toilet facilities! Surely this raises an environmental health concern of its own for a café let alone a licenced premises.

These toilets are public toilets, paid for and maintained by us. They are not business toilets and are not to be used as such. I would be interested to know where the Café's current toilet facilities are as being a café with more than 20 seats it is my understanding that that are legally obliged to provide toilet and hand washing facilities for their customers and staff. I would be interested to know how it is possible to apply for a licence without a toilet as it is also my understanding that all licenced premises must have one!

### Public Safety

A Large USP for Café Rio Is the fact that it rents paddle boards, this is a great idea! Less so when your clientele is Inebriated before going out in a cove full of rip tides and under currents on a beach with no lifeguard. This would also pose a risk for people swimming. People under the influence of alcohol would also be more likely to ignore the rock fall signs as the tide comes in and the beach becomes crowded sitting under the cliff where there are regular rock falls could realistically have potentially fatal consequences.

I have previously mentioned about the risk of broken glass to both swimmers and children and the increased litter as a risk to marine life, however I have not mentioned the risk of marine life to intoxicated swimmers, Seals are naturally inquisitive and friendly but should be respected. With a jaw full of infectious bacteria and more powerful than that of 4 Dobermans If a drunk swimmer comes too close to a seal or a seal with a pup feels threatened the risk of serious injury does not bare thinking about. This risk is heightened by the fact throughout the summer 90%

of the visitors are from outside the village and would be unaware of the possible danger, whilst drunk I am sure stroking a seal for a photo for their social media may seem like a great idea!

Lighting is also an issue with there being more than 100 steep, unlevel steps down to the beach and Café, a person under the influence of alcohol trying to navigate the steps with insufficient lighting is an accident waiting to happen. For there to be sufficient light for a business to operate in the hours of darkness I am certain a planning application would be needed of which I would also object to as this would be a huge source of light pollution and would be an issue for the large number of bat colonies we have living in and within proximity to the village, some of which are endangered!

### **Antisocial Behaviour**

As a business within the village we are considerate towards the population, we have a large and ever-increasing number of elderly neighbours. For this reason, we never have live music outside after 21:00 without consulting the neighbours first and we close at 22:00 to ensure there is limited movement in the village after this time. We feel that a licence until 23:30 would increase the risk of antisocial behaviour within the village and encourage noise and light pollution in the village effecting the older resident's quality of life. We have at large expense had to have reinforce gates fitted to our car park as we already have an ongoing issue with young adults smoking cannabis in the village car park, vandalising toilets, bins, and signage and have also had cars driving on the village green. The introduction of a Licence to the Café until late will only exacerbate a situation which due to the remote location, lack of lighting and lack of CCTV is already difficult to control.

In Conclusion, due to the location of the venue in conjunction with the concerns raised above we feel that the granting of a licence would be irresponsible, and we must strongly object.

Yours Faithfully.

[Redacted signature]

[Redacted signature]