



Our ref 303L/PW03/40218/3
Your ref

Ian Perkins and Anne Robins
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Dear

**Our client – Bath and North East Somerset Council
New Market Row Vaults Grand Parade Colonnade Bath BA2 4DF**

I represent Bath and North East Somerset Council, the applicant for a new premises licence for the Empire Undercroft. I would first like to thank you for taking time to consider the application in full and for your comments.

I note that there is broad support from your associations for the development of what are key sites within Bath. My client believes that the developments envisaged for the sites will bring investment into Bath, create jobs and also bring much needed function to what is currently an unused but significant section of the river frontage in terms of Bath as a World Heritage City.

The purpose of this letter is to give you a better understanding of the proposal and seek to reassure you that in developing these sites, there is a drive to ensure that the operators will only enhance the centre of Bath and the sites themselves.

Whilst there are two sites, the Empire Undercroft and New Market Row Vaults, this letter only addresses your concerns raised in relation to the New Market Row Vaults site.

History of the area

The site incorporates the 1901 southern end of the Colonnade in what is now Parade Gardens by CE Davis, for his monumental Empire Hotel, and the subsequent 1933 extension as far as Pulteney Bridge, on the north. The area is bounded by the River Avon on the east and the remains of the City wall on the western side. The wall was intersected by the East Gate, the only remaining gate of the mediaeval city, through which Boat Stall Lane runs. This medieval lane once led to both to the Town or Monk's mill and the boat stall or quay, which ran between Boat Stall Lane and Slippery Lane, where passengers were ferried across to the Bathwick side. The river's weir, also used for centuries to trap fish, then ran diagonally between Bathwick Mill



and the mill (demolished 1880s following a fire).

Today the Grand Parade still winds from North Parade Bridge to Pulteney Bridge, around Davis' vast Empire Hotel, now apartments and restaurants. The 1770s Newmarket Row remains intact, once again overlooking the river as it had for a brief 15 year period from 1780. The vast spaces beneath Newmarket Row were fully utilised throughout the 19th century as stables, hay lofts and storage, as well as slaughterhouses (forbidden under the 1780 covenant but never checked). Much of the Empire undercroft and the vaults were used as stores, air raid shelters, a rifle range and even a childrens' playground during the first three quarters of the 20th century, but today the entire below ground area remains unused.

I have included a copy of the sales brochure given to prospective operators to give you a little bit more information about what is proposed for the two sites.

New Market Row Vaults site

This is the smaller of the two sites, sitting, if you were to view both sites from across the river, to the right. The site is some 350sq. meters in size with an entrance into the premises from above on the Grand Parade and from the riverside walkway accessed from stairs, again from the Grand Parade

The lofty, spacious vaults comprising this Undercroft date from the late 18th century and we believe restaurateurs will value them for this. The concept plans place potential kitchens and service areas at the back and ends, maximising the sense of continuity of vaulted space and we anticipate opening up the vaults towards the river substantially, so the relationships between interior and context are clear.

The necessary placing of the staircase will partly obstruct these views, but we believe the staircase can be constructed in a lightweight way for the views it will offer into the vaulted spaces to be seen as a strong part of their character.

This site has been marketed exclusively to high-end and reputable restaurant operators. Whilst interest has been shown from a number of bar operators, they had been discounted and have not been considered as appropriate for the site. The intention is to transfer the premises licence to the operator once they have signed the appropriate agreement.

Representations from residents associations

I appreciate the time taken by you to make your representation to this application. I can assure you that during the process of considering and drafting the application the applicant has had the issues of residents foremost in its mind. Extensive consultations have been carried out and the responses from residents and other parties have fundamentally shaped to whom the units are to be marketed and the operation that will be permitted. This, it is felt, is reflected in the operating schedules where we have attempted to ensure that the licences will, if granted, be attractive to the highest calibre of operator, whilst also giving the protections necessary and proportionate for the promotion of the licensing objectives.

Please also note that the operating schedule was drawn up and consulted on with the police, environmental protection team and licensing officers prior to submission to ensure that they were happy with the application, none of whom have made representations to the application.

Proposed conditions

We note the proposal for conditions contained in your representation.

In relation to your proposals, we would be happy to agree to the following conditions, albeit with amended wording to ensure that the conditions are clear and enforceable:

7. Customers will not be permitted to leave the premises (premises to include the outside areas marked on the licensing plan for licensable activities) with glass containers.

8. All doors and windows to be closed (except for access and egress) after 23:00 when regulated entertainment takes place.

10. A dispersal policy will be drawn up and implemented to ensure that customers leaving the premises (in particular at the close of the premises for licensable activities) do so without causing disturbance to local residents.

11. The premises manager will ensure that staff clear litter from around the entrance/ exits at the close of business.

With regard to the remaining conditions, we have given serious consideration to your proposals and whether we can simply agree them. For various reasons, however, it is felt that at this stage, to agree them would potentially lead to operators being put off from taking on the units. I hope that you appreciate that there is a balance to be maintained and that the applicant is satisfied that the interests of all parties is best met with the compromised position suggested here.

I have provided a brief summary below of why we feel your other conditions would, at this stage, prove disproportionate in terms of promoting the licensing objectives should they be added to the licence. In making this decision the applicant is also fully aware that should this application, if granted, lead to an undermining of the licensing objectives, it would be appropriate for a committee to consider imposing tougher restrictions on the licence on application for review.

Please note that your condition 9. is already dealt with in the current operating schedule with an appropriate CCTV condition agreed with the police.

In relation to conditions 1 to 4, it is felt that these are unnecessary restrictions given the nature and type of trading expected to take place at the premises. It is felt that such conditions would, by their nature, be more likely to cause problems in terms of managing customer expectations. In effect, it would preclude customers taking table meals outside from much earlier as there would be a risk with such a condition that they would have to be asked to take their meals inside if they had not finished by the deadline. This would have a significant effect on the premises being able to trade successfully. In addition, it is not envisaged that the trading hours proposed in the application would cause disturbance to local residents.

Condition 5, it is felt, would limit the operators' ability to provide a glass of Champagne with breakfast. It is not considered that such activity would undermine the licensing objectives.

Condition 6 would, it is submitted, cause unnecessary restriction on the operation of the premises. The reason we say this is that more often nowadays, customers like to go to restaurants and have a drink prior to sitting for a meal. Ordinarily, customers would not attend such a premises simply to have a drink, but will arrive prior to their table booking time and have a cocktail or other aperitif. If their table is not ready, then customers would expect to be able to have a drink while they wait. It is difficult to see how this would undermine the licensing objectives.



The nature and style of operation envisaged does not include loud music which would in any way cause nuisance to residents living in the vicinity. As such, whilst closing doors and windows after 23:00 if regulated entertainment is taking place is agreeable and sensible, the rest of the proposal in condition 8 is felt to be unnecessary.

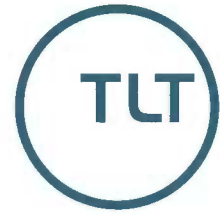
We hope that this letter and the comments made herein address your concerns and would lead you to feel that you can withdraw your representation. Should this be the case, I would invite you to contact the licensing team at the council.

Should you have any queries, please do not hesitate to contact me to discuss the application or the contents of this letter.

Please note that I am away on holiday from the 19 to the 27 July. In my absence, please feel free to speak to my colleague Paul Uren.

Yours sincerely

Piers Warne
Solicitor
for TLT LLP



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Ian Perkins and Anne Robins
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Dear Ian and Anne

**Our client - Empire Undercroft
Empire Undercroft Grand Parade Colonnade Bath BA2 4DF**

I represent Bath and North East Somerset Council, the applicant for a new premises licence for the Empire Undercroft. I would first like to thank you for taking time to consider the application in full and for your comments.

I note that there is broad support from your associations for the development of what are key sites within Bath. My client believes that the developments envisaged for the sites will bring investment into Bath, create jobs and also bring much needed function to what is currently an unused but significant section of the river frontage in terms of Bath as a World Heritage City.

The purpose of this letter is to give you a better understanding of the proposal and seek to reassure you that in developing these sites, there is a drive to ensure that the operators will only enhance the centre of Bath and the sites themselves.

Whilst there are two sites, the Empire Undercroft and New Market Row Vaults, this letter only addresses your concerns raised in relation to the Empire Undercroft site.

History of the area

The site incorporates the 1901 southern end of the Colonnade in what is now Parade Gardens by CE Davis, for his monumental Empire Hotel, and the subsequent 1933 extension as far as Pulteney Bridge, on the north. The area is bounded by the River Avon on the east and the remains of the City wall on the western side. The wall was intersected by the East Gate, the only remaining gate of the mediaeval city, through which Boat Stall Lane runs. This medieval lane once led to both to the Town or Monk's mill and the boat stall or quay, which ran between Boat Stall Lane and Slippery Lane, where passengers were ferried across to the Bathwick side. The river's weir, also used for centuries to trap fish, then ran diagonally between Bathwick Mill



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Today the Grand Parade still winds from North Parade Bridge to Pulteney Bridge, around Davis' vast Empire Hotel, now apartments and restaurants. The 1770s Newmarket Row remains intact, once again overlooking the river as it had for a brief 15 year period from 1780. The vast spaces beneath Newmarket Row were fully utilised throughout the 19th century as stables, hay lofts and storage, as well as slaughterhouses (forbidden under the 1780 covenant but never checked). Much of the Empire undercroft and the vaults were used as stores, air raid shelters, a rifle range and even a childrens' playground during the first three quarters of the 20th century, but today the entire below ground area remains unused.

I have included a copy of the sales brochure given to prospective operators to give you a little bit more information about what is proposed for the two sites.

Empire Undercroft site

This is the larger of the two sites, sitting, if you were to view both sites from across the river, to the left. The site is some 475 sq. meters in size with an entrance into the premises from above on the Grand Parade and from the riverside walkway accessed from stairs, again from the Grand Parade

This large and very contemporary engineered space is rare in Bath and will believe there will be many restaurateurs who see this as a good starting point for a restaurant interior design. The need to inspect the roadway supporting structures every few years will determine how much the present space can be covered up. Again, our concept plans indicate that kitchens, stores, WC services can be placed to the rear and ends, maximising the sense of spaciousness as a whole and that can be substantial opening up through the screen wall towards the river. This suggests a gross internal area, (excluding colonnade of circa 467 sq. m. Our current scheme shows a restaurant area of circa 256 sq. meters.

This site has been marketed exclusively to high-end and reputable restaurant operators. Whilst interest has been shown from a number of bar operators, they had been discounted and have not been considered as appropriate for the site. The intention is to transfer the premises licence to the operator once they have signed the appropriate agreement.

Representations from residents associations

I appreciate the time taken by you to make your representation to this application. I can assure you that during the process of considering and drafting the application the applicant has had the issues of residents foremost in its mind. Extensive consultations have been carried out and the responses from residents and other parties have fundamentally shaped to whom the units are to be marketed and the operation that will be permitted. This, it is felt, is reflected in the operating schedules where we have attempted to ensure that the licences will, if granted, be attractive to the highest calibre of operator, whilst also giving the protections necessary and proportionate for the promotion of the licensing objectives.

Please also note that the operating schedule was drawn up and consulted on with the police, environmental protection team and licensing officers prior to submission to ensure that they were happy with the application, none of whom have made representations to the application.

Proposed conditions

We note the proposal for conditions contained in your representation.

There is a preferred bidder for the site, who, at this stage, cannot be named. However, in relation to the representation made, we have held discussions in terms of the 11 conditions proposed in your representation. Following these discussions, we would be happy to agree to the following conditions you propose, albeit with amended wording to ensure that the conditions are clear and enforceable:

7. Customers will not be permitted to leave the premises (premises to include the outside areas marked on the licensing plan for licensable activities) with glass containers.

8. All doors and windows to be closed (except for access and egress) after 23:00 when regulated entertainment takes place.

10. A dispersal policy will be drawn up and implemented to ensure that customers leaving the premises (in particular at the close of the premises for licensable activities) do so without causing disturbance to local residents.

11. The premises manager will ensure that staff clear litter from around the entrance/ exits at the close of business.

With regard to the remaining conditions, we have given serious consideration to your proposals and whether we can simply agree them. For various reasons, however, it is felt that at this stage, to agree them would potentially lead to operators being put off from taking on the units. I hope that you appreciate that there is a balance to be maintained and that the applicant is satisfied that the interests of all parties is best met with the compromised position suggested here.

I have provided a brief summary below of why we feel your other conditions would, at this stage, prove disproportionate in terms of promoting the licensing objectives should they be added to the licence. In making this decision the applicant is also fully aware that should this application, if granted, lead to an undermining of the licensing objectives, it would be appropriate for a committee to consider imposing tougher restrictions on the licence on application for review.

Please note that your condition 9. is already dealt with in the current operating schedule with an appropriate CCTV condition agreed with the police.

In relation to conditions 1 to 4, it is felt that these are unnecessary restrictions given the nature and type of trading expected to take place at the premises. It is felt that such conditions would, by their nature, be more likely to cause problems in terms of managing customer expectations. In effect, it would preclude customers taking table meals outside from much earlier as there would be a risk with such a condition that they would have to be asked to take their meals inside if they had not finished by the deadline. This would have a significant effect on the premises being able to trade successfully. In addition, it is not envisaged that the trading hours proposed in the application would cause disturbance to local residents.

Condition 5, it is felt, would limit the operators' ability to provide a glass of Champagne with breakfast. It is not considered that such activity would undermine the licensing objectives.

Condition 6 would, it is submitted, cause unnecessary restriction on the operation of the premises. The reason we say this is that more often nowadays, customers like to go to restaurants and have a drink prior to sitting for a meal. Ordinarily, customers would not attend such a premises simply to have a drink, but will arrive prior to their table booking time and have a cocktail or other aperitif. If their table is not ready, then customers would expect to be able to



have a drink while they wait. It is difficult to see how this would undermine the licensing objectives.

The nature and style of operation envisaged does not include loud music which would in any way cause nuisance to residents living in the vicinity. As such, whilst closing doors and windows after 23:00 if regulated entertainment is taking place is agreeable and sensible, the rest of the proposal in condition 8 is felt to be unnecessary.

We hope that this letter and the comments made herein address your concerns and would lead you to feel that you can withdraw your representation. Should this be the case, I would invite you to contact the licensing team at the council.

Should you have any queries, please do not hesitate to contact me to discuss the application or the contents of this letter.

Please note that I am away on holiday from the 19 to the 27 July. In my absence, please feel free to speak to my colleague Paul Uren.

Yours sincerely

Piers Warne
Solicitor
for TLT LLP

The Colonnades | BATH



Outstanding restaurant opportunities in the heart of
Bath occupying an unrivalled position on the River
Avon next to Pulteney Bridge and the Weir.

Fleurets
Leisure Property Specialists

New restaurants on the banks of the River Avon in the centre of Bath, one of the most iconic locations within this UNESCO World Heritage Site.

Forming part of a comprehensive masterplan, the restoration of Grand Parade Colonnades will provide public access to the historic Colonnades and Vaults below Grand Parade.

Receptions on Grand Parade providing lift access to the Colonnade level, complemented with new public steps and the reopening of Boatstall Lane will provide access to a stunning new dining quarter, with alfresco riverside seating.

The Colonnades will provide one of the United Kingdom's most spectacular dining experiences.

The Opportunity



The city of Bath is designated as a UNESCO World Heritage Site, attracting 4.5 million annual visits per year, with a visitor spend of £348 million.

Famous for its architecture and history, Bath is one of Europe's most recognisable cities, with attractions including Pulteney Bridge, the Roman Baths, Bath Abbey, contrasted with the modern 420,000 square foot Southgate retail and leisure development.

Bath's picturesque setting on the River Avon, its narrow streets accommodating independent boutiques, alongside mainstream fashion, complemented by an eclectic dining experience make this city truly unique.



The Location

Grand Parade will be transformed with the introduction of two large Reception Areas providing a greeting area and customer lift access to the Colonnade level, opening onto the external Colonnades, in addition to direct access to the restaurants.

A new public stairwell will also be installed along Grand Parade. Part of the masterplan is to re-open Boatstall and Slippery Lane and provide access from Grand Parade Gardens.

The Receptions will provide the opportunity for extensive signage on Grand Parade.



Accessibility



Two new restaurants will be provided with glazed frontages overlooking the Weir and Pulteney Bridge, available to Developer's Shell specification, with glazing installed and services capped on site.

A wealth of original features including exposed brick vaults and ceilings and industrial steelwork are present within the property.

The proposed restaurants will provide the following approximate gross internal areas:

New Market Row Vaults:
350 sq m (3,767 sq ft)

Empire Undercroft:
475 sq m (5,113 sq ft)

The Proposal



The landlord is seeking high quality restaurant operators for one of Bath's most iconic locations.

Rental proposals are invited for new 25 year leases on effectively internal repairing and insuring terms.

To discuss in greater detail please contact the Fleurets West & South Wales office:

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Expressions of Interest



Location Maps

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Disclaimer:

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Ref: W-93139

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Further Information

The Colonnades | BATH

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