

BATH AND NORTH EAST SOMERSET COUNCIL

LICENSING SUB-COMMITTEE

Monday, 28th July, 2014, 2.30 pm

Councillors: Manda Rigby (Chair), Roger Symonds and Anthony Clarke

Officers in attendance: Alan Bartlett (Principal Public Protection Officer), Terrill Wolyn (Senior Public Protection Officer) and Carrie-Ann Rawlings (Senior Legal Adviser)

Appendices

The meeting ended at 5.27 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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

Ian Perkins and Anne Robins
TARA and Empire Owners Association
11 Pierrepont Street
Bath BA1 1LA

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Please note telephone calls may be recorded for training or regulatory purposes

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



Our ref 303L/PW03/40218/2
Your ref

Ian Perkins and Anne Robins
TARA and Empire Owners Association
11 Pierrepont Street
Bath BA1 1LA

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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:

Kevin Conibear
0117 923 8090
07587 638 268
kevin.conibear@fleurets.com

Stuart Parsons
0117 923 8090
07788 422 967
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Expressions of Interest



Location Maps

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Further Information



The Colonnades | BATH

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Statement of Community Engagement

Grand Parade & Undercroft, Bath

April 2014

1. Introduction

This Statement of Community Engagement (SCE) sets out the strategy undertaken for consulting the local community with regard to the proposals to regenerate the site of Grand Parade and the Undercroft, colonnade vaults, Bath. This document supports the planning application submitted by Nash Partnership on behalf of Bath & North East Somerset Council.

This document demonstrates that the Council has undertaken appropriate pre-planning application discussions with relevant local stakeholders and the wider community, and actively involved them in the project development process in accordance with guidance in the National Planning Policy Framework (NPPF), legislation in the Localism Act, and Bath and North East Somerset's Neighbourhood Planning Protocol. This Statement of Community Engagement gives details of all consultation activity undertaken prior to the planning application being submitted.

The Council is committed to stakeholder engagement, consultation and communication, and to this end has ensured that local residents and the wider community were invited to give feedback on the proposals prior to a formal planning application being submitted.

2. Policy

The Council can confirm that the public consultation and engagement programme was in keeping with the requirements of:

- National policy and guidance introduced in the Localism Act and the National Planning Policy Framework
- Bath and North East Somerset's consultation requirements

3. Our Approach

From the start of this process, the Council has recognised the importance of identifying key groups and stakeholders, contacting them at an early stage in the process and trying to resolve any issues well ahead of submission of a planning application.

The principles adopted throughout the process of public consultation have been to:

- engage and involve as many local residents and groups as possible
- present the proposals clearly and honestly
- listen and provide feedback
- be clear about what the applicant is able to change as part of the consultation and why
- be clear about what the applicant cannot change and why

4. Stakeholders

In line with recommendations in national planning policy that applicants seek pre-application discussions with decision makers, the Council and Creatrix PR identified and approached key stakeholders. Progress meetings have been held from Summer 2012 to 2014 with the following groups to facilitate discussions about the proposals:

- English Heritage
- Environment Agency
- Bath Preservation Trust
- Guildhall Market Traders
- Empire Residents
- Friends of Victoria Art Gallery
- Federation of Bath Residents Association
- Bath Improvement District
- Bath Tourism Plus
- World Heritage Steering Group

Briefing sessions were also held with:

- B&NES Cabinet
- Liberal Democrats Group
- Conservative Group
- Ward Councillors
- B&NES Planning Authority
- B&NES Heritage Services

5. Public Consultation

5.1 Press Relations

Press releases were issued in October 2012, July 2013 and March 2014, these communicated the latest updates to the local and wider public. Press coverage was received within different mediums, including print and online. A sample of coverage achieved is reproduced at Appendix A.

5.3 Social Media

5.3.1 Website

The Council website has a dedicated page for the Grand Parade & Undercroft project. This webpage has been live since October 2012. The web address is:

<http://www.bathnes.gov.uk/services/planning-and-building-control/major-projects/regenerating-grand-parade-and-undercroft>

5.3.2 Twitter

Since October 2012 the Council has also posted updates about the project on Twitter.

6. Feedback

6.2 Key themes

Feedback from the various stakeholder meetings has been supportive, in particular for the Council's objective to bring the Colonnades back into effective use for the public. Notwithstanding this positive feedback there have been a number of key themes that the project team has addressed during the design development. These key themes were:

- Architecture of the Restaurant Receptions on Grand Parade
- Management of deliveries and waste collection
- Noise breakout from the restaurants
- Flood management
- Enhancing the pedestrian environment on Grand Parade
- Can the Bath economy support more restaurants?

6.2.1 Architecture of the Restaurant Receptions on Grand Parade

The appearance of the Restaurant Receptions at either end of Grand Parade has created considerable interest from the stakeholders. The initial concept design had a solid bath stone appearance. The feedback was that these Receptions should have a more contemporary / transparent appearance. The design was therefore developed to provide a glass box with sheet metal roof; however the general feedback on this design was that the Receptions were disconnected from the existing architecture of Grand Parade and The Colonnades. The proposed design therefore is an elegant combination of bath stone, glass and sheet metal roof.

6.2.2 Management of deliveries and waste collection

Detailed consultation with the Guildhall Market Traders and the Empire Residents identified concerns about how and when the new restaurants would be serviced without adversely affecting the existing operations. Particular concern was raised about using Boatstall Lane and the impact this might have on the East Gate. In response to this consultation the design has included two large lifts – one to service each of the restaurants – plus dedicated waste storage areas within the restaurant demises.

6.2.3 Noise breakout from the restaurants

Understandably the Empire Residents have been eager to know what noise impact the new restaurants will have on their area. A specialist acoustic consultant was therefore appointed at the start of the concept design stage to make sure the configuration and materials used for the

restaurants will not have an adverse impact. A separate report is provided as part of the planning application to explain what measures have been taken.

6.2.4 Flood management

The siting of the restaurants alongside the river has obvious flood management issues which have been interrogated with the Environment Agency. The proposed solution is to raise the restaurant floor levels above the 1:100 year flood level (see separate report submitted as part of this planning application). This principal has also been interrogated as part of the Historic Building Assessment with input from the heritage stakeholder groups.

6.2.5 Enhancing pedestrian environment on Grand Parade

During the project viability stage the feedback from many stakeholders was that Grand Parade has greater potential as a destination subject to developing a new solution for vehicular traffic. Some stakeholders were keen to see Grand Parade pedestrianised; however the sheer volume of buses using Grand Parade on a daily basis meant this idea was not feasible as part of this project. The project team has however made some significant improvements to Grand Parade by introducing the two restaurant receptions, changing the carriageways, enhancing the pavements and de-cluttering the street furniture. Having said that, the design still has adequate provision for buses and loading bays.

6.2.6 Can the Bath economy support more restaurants?

The principle of redeveloping the site for use as restaurants was generally accepted, with many welcoming this use, although a small number of respondents were of the view that the Bath economy cannot support more restaurants. A specialist property agent was therefore appointed to soft market test how attractive restaurants in this location might be. The feedback to date has been encouraging. It should be noted however that the Council Cabinet has stated that pre-let agreements for the restaurants must be signed before a construction contract can be awarded.

7. Conclusion

From 2012 to date there has been extensive consultation with stakeholders about the viability of the project and subsequently the design development. There has also been wide spread communication about the project through public channels including the media, Council website and social media.

Appendix A: Press Coverage

Bath Chronicle, March 17th 2014

Restaurants needed for new Grand Parade and Undercroft scheme



Restaurants needed for new Grand Parade and Undercroft scheme

Comments (20)

A £5 million project to transform the neglected Grand Parade and Undercroft into a new exclusive dining quarter for the city has moved a step forward.

Bath and North East Somerset Council is now looking for formal approaches by restaurants interested in the new venue.

As part of the scheme the two restaurants created in the development have to pre-let before the council will start the renovations.

Situated below Grand Parade the two new restaurants will have al fresco dining, overlooking Pulteney Bridge and the weir. Grand Parade will be transformed with the introduction of two new foyers providing greeting areas and lift access to each restaurant. In addition, a new stairwell leading down to the Colonnades will also be installed.

Leader of the council, Councillor Paul Crossley, said: "There are exciting possibilities for businesses who want a breath taking and unique location for their restaurant. The redevelopment of the Colonnades is

something which is particularly exciting given their riverside location and important place in Bath's commercial history."

A planning application for the development is due to be submitted in April.

Leisure property specialists Fleurets has been appointed to act on behalf of the council to attract restaurant tenants to the development.

Kevin Conibear, from Fleurets' Bristol office said: "Restaurant demand for Bath is always exceptional, due to the popularity of the city and the visitors that it attracts, coupled with limited restaurant availability. The Colonnades is unique and will offer riverside dining within the heart of the city. The image of Pulteney Bridge and the Colonnades defines Bath and is one of the most recognisable aspects of the city and this really is a great opportunity for restaurateurs to acquire trophy sites."

Speaking at a Resource Policy Development and Scrutiny Panel meeting, property director for B&NES Tom McBain, said the development had received 18 expressions of interest from restaurants last year. He said the successful chain would be an exclusive name.

"This will be somewhere you have to book several weeks in advance."

Councillor Roger Symonds (Lib Dem, Combe Down) said the scheme was brilliant.

"The people of this city, both people who have been here a long time and new people, will welcome this."

But some members of the scrutiny panel criticised the consultation process.

Councillor Charles Gerrish (Con, Keynsham North) said: "I am disappointed that the council does not follow the example of developers engaging with the public before there's a planning application.

"I think this is such a major issue as far as the city is concerned we should engage with the public before submitting a planning application."

Mr McBain said there had been extensive consultation with stakeholder groups and there would be a public exhibition once the planning application was submitted.

It is anticipated that the restaurants will be available for occupation in early 2015.

For further information contact Kevin Conibear or Stuart Parsons on 0117 923 8090.

Read more: <http://www.bathchronicle.co.uk/Restaurants-needed-new-Grand-Parade-Undercroft/story-20820405-detail/story.html#ixzz2wVF95evT>

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Technical Note

Project Title	Grand Parade Undercroft, Bath		
Subject	Ventilation strategy statement in support of planning application	Date	29/10/13
Author	Gerard Thacker	Our Ref	307GPU's Z90 972

This note describes the ventilation strategy for the proposed restaurants and the measures proposed to maintain air quality in the vicinity of the restaurants.

Catering kitchens

Mechanical supply and extract systems will be required in order to ventilate the restaurant kitchens and this will form part of the Tenant fit-out.

Under normal circumstances, air extracted from a commercial kitchen would typically be discharged at high level above a building's roofline in order to allow smoke particles and smells to dissipate, away from occupied areas.

However, there is no suitable route to discharge at high level without resorting to installing exposed ductwork on the facades of the sensitive listed buildings above the proposed restaurant units. Instead it is proposed that a high level of odour control equipment will be installed on the kitchen extract systems and that discharge of exhaust air will be at low level. The proposed discharge locations are shown on the drawings and are via the new lift/staircase beacon for the Southern restaurant and via the colonnade for the Northern restaurant.

It is therefore proposed that as part of their tenancy agreement, tenants will be required to fit out and operate their restaurants with a very high level of odour control with an approved filtration and odour control system.

The recommended approach to achieving this standard is to install an array of UV lamps within the kitchen extract canopies in order to break down grease at source before it enters the ductwork (and hence prevent this building up and releasing odour into the exhaust air).

This is then combined with a series of filters (panel filter, bag filter, HEPA filter) and an activated charcoal filter at the extract air handling unit in order to remove any remaining particulates and any ozone produced by the UV oxidation process.

The kitchen extract system will therefore comprise (for each restaurant):

Method Consulting LLP

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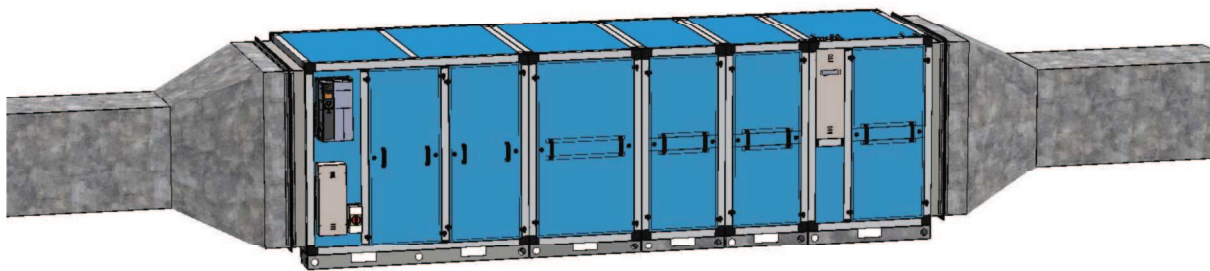
Telephone 0845 89 49 169 Email contact@methodllp.com www.methodllp.com

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- Canopies/hoods with primary grease filters and UV oxidation system
- Secondary filters (grade G4)
- HEPA filter
- Activated charcoal filter with 0.2 – 0.4s residence time
- Extract fan
- Silencer
- High velocity discharge



UV grease breakdown system within a kitchen canopy



Extract air handling unit showing compartments for multiple grades of filter, including activated charcoal filters)

This system will provide a very high level of odour control. The high velocity vertical discharge from the beacon on Grand Parade will be unrestricted by a cap or similar and this is the best way to dissipate the exhausted air in accordance with best practice.

Although this level of filtration and UV treatment will necessarily add to the energy consumption of the kitchen ventilation systems, this can be significantly mitigated by adding infra-red demand sensors in the hoods in order to vary the output of the UV lamps and speed of the fans to match the cooking activities taking place.

A demand sensing control system will also be included as a condition within the tenancy agreements.

The exact ventilation rates required (and hence plant size) will depend on the type of cooking equipment being installed and the kitchen layout.

However, an initial assessment of the likely maximum rates has been carried out using HVCA DW172 ("Specification for Kitchen Ventilation Systems" – the industry standard for commercial kitchens) which gives a recommended extract rate of about 3.6 m³/s per kitchen with 2.9 m³/s of mechanically supplied make-up air.

This has been reviewed with a specialist manufacturer and they have confirmed that this is likely to be a sensible design ventilation rate for restaurants with a range of cooking appliances, such as high end restaurants and bistros.

Restaurant Dining Areas

The dining areas in the both restaurants will be naturally ventilated in order to minimise energy consumption and the requirement for plant space.

Initial calculations have been carried out using CIBSE AM10 in order to ensure that suitable openable areas are available to facilitate this strategy.

High level openings along the river façade will allow for a comfortable level of background ventilation throughout the year without creating excessive cold draughts at low level. The current intention

As the colonnade façade is relatively limited in the Northern (vaulted) restaurant, these high level openings will be supplemented by a passive ventilation stack running to street level via a duct through the Northern beacon to increase ventilation rates

When boosted ventilation rates are desirable (e.g. during summer or to allow the purge of smells etc.), this can be achieved by opening the large doors at low level.

Plant Space for HVAC Equipment

Based on the kitchen ventilation rates and filtration strategy above, the extract air handling units for each kitchen are likely to be in the order of about 4m long x 1.5m wide x 1.5m deep.

Supply air handling units are likely to be somewhat shorter (perhaps 2-3m long) but will have similar cross sectional dimensions, due to the volume of air handled.

All AHUs are likely to require silencers on both sides in order to achieve suitable noise levels and bend attenuators will be employed to make best use of the available space.

Ductwork between the air handling units and kitchen hoods is likely to be in the order of about 800mm x 800mm in section.

The above sizes have been used to develop the ventilation plant space provision on the current layouts.

Essentially:

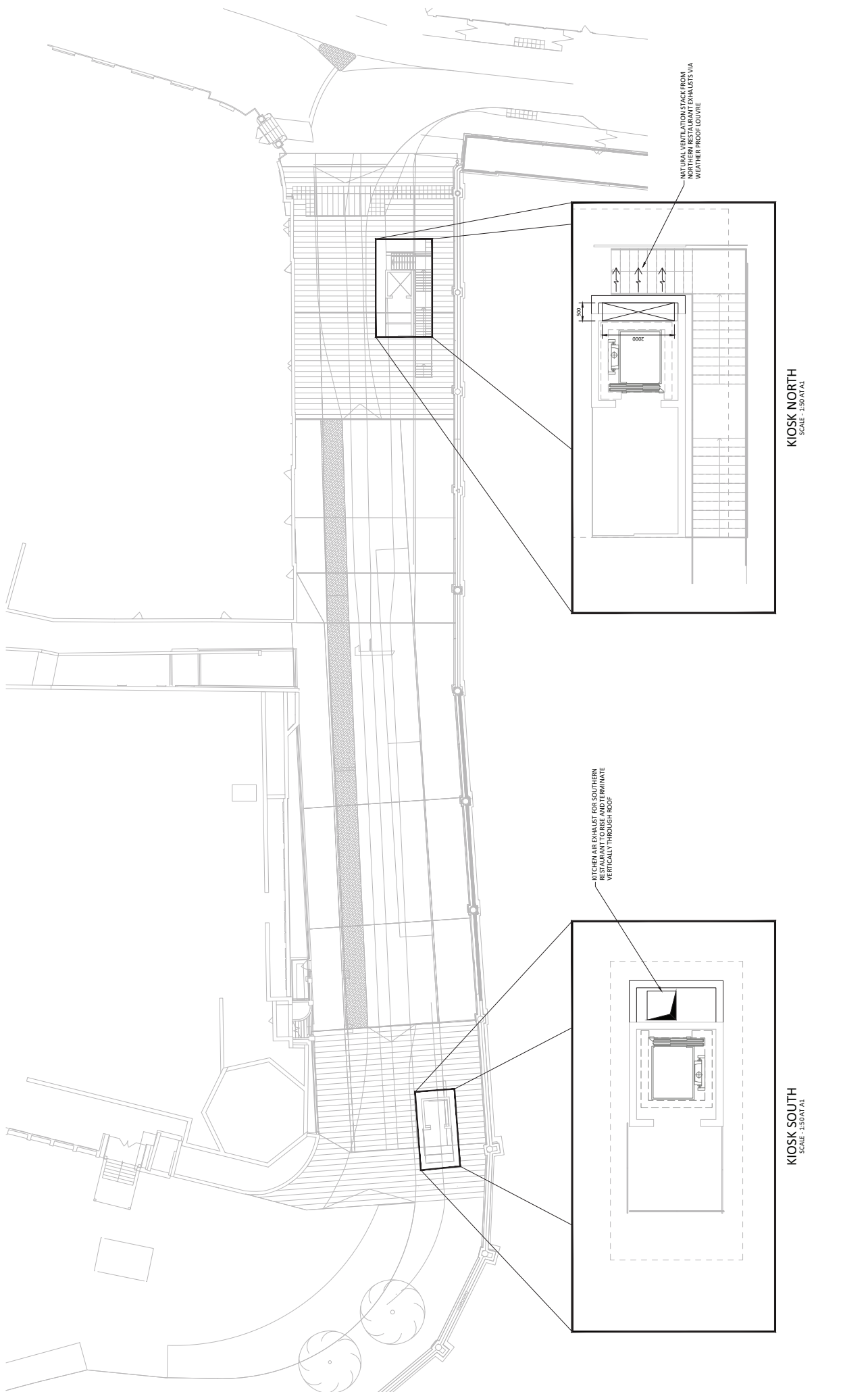
- Within the Empire undercroft, plant can be laid out side-by-side and located on a mezzanine deck above the back of house areas near the southern beacon. Intake will be via a louvre into the colonnade and exhaust ductwork will rise to street level to discharge via the South beacon.
- Within the vaulted restaurant, there is insufficient height to mount the kitchen ventilation plant on a mezzanine deck, hence the units will need to be stacked vertically within one of the vaults. Ductwork will then run to the kitchen hood(s) via openings through the vaults at low level, concealed within a false wall.
- Intake ductwork will run to a high level louvred opening on Boatstall Lane and exhaust ductwork will run to a high level termination into the colonnade.

The final design for the restaurant ventilation will be developed by the tenant.

Space for External Condensing Units


It is likely that tenants will want to cool (and probably heat) the restaurant areas by means of reversible air-source heat pumps. A possible space has therefore been identified for the external condensing units for these systems, concealed within the services zone at the back of the vaulted area.

This will be ventilated to the light-well via an acoustic louvre in order to allow external air to circulate and prevent the local build-up of heat (or “coolth” in winter) whilst maintaining an acoustic screen between the plant and the Empire hotel.

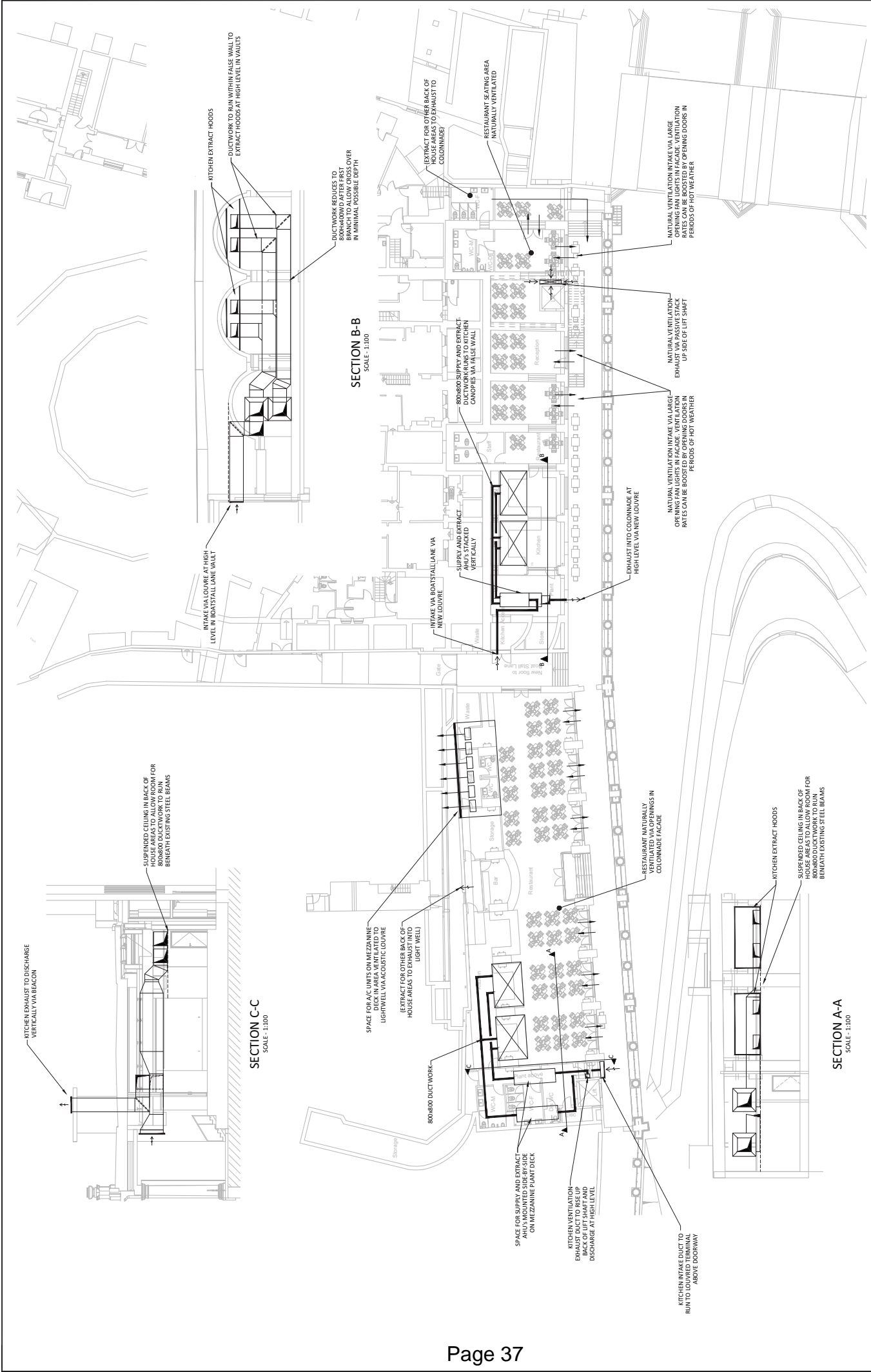


KIOSK NORTH
SCALE - 1:50 AT A1

KIOSK SOUTH
SCALE - 1:50 AT A1

Client BATH AND NORTH EAST SOMERSET COUNCIL	Notes 1. DO NOT SCALE THIS DRAWING. ALL DIMENSIONS IN MILLIMETRES. 2. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECT'S STRUCTURAL ENGINEERS' AND M&E DRAWINGS AND THE M&E SPECIFICATION, SAMPLES SHEET AND ROOM DATA SHEETS.	Drawing Status PLANNING <small>Method Consulting LLP, 1st Floor, 100 Market Place, Somers Way, Bath, BA1 1QJ, UK Tel: +44 (0)1224 414100 www.method.co.uk</small> 	Project GRAND PARADE AND UNDERCROFT PHASE 1	Drawing No. 307GPUdm / U90 / 002	Revision P1
			Drawn by: GDB Checked by: JGT Approved by: JGT	Drawing Scale 1:150 at A1	Date: 23.10.13 Date: 23.10.13 Date: 23.10.13

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Client	BATH AND NORTH EAST SOMERSET COUNCIL	
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Project	GRAND PARADE AND UNDERCROFT PHASE 1	
Drawing Status	PLANNING	
Project	VENTILATION STRATEGY PRINCIPLES UNDERCROFT LEVEL	
Drawn By	CSB	307GpUdm / U90 / 001
Checked by	JGT	1:150
Approved by	JGT	02/08/13
Drawn Scale	1:150	02/08/13
Checked Scale	1:150	02/08/13
Approved Scale	1:150	02/08/13
Drawn No.	307GpUdm / U90 / 001	
Revision	P3	



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TARA

Piers Warne

Solicitor

TLT LLP

One Redcliff Street

Bristol BS1 6TP

24th July 2014

Your ref: 303/PW03/40218/3

Dear Piers

Thank you for your letter of the 18th July clarifying you client's position on our representation. We are pleased that you client is engaging with our concerns and has been prepared to agree to some of our proposed safeguards.

You will appreciate that the way in which these premises operate is of considerable concern to residents and this application carries the additional risk that we do not yet know who will occupy these premises or what their business model will be.

To address your specific points about conditions which we suggested but which your clients are unwilling to accept.

1. We would point out that at least one restaurant in this area operates very successfully with a 22:00 closing time on their outside area. However, in the spirit of trying to reach an acceptable compromise, we would be prepared to accept an end time of 23:00 to be cleared away by 23:30.
2. We would be prepared to accept the wording in your application as part of this package.
3. Protecting the relative peace and quiet of Sunday night is very important to residents. One restaurant near to the new premises has a condition requiring them to cease serving alcohol at 22:30 and several others nearby cease at 23:30. We see no reason why these new premises should have more generous arrangements but would be prepared to compromise on Sunday cessation of alcohol serving at 23.00.
4. We would be prepared to accept the wording in your application as part of this package.
5. We would be prepared to accept the wording in your application as part of this package.
6. We are happy that these restaurants should be able to serve drinks under the circumstances you mention, prior to a meal. However we are concerned that the wording in your application will not preclude tenants operating substantially vertical drinking establishments. Perhaps you could suggest wording which would address our concerns but allow your clients the pre meal operational flexibility you indicate.

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Tel: 07905 4951617

TARA

Finally, while we note what you say about noise, we know from experience that noise nuisance does happen even in the best regulated establishments and has occurred more than once in connection with premises owned and operated on behalf of your clients. We therefore cannot agree that noise conditions are entirely unnecessary (other than the part of condition 8 which your client will accept). Therefore we would want to retain the condition that sound should not be audible in the nearest noise sensitive premises, a condition which is set on most of the licenced premises in the city centre.

Hopefully your clients will feel able to accept the above and we can avoid the necessity of a hearing.

It will of course be open to you clients to come back and ask for amendments to these conditions when tenants have been identified.

Yours sincerely

Ian Perkins

TARA

Anne Robins

Empire Owners Association

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