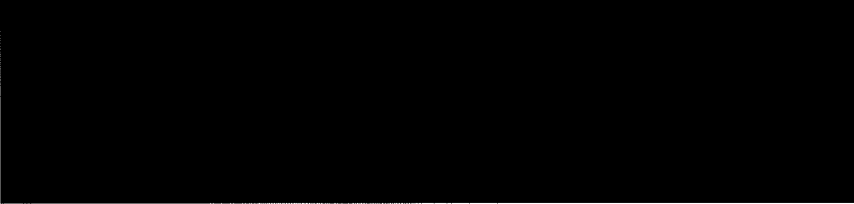


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SUPPLEMENTARY INFORMATION LICENSING SUB COMMITTEE – 17<sup>TH</sup> MAY 2016

AGENDA ITEM 6 - Application for the grant of a premises licence for DOC, Ground Floor,  
27 Wellington Street, Leeds, LS1 4EA

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Dear All,

I am writing ahead of the up and coming hearing in relation to my application for a new Premises Licence at 27 Wellington Street.

I wanted to open a line of communication with all involved with the objections to deal with the points raised both with the planning application and the premises licence application and provide you with more information as to my intentions. I will try and be as clear as possible when explaining what I hope to achieve with the site but please feel free at anytime to use my details below to contact me with any other queries.

As you will be aware the former NISA/LOCO store has been shut for some time now. The closure of the store I understand was due in part to the Co-Operative located in the former postal building. I understand there is to be another mini supermarket going into the new building next door which means a small independent operator of a retail site would no doubt struggle.

It is worth noting that the site currently benefits from both A1 (shop) & A5 (hot food takeaway) permissions. Being the owner of Buca di Pizza below the unit I was not myself happy with the prospect of a potential take away being inserted into the unit. In terms of noise, timings of opening, cleanliness, litter and antisocial behaviour this type of operation is far less controllable than that of a licensed premises and while it may not sell alcohol it would be attracting people who have been drinking alcohol late at night meaning more damage and disruption for both yourselves and our restaurant unit which has a large ground floor presence that could be damaged.

Having worked extremely hard since late 2014 we have got Buca to a level of trade I am happy with. When offered to me I viewed the unit and thought I could make good use of it. In order for it to work for me it would need to work alongside and compliment our existing business while maintaining an environment our current customers want to visit.

My intention is to have it as a coffee shop that doubles as an additional space for the restaurant. It would open in the morning for coffee and pastries, serve deli style lunches and then act as the lounge area for Buca in the evenings. On Sundays where we have traditionally shut (we are trailing being open at the moment) we would use 'DOC' as a mini Buca serving Pizzas when the demand for the main restaurant is low.

It is not my intention in anyway to create a vertical drinking establishment. Having opened 12 bars since 2003 I have developed a strong idea of what I want from my businesses and a hectic and loud venue is not it. All of the timings I have applied for

apart from the earlier opening are in line with what Buca has currently as I want them to trade simultaneously and as one in the evenings.

I have applied for A4 in terms of planning as I wanted to be very clear with the planners that the food offering would be smaller than that of Buca and there is a fine line between A3 and A4 with some operators trying to use A3 for a bar operation. We will also specialise in Prosecco (like our sister venue Epernay does in Champagne) as described in the licence application so it was important to be clear. Subsequent conversations with the planners have satisfied them that A3 would be sufficient so we are looking into that with the council and other control methods I will come to. I have also applied for a new premises licence instead of varying the existing one (which would serve us just fine with minor variations), again to be clear as to my intentions and on the advice of Entertainment Licensing.

In relation to the specific objections the consistent themes of concern are: Noise, Public Disorder, Waste, Opening Times, Proximity to the flats entrance, Extraction, H&S concerns.

I will try and address each of these:

Noise:

DOC will exist as a deli throughout the day and as an extension of Buca in the evening. We use a household speaker system (SONOS) that does not produce a lot of noise. We will not be playing loud music at all. We have only applied to play background music in our licence application and this can be further restricted on the licence to offer protection to the residents by way of specific equipment and volume limits. I am more than happy to look at Nawaabs arrangement in terms of noise insulation and install the same although I feel it will not be necessary.

Public Disorder, Proximity to Flats:

Given that I want the unit to operate in tandem with Buca it would have the same final orders for food/drink and closing times. We are rarely busy past 22:00 on any day so there would be very little if any additional traffic as a result of the site in the evenings. From the planning application you can see I propose to link DOC internally on the ground floor to Buca. I have already proposed to the planners that we would be more than happy to close the existing shop entrance off at 21:00/22:00 everyday (apart from being used as an emergency exit of course) and use the existing restaurant exit. This would insure there would be no additional footfall to the front of the building and the only place people would enter/exit would be the existing entrance during the existing permitted times. This of course would not be possible if an alternative operator took over and used the existing permissions to trade.

Waste:

You will recall that until recently there were 1100litre bins (red Biffa units) left permanently across from the entrance to Buca. Im sure you will agree they were an eyesore. Thankfully they have now gone and I intend to ensure that the area stays looking good for my existing business as well as the proposed one. As the unit was a shop before

it would have had a provision for waste. If that is now gone then the Buca waste area is perfectly sufficient. We currently have two collections a week. To raise this to 3/4 would be no issue what so ever and provide more than ample capacity for the new unit. I do not anticipate a large increase in waste generation given the nature of business however there is ample capacity to deal with this. On a Sunday DOC will act as Buca also so there will be reduced waste generation as the main restaurant will be closed.

#### Opening Times:

I note in a number of the objection letters it states a proposal to service alcohol from 08:00. This is not correct. The opening times have been requested at 08:00 to allow for the morning coffee/breakfast service but the serving of alcohol has been requested at 11:00 - in line with Buca.

#### Extraction:

The unit will not have frying equipment installed, it will have a self contained Pizza oven and deli counter. The Pizza oven may require some extraction but this can be dealt with using an electro static filtration system. As there will be no Canopy the exhaust can be limited to 6 inch in diameter and there will be no notable smells. You will be aware the fish and chip shop located within the building produces extremely specific smells daily. This will in no way be the case. I can if required obtain a pizza oven with internal carbon filters so there will be no external extract at all.

#### H&S Concerns:

In some of the planning objections there have been comments made as to the suitability of the site in terms of health and safety. The size of the premises is perfectly suited to my propelled use. There is plenty of toilet provision already in situ and I am proposing an additional entrance and therefore means of escape.

To sum up these are the measures and restrictions I have offered to planning (and therefore to Licensing) in an attempt to satisfy the concerns raised and make a pleasant situation for both ourselves and the local residents:

- 1: Close off the main entrance doors at 21:00/22:00 to prevent Wellington Street access - using instead the existing restaurant entrance.
- 2: Specify the audio equipment used and place a DB limit that ensures there is no audible sound outside the building.
- 3: Utilise the existing Buca di Pizza waste provision and increase collections from the current 2 per week.
- 4: Consider issuing A3 consent instead of A4.
- 5: Apply a minimum seating condition on the Premises Licence to prevent a 'vertical drinking establishment'
- 6: Consider granting planning permissions to myself as an individual to prevent transfer upon sale without new application.

I hope you can see that is it my intention to create a business that exists in harmony with the local area. I appreciate a license or planning application cannot explain this so fully understand your collective concerns and appreciate the chance to explain my intentions further.

I am personally tired of looking at a building site and closed shop every day so am extremely excited about next door being finished soon. I also hope improve the look of our building by opening DOC. It will (hopefully) be an understated and simple design that suits the building and removes the loud signage of the mini-supermarket. The business will exist as an extension of the restaurant and nothing more. The concerns raised are concerns that I share and I hope you have seen with Buca we make a big effort to co-operate and assist our neighbours.

I firmly believe by way of conditions to both planning and premises licence combined with a sensitive operation we can prevent any potential issues from arising a well as preventing other uses of the site under it current permissions which could cause problems for us all. It will also be good to make good use of a rather sad looking part of the building.

Please feel free to contact me in regards to any of the points above. If you feel the conditions I have proposed satisfy your concerns or would like to suggest they be amended or even further ones please do get in touch.

I will of course be in attendance on the 17th May should the hearing proceed.

Regards,

Geoff Thornton

