

# Northfield and Willowbrae Community Council



The Council Solicitor  
City of Edinburgh Council  
Licensing Section  
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EH1 1YJ

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8 September 2014

Dear Sir

APPLICATION FOR LATE HOURS CATERING LICENCE REF NO: 263732  
D.P.G.S. LTD 46a PORTOBELLO ROAD, EH8 7EL

1. The Council notified the Community Council of this application by email on 19 August. The Community Council has agreed this response in correspondence and will minute it at its next meeting on 25 September.
2. The Community Council objects to the granting of this licence.

## Background

3. The application asks for a licence to open from 23.00 to 5.00. No information was provided with the Council's notification and the application itself is not available to us. However, we contacted the area manager of this group of the Domino's Pizza franchise (Sunny on 078 54 20 00 22) who gave some elucidation of the application.
4. This application is associated with the Domino's Pizza outlet at 101 Nicolson Street, which has a late catering licence to 02:00 enabling it to supply delivery and takeaway customers from that base. After-hours telephone orders to other branches (including Portobello Road) are diverted to Nicolson Street and serviced from there. The demand at Nicolson Street is said to be increasing and the proposal is to split cooking and delivery between Portobello Road and Nicolson Street. Sunny asserts that takeaway service would still end at 23.00 at Portobello Road, were this application to be approved.

5. I append a Google Earth photograph of the area showing the proximity of the applicant's site to the houses behind and the car parking site which has been developed further since this shot was taken.

#### Considerations for Northfield and Willowbrae

6. The Community Council considered the benefits to our area.

- Service: as there will be no change to the local takeaway service and delivery can already be provided from Nicolson Street, this late night opening offers no service improvement.
- Employment: there is a slight possibility of a couple of new jobs: perhaps drivers and late shift cooks but we have no information on that and surmise that such staff would come from elsewhere.

7. We conclude that the extension offers no obvious benefits to our area.

8. We identified the following concerns:

- Noise: we expect that there would be continual comings and goings of delivery vehicles throughout the service period both at the front and rear of the building. While the street is relatively busy at all hours, there is less disturbance from passing vehicles than those that stop, with doors banging and clatter of loading of goods.
- Noise: the food is prepared at the back of the establishment and there is already considerable noise from there. Sunny suggested that the delivery vehicles would use the rear car park – I think he thought this would be reassuring but actually that car park is already the subject of local community concern as it is accessed by a traditional pedestrian route from Baronscourt Terrace to Portobello Road. We have already been in touch with Tanz (the adjoining business which shares that car park) about the dangers to pedestrians on that path by parking exceeding that permitted under their planning consent. There is a residential street abutting on the car park and the residents there are continually disturbed by late night noise from both Domino's and Tanz.
- Pollution: as a catering establishment, Domino's must manage their waste with care – local people feel that this is not being done to proper standards and an extension of working hours is likely to leave waste incorrectly stored. Urban foxes are rife in the town and leaving ill-packed waste increases the risk of these and rats. In warm weather the rear doors are often left open, with cooking odours and noise of workers who seem unaware that they are disturbing local people's quiet enjoyment of their homes.

- Extension of Takeaway: while Sunny is clear today that no counter service would be offered after 23:00 we presume the Licence would not confine the later hours working to delivery only. On a road which takes traffic to Leith and to, ultimately, the A1, the open nature of the frontage and ease of stopping there at night might encourage Domino's to remain open for passing trade. This would spread the adverse effects of the late opening to the residents of Piershill more generally.
- Place: the area around Domino's is at risk of continued dereliction as it becomes a zone of choice for such businesses as take-away food services and tanning shops which deter businesses of more local benefit from setting up to serve local people.

## Conclusion

9. The Community Council is keen to improve the local economy, environment and sense of place. We conclude that the extension sought by DPGS Ltd is adverse to our community objectives and interest and we therefore object.

10. While our absolute priority is that the Council should reject the application outright, we particularly wish to ensure that no late takeaway service will be permitted – by the Council applying limiting conditions under Section 42(3) of the Act.

Yours faithfully

Geoff Pearson

Secretary to the Northfield and Willowbrae Community Council

