

Barrage Café Particulars 2022

Introduction

An opportunity has arisen to lease and operate the Barrage Cafe, located on Cardiff Barrage. The Council are now offering a minimum 5 year lease and wish to invite bids from interested parties. Trading previously ceased in March 2020 and the Council would like trading to resume before April 2023.

The rent will be set by offer, with a guide figure of £20,000 per annum + VAT. The rent will be collected in advance, and in quarterly instalments unless otherwise agreed with the successful tenant. The Council will be assessing rental offers, commitments to invest in improving the facility and any proposals for performance-linked uplift linked to turnover as part of the assessment criteria (see below).

The successful tenderer will be required to agree and sign the lease before occupation of the building can commence. The lease will be on the basis that the business tenant's automatic right to renewal will be Court Excluded.

The permitted use shall be a café providing light refreshment facilities with outside seating permitted during daylight hours.

Your customers will reflect the Barrage's broad visitor profile. Key customer groups are commuters, regular walkers and dog walkers, family groups, day trippers and tourists.

The property

The location of the café is shown in **Appendix 1**.

The property is less than 5 years old (first trading from April 2018), constructed from shipping containers and furnished to a high quality finish. The building has electricity, water and telecommunication services.

The facility has a mixed gender toilet along with a disabled toilet provision. The present seating furniture will be included in this offer. The kitchen is presently fully equipped but not included within the offer. However, the previous tenant would be interested in negotiating a sale with the incoming tenant.

A floor plan is shown in **Appendix 1A**.

The facility has become a focal point on the Barrage with extensive views across Cardiff Bay. The Premises further benefits from its location on a very busy commuter route joining Cardiff to Penarth.

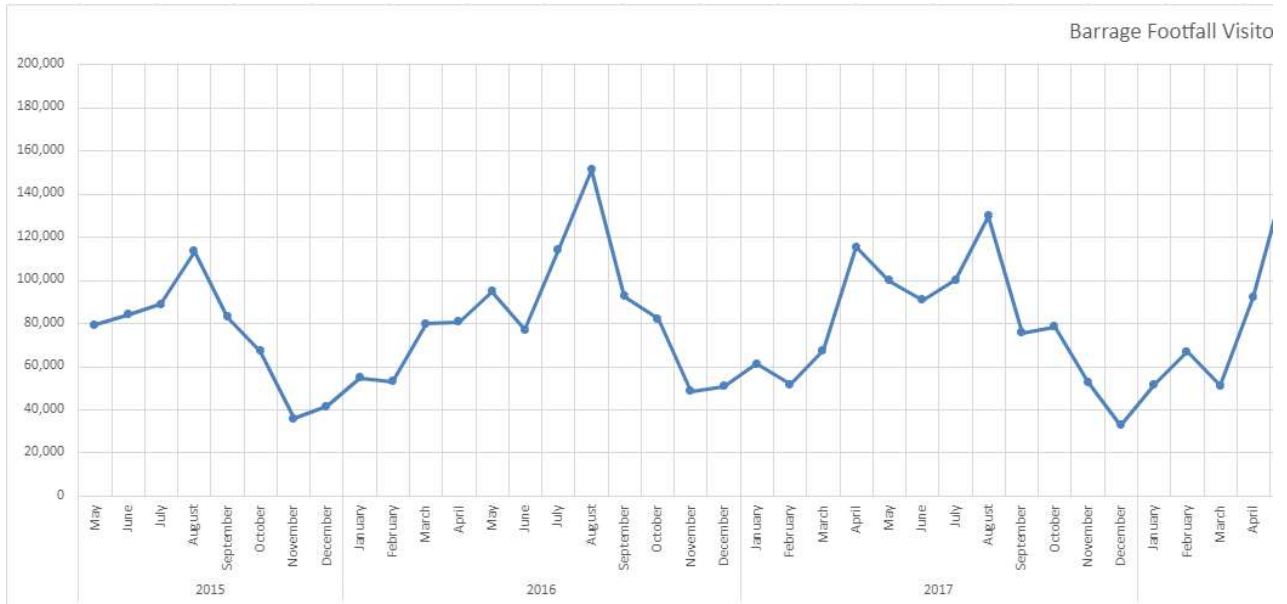
Trading conditions and footfall

The Harbour Authority have automated people counters at both entrances to the Barrage, which allows footfall to be monitored.

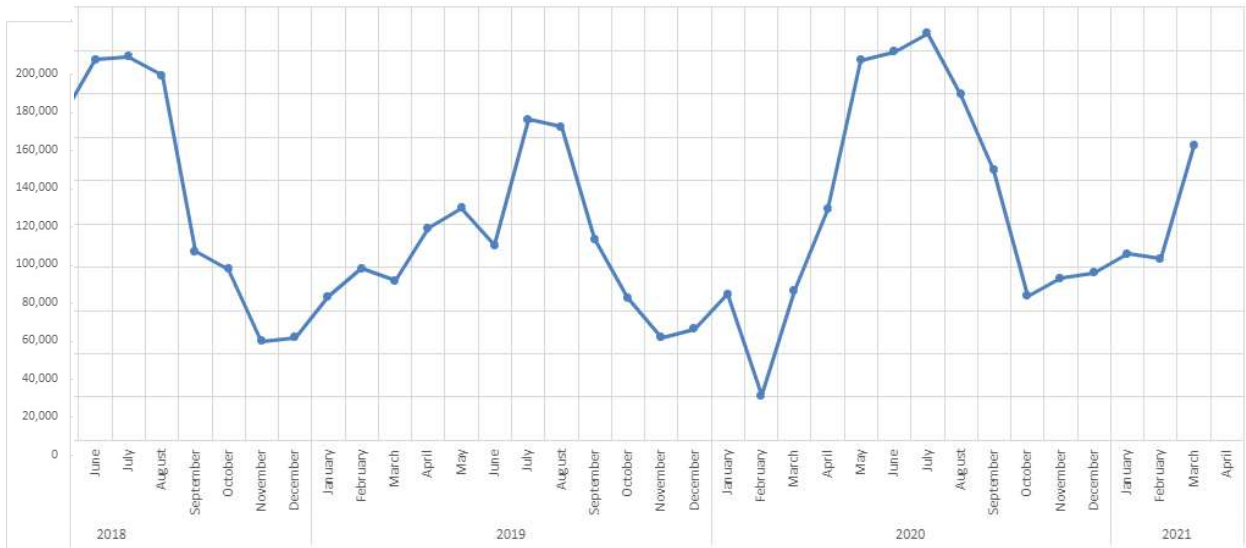
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Some of this data is provided here to inform the prospective Operators' business plan.

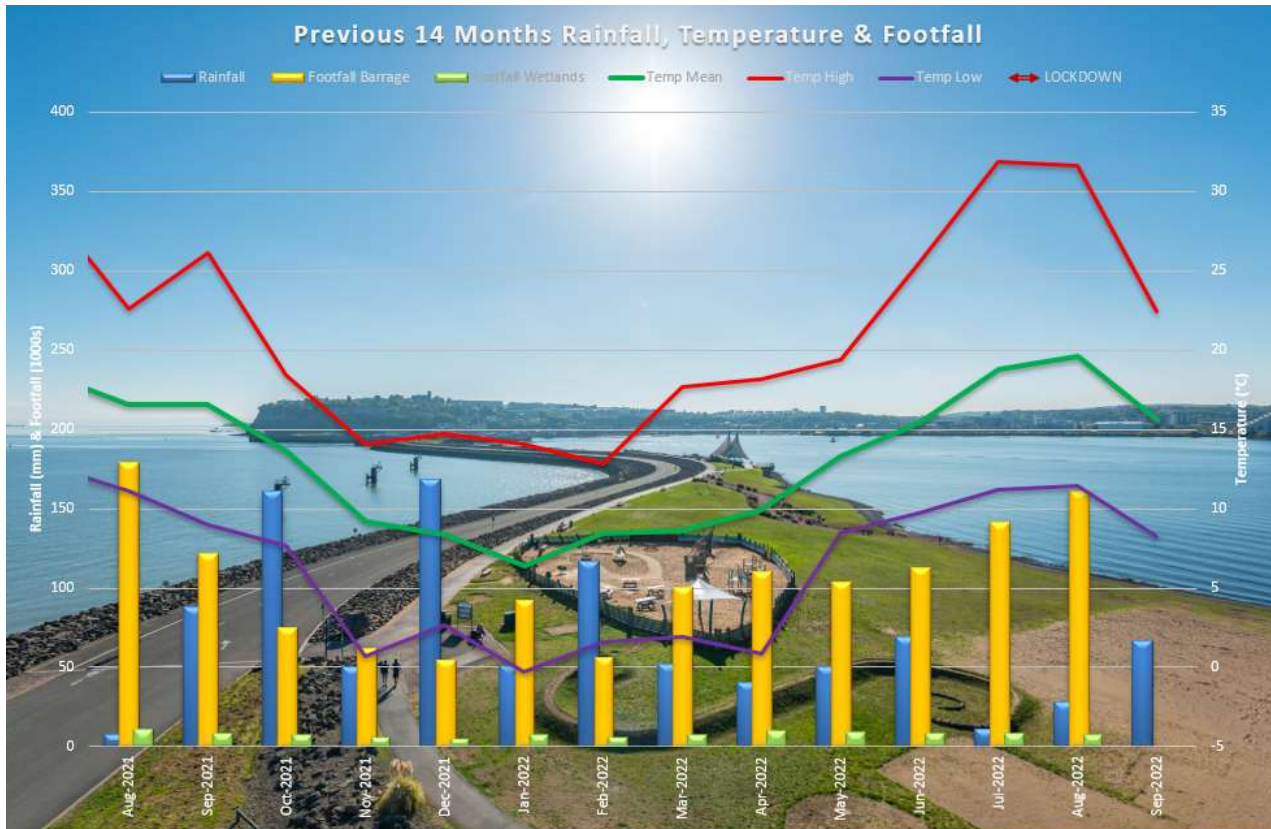
The Barrage receives in excess of 1m visits per year.



2015-Present



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Daily footfall figures fluctuate significantly. Weather is the primary driver of footfall, but as the graphs above shows there is a general seasonal variation as well.

As would be expected, weekends, school holidays and Bank Holidays correlate with the best daily footfall figures.

Viewings of the facility are available by appointment, please contact Dave Westerland by email on dfwesterland@cardiff.gov.uk.

Barrage Events

The Barrage has a number of events throughout the year and the Harbour Authority reserves the right to licence additional caterers within the event areas.

The Operator will not have access to these areas or their close proximity during events, unless event organisers specifically contract them to provide catering services.

Heads of Terms of the Lease

Trading Times

The tenant must be available to trade from the premises within normal daylight hours, Monday to Sunday.

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The tenant can keep the premises closed for trading for up to 5 days throughout the contractual period, for whatever purpose, without penalty.

However, if the Operator fails to trade on more than 5 days unless by prior written agreement by Cardiff Harbour Authority they will be in breach of lease and the Council can exercise a break clause.

Responsibilities and undertakings of the tenant

The tenant is responsible for maintaining all fixtures, fittings and equipment at the premises in accordance with manufacturer's recommendations and to ensure they are safe and in a good state of repair (including the roller shutters). The Harbour Authority will retain responsibility for certain maintenance responsibilities at the building, see **Appendix 2**.

The tenant is responsible for ensuring the toilets are kept in a clean and hygienic condition to the Landlord's satisfaction. The Harbour Authority will use customer complaints as the key performance indicator. Any complaints received by the Council will be discussed at performance meetings between the tenant and Harbour Authority.

The tenant is responsible for all services at the premises, and for all charges for electricity, water and other services consumed at the premises.

The tenant is required to provide suitable lidded waste storage bins within the designated bin storage area as instructed by the Harbour Authority and the regular dispose of all refuse as a result of the café operations.

The tenant is responsible for collecting customer litter within the litter collection area plan, see **Appendix 3**.

The tenant must comply with the Health & Safety at Work Act 1974.

The tenant is responsible for maintaining a pest control contract for the Premises.

Fire appliances are to be inspected annually and appropriate records maintained.

The tenant must undertake a risk assessment and have equipment regularly checked for the presence of Legionella in accordance with Health and Safety Executive (HSE) guidelines. Appropriate records must be maintained to demonstrate compliance and these should be made available for inspection by The Council on request.

The tenant is to provide free WiFi for use by their customers to continue the free WiFi service that was established when the Premises first opened. The tenant may manage his service however he feels necessary to prevent abuse.

The tenant and his agents (e.g. delivery driver and equipment maintenance staff) must observe the Barrage Vehicular Access Rules and vehicle deliveries must be made along the route specified. Gross breaches of the code of conduct by the tenant or his agents may result in access being denied. See **Appendix 4** for route.

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The building has space associated with it for outdoor seating. The tenant must supply and maintain their own outdoor furniture and keep within the area designated by the Barrage Manager. Outdoor seating area to be confirmed.

The tenant is responsible for providing at all times Contents Insurance, Public Liability and Employers Liability Insurance.

The tenant must achieve a minimum food hygiene rating of 3 out of 5. If a lower rating is awarded this must be rectified within 6 months at the Operator's expense or the Council will serve notice for breach of the lease.

The tenant is encouraged to monitor and actively manage the TripAdvisor page for the business. Customer feedback, including via social media and search platforms will be discussed in regular performance meetings.

The tenant will make reasonable endeavours to clean graffiti from the interior and exterior of the Premises within 24hrs of discovery. If the tenant is unable to remove or cover up graffiti in paint that matches the existing they must notify the Harbour Authority.

The tenant may be required to attend 'out of hours' alarm incidences. They will be required to provide contact details which can be used 24/7 by duty officers at the Council's Alarm Receiving Centre (ARC).

Restrictions on the Operator

No tobacco products are to be sold or consumed at the premises.

No alcohol is to be sold or consumed at the premises, unless by written approval in advance by the Harbour Authority and with an appropriate licence being in place.

With the exception of the business operating at the premises, no commercial advertising is permitted at the site, unless by approval in advance by the Harbour Authority. Unauthorised advertisements will be removed.

The Harbour Authority reserves the right to close the café at such times when access is being restricted, due to the installation or removal of equipment which requires large machinery to be on site. This is not envisaged to occur more than 10 times per year and a minimum of 14 days' notice will be provided on such occasions.

The operator must ensure that during café opening times, the interpretation/information screens (located on the interior walls of the premises) are to be operational. The Harbour Authority will be responsible for providing and maintaining the content being shown.

Responsibilities and undertakings of the Landlord

The Harbour Authority undertakes to provide Buildings Insurance.

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The Harbour Authority undertakes to maintain an intruder and fire alarm at The Premises and monitor it through the Council's Alarm Receiving Centre.

The Harbour Authority will include the tenant's business in marketing activities for the Barrage. Where expense is incurred by the Harbour Authority in doing this, the Harbour Authority reserves the right to counter invoice the tenant for a fair share of the costs. Costs will be apportioned on a pro rata basis and will always be notified and agreed in advance.

The Harbour Authority will provide parking for up to 7 vehicles, see **Appendix 1**

Performance Meetings

The tenant is to make available at least one senior member of staff to meet formally with the Harbour Authority up to 3 times per year to discuss performance.

The standard agenda will include the following items: Key updates, business performance against forecast, maintenance log and compliance with statutory obligations, customer feedback, and any other business. The attending member(s) of staff should have day-to-day knowledge of the business' operation and have decision-making responsibilities, including those with a financial implication. The forward programme for scheduled events will be shared in advance with the tenant to assist with staff planning.

Notice Period

The Operator will serve the Harbour Authority no less than 6 months' notice if he wishes not to tender for its renewal at the end of the period.

The Council will serve the tenant 6 months' notice if, the Operator is in breach of any of the terms of the Lease, if the tenant goes into voluntary or compulsory liquidation, or if the tenant is made aware that the tenant is in breach of any legal or statutory requirement. The tenant will not be entitled to any compensation if they are served noticed and has the lease terminated within the lease period.

The tenant must pay in full the rent due for the notice period.

Recovery of costs

The Harbour Authority reserve the right to recover from the tenant any costs incurred arising from his action or inaction in accordance with the terms of the lease.

The lease shall contain any other terms and conditions as the Harbour Authority's solicitors consider necessary and the full lease will be provided to the successful bidder.

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Submissions of offer

Offers for the tenant rights at the Barrage cafe must be made in a sealed envelope and delivered via recorded delivery to Giles Parker, Head of Property, Strategic Estates, County Hall, Atlantic Wharf, CF10 4UW by no later than 12 noon on Wednesday 23rd November 2022.

Interested parties should complete and submit:

- Bid Proforma (Required)
- Statement of intent/business vision (up to 500 words)
- Business and Operating plan (length is the bidder's discretion)
- Bank reference (On letter headed paper, verifying a relationship of at least 2 years with the bank, confirming finance of any stated investment into the business, and that your bank account has been maintained satisfactorily)
- Business reference (Referee should provide their contact details, state how they know you and why they think you would be a suitable person to run the proposed business. The guideline word count is 100 - 200 words. Referee should be knowledgeable of your business/operating plan and cannot be provided by a relative)
- Evidence of current food hygiene rating if available

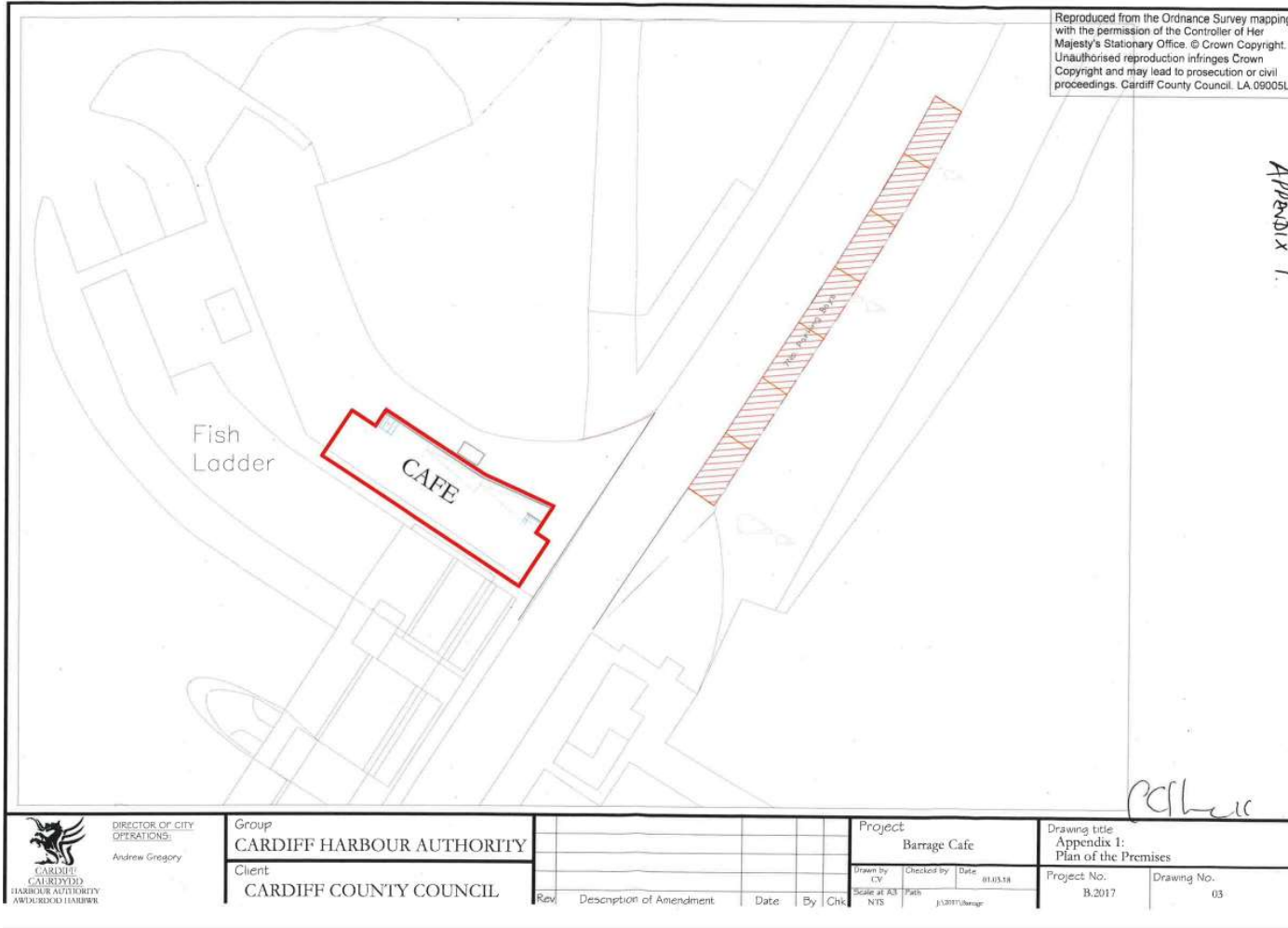
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Disclaimer

- 1.) The information above and contained within this document is given as a general outline only for the guidance of interested parties and does not constitute part of an offer or contract.
- 2.) All persons view the property entirely at their own risk and the Council will accept no liability for loss, damage or injury howsoever caused.
- 3.) All descriptions, dimensions, images etc. contained in this document and/or given through discussions with Council Officers are given as indications without responsibility and any interested parties should not rely on them as statements or representations of fact, but must satisfy themselves by inspection or otherwise as to the correctness of each of them.
- 4.) The Harbour Authority reserves the right not to accept any expression of interest received and does not bind itself to accepting the highest financial offer.
- 5.) Prospective tenants are encouraged to make their own enquiries in respect of any necessary planning requirements for the intended use.

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Appendix 1

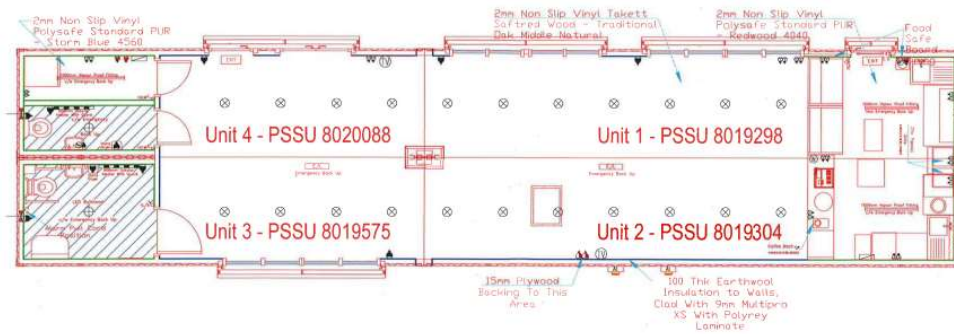


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Appendix 1A

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APPENDIX 1A



Group
CARDIFF HARBOUR AUTHORITY

Client
CARDIFF COUNTY COUNCIL

Rev	Description of Amendment	Date	By	Chk

Project
Barrage Café

Drawn by
CY

Checked by
NTS

Date
30.01.18

Scale at A3
1:300 (1:600)

Drawing title
**Appendix 1a:
Floor Plan of the premises**

Project No.
B.2017

Drawing No.
04

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Appendix 2

Maintenance & Operational Responsibilities

Operational responsibilities are listed.

The items listed must be maintained in accordance with manufacturer's recommendations and must be repaired/replaced on a like for like basis unless by prior written agreement between the parties.

Note, further specification details can be obtained from the building's O&M file.

Item	Responsibility of the Operator	Responsibility of the Council
Dual Com (dedicated alarm) phone line		X
Premises phone line and internet connection	X	
Intruder alarm system	Report issues	X
Fire alarm system	Report issues	X
Response and attendance to alarm activations	X (if required)	
Working order of disabled call alarm with toilets (Operator to respond to activations)	Report issues X	
Electrical wiring		X
Air conditioning inspection, maintenance and repairs	X	
Windows, doors and door entry system inspection, maintenance and repairs	X	
Light fixtures and fittings, light bulbs and coverings plus any associated displays	X	
Fittings within toilets (baby change units, toilet seats and mirrors) and flush mechanisms	X	
Sanitary ware within toilets (sinks and toilet pans)	X	
Hand driers	X	
Toilet wall heaters inspection, maintenance and repairs	X	
Consumables within the toilets (toilet paper, hand wash, air freshener, nappy and sanitary bin servicing and other such items agreed necessary between the landlord and tenant).	X	
Small electrical equipment owned/leased by the tenant and all Inside the premises	X	
Fire equipment	X	
Water boiler annual testing	X	


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Emergency lights		X
Legionella testing	X	
Cleaning and management of the toilets. Blocked toilets/ waste pipes between The Premises and the waste sewer	X	
Ironmongery	X	
Ventilation fans inspection, maintenance and repairs	X	
Five year electrical testing		X
Decoration of internal walls/floors	X	
Decoration of external paintwork.	5yr refresh to Landlord's satisfaction	
Litter collection from inside the boundary	X	
Bin emptying	X	
Litter collection from outside the boundary		X
Outdoor furniture	Tenant's own	
Signage	Tenant's own	
Roller shutter inspection, maintenance and repairs	X	
Removal of graffiti from the premises	X	
Pest control, inc. clearance of wasps nests at or up to 10m of Premises (if risk to public)	X	

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Appendix 3



 DIRECTOR OF CITY OPERATIONS Andrew Gregory CARDIFF HARBOUR AUTHORITY	Group CARDIFF HARBOUR AUTHORITY	Project Barrage Café				Drawing title: Appendix 4: Barrage Café litter collection Area	
	Client CARDIFF COUNTY COUNCIL	Drawn by CV	Checked by NTS	Date 20.01.18	Project No. B.2017	Drawing No. 02	
	Rev. Description of Amendment Date By Chk.						

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Appendix 4




**CARDIFF
CAERDYDD**

Cardiff Harbour Authority Temporary Vehicle Pass

Background

The Cardiff Bay Barrage provides a **safe pedestrian and cycle route** linking Penarth Head to Cardiff Bay Inner Harbour.



Opening and Closing Times FOR AUTHORISED VEHICLE ACCESS:

07:00 – 22:00hrs, 7 days per week.

Please note the Barrage is open 24 hours for pedestrian and cyclist use.

Access for emergency vehicles is available at all times, for any further access enquiries contact Barrage Control on **02920 700234**

Night Time Use

Please be aware pedestrians and cyclists use the barrage in the hours of darkness and that they may be difficult to see.

Important Information

This road is generally for works access only and therefore the public do not expect or anticipate vehicle movements. Members of the public can and do cross the carriageway without looking, therefore great care should be taken when driving on site. Please note the Barrage is a private roadway and as such insurances may not be valid.

We hope this sheet helps to explain our operations and that you make use of the roadway in a safe and responsible manner. Barrage Control can be contacted 24 hours a day if you have any further questions on 02920 700234. Cardiff Harbour Authority retains the right to refuse access to anyone who does not follow the rules and regulations above.

DRIVING SAFELY – Cardiff Bay Barrage.

Safety Is Our and Your Concern

Speeding across the Barrage will not be tolerated, the speed limits are as follows;

5 mph – Across Barrage Bridges, Locks and Sluices

20 mph – Along Barrage Embankment

There are three bridges on the Barrage that allow vessels to leave and enter Cardiff Bay. The bridge road decks are raised when vessels navigate the locks. The operation process is explained below;

Generally vessels lock out on the hour and half hour, incoming traffic locks in quarter past and quarter to the hour. A bridge operation takes approximately ten minutes. There are times when this can be longer, we do however endeavour to minimise any delay.

An announcement is issued on the P.A. system informing the public that a specific bridge will be raised; warning lights and claxons will sound:

At this point vehicles **must not** pass the warning lights. Stop prior to the yellow hazard areas marked on the roadway.

The road barriers will lower and the pavement barriers will swing close, the bridge will raise to allow the passage of vessels.

When vessels have passed the bridge will lower, an announcement is issued on the P.A. system that the safety barriers will open, the lights and claxons will be operating during this time. The process is completed when the claxons and lights cease operation; it is then safe to proceed.

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BID PROFORMA – Barrage Café, Cardiff Bay

To be returned in a sealed envelope and delivered via recorded delivery to
Giles Parker, Head of Property, Strategic Estates, County Hall, Atlantic Wharf,
CF10 4UW by no later than 12 noon on Wednesday 23rd November 2022.

Lessee Name & Address

Rent Proposal

Funding Source

Approvals Required

Conditions

Solicitor's Details

You also declare by signing the below declaration that:-

- a) you have not and will not inform any other person of the amount of your offer; and
- b) you have not fixed the amount of any offer in accordance with a price fixing arrangement; and
- c) you accept that the authority is entitled to cancel the contract and to recover from them the amount of any loss arising from such

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cancellation if it is discovered that there has been any corrupt or fraudulent act or omission by them which in any way induced the authority to enter into the contract.

Signed:

Date:

Print Name:

Position:

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