

DATED 13/05/2024

**STATUTORY DECLARATION TO SUPPORT AN APPLICATION FOR A CERTIFICATE OF
LAWFULNESS OF EXISTING USE OR DEVELOPMENT**

I, Simon Ewins, of Whitbread PLC, Houghton Hall, Business Park, Porz Avenue, Dunstable, LU5 5XE do solemnly and sincerely declare that:

1. I have been employed by Whitbread PLC for the past 17 years in a number of positions. These were: Operations Director, Restaurants Division; Business Development Director, Premier Inn & Restaurants; Corporate Social Responsibility Director, Whitbread PLC.
2. I am currently employed as Managing Director for UK Hotels and Restaurants. My duties in this role include the responsibility for all Hotel and Restaurants portfolio operations across the UK and Ireland.
3. Through my experience, I have had personal knowledge of the day to day operations of Chapel Brook, Wilson Road, Tarbock Green, Liverpool ("the Property") for a period over 10 years prior to the date of this Statutory Declaration.
4. The Property is presently branded as a Brewers Fayre restaurant and has been in operation under this brand for in excess of 10 years.
5. The majority of revenue at the Property is derived from the sale of food. The following table demonstrates the proportion of sales revenue drawn from food and from beverages. It must be noted that the beverage total includes drinks bought in conjunction with a meal, so the figure for solus beverage purchases is much lower than the figure noted below.

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Food	67.86%	67.71%	67.67%	67.34%	68.46%	68.85%	68.64%	68.87%	73.26%	70.03%	68.27%	69.52%
Drink	32.14%	32.29%	32.33%	32.66%	31.54%	31.15%	31.36%	31.13%	26.74%	29.97%	31.73%	30.48%

Table 1: Trading Data of the Chapel Brook Restaurant 2013-2024

6. Brewers Fayre is a national restaurant chain which serves breakfast, lunch and evening meals, every day of the week, in a family-friendly atmosphere.
7. Reservations are taken for tables in advance, by in-person booking, phone or email. Guests without reservations ('walk-ins') can be seated if there is available space.
8. Guests are welcomed at the front door desk by a server who greets them, checks their reservation, or, if a walk-in, advises them of availability for a table. A server then takes them to their allocated table and menus are provided. Food and drink orders are taken

by servers from the guests whilst they are seated at their table. Plated food and drinks are then brought to them. A bill is presented at the end of the meal for payment, which includes an optional service charge for the restaurant service.

9. There is a small area adjacent to the bar which is used by customers to wait for their tables. Although a person can buy a drink from the bar without food and consume it there, the operational emphasis is on the restaurant service and the bar does not have a permanent staff member working on it exclusively.
10. The majority of the floor space of the Property is taken by tables arranged for food service. Tables are always prepared for food service, being laid out with cutlery, napkins and menus. The Property's interior has been laid out for restaurant operation (to allow servers to work in designated sections) together with a fully equipped catering kitchen supporting this.
11. Floorplans demonstrating the site's layout are included within the evidence base of this submission to demonstrate the restaurant emphasis of the layout now and for a period in excess of 10 years.
12. On a daily basis the restaurant is staffed by 23 servers, 9 kitchen staff (comprising chef, assistant chef etc) and 3 managers with responsibility for greeting and serving of food to customers in Front of House positions and the preparation of a wide range of meals for guests at the Restaurant. Responsibilities have always centred around the premises being a Restaurant. Management responsibilities include a division of responsibility into Restaurant Manager, Kitchen Manager and General Manager.
13. In light of the statements above, I would consider the Property to be in a restaurant use and operation for over 10 years prior to the date of this Statutory Declaration, rather than a public house. I consider that the supporting evidence included within the submission and referenced in the supporting covering letter to be an accurate and truthful depiction of the use of the site as a restaurant.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature of declarant..

Declared at: 120 HOLBORN LONDON

on: 6TH JUNE 2024

before me, MATTHEW YATES

Signed: