



Licensing Sub-Committee

Date: Thursday, 21 September 2023
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum: 3)

Les Fry, Andrew Starr and Sarah Williams

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services
Meeting Contact 01305 224202 elaine.tibble@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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Agenda

Item		Pages
1.	ELECTION OF CHAIRMAN AND STATEMENT FOR THE PROCEDURE OF THE MEETING	3 - 6
	To elect a Chairman for the meeting and the Chairman to present and explain the procedure for the meeting.	
2.	APOLOGIES	
	To receive any apologies for absence.	
3.	DECLARATIONS OF INTEREST	
	To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration. If required, further advice should be sought from the Monitoring Officer in advance of the meeting.	

4. URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

**5. NEW PREMISES LICENCE APPLICATION FOR THE FOYER,
REGENT CINEMA, LYME REGIS**

7 - 86

An application has been made for a new premises licence for The Foyer at the Regent Cinema in Lyme Regis. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub Committee must consider the application and representations at a public hearing.

6. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.



THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

Rights of a Party

1. A party has the right to attend the hearing and may be represented by any person.
2. A party is entitled to give further information where the authority has asked for clarification.
3. A party can question another party, and/or address the authority, with consent of the authority.

Failure to Attend

4. If the authority is informed a party does not wish to attend, the hearing may proceed in their absence.
5. If a party has not indicated their attendance and fails to attend the hearing may be adjourned if considered in the public interest, or hold the hearing ensuring the party's representation is considered.
6. Where the authority adjourns the hearing it shall notify the parties of the date, time and place.

Procedural Information

7. At the start of the hearing, the authority shall explain the procedure which it proposes to follow and shall consider any request for permission for another person to appear at the hearing.
8. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that it is required.
9. The authority will allow the parties an equal maximum period of time in which to speak.
10. The authority may require any person behaving disruptively to leave, and may refuse that person to return, but such a person may, before the end of the hearing, submit in writing information they would have been entitled to give orally had they not been required to leave.

FOOTNOTE:

In relation to all other matters governed by the Licensing Act 2003 (Hearings) Regulations 2005 any party or their representative may contact the Licensing Services at Dorset Council and they will be provided with a full copy of the regulations on request.

LICENSING SUB-COMMITTEE PROCEDURE

1. At the start of the meeting the Chairman will introduce:
 - the members of the sub-committee
 - the council officers present
 - the parties and their representatives
2. The Chairman will then deal with any appropriate agenda items.
3. The Licensing Officer will be asked to outline the details of the application, including details of any withdrawn representations.
4. The applicant or their representative is then invited to present their case.
5. Committee members will be invited to ask questions.
6. Where appropriate the Responsible Bodies e.g. representatives of Police, Fire Services, Environmental Services or Trading Standards will be invited to address the sub-committee on any relevant representations they may have.
7. The Chairman may then allow an opportunity for questions.
8. The Chairman will ask any person who has made representations, who have already expressed a wish to do so, to address the sub-committee. The sub-committee will have read all the papers before them, including any letters of representation. Members of the public are asked to keep their comments concise and to the point.
9. All parties will be given the opportunity to “sum up” their case.
10. The Chairman will ask the Legal Advisor if all relevant points have been addressed before advising all parties present that the sub-committee will withdraw from the meeting to consider its decision in private. The sub-committee will be accompanied by the Democratic Services Officer and the Legal Advisor can be called upon to offer legal guidance.
11. The Chairman will:
 - advise when the sub-committee’s decision will be confirmed in writing.
 - Inform those present of their right to appeal to the Magistrates’ Court.

NOTE

The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice and the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting will take place in public. However, the public can be excluded from all or part of the meeting where the sub-committee considers that the public interest in so doing outweighs the public interest in the meeting or that part of the meeting, taking place in public.

Under no circumstances must the parties or their witnesses offer the sub-committee information in the absence of the other parties.

The Chairman and the Sub-Committee have discretion whether to allow new information or documents to be submitted and read at the meeting.

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Licensing Sub Committee

21 September 2023

New Premises Licence Application – The Foyer, Regent Cinema, Lyme Regis

For Decision

Portfolio Holder: Cllr L Beddow, Culture and Communities

Local Councillor(s): Cllr B Bawden

Executive Director: J Sellgren, Executive Director of Place

Report Author: Aileen Powell

Job Title: Licensing Team Leader

Tel: 01258 484022

Email: Aileen.Powell@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary: An application has been made for a new premises licence for The Foyer at the Regent Cinema in Lyme Regis. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub Committee must consider the application and representations at a public hearing.

Recommendation: The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of: -

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm.

The steps that the Sub-Committee may take are: -

- a) Grant the licence subject to such conditions as the authority considers appropriate for the promotion of the licensing objectives, and the mandatory conditions.
- b) Exclude from the scope of the licence any of the licensable activities to which the application relates.
- c) Refuse to specify a person in the licence as the designated premises supervisor, or
- d) Reject the application.

Reason for Recommendation: The Sub-Committee must consider the oral submissions and information given at the hearing before reaching a decision.

1. Background

- 1.1 Section 4 of the Licensing Act 2003 sets out the duties of the Licensing Authority, it sets out that a Council's licensing functions must be carried out with a view to promoting the four licensing objectives of:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 1.2 All decisions are made with due regard to the Licensing Act 2003 (the Act), the Revised Guidance issued under Section 182 of the Licensing Act 2003 (the Guidance) and the Dorset Council Statement of Licensing Policy (the Policy).

2. Details of the application

- 2.1 Pure Milk Vodka Ltd has applied for a new licence at the Foyer in the Regent Cinema, Broad Street, Lyme Regis, DT7 3QE. The applicants would like to create a pop-up Black Cow bar in the currently unused cinema. The application and plan of the premises is attached at Appendix 1.

- 2.2 A previous application was made but due to irregularities with the advertising requirements it had to be re-submitted.

- 2.3 The application is for the following hours; -

Live and Recorded music, indoors only.

Everyday 0900 – 2300

The supply of alcohol, on and off the premises.

Everyday 1100 – 2300

Opening Hours

Everyday 0900 – 2300

- 2.4 The operating schedule contains the steps which would be converted into conditions on a licence if it is granted as follows:

- No entry or re-entry after 23:00, with relevant signage
- A challenge 25 policy for preventing underage sales
- Staff training
- A refusals book
- Searches to be carried out for drugs and weapons
- Regular checks of the toilets
- A crowd control policy
- Occupancy in the Foyer restricted to 60 people
- No outside speakers
- Regular checks of noise levels
- Notices for people leaving the premises to do so quietly
- Under 18s to be accompanied by adults

3 Representations from Responsible Authorities

- 3.1 Section 13 of the Licensing Act contains the list of Responsible Authorities who must be consulted on each application. In accordance with this section Dorset Police, Dorset and Wiltshire Fire Service, Public Health Dorset, the Immigration Authority, Dorset Council Trading Standards, Dorset Council Children's Services, Dorset Council Planning, Dorset Council Licensing, Dorset Council Environmental Protection and Dorset Council Health and Safety have all been consulted.
- 3.2 Dorset Councils Environmental Protection have requested that any bottling down is done between 0800 and 2000hrs to prevent nuisance from this activity. The applicant has agreed to this.
- 3.3 Dorset Police have requested that conditions for CCTV from the model pool of conditions in the Council's Policy be added to the licence and this has been agreed. A full list of agreed conditions is attached at Appendix 2, together with the representations and agreements from the applicant.
- 3.4 No other comments have been received from the remaining Responsible Authorities, apart from planning who have advised the applicant they will require a change of use prior to opening.

4 Representations from Other Persons

- 4.1 There have been three representations from Lyme Regis Residents objecting to the application, one representation from the ward member in support of the application, which includes some collated responses that were sent directly to her and five representations from other persons also supporting the application.
- 4.2 The objections relate to planning matters and public nuisance concerns. Any planning matters will be considered when the planning permission is made and should not be considerations for the application for the alcohol and entertainment licence. Full copies of the representations can be found at Appendix 3.
- 4.3 The applicant has responded to each of the objections. The responses are attached at Appendix 4.
- 4.4 The parties who made the representation have submitted further comments after the applicants response which are included at Appendix 5.
- 4.5 The Licensing Act 2003 Section 182 Guidance (the Guidance) sets out at 8.13 the role of "other persons":

“As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of

applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious. Chapter 9 of this guidance (paragraphs 9.4 to 9.10) provides more detail on the definition of relevant, frivolous and vexatious representations.

4.6 The Guidance states at paragraph 9.4 what a “relevant” representation is;

“A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives.”

5 Considerations

5.1 Paragraphs 9.42 to 9.44 of the Section 182 Guidance sets how the Licensing Authority should decide what actions are appropriate.

“9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its

determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.”

6 Financial Implications

Any decision of the Sub Committee could lead to an appeal by any of the parties involved that could incur costs.

7 Natural Environment, Climate & Ecology Implications

None.

8 Well-being and Health Implications

None.

9 Other Implications

None

10 Risk Assessment

HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Medium

11 Equalities Impact Assessment

Not applicable

12 Appendices

Appendix 1 – Application Form and Plan

Appendix 2 – Conditions Agreed with Responsible Authorities

Appendix 3 – Representation from Other Parties

Appendix 4 – Responses

Appendix 5 – Responses to Applicant Response

13 Background Papers

[Licensing Act 2003](#)

[Home Office Guidance issued under Section 182 of the Licensing Act 2003](#)

[Dorset Council Statement of Licensing Policy 2021](#)

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Application for a premises licence to be granted under the Licensing Act 2003

Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Pure Milk Vodka Ltd
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description The Regent, Broad Street, Lyme Regis, Dorset, DT7 3QE			
Post town	Lyme Regis	Postcode	DT7 3JB

Telephone number at premises (if any)	01308 868 844
Non-domestic rateable value of premises	£ 3500

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

a)	an individual or individuals *		please complete section (A)	
b)	a person other than an individual *			
	i	as a limited company/limited liability partnership	/	please complete section (B)
	ii	as a partnership (other than limited liability)		please complete section (B)
	iii	as an unincorporated association or		please complete section (B)
	iv	other (for example a statutory corporation)		please complete section (B)
c)	a recognised club			please complete section (B)
d)	a charity			please complete section (B)

Appendix 1 - Application

e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or

- a function discharged by virtue of Her Majesty's prerogative

(A) individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

Second individual applicant (if applicable)

Appendix 1 - Application

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Jason Barber & Paul Archard
Address Pure Milk Vodka Ltd, Childhay Manor, Dorset, DT83LQ
Registered number (where applicable) 07742282
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	8	2	0	2	3

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)

The Regent Cinema is currently closed to general public. We would like to create a pop up Black Cow bar within the foyer and terrace of the building. We will operate a small shop space in the other area of the foyer which will champion local produce and sustainable products. We would like to host classes with local producers that showcase their skills and products in this area.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	/
f)	recorded music (if ticking yes, fill in box F)	/
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

Provision of late night refreshment (if ticking yes, fill in box I)	
Supply of alcohol (if ticking yes, fill in box J)	/

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue					
Wed			<u>Please give further details here</u> (please read guidance note 4)		
Thur					
Fri			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon	-----	-----		<u>Please give further details here</u> (please read guidance note 4)		
Tue	-----	-----				
Wed	-----	-----	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)			
Thur	-----	-----				
Fri	-----	-----	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat	-----	-----				
Sun	-----	-----				

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon	-----	-----		Both	
Tue	-----	-----	<u>Please give further details here</u> (please read guidance note 4)		
Wed	-----	-----			
Thur	-----	-----	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Fri	-----	-----			
Sat	-----	-----	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun	-----	-----			

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	/
Day	Start	Finish		Outdoors	
				Both	
Mon	0900	2300		<u>Please give further details here</u> (please read guidance note 4) We shall be playing recorded music as background to create the ambience. Any live music performances will be shown between our opening hours and we shall take pride in using local musicians. We would have varying live music schedule within the specified times, but not consistently through the duration of them.	
Tue	0900	2300			
Wed	0900	2300	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	0900	2300			
Fri	0900	2300	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	0900	2300			
Sun	0900	2300			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	/
Day	Start	Finish		Outdoors	
				Both	
Mon	0900	2300		<u>Please give further details here</u> (please read guidance note 4) Only background music will be played during opening hours and kept at a respectable level.	
Tue	0900	2300			
Wed	0900	2300	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	0900	2300			
Fri	0900	2300	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	0900	2300			
Sun	0900	2300			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon	-----	-----		<u>Please give further details here</u> (please read guidance note 4)	
Tue	-----	-----			
Wed	-----	-----	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	
Mon				Outdoors	
				Both	
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
			<u>Please give further details here</u> (please read guidance note 4)		
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	
Day	Start	Finis h		Off the premises	
				Both	/
Mon	1100	2300	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
	-----	-----			
Tue	1100	2300			
	-----	-----			
Wed	1100	2300			
	-----	-----			
Thur	1100	2300			
	-----	-----	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	1100	2300			
	-----	-----			
Sat	1100	2300			
	-----	-----			
Sun	1100	2300			
	-----	-----			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Jason Barber
Date of birth	██████████
Address	██████████ ██████████ ██████████
Postcode	██████████
Personal licence number (if known)	PA1340
Issuing licensing authority (if known)	West Dorset

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	0900	2300	
Tue	0900	2300	
Wed	0900	2300	
Thur	0900	2300	
Fri	0900	2300	
Sat	0900	2300	
Sun	0900	2300	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.

There shall be no entry or re-entry to the premises after 11pm.

Appropriate signage shall be clearly displayed at each exit from the premises advising patrons that re entry to the premises after 11pm hours is prohibited and that this prohibition also applies to people wishing to leave the premises to smoke.

We will adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age.

We will display notices advising customers of the "Challenge 25" policy.

The following proofs of age are the only ones to be accepted:

- Proof of age cards bearing the "Pass" hologram symbol
- UK Photo Driving licence
- Passport

Staff Competence and Training: we will keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised.

The staff record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

We will ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and that this has been properly documented and training records kept.

The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police. We will ensure that each member of staff authorised to sell alcohol is fully aware of his/her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.

We will ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under - 18s attempting to purchase alcohol.

Refusals Book: The licence holder will keep a register of refused sales of all age-restricted products

b) The prevention of crime and disorder

In any event where controlled substances or weapons are found, we shall ensure that the designated premises supervisor shall immediately inform the Police. we shall ensure that a clearly visible notice will be placed on the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons. we shall ensure that documented security arrangements are implemented at the premises to discourage the sale and consumption of controlled substances.

c) Public safety

All gangways, passages, staircases and exit ways must at all times be kept entirely free from chairs or any other obstructions and from any article or substance which may cause a person to slip, trip or fall.

We shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises.

A record of the training shall be maintained and shall be available upon request by - an authorised officer of the Licensing Authority or the Police.

Predetermined arrangements shall be made for alerting staff in the event of any emergency.

All employees or persons involved in the organisation and control of events shall have allotted to them specified duties to be performed in the event of emergencies. Such duties shall aim at the avoidance of panic and the safe evacuation of the - premises where necessary.

Arrangements must be in place to ensure that all parts of the premises that members of the public may use, whether this be regularly or only in case of emergency are suitably illuminated (this includes internal and external areas, for example such as corridors, lobbies, emergency exits, car parks, public may use, whether this be regularly or only in case of emergency are suitably illuminated (this includes internal and external areas, for example such as corridors, lobbies, emergency exits, car parks, etc).

d) The prevention of public nuisance

The occupancy shall be restricted to 60 persons in the foyer. (Limits will be appropriate for different rooms or floors of premises) The occupancy figure includes staff, performers and public. We shall ensure that there are appropriate management controls to ensure that the occupancy figure is not exceeded at any time .

Amplified music will not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.

No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.

The bar supervisor will carry out regular observations of the noise levels during opening times to establish if there are noise breakouts at a level that is likely to cause a disturbance to the occupants of properties in the vicinity then the volume of the music shall be turned down and crowds will be informed to respect the local occupants.

A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.

e) The protection of children from harm

Children under the age of 18 must be accompanied by an adult. There shall be no events for persons under 18 years of age. A till prompt system shall be installed to assist staff by reminding them to challenge for ID when a sale is made. If the recipient of a delivery of alcohol or the collection or delivery of a takeaway meal which includes alcohol, appears under 25 years of age, recognised photographic identification will be requested before any intoxicating liquor is handed over. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.

Checklist:

Please tick to indicate agreement

• I have made or enclosed payment of the fee.	/
• I have enclosed the plan of the premises.	/
• I have sent copies of this application and the plan to responsible authorities and others where applicable.	/
• I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	/
• I understand that I must now advertise my application.	/
• I understand that if I do not comply with the above requirements my application will be rejected. • [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	/

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	28/07/2023
Capacity	

Checklist: Please tick to indicate agreement

<input type="checkbox"/>	I have made or enclosed payment of the fee.	/
<input type="checkbox"/>	I have enclosed the plan of the premises.	/
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	/
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	/
<input type="checkbox"/>	I understand that I must now advertise my application.	/
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected.	/
<input type="checkbox"/>	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	/

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Part 4 – Signatures (please read guidance note 11)

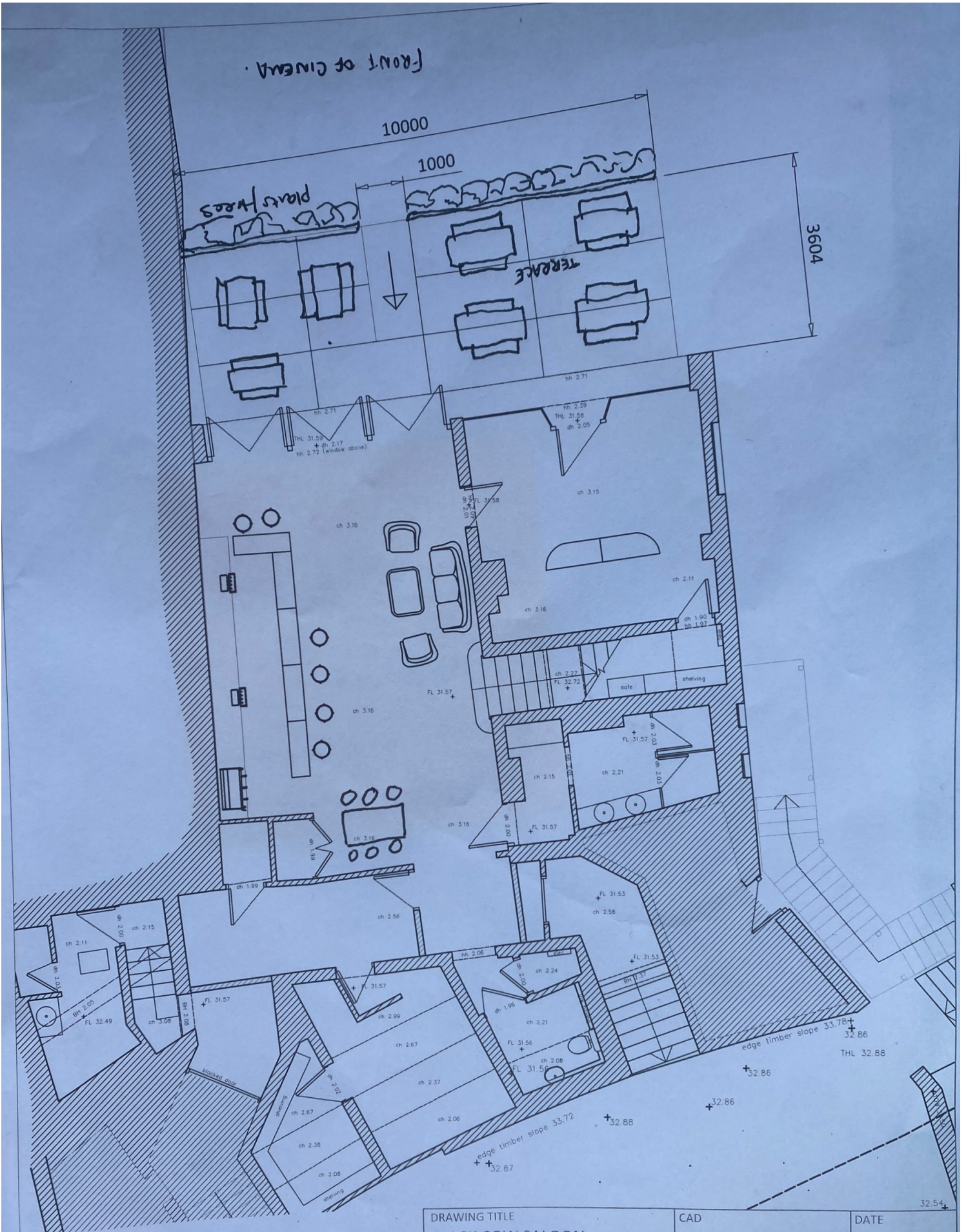
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[REDACTED]
Date	28/7/23
Capacity	DIRECTOR / license Holder.

18

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	



DRAWING TITLE
 BLACK COW SALOON
 AT THE REGENT, LYME REGIS

CAD	DATE
SB	19/06/23
SHEET SIZE	SCALE
A4	1:100
DRAWING NO	REV
	00

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1. A CCTV system shall be installed at the premises. The CCTV system shall be maintained in working condition and record the premises 24 hours every day. Recordings to be retained for a minimum of 28 days and be made available to the Police or officers of the Council upon request and be of evidential quality.

The equipment MUST have a suitable export method i.e. CD/DVD/USB facility so that the Police and officers of the Council can make an evidential copy of the data they require. This data should be in the native file format to ensure that no image quality is lost when making the copy. If this format is nonstandard (i.e. manufacturers proprietary), then the licence holder shall within 14 days of being requested supply the replay software to ensure that the video on the CD can be replayed by the Police and officers of the Council on a standard computer. Copies MUST be made available to the police and officers of the Council upon request.

Staff working at the premises will be trained in the use of the equipment and a log will be kept to verify this.

Cameras on the entrances must capture full frame shots of the heads and shoulders of ALL people entering the premises, i.e. capable of identification.

There shall be signs displayed in the customer area to advise that CCTV is in operation.

Should the CCTV become non-functional this will be reported immediately to the Licensing Authority.

2. CCTV cameras shall monitor all areas used by premise patrons including any external area to monitor numbers and prevent crime and disorder.
3. At the commencement of work security personnel should ensure that they are recorded on the CCTV system and that a clear head and shoulders image showing their face clear of any hat, glasses or other obstruction is recorded.
4. All bottling down is to be done only between 08.00hrs and 20.00hrs to prevent noise disturbance from this activity.
5. The Licensee will adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age.

The Licensee to prominently display notices advising customers of the "Challenge 25" policy.

The following proofs of age are the only ones to be accepted:

- a. Proof of age cards bearing the "Pass" hologram symbol
- b. UK Photo Driving licence
- c. Passport

6. The Licensee will keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

The Licensee will ensure that each member of staff authorised to sell alcohol has received adequate training on the law regarding age restricted products and that this has been properly documented and training records kept. The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards, or the Police.

The Licensee will ensure that each member of staff authorised to sell alcohol is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.

The Licensee will ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under - 18s attempting to purchase alcohol.

7. The licence holder will keep a register of refused sales of all age- restricted products (Refusals Book).

The refusals book will contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the salesperson refusing the sale.

The Refusals book will be examined on a regular basis by the Licensee and date and time of each examination to be endorsed in the book.

The Refusals Book will be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards, or the Police.

8. Where there is reasonable suspicion that drugs, defined as Class A, B or C controlled substances under the Misuse of Drugs Act, or weapons are being carried, the premises licence holder shall ensure that the outer clothing, pockets, and bags of those entering the premises are searched by door security personnel. In any event where controlled substances or weapons are found, the premises licence holder shall ensure that the designated premises supervisor or nominated person shall immediately inform the Police.

9. Regular checks of the toilets will be carried out by staff.

10. The premises licence holder shall have a policy to ensure for all staff to be familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises.

11. Occupancy in the Foyer will be restricted to 60 people.

12. No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.

Appendix 2 – Conditions

13. The manager, licence holder or other competent person shall carry out observations in the vicinity of the properties whilst the Premises Licence is in use to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity, then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Such book to be always made available upon request to an authorised officer of the Licensing Authority or the Police.
14. A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.
15. Children under the age of 18 must be accompanied by an adult.

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Licensing

From: Rachael Goring [REDACTED]
Sent: 29 June 2023 09:10
To: Licensing
Subject: Re: Licence for 30 Broad Street

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Laura

Hi Laura.

That is completely fine as we won't be bottling up hardly at all.

Best regards
Rachael Goring

Pure Milk Vodka Ltd
Childhay
DT8 3LQ

[REDACTED]
[REDACTED]

On 29 Jun 2023, at 09:05, Licensing <licensing@dorsetcouncil.gov.uk> wrote:

Hi Rachael

Yes what Environmental Health mean is the emptying of bottles at the end of the day.

They have asked if you would be agreeable to have the condition stating that it will only be done between 8am and 8pm?

Many thanks

Laura Goff
Licensing Officer
Place Services
Dorset Council

[01305 838028](tel:01305838028)
dorsetcouncil.gov.uk

<image001.jpg>

<image002.png> <image003.png> <image004.png>

From: Rachael Goring [REDACTED]
Sent: Wednesday, June 28, 2023 1:46 PM
To: Licensing <licensing@dorsetcouncil.gov.uk>
Subject: RE: Licence for 30 Broad Street

Hi Laura,

Please can you let me know more detail on the bottling up? Does this refer to noise caused by recycling bottles. There will be minimal bottles on sell as we will use draught lager.

With Thanks
Rachael Goring

<image005.jpg>

From: Licensing <licensing@dorsetcouncil.gov.uk>
Sent: Wednesday, June 28, 2023 1:42 PM
To: Rachael Goring [REDACTED]
Subject: Licence for 30 Broad Street

Hi Rachel

We have received a response from Environmental Health regarding the new premises licence.

They have asked if you would be happy to have a condition on the licence, saying that the bottling up will only be done between 08:00am and 20:00pm, to prevent noise disturbance.

If you are happy to have this condition, please let me know.

Many thanks

Laura Goff
Licensing Officer
Place Services
Dorset Council

[01305 838028](tel:01305838028)
dorsetcouncil.gov.uk

<image001.jpg>

Aileen Powell

From: Bean, John [REDACTED]
Sent: 06 July 2023 15:42
To: Rachael Goring
Cc: Laura Goff
Subject: RE: Regent Cinema Lyme Regis Licence Application

Hi Rachael,

Many thanks for the reply.

Given that CCTV will be fitted at the premises, would you have any objection to CCTV, it's operation and image retention as noted in Dorset Council's pool of licensing conditions, being attached as a condition to the licence in addition to those already noted in your application?

Regards

John

From: Rachael Goring [REDACTED]
Sent: 06 July 2023 15:25
To: Bean, John [REDACTED]
Cc: [REDACTED]
Subject: RE: Regent Cinema Lyme Regis Licence Application

Hi John,

Apologies for the delay. I am now back in the office.

Thank you for the feedback.

We are going to install the CCTV cameras for this site.

With Thanks
Rachael Goring



RACHAEL GORING
OPERATIONS + LOGISTICS MANAGER
[REDACTED]
[REDACTED]



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From: Bean, John [REDACTED]
Sent: Thursday, June 29, 2023 3:09 PM
To: Rachael Goring [REDACTED]

Appendix 2 - Agreement to Conditions

Cc: [REDACTED]

Subject: Regent Cinema Lyme Regis Licence Application

Good afternoon,

I refer to the above and would confirm that I have visited the location today and am pleased to see the blue notice displayed at the premises advertising the application as required by the Licensing Act 2003.

Given the timings for the operation of licensable activities of 11.00am to 11.00pm Thursday to Monday and conditions offered that include Challenge 25, staff training and a refusals book among others I would confirm that there are no major issues from a police licensing perspective.

I do note that a condition referring to CCTV is not apparent within the application and shall be pleased if you can confirm that a system will be fitted.

I also note that the application refers to the Regent Cinema at 30 Broad Street but this is incorrect and Dorset Council Licensing Department should be advised of the correct address prior to the issuing of the licence.

If you have any queries please do not hesitate to contact me and I look forward to hearing from you in due course.

Regards



**DORSET
POLICE**

John Bean

Police Licensing Officer

Tel: 01202 226830

Mobile: [REDACTED]

Drug & Alcohol Harm Reduction Team

Dorchester Police Station

Weymouth Avenue

Dorchester

DT1 1QZ

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Appendix 3 – Representations Objecting to Application

Representation 1

With regard to the application for planning and for an alcohol licence to use the Regent Cinema, Lyme Regis, as a bar/shop for the Black Cow Vodka company.

We have some serious concerns about this application that we wish to raise with Dorset Council formally via this email before the 28 August deadline.

OUR SITUATION:

xxxxxxx is a family home occupied by us and our family for about 8 month of the year, spread across the calendar. We value its position, privacy and generally peaceful environment. This is not a summer let property but a vitally important part of our family life. Our location is within 20m of the proposed Vodka Bar.

CONCERNS RELATING TO PUBLIC NUISANCE:

1. What as initially billed as a summer pop-up event is now proposed as an open licence with no end date.
2. A new outside bar opening until later evening will create a major noise nuisance for the surrounding residential properties and businesses. Almost all of the surrounding homes and businesses are Grade II Listed. This prevents them from having double glazing and proper sound insulation from nuisance noise. The proposed bar is within 20 meters of our main living room and main bedroom.
3. The selling of high strength alcohol will encourage late night foot traffic with probable loitering and street noise into the later hours.
4. This will potentially alter the entire character of the top end of Broad Street. This is currently a quiet residential part of town. The only night time business selling alcohol presently is the Volunteer pub. Despite being significantly down the hill from us, this is already a source of burdensome noise at night - and it doesn't have external decking and open-air drinking!
5. The new licence application seeks permission for live music. While the applicant says that this will only be inside, we have no guarantees on this for future events. If amplified music is used - even inside - the bass noise will still be an issue for all neighbours. In summer weather the doors will likely be left open, and this will create a noise nuisance from any internal music. Just the intermittent opening and closing of doors will generate bursts of music.
6. Outside smoking and vaping will also be an issue - the Lyme One hotel has already raised the problems this will raise for their guests. The proprietors of Black Cow cannot feasibly enforce a no-smoking rule outside of the decking area and have no control of the forecourt or pavement outside.

CONCERNS OVER PLANNING AND GRADE II LISTED STATUS:

Firstly we are astounded that the decking work has been completed before any Planning Permission has been granted. Our specific concerns are as follows:-

Appendix 3 – Representations Objecting to Application

1. The decking extends over the Regent forecourt. But is this private property of the Regent or classified as public pavement under Council of Lyme Regis? There is a phone box and litter bin on the same piece of ground, indicating it is likely to be Council land?
2. The new decking and raised seating area has a major impact on the visual aesthetic of a listed building and maybe on its structural integrity. Have any original listed features been damaged and are they at risk of damage in future?
3. Will a lightweight roof be added in future and how will this attach to the original building?
4. Some external lighting will be needed for the outside decking. It is likely that external lights will be mounted on the new poles on the decking. Is the Planning Authority clear on their plans for external lighting? This is a major area that seems not to be covered in the Licence Application and must be covered by Planning.
5. What about drainage from the new structure? Has it interfered with any drainage gully and might this cause localised flooding in heavy rain?
6. Sale of coffee and snacks is proposed (this is my understanding despite the Planning Application). This will surely require a proper assessment by the Fire Service and the Health and Safety Executive / Environmental Health & Public Health. Has this been done or is this planned?

THE LICENCE APPLICATION HAS BEEN SUBMITTED WITHOUT ANY OF THE FOLLOWING IN PLACE:

Listed Building Planning Consent
Health and Safety approval
Fire Regulations assessment and certificate
Police approval

IN CONCLUSION

If this application is granted it will set a dangerous precedent for the commercial development of other properties in the top of the town. Even listed buildings do not seem immune from insensitive development on the lines planned by Black Cow Vodka. If granted, this will undermine the local planning system in its duty to protect residential neighbourhoods and historic listed buildings.

Representation 2

Objections to Black Cow Vodka Saloon opening in old Regent Cinema, Broad Street, Lyme Regis from immediate neighbours

1. **Licencing** - Black Cow Saloon informed Dorset Licencing Department in their first application that they had put a Public Notice in Local Newspapers – They had failed to comply with these regulations. Claiming that the local LymeOnline newspaper had written an article about this venture, singing their praises of this “Acclaimed” product. This article they claimed confirmed that they had conformed with the regulations. Dorset Licencing Department rejected this argument and instructed Black Cow Vodka Saloon to resubmit their application. Despite the very clear instructions from Dorset Council Licencing Department the applicant failed to place the Public Notice in the local newspaper. Subsequently they have resubmitted their Licencing application.

- The boss of Black Cow Vodka Saloon rang me as owner of Lyme 1 Hotel and enquired what were my objections – I informed him:
They are advertising Live music on the Billboards outside the old cinema – He informed me in the telephone conversation that there will be NO live music.

In Black Cow Vodka Saloon resubmitted application to Dorset Licencing, they have ticked the box for Live music.

- I informed the owner of Black Cow Vodka about the noise nuisance from their outside terrace which will have a devastating effect on my business – Lyme 1 Hotel is a Grade II Listed Building which has charm and character with the individual rooms but does not benefit from modern day technologies like sound insulation and double glazing.
- I informed him about smoking and vaping on the outside terrace – he informed me that there will be no-smoking or vaping on the outside terrace. I enquired how would he police and enforce these rules. With Black Cow Vodka Saloon’s previous record on honesty, as detailed above I think this is just empty words.
- If patrons of Black Cow Vodka Saloon are not allowed to smoke or vape on the terrace they will be forced to move to an area in front of the decking. This area which belongs to the Regent Cinema will be filled with staff vehicles. Therefore, smokers would then have to again move forward – toward the Broad Street/Pound Street pavement – thereby congregating outside the ground floor windows of Lyme 1 Hotel. Patrons who would have been consuming the very strong vodka cocktails will become increasing more vocal disturbing the peace and calm at the top of Broad Street/beginning of Pound Street. PUBLIC NUISANCE CONCERNS: This same scenario can be confirmed and witnessed with the same situation with smokers and vapers outside the Volunteer Pub just a few metres further down Broad Street.

Appendix 3 – Representations Objecting to Application

- I informed the owner of Black Cow Vodka Saloon in our telephone conversation that in my opinion he was creating a “Wetherspoons” which was totally unsuitable and inappropriate for Lyme Regis.

2 Non-existent Planning application for decking in front of the cinema –

- Black Cow Vodka Saloon have failed to submit the necessary applications for Planning and Listed Building approval and gone about the whole process in a correct and professional manner. These correct applications would also have to obtain the approval of The Police, Fire Service, Highways Department, Health, and Safety Executive and Public and Environmental Health Department. All these rules and procedures are in place for a reason – everyone must play by the rules or not play at all.
- To date, Black Cow Vodka have failed to submit any application for the decking in front of the Regent Cinema – common sense dictates that the Planning and Listed Building applications must be submitted and approved before any Licencing application is submitted.

IN CONCLUSION:

If this application is granted it will set a dangerous precedent for the commercial development of other properties at the top of the town. Listed buildings used for business and residential purposes in the area must be protected from commercial ventures such as Black Cow Vodka Saloon.

Representation 3

Please find below our objections to this license being granted. My wife and I would be very grateful if you could acknowledge safe receipt of our objections please.

Objections to the Application for a Premises Licence to be granted under the Licensing Act 2003 made by Pure Milk Vodka Ltd at the former Regent Cinema premises at Broad Street Lyme Regis Dorset DT7 3QE

My wife xxxxxx and I have lived almost opposite the cinema premises since 1998 and since I retired in 2018 have normally spent alternate fortnights between our house in Watford and xxxxxx xxxxxx in Lyme Regis. We enjoy our time in Lyme Regis because it's a very peaceful environment even though it's just at the top of the towns High Street.

We wish to raise our formal objections to this application being granted and would ask that you reject the applicants proposal to re-open these largely derelict and substantially demolished former cinema premises as some form of Vodka Bar and shop with alcohol and drinks for sale 11:00-23:00 7 days a week throughout the year.

Our concerns with this application:-

1. We note that in Part 1 where the applicants give details of the premises, they no longer refer to the premises as The Regent Cinema but choose instead to refer to the premises as The Regent? This application is for a liquor licence on the site of the derelict and fire damaged Grade II listed Regent Cinema.
2. Later in Part 3 the applicants describe the premises saying "The Regent Cinema is currently closed to the general public" and we note throughout their application there is no mention of the fact that the Regent Cinema is still a listed building albeit that probably 85% of the cinema burnt down or was demolished for safety reasons after the fire in 2016.

Would it not be more accurate to describe the existing building as the remains of a cinema that burnt down/was demolished in 2016 and lain empty ever since? As a retired chartered surveyor of 40+ years standing xxx questions the structural integrity of the remaining cinema structure. Some of the external walls remain standing today but whereas these walls were once tied in and stabilised by the internal cross walls, floors and the roof structure of the cinema, they are now freestanding walls, some several storeys high and xxx suggests those walls have likely lost the structural integrity they once enjoyed as part of the complete pre fire cinema.

Even if there is only a low risk of collapse to the old cinema structure, the consequences of any such collapse could be devastating and reflect very badly on both Town and District Councils.

As a minimum, the remaining cinema structure should be checked and inspected by a competent and qualified structural engineer immediately and then regularly every two years. xxx is not sure how long a freestanding wall built on probably inadequate foundations (by current standards at least) can be expected to remain safe and structurally stable but suggests it's a risk that needs to be considered before possibly filling this fire damaged building with intoxicated Vodka drinkers.

Appendix 3 – Representations Objecting to Application

3. We also note in the description of the premises, the applicants state they “**would like to create a pop up Black Cow bar within the foyer and terrace of the building.**” That’s not quite accurate either because at the time of making the application 28/7/2023, the cinema did not have any terrace. An illegally constructed timber decking had only just been erected, without planning consent or permission and with a ramp that will be of immense danger to any disabled wheelchair users, the danger being that if the wheelchair user loses control on the slope, the wheelchair may quickly end up in Broad Street, which can be very busy at all times of day and night with cars, buses, delivery trucks and very regularly, skateboarders hurtling down the length of Broad Street.
4. We were disappointed to see there is no mention in the application of the listed cinema building being reinstated and do not understand why that is. There was a fire at these listed premises in 2016 and we understood the cinema owners had negotiated a substantial settlement sum with their Insurers which should have enabled them to rebuild the premises but presumably they chose not to reinstate the premises as a functioning cinema. I would have thought the cinema owners were obliged to do so/had a duty/obligation to do so under listed buildings legislation, in a designated Conservation Area.
5. xxxx could not get the WDDC Conservation Officers to answer their phone so emailed PlanningConservation@dorsetcouncil.gov.uk 10/08/2023 @ 16:25 saying he would appreciate a chat with the Conservation Officer responsible for the cinema, but nobody has either acknowledged that email or made contact with him at all.
6. **Adequacy of parking/loading/turning space for vehicles.** The junction of Broad Street, Silver Street and Pound Street is directly outside the cinema site and is probably the busiest junction in town with vehicles making U turns at the top of Broad Street, vehicles turning up Silver Street to get to Uplyme, travellers turning up Pound Street to get further up the coast road, often at high speed late at night plus lorries delivering to the Coop and Tesco supermarkets both less than 40 metres from the cinema boundary. We believe there will be no space for any vehicles to park or turn on the forecourt of the cinema premises, so customers being dropped off or picked up, deliveries etc will only exacerbate the traffic problems at the junction of these three roads.
7. **Conflict with Planning Policies.** The applicants have already transgressed planning policies by erecting the decking structures and ramp pointing in the wrong direction without seeking necessary permissions or consents and that’s not a good start. To do so on a listed building site we suggest is yet a further serious transgression. xxxx submitted an online complaint to WDDC planning enforcement people on Thursday 24/08/2023 about this illegally erected decking, although he has not received any acknowledgement of same as yet?
8. **Disabled access.** Comments on this are given in point 3 above along with the criticisms of the new decking but we believe the ramp incorporated in the decking has a serious safety flaw in that it slopes too severely and points wheelchair users in

Appendix 3 – Representations Objecting to Application

the dangerous direction of Broad Street rather than to a safe landing area in the event they should lose control whilst using the ramp.

- 9. Effect on Listed Buildings and Conservation Area.** We believe what is occurring at the Regent Cinema (a listed building in Lyme Regis Conservation Area) is an absolute disgrace and if the owners are simply ignoring the listed building requirements and legislation they should be reminded that doing so is a criminal offence. We believe WDDC should refuse all and any applications for liquor licences on this deteriorating listed building site and issue a listed building enforcement notice requiring the new timber decking recently erected to be removed forthwith and whether there has been any intent to ignore the listed building legislation.

My understanding is that Listed Building legislation largely relies on the threat of local authorities enforcing the requirements of that legislation and should it become generally accepted practice for listed property owners to simply ignore that legislation, the benefits of retaining listed buildings to the nation will just disappear. I believe this is already occurring in the Midlands with the recent example of the seemingly rapid fire and demolition of the Crooked House pub in Walsall just a matter of weeks after being purchased by its new property developer owners.

To our knowledge, most residents in the town want the cinema reinstated, they don't need or want a Vodka bar operating either in a converted horsebox or the remnants of a fire damaged cinema foyer because there are presently abundant places in the town to get a drink. Why can't the town or district council work with the cinema owners to achieve this objective?

- 10. Highway safety.** This is largely covered in Item 6 above but any increase in traffic at this busy junction in the town will obviously have an adverse impact on highway safety.
- 11. Noise and disturbance resulting from use as a Vodka bar.** Intoxicated drinkers are inevitably much noisier than cinemagoers and I note this application is for a permanent liquor and music licence to operate most of the day, seven days a week throughout the year, selling liquor 11:00-23:00 so there will be lots more noise and lots more drunken people spilling out of this new drinking site.

Unfortunately, this will vastly increase the noise levels throughout the day but particularly late at night and at closing time and the people most affected will be local residents like ourselves whose bedroom is probably just 25 /30 metres from the proposed new bar. The town also has lots of teenagers who are always keen to get drunk and whatever measures the applicants say they will take to avoid under age drinkers they are very unlikely to be successful. The last thing the town needs is yet another drinking hole.

Appendix 3 – Representations Objecting to Application

We don't know whether the Vodka bar will provide toilets for their customers or not, but they need to because there are no public toilets at this end of the High/Broad Street and it is not unusual to see people urinating behind the electrical substation in the adjacent park and behind the telephone box in the cinema forecourt.

The Vodka bar will inevitably change the character at this end of the High/Broad Street from a generally quiet part of town (apart from closing times at The Volunteer which can often be quite noisy) to one of continual noise and commotion emanating from the Vodka bar music and customers drinking on the new decking areas in the open air. My wife and I have noted the current cinema forecourt seems to amplify sounds at night so that if 2/3/4 people are in that forecourt waiting for a car or taxi to pick them up, my wife and I can hear every word being spoken, even if the people are speaking quietly and of course everything is much worse if those people have had a drink and become quite loud and often lairy or aggressive.

In conclusion, my wife and I urge the WDDC Licensing Team to reject this Application for a Premises Licence made by Pure Milk Vodka Ltd at the former Regent Cinema premises at Broad Street Lyme Regis Dorset DT7 3QE. These cinema premises are presently unsuitable for use as a Vodka bar without significant repairs and structural alterations being carried out to this fire damaged but Grade II listed property.

Appendix 3 - Representation from Ward Member

Black Cow Vodka

Cllr. Belinda Bawden [REDACTED]

Wed 12/07/2023 15:56

To:Aileen Powell [REDACTED]

Hi Aileen,

I met Archie and Guy of Black Cow this morning at the old cinema. Their plans for a coffee and cocktail bar with adjoining shop seem really interesting and achievable.

They're taking things in stages initially just focusing on coffees and a drinks bar with small snacks, using locally sourced produce. Their vodka is made from the (waste) by-product of cheese making.

The shop will have cocktail ephemera, Black Cow produce and locally sourced produce. They aim to be attractive and accessible for locals and want to create a relaxed atmosphere all year round.

They aim to open upstairs later on as an event and meeting space for all-year round use. The licence is for alcohol to 11am as they felt that was appropriate for their location in Lyme.

I'm very happy to support their venture and the licence application.

We badly need somewhere selling local, fresh fruit and veg and the shop will complement the new Deli and the Pop-up Restaurant nearby, as well as all the other hospitality businesses we have with quality and environmental sustainability at their core - the Galley, Red Panda, Lilac, Tom's.

Lucky Lyme!

Many thanks,

Belinda

Sent from [Outlook for Android](#)

Appendix 3 - Representation from Ward Member

Summary of emails received on the Black Cow Vodka Bar proposal in the Regent Cinema

1. Wed 02/08/2023 16:26

Dear Belinda,

I just wanted to write a letter in support of Paul Archard's Lyme Regis venture at The Regent. I was supposed to go and visit him at The Black Cow Saloon this afternoon but he tells me that there has been a hitch and they are now unable to open the venue for at least a month due to a technicality with the council.

I know how helpful you have been to him and I am sure you have received many supportive letters so I thought I would add another. It would be so lovely seeing The Black Cow Saloon open in The Regent. What a fabulous, underutilised site. I'm not sure what else I can do in support other than write but if there is something please let me know.

I do hope you and your family are well.

Very best wishes

████████████████████

████████████████████████████████████████

2. Thu 03/08/2023 16:47

Dear Counsellor Bawden,

Just a short note to express my support of the opening of the Black Cow pop-up at the site of the old Scott's Regent Cinema in Lyme Regis.

The entrepreneurial and creative spirit of this wonderful area never ceases to amaze and inspire me, and it's wonderful to see a local business like Black Cow bringing life back to such a much loved premises.

I'm sure they'll do it justice, and provide locals and visitors alike with an alternative to the many excellent pubs we already enjoy in Lyme.

Yours sincerely,

████████████████████

████████████████████████████████████████

3. Thu 03/08/2023 19:58

Just wanted to say how delighted we all are that Black Cow are opening a bar in Lyme Regis
They are great operators and we need more life in town for sure
More please

████████████████████

UPPING
YOUR
ELVIS

Certified B Corporation®

[REDACTED]
Founder

4. Thu 03/08/2023 20:06

Dear Cllr. Bowden,

Just wanted to write a quick email to say how pleased we are to see something being done with the old cinema. About time too.

The vodka bar is a great addition to Lyme Regis and offers something a bit different, fun and cool!

I hope it's here for a long time.

Sincerely

[REDACTED]

5. Fri 04/08/2023 13:36

Dear Councillor Belinda Bawden,

It has come to our attention as business owners of Pebbles Boutique, the new exciting Black Cow Saloon at the Regent Cinema building are coming up against a few hurdles preventing them from opening. We find this rather disappointing, as the owners have made such a beautiful job of renovating a potential eyesore to fabulous Lyme Regis. Guy Chittenden and his colleagues have kept us informed of what is happening throughout the transformation, we feel they are adding a vital source of customers to this end of Broad Street with their offering.

It is good to see the iconic building being put to good use once again, giving locals and tourists alike a completely new venue to enjoy. They have our full support and look forward to enjoying Black Cow Saloon along with the locals and tourists of Lyme Regis, also bringing visitors from nearby towns to Lyme enabling more support to our town.

Kindest regards

[REDACTED]

6. Tue 08/08/2023 12:07

Hi

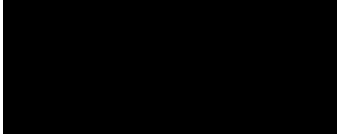
I am emailing to offer my support for the Black Cow bar in the old cinema. It has been wonderful to see the regeneration of a building which has sat empty for far too long and the bar would be a very welcome addition to our town.

Appendix 3 - Representation from Ward Member

The owners are a local family who do a lot to support the community.

I do hope to see the bar open very soon.

With best wishes



7. Tue 08/08/2023 12:29

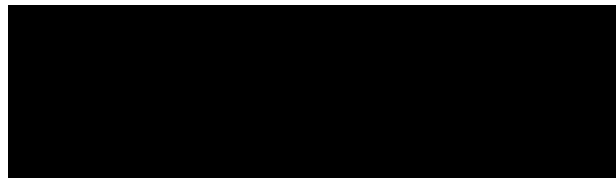
Dear Dorset Council,

I am emailing in massive support of the Black Cow Vodka Saloon Bar in Lyme Regis. I am local to the area and feel very lucky to live in such a thriving foody area. I am in my early thirties though and to keep attracting more people to live and holiday we need these new and exciting places to keep the locals and also attract the newcomers! Its also fantastic that this is a local brand and company, instead of filling our high street with chains.

Many thanks



Director



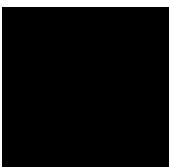
8. Tue 08/08/2023 12:23

To whom it may concern.

I am writing in the hope that it can be looked on favourably to grant a licence in order for Black Cow distillery to open on the site of what was previously the cinema in Lyme Regis.

It would be hugely beneficial to the town to add another attraction to our lovely town.

Kind regards,



Appendix 3 - Representation from Ward Member

9. Tue 08/08/2023 12:07

I am emailing to express my support for Black Cow Vodka and the opening of their new bar in Lyme Regis. I feel that they will bring more choice of where to go for a drink when visiting Lyme. It is also surely better to support outlets being open and put to use as well rather than the buildings being left to decay.

Regards

[REDACTED]

10. Tue 08/08/2023 12:08

Please can you encourage this venture with the old cinema to go ahead. It's been empty far too long. We need to encourage new ventures in Lyme to go ahead.

[REDACTED]

11. Tue 08/08/2023 13:02

Good afternoon

I'm writing to add my support to Black Cow Vodka opening their venue on the site of the old cinema in Lyme Regis. I think they will be an asset to the town and hope many people support this new venture.

It's unfortunate that some people (who do not live in the area) seem to think they should be able to bring their personal views to influence the council against local people trying to bring business into the town. The local people are trying to make a living, which is not that easy in the current climate and we should be doing all we can to support them.

I hope the views of local people are the ones that are listened to in this instance!

Kind regards,

[REDACTED]

12. Tue 08/08/2023 13:52

FYI.

Many thanks.

[REDACTED]

From: [REDACTED]

Sent: 08 August 2023 13:47

Appendix 3 - Representation from Ward Member

To: Cllr. Belinda Bawden [REDACTED]

Subject: Re: Black Cow Vodka - We Need Your Help

Thanks for the update Belinda.

I heard that it was listed, and I also heard that when a multi-screen rebuild was proposed, it was turned down as it didn't reflect the same offering as the original building. Which if true is a massive missed opportunity. Nice multi-screens are popping up all over the country and Lyme would have been well set to receive the benefits of having on in situ early on. It also keeps locals and visitors alike in the town on rainy days.

As for The Black Cow venture, it's never sensible for a business to plough on in the "hope" that strong support will follow alongside planning consent. Especially so using a listed structure. I admire their chutzpah and enthusiasm to utilise the empty site and get something positive started quickly, but maybe they should have been speaking to you guys' early autumn than now. That therefore rules out the summer boost and casts doubt over its viability through the winter period, which is a shame.

There will always be objections to something like this, you just have to weigh up the possibility of greater impact on residents than the situation is now which, as I said, if well managed, I don't think will be a problem. Lyme needs all the help it can get to see it through this period of high inflation and cost of living crunch, so that it remains sustainable as a great beacon of fun and life on the Dorset coast - year round.

All the very best.

[REDACTED]

From: Cllr. Belinda Bawden [REDACTED]

Sent: 08 August 2023 13:20

To: [REDACTED]

Subject: RE: Black Cow Vodka - We Need Your Help

Thanks, [REDACTED]

Appendix 3 - Representation from Ward Member

As the Regent Cinema is a listed building, the planning consents required are more complex and therefore more time is needed to undertake the necessary legal consideration by planning as well as licensing teams.

Unfortunately, the Black Cow Vodka team did not apply for planning permission which is why they were unable to open as early as they had hoped. The team is working very closely with me and the Dorset Council experts to ensure all the legal processes are followed.

There have been objections, which also have to be carefully considered.

We hope this can be resolved soon but it is unlikely to mean any summer holiday launch, which is a shame.

Thanks,
Belinda

From: [REDACTED]
Sent: Tuesday, August 8, 2023 1:08 PM
To: Cllr. Belinda Bawden [REDACTED]; Licensing
<licensing@dorsetcouncil.gov.uk>
Cc: [REDACTED]
Subject: Re: Black Cow Vodka - We Need Your Help

Hi Belinda

I appreciate your rapid and quite positive reply.

All the very best with the process.

Take care.

[REDACTED]

From: Cllr. Belinda Bawden [REDACTED] >
Sent: 08 August 2023 12:53
To: [REDACTED] >; Licensing <licensing@dorsetcouncil.gov.uk>
Cc: [REDACTED] >
Subject: RE: Black Cow Vodka - We Need Your Help

Hi [REDACTED]

Many thanks for your well-argued email.

Whilst I have to remain objective in considering both the planning and the licence applications, I agree with your sentiments and will certainly ensure both the town council and Dorset Council teams see all the comments received.

[REDACTED] is not the licence applicant but the Black Cow Vodka venture.

Thanks for writing in,

Appendix 3 - Representation from Ward Member

Warm regards,

Belinda

Green Party Dorset Councillor for Lyme Regis and Charmouth

[REDACTED]

From: [REDACTED]
Sent: Tuesday, August 8, 2023 12:45 PM
To: Licensing <licensing@dorsetcouncil.gov.uk>; Cllr. Belinda Bawden
[REDACTED]
Cc: [REDACTED]
Subject: Re: Black Cow Vodka - We Need Your Help

Dear Councillor Bawden

I write in full support for [REDACTED] application for a long-term licence at the new venture Black Cow Vodka at The Cinema in Lyme Regis.

The site has already been sitting rotting away for the last six years, which is a great pity. If support isn't given to something at that site, then I fear it will end up becoming a similar situation to the complete eyesore that is the abandoned Three Cups Hotel. A very big black mark on Palmers Brewery's copy book for allowing that to remain in that state, right in the middle of Lyme high street for decades. Shame on you guys for not pushing them into some sort of action/investment also.

The loss of the cinema was a significant blow to the population of Lyme Regis. Especially as it had only recently opened after refurbishment. It seems highly unlikely that another cinema will emerge as I heard that only a single screen would be allowed. I've no idea why this should be a precedent as muti-small screens is most definitely the future. You should encourage it if someone is willing to invest.

Regarding the Black Cow venture, I think its a great idea. Apart from being a further Lyme Regis attraction, it is providing something quite different for locals and visitors, is becoming a nationally known brand which is a coup for Lyme and aside from anything, provides further employment opportunities for locals. There is already a lively pub and restaurants in the upper end of town and I cannot see why there should be any further disturbance from this venue if well managed.

I ask you to give this your support as I fear Lyme may start to resemble many other seaside towns with many closed shops and venues rotting away.

Thank you.

[REDACTED]
Lyme resident.

From: [REDACTED]
Sent: 08 August 2023 11:57
To: [REDACTED]
Subject: Black Cow Vodka - We Need Your Help

Dear all

Thank you all for your support

I have been asked to remove the petition which I am happy to do but I have also been asked if we can get as many people as possible to send friendly, positive licensing@dorsetcouncil.gov.uk emails of support to [REDACTED] and

We really want them to be in the town. Thank you for your support

[REDACTED] started this petition on Ekō Petitions. If there's an issue close to your heart that you'd like to campaign on, you can [start your own petition here](#). It's free and easy.

You are receiving this message because you signed the petition "[Black Cow Vodka Saloon - Lyme Regis Need & Want You](#)".

If you don't want to receive emails from the "Black Cow Vodka Saloon - Lyme Regis Need & Want You" campaign in the future, please [unsubscribe](#).

13. Wed 09/08/2023 17:13

Hi [REDACTED]

As far as the licence application is concerned it is being resubmitted, following some adjustments to the original application.

You are welcome to comment up to 28 August –

<https://www.dorsetcouncil.gov.uk/business-consumers-licences/licences-and-permits/alcohol-and-entertainment-licences/comment-on-a-licence-application/current-licence-applications>

Planning permission needs to be applied for and Dorset Council's officers have been providing advice and support to enable the Black Cow Vodka team to submit the required change of use and listed

Appendix 3 - Representation from Ward Member

building applications. There is a three week public consultation period once the application has been checked. You will also have the opportunity to comment during this period.

In the meantime, I'm collating everyone's comments and will ensure both the town council and Dorset Council's planning and licensing teams see them.

Thanks for emailing in with your support.

Best wishes,

Belinda

Green Party Dorset Councillor for Lyme Regis and Charmouth

[REDACTED]

Email: [REDACTED]

From: [REDACTED] >

Sent: Wednesday, August 9, 2023 3:54 PM

To: Cllr. Belinda Bawden <[REDACTED]>; Licensing
<licensing@dorsetcouncil.gov.uk>

Subject: Black Cow in Lyme Regis

Good Afternoon,

How are you?

I am a local resident supporting this new venture and curious as to what the issue actually is?

Surely, any new venture is both good for the town and brings in revenue for the council??

Ever,

[REDACTED]

14. Thu 10/08/2023 08:36

Hi Belinda

Please could you express my support for the above venue opening ASAP

Seems crazy that in a town that has a derelict building for over 30yrs (The 3 Cups)

That there are complaints for investing in a derelict building & bringing it back to life for the towns use by I well established local company hopefully this can be resolved

[REDACTED]

Appendix 3 - Representation from Ward Member

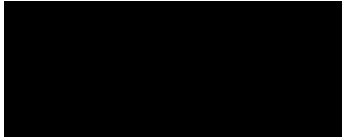
15. Wed 09/08/2023 10:04

Hello

I'd like to register my support for the Black Cow vodka bar hoping to open in Lyme. I think it will be popular with locals and visitors, adding a new dimension to the drinking/dining scene in the town without causing significant disruption to anybody.

I've lived here since 2017 and was a frequent visitor to the town before then.

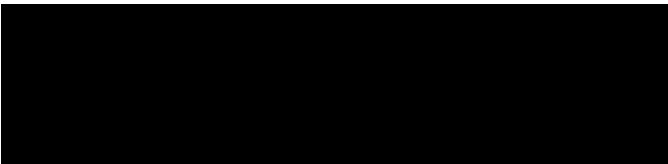
Thanks and best



Collated 15 August and sent to LRTC Planning Committee and Dorset Council's Licensing team.

Belinda Bawden

Green Party Dorset Councillor for Lyme Regis and Charmouth



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Appendix 3 – Representations in Support of the Application

1. Good evening,
May I add my voice to those who support the presence of Black Cow vodka in the old cinema in Lyme Regis.
The location is at the top of a busy shopping street, set back from the road. There is a pub nearby and a new establishment will be a welcome addition to the town rather than a nuisance.
I first came across the Black Cow saloon at the Port Eliot festival where the laid back vibe of the place was a huge draw and it will be for Lyme Regis too.
I whole heartedly support them being granted a licence,
kind regards,
Lyme Regis resident.

2. Lyme Regis needs this new venture
The former cinema was an eye sore
Lots of people want this
I live in Lyme and u want young people to keep visiting
Please grant the license
Thank you

3. I am emailing to offer my support for the Black Cow bar in the old cinema. It has been wonderful to see the regeneration of a building which has sat empty for far too long and the bar would be a very welcome addition to our town.

The owners are a local family who do a lot to support the community.

I do hope to see the bar open very soon.

4. I am writing to you today to support the application of a licence for Black Cow Vodka to be able to serve this alcohol in their premises in Lyme Regis.

Being a licensee myself I totally agree that their venue and offer will be both professional and secure.

5. I am emailing in massive support of the Black Cow Vodka Saloon Bar in Lyme Regis. I am local to the area and feel very lucky to live in such a thriving foody area. I am in my early thirties though and to keep attracting more people to live and holiday we need these new and exiting places to keep the locals and also attract the newcomers! Its also fantastic that this is a local brand and company, instead of filling our high street with chains.

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Licensing

From: Guy Chittenden [REDACTED]
Sent: 31 August 2023 10:15
To: Licensing
Subject: Answers to [REDACTED] - Black Cow Saloon at the Regent

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Kathryn

Hello Kathryn,

Thank you for sending me the objections from the trio yesterday, I will work through the objections per email and Issue them back to you one by one if that's suitable.

[REDACTED]

Dear Sir

With regard to the application for planning and for an alcohol licence to use the Regent Cinema, Lyme Regis, as a bar/shop for the Black Cow Vodka company.

We have some serious concerns about this application that we wish to raise with Dorset Council formally via this email before the 28 August deadline.

OUR SITUATION:

[REDACTED] is a family home occupied by us and our family for about 8 month of the year, spread across the calendar. We value its position, privacy and generally peaceful environment. This is not a summer let property but a vitally important part of our family life. Our location is within 20m of the proposed Vodka Bar.

CONCERNS RELATING TO PUBLIC NUISANCE:

1. What as initially billed as a summer pop-up event is now proposed as an open licence with no end date.

Due to not being able to open as a popup, but, from hearing the overwhelming support from local businesses, individuals and the tourists that have fond memories of the Regent Cinema, we decided that we would like to fully invest in the town of Lyme Regis. Our plan is to reinstate the long held license which was operated in the Regent cinema and provide a welcoming meeting space for all, and to also provide full time work for local residents and young persons, much in line with the town plan.

2. A new outside bar opening until later evening will create a major noise nuisance for the surrounding residential properties and businesses. Almost all of the surrounding homes and businesses are Grade II Listed. This prevents them from having double glazing and proper sound insulation from nuisance noise. The proposed bar is within 20 meters of our main living room and main bedroom.

We appreciate that this is a perceived concern, however we have found that due to the location, being on a hill, and at a junction on the main thoroughfare and highstreet, there is quite a significant road noise which far overshadows any possible noise patrons might create. This type of noise is very in character for the area, and it is mentioned as being a busy and vibrant area after hours as part of the Lyme Regis Conservation area appeal.

3. The selling of high strength alcohol will encourage late night foot traffic with probable loitering and street noise into the later hours.

Our bar will be closing earlier than the adjacent pub which will direct foot traffic away from silver street. Like above, however we see this as being in keeping with the area; Lyme Regis Conservation Area Appeal: "The town's current activities and building uses provide continuity with those of the past, which underpin the town's character. Broad

Appendix 4 - Responses to Objections

Street is the town's bustling main street with its impressive concentration of retail and business frontages that include inns and hotels. In some rear yards, residential and retail uses follow tradition, whilst the street after hour uses, especially restaurants and the cinema, help extend liveliness.

4. This will potentially alter the entire character of the top end of Broad Street. This is currently a quiet residential part of town. The only night time business selling alcohol presently is the Volunteer pub. Despite being significantly down the hill from us, this is already a source of burdensome noise at night - and it doesn't have external decking and open-air drinking!

I don't foresee much change in the character of Broad Street, but, I would disagree with the description of it being a quiet residential street, The Lyme Regis Carnival ran down this road only a few weeks ago which certainly wasn't a quiet event! The Volunteer Inn is a matter of 20 meters from us, there is also an alcohol serving restaurant opposite on silver street as well as a late night takeaway further up the hill on silver street.

5. The new licence application seeks permission for live music. While the applicant says that this will only be inside, we have no guarantees on this for future events. If amplified music is used - even inside - the bass noise will still be an issue for all neighbours. In summer weather the doors will likely be left open, and this will create a noise nuisance from any internal music. Just the intermittent opening and closing of doors will generate bursts of music. The license we have applied for is for music inside only, if in the future we were to want to hold an event with outdoor music (which we have no plans for at this time) we will be required to go through the process of obtaining a license for that. The indoor music we have is for background ambience, not for dancing or anything alike. This will be easily drowned out by the road noise outside.

6. Outside smoking and vaping will also be an issue - the [REDACTED] hotel has already raised the problems this will raise for their guests. The proprietors of Black Cow cannot feasibly enforce a no-smoking rule outside of the decking area and have no control of the forecourt or pavement outside.

We will be operating a no smoking or vaping rule for the premises and the deck. This is clearly sign written.

CONCERNS OVER PLANNING AND GRADE II LISTED STATUS: **Not applicable to Licensing?**

Firstly we are astounded that the decking work has been completed before any Planning Permission has been granted. Our specific concerns are as follows:-

1. The decking extends over the Regent forecourt. But is this private property of the Regent or classified as public pavement under Council of Lyme Regis? There is a phone box and litter bin on the same piece of ground, indicating it is likely to be Council land?
2. The new decking and raised seating area has a major impact on the visual aesthetic of a listed building and maybe on its structural integrity. Have any original listed features been damaged and are they at risk of damage in future?
3. Will a lightweight roof be added in future and how will this attach to the original building?
4. Some external lighting will be needed for the outside decking. It is likely that external lights will be mounted on the new poles on the decking. Is the Planning Authority clear on their plans for external lighting? This is a major area that seems not to be covered in the Licence Application and must be covered by Planning.
5. What about drainage from the new structure? Has it interfered with any drainage gully and might this cause localised flooding in heavy rain?
6. Sale of coffee and snacks is proposed (this is my understanding despite the Planning Application). This will surely require a proper assessment by the Fire Service and the Health and Safety Executive / Environmental Health & Public Health. Has this been done or is this planned?

THE LICENCE APPLICATION HAS BEEN SUBMITTED WITHOUT ANY OF THE FOLLOWING IN PLACE:

Listed Building Planning Consent
Health and Safety approval
Fire Regulations assessment and certificate

Appendix 4 - Responses to Objections

Police approval

IN CONCLUSION

If this application is granted it will set a dangerous precedent for the commercial development of other properties in the top of the town. Even listed buildings do not seem immune from insensitive development on the lines planned by Black Cow Vodka. If granted, this will undermine the local planning system in its duty to protect residential neighbourhoods and historic listed buildings.

Licensing

From: Guy Chittenden [REDACTED]
Sent: 31 August 2023 13:11
To: Licensing
Subject: Re: Representations - [REDACTED] - Regent Cinema

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Kathryn

Hello Kathryn,

1. **Licensing** - Black Cow Saloon informed Dorset Licencing Department in their first application that they had put a Public Notice in Local Newspapers – They had failed to comply with these regulations. Claiming that the local LymeOnline newspaper had written an article about this venture, singing their praises of this “Acclaimed” product. This article they claimed confirmed that they had conformed with the regulations. Dorset Licencing Department rejected this argument and instructed Black Cow Vodka Saloon to resubmit their application. Despite the very clear instructions from Dorset Council Licencing Department the applicant failed to place the Public Notice in the local newspaper. Subsequently they have resubmitted their Licencing application.
- The boss of Black Cow Vodka Saloon rang me as owner of Lyme 1 Hotel and enquired what were my objections – I informed him:
They are advertising Live music on the Billboards outside the old cinema – He informed me in the telephone conversation that there will be NO live music.
In Black Cow Vodka Saloon resubmitted application to Dorset Licencing, they have ticked the box for Live music.
This is so that in the future we may have the possibility to make use of the piano inside the premises. Much like the original license that was held in the time that the Regent building was operated as a cinema.
- I informed the owner of Black Cow Vodka about the noise nuisance from their outside terrace which will have a devastating effect on my business – [REDACTED] Hotel is a Grade II Listed Building which has charm and character with the individual rooms but does not benefit from modern day technologies like sound insulation and double glazing.
- **With this being a high street, there is some noise to be expected. We have an earlier closing time than other local establishments, I might add there are only two windows high above the forecourt, meaning this relates to a maximum of two rooms in the hotel. The rest of what we share is a very substantial solid wall.**
- **We have mentioned on a number of occasions that as a business Black Cow would happily make use of [REDACTED] Hotel for our visitors to the distillery and saloon, it makes sense for us to work with the community, provide accommodation as part of these tours and also provide 100’s of year round on and off peak guaranteed bookings for our neighbour, far from any devastating effects. .**
- I informed him about smoking and vaping on the outside terrace – he informed me that there will be no-smoking or vaping on the outside terrace. I enquired how would he police and enforce these

Appendix 4 - Responses to Objections

rules. With Black Cow Vodka Saloon's previous record on honesty, as detailed above I think this is just empty words.

- We have provided clear signage stating no smoking or vaping on the premises, this will be enforced by us, and has been up to this point.
- If patrons of Black Cow Vodka Saloon are not allowed to smoke or vape on the terrace they will be forced to move to an area in front of the decking. This area which belongs to the Regent Cinema will be filled with staff vehicles. Therefore, smokers would then have to again move forward – toward the Broad Street/Pound Street pavement – thereby congregating outside the ground floor windows of ████████ Hotel. Patrons who would have been consuming the very strong vodka cocktails will become increasing more vocal disturbing the peace and calm at the top of Broad Street/beginning of Pound Street. PUBLIC NUISANCE CONCERNS: This same scenario can be confirmed and witnessed with the same situation with smokers and vapers outside the Volunteer Pub just a few metres further down Broad Street.
- There will be no vehicles situated on site, this will remain a cordoned off area.
- There is a contradiction between the peace and calm that is currently enjoyed and the volunteer pub a few meters away with smoking and vaping. I'm unsure what the concern really is here, if that's the case
- I informed the owner of Black Cow Vodka Saloon in our telephone conversation that in my opinion he was creating a "Wetherspoons" which was totally unsuitable and inappropriate for Lyme Regis.
- We are not looking to emulate Wetherspoons in any way, by way of an example Weatherspoons offers a price based cheap and high volume offering of food, alcohol and often live sports. Black cow is a premium product, focused on high quality, sustainable and local ingredients, we do not intend to create a "pub / nightclub environment. Our relaxed and ambient offering would likely deter a "Wetherspoons regular". This option might come down to misunderstanding our brand, its values, and ideals.

Kind regards,
Guy

Licensing

From: Guy Chittenden [REDACTED]
Sent: 31 August 2023 12:40
To: Licensing
Subject: Re: Representations - [REDACTED] - Regent Cinema

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Kathryn

Dear Kathryn,

In response to [REDACTED]

Our concerns with this application:-

1. We note that in Part 1 where the applicants give details of the premises, they no longer refer to the premises as The Regent Cinema but choose instead to refer to the premises as The Regent? This application is for a liquor licence on the site of the derelict and fire damaged Grade II listed Regent Cinema.
 1. **The application is for a premise license within the foyer, shop and forecourt of the former Regent Cinema, not the whole premises.**
2. Later in Part 3 the applicants describe the premises saying “The Regent Cinema is currently closed to the general public” and we note throughout their application there is no mention of the fact that the Regent Cinema is still a listed building albeit that probably 85% of the cinema burnt down or was demolished for safety reasons after the fire in 2016.

Would it not be more accurate to describe the existing building as the remains of a cinema that burnt down/was demolished in 2016 and lain empty ever since? As a retired chartered surveyor of 40+ years standing [REDACTED] questions the structural integrity of the remaining cinema structure. Some of the external walls remain standing today but whereas these walls were once tied in and stabilised by the internal cross walls, floors and the roof structure of the cinema, they are now freestanding walls, some several storeys high and [REDACTED] suggests those walls have likely lost the structural integrity they once enjoyed as part of the complete pre fire cinema. Even if there is only a low risk of collapse to the old cinema structure, the consequences of any such collapse could be devastating and reflect very badly on both Town and District Councils. As a minimum, the remaining cinema structure should be checked and inspected by a competent and qualified structural engineer immediately and then regularly every two years. [REDACTED] is not sure how long a freestanding wall built on probably inadequate foundations (by current standards at least) can be expected to remain safe and structurally stable but suggests it’s a risk that needs to be considered before possibly filling this fire damaged building with intoxicated Vodka drinkers.

This relates to the Cinema’s auditorium, a separate area which is not part of the application, isn’t operated by Black Cow, or has any public access.

3. We also note in the description of the premises, the applicants state they **“would like to create a pop up Black Cow bar within the foyer and terrace of the building.”** That’s not quite accurate

Appendix 4 - Responses to Objections

either because at the time of making the application 28/7/2023, the cinema did not have any terrace. An illegally constructed timber decking had only just been erected, without planning consent or permission and with a ramp that will be of immense danger to any disabled wheelchair users, the danger being that if the wheelchair user loses control on the slope, the wheelchair may quickly end up in Broad Street, which can be very busy at all times of day and night with cars, buses, delivery trucks and very regularly, skateboarders hurtling down the length of Broad Street.

1. This application covers these of the terrace with is in the process of having consent gained.
 2. The ramp is of gentle gradient, is very wide and has grip strips across it, these are to enable all manner of persons to be able to access the premises without discrimination. Prior to this the steps were quite restrictive to those less mobile.
 3. The entire geography of this area is that of steep gradients, the work we have done in creating this decked area, and the building of a wide ramp has served to prevent accidents as to be more inclusive to the wider community.
4. We were disappointed to see there is no mention in the application of the listed cinema building being reinstated and do not understand why that is. There was a fire at these listed premises in 2016 and we understood the cinema owners had negotiated a substantial settlement sum with their Insurers which should have enabled them to rebuild the premises but presumably they chose not to reinstate the premises as a functioning cinema. I would have thought the cinema owners were obliged to do so/had a duty/obligation to do so under listed buildings legislation, in a designated Conservation Area.
1. From our understanding, that settlement was a previous owner of the premises, who have since moved on. The fate of the auditorium which doesn't form part of this application, is out of our control. Black Cow are operating as tenants within just a section of the cinema, and have been doing the necessary work to prevent the further degradation of a long vacant listed building, once used for public entertainment.
5. █████ could not get the WDDC Conservation Officers to answer their phone so emailed PlanningConservation@dorsetcouncil.gov.uk 10/08/2023 @ 16:25 saying he would appreciate a chat with the Conservation Officer responsible for the cinema, but nobody has either acknowledged that email or made contact with him at all.
6. **Adequacy of parking/loading/turning space for vehicles.** The junction of Broad Street, Silver Street and Pound Street is directly outside the cinema site and is probably the busiest junction in town with vehicles making U turns at the top of Broad Street, vehicles turning up Silver Street to get to Uplyme, travellers turning up Pound Street to get further up the coast road, often at high speed late at night plus lorries delivering to the Coop and Tesco supermarkets both less than 40 metres from the cinema boundary. We believe there will be no space for any vehicles to park or turn on the forecourt of the cinema premises, so customers being dropped off or picked up, deliveries etc will only exacerbate the traffic problems at the junction of these three roads.
1. We do occasionally find there are vehicles parked on the double yellow lines outside the Regent Cinema's forecourt, these are often other businesses deliveries, people dropping luggage off and checking in to the adjacent hotel, or "nipping into town". This of course isn't up to us to police, or monitor. The forecourt will not be used for turning and will not be used for parking when open either. Should we be expecting a delivery in the morning, we, unlike most businesses here, do have the ability to offer off street parking for this drop off.

Appendix 4 - Responses to Objections

7. **Conflict with Planning Policies.** The applicants have already transgressed planning policies by erecting the decking structures and ramp pointing in the wrong direction without seeking necessary permissions or consents and that's not a good start. To do so on a listed building site we suggest is yet a further serious transgression. ■■■ submitted an online complaint to WDDC planning enforcement people on Thursday 24/08/2023 about this illegally erected decking, although he has not received any acknowledgement of same as yet?

8. **Disabled access.** Comments on this are given in point 3 above along with the criticisms of the new decking but we believe the ramp incorporated in the decking has a serious safety flaw in that it slopes too severely and points wheelchair users in the dangerous direction of Broad Street rather than to a safe landing area in the event they should lose control whilst using the ramp.
 1. **The ramp has a gentle gradient, is extra wide and has grip strips along its length to make it safe and inclusive.**

9. **Effect on Listed Buildings and Conservation Area.** We believe what is occurring at the Regent Cinema (a listed building in Lyme Regis Conservation Area) is an absolute disgrace and if the owners are simply ignoring the listed building requirements and legislation they should be reminded that doing so is a criminal offence. We believe WDDC should refuse all and any applications for liquor licences on this deteriorating listed building site and issue a listed building enforcement notice requiring the new timber decking recently erected to be removed forthwith and ask the police to investigate what is really going on with the Regent Cinema (ie has any criminality occurred) and whether there has been any intent to ignore the listed building legislation.

My understanding is that Listed Building legislation largely relies on the threat of local authorities enforcing the requirements of that legislation and should it become generally accepted practice for listed property owners to simply ignore that legislation, the benefits of retaining listed buildings to the nation will just disappear. I believe this is already occurring in the Midlands with the recent example of the seemingly rapid fire and demolition of the Crooked House pub in Walsall just a matter of weeks after being purchased by its new property developer owners.

To our knowledge, most residents in the town want the cinema reinstated, they don't need or want a Vodka bar operating either in a converted horsebox or the remnants of a fire damaged cinema foyer because there are presently abundant places in the town to get a drink. Why can't the town or district council work with the cinema owners to achieve this objective?

10. **Highway safety.** This is largely covered in Item 6 above but any increase in traffic at this busy junction in the town will obviously have an adverse impact on highway safety.

11. **Noise and disturbance resulting from use as a Vodka bar.** Intoxicated drinkers are inevitably much noisier than cinemagoers and I note this application is for a permanent liquor and music licence to operate most of the day, seven days a week throughout the year, selling liquor 11:00-23:00 so there will be lots more noise and lots more drunken people spilling out of this new drinking site.

Appendix 4 - Responses to Objections

Unfortunately, this will vastly increase the noise levels throughout the day but particularly late at night and at closing time and the people most affected will be local residents like ourselves whose bedroom is probably just 25 /30 metres from the proposed new bar. The town also has lots of teenagers who are always keen to get drunk and whatever measures the applicants say they will take to avoid under age drinkers they are very unlikely to be successful. The last thing the town needs is yet another drinking hole.

This is a main tourist walking spot, the main high street in town, and the location of many shops, restaurants and a main road so it is always a busy place during the day. I don't see this being much louder in the evening than the current noise from the road, these restaurants, the takeaway, and local pub. I don't take such a dim view of the local teenage residents, and it's been a pleasure meeting and working with some of them, including the children of some of the local residents. We will have a challenge 25 policy, which is the agreed nationwide policy for the protection of children.

We don't know whether the Vodka bar will provide toilets for their customers or not, but they need to because there are no public toilets at this end of the High/Broad Street and it is not unusual to see people urinating behind the electrical substation in the adjacent park and behind the telephone box in the cinema forecourt.

Due to the previous nature of the establishment, the toilet facilities we have are more than adequate.

The Vodka bar will inevitably change the character at this end of the High/Broad Street from a generally quiet part of town (apart from closing times at The Volunteer which can often be quite noisy) to one of continual noise and commotion emanating from the Vodka bar music and customers drinking on the new decking areas in the open air. My wife and I have noted the current cinema forecourt seems to amplify sounds at night so that if 2/3/4 people are in that forecourt waiting for a car or taxi to pick them up, my wife and I can hear every word being spoken, even if the people are speaking quietly and of course everything is much worse if those people have had a drink and become quite loud and often lairy or aggressive.

In terms of a change of character, I would disagree, this is an extract from the "the Lyme Regis Conservation Area Appeal: "The town's current activities and building uses provide continuity with those of the past, which underpin the town's character. Broad Street is the town's bustling main street with its impressive concentration of retail and business frontages that include inns and hotels. In some rear yards, residential and retail uses follow tradition, whilst the street after hour uses, especially restaurants and the cinema, help extend liveliness.

At the top of Broad Street, a concentration of hotels begins, and this traditional use then continues along the south side of Pound Street."

With the road noise, it is near impossible to hear people on the other side of it, so I do find this point to be moot.

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Appendix 5 – Further Responses

Representation 1

Thank you for forwarding to us the responses to our objections by the Black Cow Vodka company.

We have the following observations on their responses:

Point 2. Yes, road noise can be high during the day but not in the evenings. The street is usually very quiet after 9, especially out of season.

Point 3. None of the later opening hotels, restaurants or bars have outside street-facing customer space.

Point 4. Events such as the carnival are one off events whereas the vodka bar proposes daily late night opening. As above, all of the businesses mentioned only serve customers within their premises.

Point 5. As in Point 2, there is little road noise in the evenings.

Point 6. This is very laudable, but will only have the inevitable effect of pushing customers on to the council pavement land beyond the decking (and even closer to surrounding buildings) in order to smoke/chat.

IMPORTANT NEW CONCERNS

Since we last communicated I have made enquiries to the owner of the Regent Cinema concerning the nature of any lease or legally binding permissions granted to the Black Cow Vodka company for their occupation of the site and the undertaking of extensive internal and external works on a Grade II Listed Building.

I have an email from the owner, xxxxxxxxxx, that confirms the following:

- 1. There is NO LEASE or any written agreement in place between the Regent Cinema and Black Cow Vodka.**
- 2. No payment has been made to the Regent Cinema by the Black Cow Vodka company during the entire period of their occupation.**

I must ask how it would stand for the Council to grant a Licence to a person or body who has no legal right of tenure at the proposed site, has no written obligations or covenants and no clear terms of vacating the premises?

I must also query whether adequate or indeed any insurance is in place?

I do not know whether the owner of the Regent Cinema has any buildings insurance in place since it's probably difficult to insure a fire damaged/partially demolished building. If this is the case, I would simply ask whether Black Cow run a bar in an uninsured property?

I can confirm that we will not be retracting our objections at this date.

Representation 2

I will not be withdrawing my objections to Black Cow Vodka Saloon opening at the old Regent Cinema.

Regarding the explanation put forward by Black Cow Vodka – allow me to retort in green below:-

1. **Licencing** - Black Cow Saloon informed Dorset Licencing Department in their first application that they had put a Public Notice in Local Newspapers – They had failed to comply with these regulations. Claiming that the local LymeOnline newspaper had written an article about this venture, singing their praises of this “Acclaimed” product. This article they claimed confirmed that they had conformed with the regulations. Dorset Licencing Department rejected this argument and instructed Black Cow Vodka Saloon to resubmit their application. Despite the very clear instructions from Dorset Council Licencing Department the applicant failed to place the Public Notice in the local newspaper. Subsequently they have resubmitted their Licencing application. No mention from Black Cow Vodka regarding the xxxxxxx 1st Licencing Application where they implied that they had placed a Public Notification in the local newspaper.
- The boss of Black Cow Vodka Saloon rang me as owner of Lyme 1 Hotel and enquired what were my objections – I informed him:
They are advertising Live music on the Billboards outside the old cinema – He informed me in the telephone conversation that there will be NO live music. In Black Cow Vodka Saloon resubmitted application to Dorset Licencing, they have ticked the box for Live music.
This is so that in the future we may have the possibility to make use of the piano inside the premises. Much like the original license that was held in the time that the Regent building was operated as a cinema.
Mr Black Cow Vodka informed me in our telephone conversation that there would be NO LIVE MUSIC – As far as I am concerned – NO LIVE MUSIC means NO LIVE MUSIC – it does not mean that “possibly sometime in the future” we can have LIVE MUSIC.
- I informed the owner of Black Cow Vodka about the noise nuisance from their outside terrace which will have a devastating effect on my business – Lyme 1 Hotel is a Grade II Listed Building which has charm and character with the individual rooms but does not benefit from modern day technologies like sound insulation and double glazing.
- With this being a high street, there is some noise to be expected. We have an earlier closing time than other local establishments, I might add there are only two windows high above the forecourt, meaning this relates to a maximum of two rooms in the hotel. The rest of what we share is a very substantial solid wall.
- The smokers and Vapers being forced off the “non-approved” decking will move to the area in front of the decking which has been filled with staff and workers cars. They will subsequently move to the pavement adjacent to Lyme 1 Hotel where Room 1 – Cobb Suite is located on Pound Street. I reiterate previous objections in that rooms in a Grade II listed Building do not benefit from modern day technologies like sound insulation and double glazing.
- We have mentioned on a number of occasions that as a business Black Cow would happily make use of Lyme 1 Hotel for our visitors to the distillery and saloon, it makes sense for us to work with the community, provide accommodation as part of these

tours and also provide 100's of year round on and off peak guaranteed bookings for our neighbour, far from any devastating effects. .

Will Black Cow Vodka compensate Lyme 1 Hotel for all the business lost because guests do not want to be disturbed by the intoxicated patrons of the Saloon. The main purpose of any bar is to sell as much premium product as feasible resulting in loud noisy gatherings, sometimes antisocial behaviour such as abusive and insulting behaviour, drunkenness, and vandalism.

- I informed him about smoking and vaping on the outside terrace – he informed me that there will be no-smoking or vaping on the outside terrace. I enquired how would he police and enforce these rules. With Black Cow Vodka Saloon's previous record on honesty, as detailed above I think this is just empty words.
- We have provided clear signage stating no smoking or vaping on the premises, this will be enforced by us, and has been up to this point.
No way will Black Cow be able to Police this no smoking or vaping.
- If patrons of Black Cow Vodka Saloon are not allowed to smoke or vape on the terrace they will be forced to move to an area in front of the decking. This area which belongs to the Regent Cinema will be filled with staff vehicles. Therefore, smokers would then have to again move forward – toward the Broad Street/Pound Street pavement – thereby congregating outside the ground floor windows of Lyme 1 Hotel. Patrons who would have been consuming the very strong vodka cocktails will become increasing more vocal disturbing the peace and calm at the top of Broad Street/beginning of Pound Street. PUBLIC NUISANCE CONCERNS: This same scenario can be confirmed and witnessed with the same situation with smokers and vapers outside the Volunteer Pub just a few metres further down Broad Street.
- There will be no vehicles situated on site, this will remain a cordoned off area.
- There is a contradiction between the peace and calm that is currently enjoyed and the volunteer pub a few meters away with smoking and vaping. I'm unsure what the concern really is here, if that's the case
I have never complained about the smokers/vapers outside the Volunteer Pub because they are approx. 50 meters further down Broad Street.
- I informed the owner of Black Cow Vodka Saloon in our telephone conversation that in my opinion he was creating a "Wetherspoons" which was totally unsuitable and inappropriate for Lyme Regis.
- We are not looking to emulate Wetherspoons in any way, by way of an example Weatherspoons offers a price based cheap and high volume offering of food, alcohol and often live sports. Black cow is a premium product, focused on high quality, sustainable and local ingredients, we do not intend to create a "pub / nightclub environment. Our relaxed and ambient offering would likely deter a "Wetherspoons regular". This option might come down to misunderstanding our brand, its values, and ideals.
According to my Google research – Black Cow Vodka is NOT a Premium Product as claimed and as such is just a high strength alcohol which will create a pub atmosphere by the patrons consuming the Premium Product.

I am required under the Licensing Act to ask if the above points have, or have not, alleviated your concerns and if you are now satisfied with the application. Due to the time constraints surrounding an application I would be grateful if you could please let me know by 6 September 2023 whether you wish to have your representation withdrawn.

I DO NOT wish to withdraw my objections.

I would recap and reiterate comments made by xxxxxxxx of xxxxxxxx in an earlier email to the Licencing Department.

He commented that Black Cow Vodka Saloon do not have any form of lease as confirmed by the owner of the cinema – he also questioned if any Buildings and Public Liability Insurance was in place for a Fire Damaged /Partially demolished building. How can Black Cow Vodka Saloon be able to operate and run a business without these basics' requirements.

If you wish to continue with your representation, I will arrange for a Licensing Sub Committee hearing to take place, a formal invite will be sent out to you in due course. [Look forward to it.](#)

I would also like to inform you that any premises that holds a licence under the Licensing Act 2003, can be subject to a review at any time if an establishment fails to satisfy one or all of the four licensing objectives. (The prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm). A review would be heard at a Licensing Sub Committee where conditions or restrictions may be added to the licence to resolve outstanding issues.

Representation 3

As previously notified, please find our replies to Pure Milk Vodka Ltd responses to the concerns raised in our previous email 27/08/2023 objecting to their application for a liquor licence at these premises.

For clarity, our replies are given in light blue text.

Our concerns with this application:-

1. *We note that in Part 1 where the applicants give details of the premises, they no longer refer to the premises as The Regent Cinema but choose instead to refer to the premises as The Regent? This application is for a liquor licence on the site of the derelict and fire damaged Grade II listed Regent Cinema.*

1. *The application is for a premise license within the foyer, shop and forecourt of the former Regent Cinema, not the whole premises.*

Applicants should confirm you will not be operating within fire damaged or partially demolished and now derelict areas of the listed cinema and that applicants are satisfied with the structural integrity of the areas you propose to operate in so as not to present any danger to staff or customers and please clarify how you come to be of that opinion?

2. *Later in Part 3 the applicants describe the premises saying “The Regent Cinema is currently closed to the general public” and we note throughout their application there is no mention of the fact that the Regent Cinema is still a listed building albeit that probably 85% of the cinema burnt down or was demolished for safety reasons after the fire in 2016.*

Would it not be more accurate to describe the existing building as the remains of a cinema that burnt down/was demolished in 2016 and lain empty ever since? As a retired chartered surveyor of 40+ years standing xxx questions the structural integrity of the remaining cinema structure. Some of the external walls remain standing today but whereas these walls were once tied in and stabilised by the internal cross walls, floors and the roof structure of the cinema, they are now freestanding walls, some several storeys high and xxx suggests those walls have likely lost the structural integrity they once enjoyed as part of the complete pre fire cinema. Even if there is only a low risk of collapse to the old cinema structure, the consequences of any such collapse could be devastating and reflect very badly on both Town and District Councils. As a minimum, the remaining cinema structure should be checked and inspected by a competent and qualified structural engineer immediately and then regularly every two years. xxx is not sure how long a freestanding wall built on probably inadequate foundations (by current standards at least) can be expected to remain safe and structurally stable but suggests it's a risk that needs to be considered before possibly filling this fire damaged building with intoxicated Vodka drinkers.

This relates to the Cinema's auditorium, a separate area which is not part of the application, isn't operated by Black Cow, or has any public access.

We think that's rather missing the point we are trying to make here. We understand that Pure Milk Vodka Ltd will not be operating in the demolished and derelict parts of the premises but the Cinema was closed to the public presumably because the

premises had been decimated by fire and the water pumped in by the Fire Brigade extinguishing the fire. Substantial parts of the structure collapsed but also other parts of the remaining structure will inevitably have been damaged and still be in need of either proper repair or reconstruction eg any tall, now unsupported walls and probably also parts of the foyer structure which in 2016 were internal and covered by the auditorium roof but which have now spent the last 7 years exposed to the weather on the exposed auditorium side. Wallpaper and plasterwork will have disintegrated and the internal bricks corroded but has anything been done to upgrade this wall to make it weather resistant and structurally sound and stable?

If the foyer and other areas you propose to operate in have been properly repaired that's obviously fine and presumably you will have a completion certificate from WDDC Building Control or the Conservation Officer that all works have been carried out to their satisfaction but we suspect that's probably not the case here because the external decking was erected without planning or listed building consent and we suspect you have just redecorated the foyer.

The Cinema was a listed building in 2016 when the fire occurred and as we understand it the owners spent some years settling their insurance claim eventually deciding not to rebuild the cinema and sold the premises instead. It's now 2023 and we presume the cinema is still Grade II listed and we believe the current owners or occupiers need to accept responsibility for the public's safety here, rather than Pure Milk Vodka Ltd just saying "*the Cinema's auditorium, a separate area which is not part of the application, isn't operated by Black Cow, or has any public access*". I'm not sure even that statement is quite correct either because teenagers and squatters have frequently gained access to areas of the Cinema auditorium via the very accessible plywood hoarding in the adjoining Langmoor Gardens, and will no doubt continue to do so.

If the remaining cinema structure and temporary hoardings are allowed to decay further, who will be held responsible when it does eventually all fall down in 5/10/15 years ?

3. *We also note in the description of the premises, the applicants state they "would like to create a pop up Black Cow bar within the foyer and terrace of the building."* That's not quite accurate either because at the time of making the application 28/7/2023, the cinema did not have any terrace. An xxxx constructed timber decking had only just been erected, without planning consent or permission and with a ramp that will be of immense danger to any disabled wheelchair users, the danger being that if the wheelchair user loses control on the slope, the wheelchair may quickly end up in Broad Street, which can be very busy at all times of day and night with cars, buses, delivery trucks and very regularly, skateboarders hurtling down the length of Broad Street.
 1. *This application covers these of the terrace with is in the process of having consent gained.*

Perhaps for accuracy sake WDDC would allow you to amend the application to read "the terrace we built a couple of weeks ago without planning permission or listed building consent?"

2. *The ramp is of gentle gradient, is very wide and has grip strips across it, these are to enable all manner of persons to be able to access the premises*

without discrimination. Prior to this the steps were quite restrictive to those less mobile.

The point we are making is clear enough, a wheelchair user who loses control whilst using the ramp you have constructed without planning permission, could end up at the bottom of Broad Street and if such an accident were to occur then either Pure Milk Vodka Ltd as tenants/occupiers or the cinema owners would be held liable for constructing a xxxx ramp and if both parties denied liability then I suspect WDDC would be held liable for allowing a xxxxx ramp to be constructed or not taking action to remove the danger. Please address the point we are making.

- 3. The entire geography of this area is that of steep gradients, the work we have done in creating this decked area, and the building of a wide ramp has served to prevent accidents as to be more inclusive to the wider community.*

That's a matter of fact but if serious risks can be avoided by a bit of thought and care in the design and construction, then why not make the ramp much safer for its users ie provide a more gentle slope and a safer, flatter landing area at the bottom of the ramp on the Regent Cinema forecourt rather than in the roadway?

- 4. We were disappointed to see there is no mention in the application of the listed cinema building being reinstated and do not understand why that is. There was a fire at these listed premises in 2016 and we understood the cinema owners had negotiated a substantial settlement sum with their Insurers which should have enabled them to rebuild the premises but presumably they chose not to reinstate the premises as a functioning cinema. I would have thought the cinema owners were obliged to do so/had a duty/obligation to do so under listed buildings legislation, in a designated Conservation Area.*

- 1. From our understanding, that settlement was a previous owner of the premises, who have since moved on. The fate of the auditorium which doesn't form part of this application, is out of our control. Black Cow are operating as tenets within just a section of the cinema, and have been doing the necessary work to prevent the further degradation of a long vacant listed building, once used for public entertainment.*

When you say "Black Cow are operating as tenets" we presume you mean tenants but as far as we currently understand, Black Cow currently have no lease on the property and have paid no rent to the owner. Are Pure Milk Vodka Ltd occupying the premises xxxxxx? Have Pure Milk Vodka Ltd got the premises insured? Does Pure Milk Vodka Ltd have Public and Employers Liability insurance to run their operations in a partially derelict burnt out cinema? Do Pure Milk Vodka Ltd know if the cinema owners have the premises they are currently occupying insured?

- 5. xxxx could not get the WDDC Conservation Officers to answer their phone so emailed PlanningConservation@dorsetcouncil.gov.uk 10/08/2023 @ 16:25 saying he would appreciate a chat with the Conservation Officer responsible for the cinema, but nobody has either acknowledged that email or made contact with him at all.*

6. **Adequacy of parking/loading/turning space for vehicles.** The junction of Broad Street, Silver Street and Pound Street is directly outside the cinema site and is probably the busiest junction in town with vehicles making U turns at the top of Broad Street, vehicles turning up Silver Street to get to Uplyme, travellers turning up Pound Street to get further up the coast road, often at high speed late at night plus lorries delivering to the Coop and Tesco supermarkets both less than 40 metres from the cinema boundary. We believe there will be no space for any vehicles to park or turn on the forecourt of the cinema premises, so customers being dropped off or picked up, deliveries etc will only exacerbate the traffic problems at the junction of these three roads.

1. *We do occasionally find there are vehicles parked on the double yellow lines outside the Regent Cinema's forecourt, these are often other businesses deliveries, people dropping luggage off and checking in to the adjacent hotel, or "nipping into town". This of course isn't up to us to police, or monitor. The forecourt will not be used for turning and will not be used for parking when open either. Should we be expecting a delivery in the morning, we, unlike most businesses here, do have the ability to offer off street parking for this drop off.*

Parking on yellow lines in the road is commonplace because there is a shortage of parking spaces in the town. With the premises proposing to open 9:00:-23:00 seven days a week throughout the year it's difficult to see how you will uphold your statement of intent that "*The forecourt will not be used for turning and will not be used for parking when open either*". We suspect that townspeople, visitors and delivery drivers will continue to use the roadway and your forecourt in the same way they have been doing since we moved in 25+ years ago ie the traffic problem at the top of Broad Street will no doubt be exacerbated with yourselves there open 9:00-23:00 7 days a week

7. **Conflict with Planning Policies.** The applicants have already transgressed planning policies by erecting the decking structures and ramp pointing in the wrong direction without seeking necessary permissions or consents and that's not a good start. To do so on a listed building site we suggest is yet a further serious transgression. xxxx submitted an online complaint to WDDC planning enforcement people on Thursday 24/08/2023 about this illegally erected decking, although he has not received any acknowledgement of same as yet?

8. **Disabled access.** Comments on this are given in point 3 above along with the criticisms of the new decking but we believe the ramp incorporated in the decking has a serious safety flaw in that it slopes too severely and points wheelchair users in the dangerous direction of Broad Street rather than to a safe landing area in the event they should lose control whilst using the ramp.

1. *The ramp has a gentle gradient, is extra wide and has grip strips along its length to make it safe and inclusive.*

xxxx has done lots of work with both ramps for public buildings so has lots of experience particularly with cerebral palsy sufferers. The ramp Pure Milk Vodka contractors have constructed is in his opinion as a chartered surveyor is inadequate and dangerous because as previously stated it points users in the wrong direction if they should be unfortunate enough to lose control of their wheelchair whilst using the ramp. Try and picture an intoxicated disabled person descending the ramp at 23:00 on a wet Saturday night in January,

possibly with an intoxicated carer and you should conclude the ramp needs to be constructed as safe as it possibly can be.

9. **Effect on Listed Buildings and Conservation Area.** We believe what is occurring at the Regent Cinema (a listed building in Lyme Regis Conservation Area) is an absolute disgrace and if the owners are simply ignoring the listed building requirements and legislation they should be reminded that doing so is a criminal offence. We believe WDDC should refuse all and any applications for liquor licences on this deteriorating listed building site and issue a listed building enforcement notice requiring the new timber decking recently erected to be removed forthwith and whether there has been any intent to ignore the listed building legislation.

My understanding is that Listed Building legislation largely relies on the threat of local authorities enforcing the requirements of that legislation and should it become generally accepted practice for listed property owners to simply ignore that legislation, the benefits of retaining listed buildings to the nation will just disappear. I believe this is already occurring in the Midlands with the recent example of the seemingly rapid fire and demolition of the Crooked House pub in Walsall just a matter of weeks after being purchased by its new property developer owners.

To our knowledge, most residents in the town want the cinema reinstated, they don't need or want a Vodka bar operating either in a converted horsebox or the remnants of a fire damaged cinema foyer because there are presently abundant places in the town to get a drink. Why can't the town or district council work with the cinema owners to achieve this objective?

10. **Highway safety.** This is largely covered in Item 6 above but any increase in traffic at this busy junction in the town will obviously have an adverse impact on highway safety.
11. **Noise and disturbance resulting from use as a Vodka bar.** Intoxicated drinkers are inevitably much noisier than cinemagoers and I note this application is for a permanent liquor and music licence to operate most of the day, seven days a week throughout the year, selling liquor 11:00-23:00 so there will be lots more noise and lots more drunken people spilling out of this new drinking site.

Unfortunately, this will vastly increase the noise levels throughout the day but particularly late at night and at closing time and the people most affected will be local residents like ourselves whose bedroom is probably just 25 /30 metres from the proposed new bar. The town also has lots of teenagers who are always keen to get drunk and whatever measures the applicants say they will take to avoid under age drinkers they are very unlikely to be successful. The last thing the town needs is yet another drinking hole.

This is a main tourist walking spot, the main high street in town, and the location of many shops, restaurants and a main road so it is always a busy place during the day. I don't see this being much louder in the evening than the current noise from the road, these restaurants, the takeaway, and local pub. I don't take such a dim view of the local teenage residents, and It's been a pleasure meeting and working with some of them, including the children of some of the local residents. We will have a challenge 25 policy, which is the agreed nationwide policy for the protection of children.

Broad Street is obviously the towns High Street so one would expect to find most of the towns pub and restaurant businesses in that main thoroughfare where the passing footfall is greatest. However, The Regent Cinema is the last commercial building in Broad Street and the only other commercial buildings in Pound Street are the next door property Lyme 1 a small Boutique Hotel and the Alexander Hotel 50 metres further up the hill. Please note that both Lyme 1 and the Alex are well run established hotels both with eminently sober and moderate guests. As far as we are aware, the next bar in Pound Street is 5/6 miles away in Rousdon.

Lyme 1 Hotel is No 1 Pound Street and the adjoining residential house No 2 Pound Street, are both owned by xxxxxxxxx and we note that xxxxx is vigorously objecting to WDDC granting this liquor licence application as are the owners of both houses on the opposite side

We give this all as background information because all of these properties that is xxx, xxx, xxx and xxx are within 25 metres of the Regent Cinema so we as owners are all aware of the level of noise generated at this particular point in town and we believe that what the applicants say is simply not correct or true. Pound Street is the A3052 and yes, it is a main road but in our experience, having lived here for 25+ years, it's only relatively busy at restricted times ie morning and late afternoon rush hours and summer bank holidays but overall it's a fairly quiet road and there is very little noise from pubs and restaurants because at this end of town, we only have the Volunteer pub 80 metres down Broad Street and there are no external seating areas for food or drink either at the Volunteer or any restaurants.

All our neighbours anticipate a big increase in sustained noise levels from the Vodka bar proposed. From customers and live music throughout the day.

My wife and I take exception to Pure Milk Vodkas response about having "*a dim view of the local teenage residents*". We have 5 grandchildren, including teenagers of 14, 16 and 19 years of age. xxx was Chairman of our local scout group for 7 years and xxx was an Education Social Worker for 13 years so we both have plenty of knowledge and experience of teenagers which informs us that teenagers with little else to occupy their time gravitate towards drink and drugs (because unfortunately there is little else to do in Lyme) which we know are readily available in the town. That's a town with a vacant police station and the occasional visiting policeman. The last time xxx saw a policeman was shortly after a teenager was raped in Langmoor Gardens some years ago.

The applicants will need a lot of luck enforcing their Challenge 25 policy then maintaining it.

We don't know whether the Vodka bar will provide toilets for their customers or not, but they need to because there are no public toilets at this end of the High/Broad Street and it is not unusual to see people urinating behind the electrical substation in the adjacent park and behind the telephone box in the cinema forecourt.

Due to the previous nature of the establishment, the toilet facilities we have are more than adequate.

The Vodka bar will inevitably change the character at this end of the High/Broad Street from a generally quiet part of town (apart from closing times at The Volunteer which can often be quite noisy) to one of continual noise and commotion emanating from the Vodka bar music and customers drinking on the new decking areas in the open air. My wife and I have noted the current cinema forecourt seems to amplify sounds at night so that if 2/3/4 people are in that forecourt waiting for a car or taxi to pick them up, my wife and I can hear every word being spoken, even if the people are speaking quietly and of course everything is much worse if those people have had a drink and become quite loud and often lairy or aggressive. In terms of a change of character, I would disagree, this is an extract from the "the Lyme Regis Conservation Area Appeal: "The town's current activities and building uses provide continuity with those of the past, which underpin the town's character. Broad Street is the town's bustling main street with its impressive concentration of retail and business frontages that include inns and hotels. In some rear yards, residential and retail uses follow tradition, whilst the street after hour uses, especially restaurants and the cinema, help extend liveliness.

We dispute the point you are making because we generally don't always believe what we read in the newspapers or the Lyme Regis Conservation Appeal. We can't actually fully comprehend what they or yourselves are suggesting, is it that a Vodka Bar here would be "underpinning the towns character" because that's absolute nonsense? When we came to the town in 1998, there were fewer bars, restaurants, hotels, guest houses and rooms available to let but there were bakers, banks, butchers, a thriving cinema, greengrocers, Post and a Delivery Office in Broad Street. They have all gone now and with the greatest respect, we suggest the town was a much better place to live in with these various functional amenities present. Perhaps the applicants can accept they may have biased views on this because they are both directors of Pure Milk Vodka Ltd?

In our opinion, Lyme Regis Conservation Appeal ought to be pursuing what their name suggests and trying to retain the more positive features and aspects of the towns heritage. They should be striving to retain the towns Conservation Area and maintain the towns listed properties.

At the top of Broad Street, a concentration of hotels begins, and this traditional use then continues along the south side of Pound Street."

For clarity, Lyme 1 is immediately next to the Regent Cinema and the Alexandra Hotel is the next building along the south side of Pound Street. Their used to be The Buena Vista Hotel 200 metre further up Pound Street but that was converted to housing probably 10-15 years ago. To my knowledge, there are no other hotels, pubs or restaurants until Rousdon 5/6 miles away.

With the road noise, it is near impossible to hear people on the other side of it, so I do find this point to be moot.

That is simply not true or correct and as previously noted above, Pound Street is generally quiet apart from short periods in the rush hour either end of the day or on Bank holidays.

We have a few additional minor queries to raise on this matter.

- 1) Exactly who would be the actual licensee on site, would that be the applicants Paul Archard and Jason Barber who we note are directors of Pure Milk Vodka, or would the licence be granted to Pure Milk Vodka Ltd??
- 2) Who is the author of the responses given to the comments we raised?
- 3) We note the registered office of Pure Milk Vodka Ltd is given at Companies House as 2 Victoria Grove Bridport DT6 3AA but that differs to the address given on the applicants form of Childhay Manor, Dorset, DT8 3LQ. Can they give whatever address they fancy?

I am required under the Licensing Act to ask if the above points have, or have not, alleviated your concerns and if you are now satisfied with the application. Due to the time constraints surrounding an application I would be grateful if you could please let me know by 6 September 2023 whether or not you wish to have your representation withdrawn.

No, the applicants responses to the concerns raised in our previous email 27/08/2023 have not alleviated our concerns so we will not be withdrawing our objections. My wife and I have the overall concern that we have lived happily almost opposite this Grade 11 listed cinema. It mostly burnt down in 2016 and we were expecting it to be reconstructed in due course but it has n't been and instead this listed building has been sold off to another owner, we understand very cheaply, and those current owners are now probably seeking planning permission to demolish the cinema and build flats or houses on the site. In the meantime the cinema structure is decaying and at some point in the future with enough neglect, will eventually collapse.

We worry that we have this substantial property almost opposite us being abused or misused. We suspect there is no valid insurance in effect on the property. Pure Milk Vodka Ltd may be tenants xxxxxxx but we doubt they have the property insured because we understand they don't have a lease from the owners and apparently don't pay rent either. They built decking and carried out works to the listed property and as far as we are aware are doing so without planning permission or Building Regs approval and it seems to us, this is all very irregular and possibly a disaster waiting to happen.

What would happen if say part of the building collapses or someone rolls off the decking ramp and kills themselves in Broad Street. Who will be responsible because if its not the owner, nor the tenant/xxxxxx etc then it could well be WDDC who allowed the neglect of the building to continue unabated or allowed the construction of the defective decking and ramp. We urge WDDC to take control of the situation whilst they still have the opportunity.

Deny the liquor licence and get the decking removed and use WDDC considerable powers to get this listed building reinstated.