
Supplementary Evidence – Premises Licence Variation (Bonita, 10 Custom House Quay)

From [REDACTED]
Date Tue 08/09/2026 14:26
To Aileen Powell [REDACTED] Licensing [REDACTED]
Cc [REDACTED]

 2 attachments (514 KB)
Summary of supplementary Evidence .docx; Licensing-clarification-pdf.pdf;

Caution - Attachments:

Do not open attachments in this email unless you are sure the email is genuine (please see the intranet for more guidance).
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Dear Licensing Team,

Please find attached **supplementary evidence** relating to the premises licence variation for **Bonita, 10 Custom House Quay**.

This material is **additional evidence only** and is **not intended to replace, amend, or be merged with** my original representation submitted earlier. My original representation should remain on file exactly as submitted.

The purpose of this supplementary evidence is to:

- highlight inconsistencies within the historic licensing record, particularly regarding the **opening hours** shown on the licence and the documents supplied to me by Licensing.
- provide information and correspondence demonstrating that the printed 07:00–18:00 hours formed part of the historic licence record for many years.
- clarify the ongoing **public nuisance** issues affecting my home and business since May 2026.
- outline concerns regarding the **current planning application**, which does not contain a solution for the extraction or air-conditioning systems, and where noise testing does not reflect really operating conditions.
- assist the Sub-Committee in understanding why extended hours and off-sales would be inappropriate while nuisance remains unresolved and planning matters are still outstanding.

I respectfully request that this supplementary evidence is circulated to the Sub-Committee alongside the agenda pack, and that it is considered in addition to my original representation.

Please confirm receipt.

Kind regards, [REDACTED]

[REDACTED]

Premises: Bonita, 10 Custom House Quay **Submitted by:** [REDACTED] **Purpose:** To support my original representation by highlighting factual inconsistencies in the licensing record and unresolved nuisance issues relevant to the licensing objective of *preventing public nuisance*.

1. Historic Licensing Record – Opening Hours

1.1 Printed 07:00–18:00 Hours

- The historic licensing file supplied to me by Licensing on **21 July 2026** contains a typed licence page showing **Opening Hours: 07:00–18:00**.
- These hours were present in the Council’s own records for many years.

1.2 Licensing Officer Acknowledgements

- Licensing officers acknowledged these hours in multiple emails (July–August 2026).
- Officers stated the hours “should not have been added” but did not provide evidence of any formal removal or variation.

1.3 Missing Handwritten Operating Schedule

- A handwritten operating schedule was visible on the public register earlier this year.
- Licensing later stated it “should not have been online” and it was subsequently removed.
- No explanation has been provided for its removal or its absence from the recovered file.

1.4 No Evidence of Formal Variation

- There is **no record** of any Sub-Committee decision or variation application removing or replacing the printed hours.
- Therefore, the licensing record remains **inconsistent**, and the applicant cannot rely on any claim of historic extended hours.

2. Public Nuisance – Daily Impact Since May 2026

2.1 Continuous Nuisance

- Since **19 May 2026**, we have experienced:
 - extractor noise
 - vibration
 - odour
 - disturbance affecting both our home and guesthouse

2.2 Environmental Protection Notices

- Environmental Protection has issued **multiple abatement notices**, confirming statutory nuisance at current operating patterns.

2.3 No Respite

- The nuisance affects us **all day**, not just late at night.
- Our recovery months (when the guesthouse closes) will now be spent dealing with this intrusion.

3. Planning Application – Unresolved Issues

3.1 No Solution for Extraction or Air-Conditioning

- The planning application (deadline **2 October 2026**) contains **no proposed solution** for the extraction fan or air-conditioning system.

3.2 Inadequate Testing

- Noise testing only ran **until 9pm**, despite the premises regularly closing around **10pm**.
- No testing was carried out:
 - after **10.30pm**, when noise carries most clearly
 - on the air-conditioning system independently
 - during real-world operating conditions

3.3 Grade II Listed Building

- As the building is listed, planning resolution may take **months**, leaving nuisance unresolved for the foreseeable future.

4. Relevance to Licensing Decision

4.1 Current Nuisance

- Nuisance is already occurring at existing operating patterns.

4.2 Extended Hours

- The applicant seeks alcohol sales until **midnight** (and 01:00 on New Year's Eve) plus **off-sales**.
- Extending hours while nuisance remains unresolved would be **inappropriate and disproportionate**.

4.3 Licensing Objective

- The evidence directly relates to the licensing objective of **preventing public nuisance**.

5. Request to Sub-Committee

I respectfully ask the Sub-Committee to:

- **Refuse extended hours and off-sales**
- **Retain current operating hours**
- **Require resolution of nuisance and planning matters** before any future extension is considered

Recorded opening hours: a focused clarification

Submitted by [REDACTED]
For the Licensing Sub-Committee hearing on 11 September 2026

I ask that this short pack be considered alongside my existing representation. It addresses the explanation of the historic opening hours in paragraphs 3.1-3.7 of the officer report. My objection concerning noise and odour remains as already submitted.

What the attached evidence shows

Licensing supplied the 16-page file “RKYV-37270 - redacted.pdf” on 21 July 2026. Its page 11 is reproduced on page 2 of this pack. It records typed opening hours of 07:00-18:00 daily, with a note about closure on Boxing Day and New Year’s Day. The same page also records later alcohol-sale hours and names [REDACTED]

The July email extracts on page 3 explain both the supply of the file and Licensing’s view that the opening hours lacked a lawful basis. The August extracts on page 4 show that I had already raised the handwritten document I remembered viewing and include Licensing’s response. These are selected extracts, with their scope identified; the original emails and complete 16-page file remain available.

My question

I saw a document online showing the opening hours in what I understood to be [REDACTED] handwriting. I can no longer access that document. The historic file sent to me by Licensing also shows opening hours. What documentary evidence and legal reasoning establish that the 07:00-18:00 hours were included by mistake? Please identify the original paperwork relied upon and explain the answer in ordinary language.

What remains unresolved

The recovered page contains typed hours; it is not the handwritten entry I recall. My August email records that recollection but does not independently prove the missing document’s contents. [REDACTED] reply is awaited. I ask that the distinction between the recorded entry, its origin and its legal effect be explained, and that Licensing clarify what it meant on 17 August by “nothing in the original file that refers to these hours”.

I am presenting the underlying material together for ease of reference, not suggesting that the July file was newly disclosed. Please confirm acceptance and circulation through the hearing process.

E1. Historic file: page 11 of 16

"RKYV-37270 - redacted.pdf", supplied by Licensing on 21 July 2026. Full page reproduced below at reduced size, retaining the council's redactions.

Sale by Retail of Alcohol

Week Days (other than Christmas Day)	10:00 - Midnight
Sundays (other than Christmas Day)	12:00 - 23:30
Christmas Day	12:00 - 23:30
Good Friday	12:00 - 23:30
New Year's Eve, except on a Sunday,	10:00 - Midnight
New Year's Eve on a Sunday	12:00 - 23:30

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

See annex 2 for clarification

The opening hours of the premises

Monday	07:00 - 18:00
Tuesday	07:00 - 18:00
Wednesday	07:00 - 18:00
Thursday	07:00 - 18:00
Friday	07:00 - 18:00
Saturday	07:00 - 18:00
Sunday	07:00 - 18:00

Closed Boxing Day and New Years Day

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

ALCOHOL IS SUPPLIED FOR CONSUMPTION ON THE PREMISES

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Dawn Elizabeth Horton



Business Phone Number 01305 773394

Registered number of holder, for example company number, charity number (where applicable)

July correspondence: selected extracts

Verbatim text from the retrieved emails. Formatting is simplified; unrelated text, signatures and quoted chains are omitted. These extracts are not complete emails.

E2. Licensing supplies the historic file

Date: 21 July 2026, 09:22 UTC (10:22 BST)

From: Licensing, signed Aileen Powell | To: [REDACTED]

Subject: Re: Customs house

I am more than happy to provide you with the records that we do have, I have just redacted the personal address, telephone number and signature of the application for purposes of data protection. It was a straightforward conversion of a Justices licence so there could have been no objections to it. There is no indication on the forms of where these hours came from, and in my honest opinion they should not have been added as there would have been no similar restrictions on a Justices Licence. There is nothing else in the file from 2005.

Scope: complete opening substantive paragraph of the message supplying the attachment.

E3. Licensing explains its position

Date: 21 July 2026, 11:15 UTC (12:15 BST)

From: Licensing, signed Aileen Powell | To: [REDACTED]

Subject: Re: Customs house

With any enforcement issue I have to be certain that what we are enforcing is provable and legally correct. Because we just cannot see why these hours were added and more importantly there was no legal basis for adding them I do not believe they are enforceable by way of a criminal prosecution. That said the only lawful way to have them removed from the licence is by way of a variation.

Scope: complete paragraph explaining the enforcement position and removal by variation. The wider email discusses the statutory framework, current operation and opening-hours guidance.

August correspondence: selected extracts

These extracts place my earlier recollection and Licensing's response together. Other topics in the emails, including TENS and hearing arrangements, are omitted.

E4. My earlier request for the handwritten record

Date: 16 August 2026, 17:48 UTC (18:48 BST)

From: [REDACTED] | To: Licensing

Subject: Re: Notice of hearing - La Bonita, 10a Custom House Quay, Weymouth, Dorset

Original handwritten licence hours

I previously viewed a document on the Council's public licensing portal showing handwritten opening hours for the original licence application, which I understand was submitted by [REDACTED]. That document no longer appears to be accessible through the public record.

Could you please confirm:

- * whether the document has been removed from public view or whether its online location has changed;
- * whether it remains on the Council's licensing file; and
- * whether a copy can be provided for inclusion in, or reference at, the hearing.

Scope: the handwritten-hours section of my email; the following section concerns supplementary-information procedure. The name "[REDACTED]" is reproduced as written.

E5. Licensing's response about the historic record

Date: 17 August 2026, 09:43 UTC (10:43 BST)

From: Licensing, signed Aileen Powell | To: [REDACTED]

Subject: Re: Notice of hearing - La Bonita, 10a Custom House Quay, Weymouth, Dorset

We have done nothing with the historical files, and the application form 2005 would not have been available on line. There have also been two changes of computer system since 2005 and licensing have never had any correspondence displayed online, unlike planning. There is nothing in the original file that refers to these hours.

Scope: complete paragraph addressing historical files and online availability. This is Licensing's account, reproduced for the Sub-Committee to consider alongside the July attachment.