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Hamlet Cottage  
Main Street  
Sibford Gower  
OX15 5RT  
13.6.12.

To the Planning Inspector

Re. Draft Response to Planning Application Ref 12/0678/E

Dear Sir,

I enclose 3 copies of a response from C. Radcliffe (chris@radcliffconsulting.com). This material I have now been told, has been filed with you, presumably on line. I therefore include it as being possibly useful at the forthcoming meeting (being printed) or not - as the case may be!

I understand that Mr. and Mrs Nognet have engaged new solicitors so they might need a copy.

Mr Radcliffe asked me to append a personal letter which I gladly do.

I have lived in Bwdrop - a stone's thro from The Bishop Blazie Public house for about 20 years and am still resident in the village. I knew the pub intimately and appreciated its contribution to village life which was huge.

It was a hub of activities - leisure, sport, wedding receptions, wakes, sporting activities and many others took place there. Its surrounding fields were used for sport, and for the enjoyment of games and walking for people of all ages. Not only that but it was - with its surroundings - beautiful to look at and peaceful.

I personally feel deprived of this <sup>old</sup> building and its surroundings and this feeling is shared by the village in general. It is difficult to quantify what the loss has been and I urge you not to allow the use of our Bishop Blazie Public House to be privatised by Mr & Mrs Nognet.

Yours very sincerely. Mary Bristow.

## The Bishop Blaize.

Response <sup>to</sup> the the Planning Application Ref: 12/00678/F

Document reference BBSG/2012/004/DRAFT

Prepared by The Bishop Blaize Supporters Group.

4<sup>th</sup> June 2012

This submission is in response the the Planning Application Ref: 12/00678/F dated 10<sup>th</sup> May 2012. In particular the potential viability of the Bishop Blaize as a public house and a central village amenity. It will show that through either mismanagement or by design the Bishop Blaize was run down with the sole purpose of turning it into a residential development, and that not only is it possible for it to trade at levels previously experienced, but it has considerable potential to exceed those previous levels.

### SUMMARY.

Mr and Mrs Noquet purchased the Bishop Blaize on 7<sup>th</sup> February 2006 for £425,000 which was over priced.

Within weeks they had told people that they purchased it with a view to de-licensing and developing the land.

March 28<sup>th</sup> 2006 -6 weeks after their purchase, they have put it up for sale at £600,000 which is clearly well above the value and a cynical attempt to show that there are no buyers and that the Bishop Blaize is therefore unviable. However; they had offers of £575,000 showing viability.

22<sup>nd</sup> August 2006; 6 months after their purchase, Planning application for Change of use from Licensed premises into dwelling house. Claiming non-viability. Application refused.

Mr and Mrs Noquet have continued in this vein, running the pub down until they close it, asking for a ridiculous price for the sale of the Bishop Blaize, and flouting the planning laws.

Today they are under an Enforcement Notice to stop living in the Public House without planning permission. They have converted the pub to a house illegally. They have change the bottle store into a separate dwelling.

We strongly recommend that this planning application should be refused as no material facts have changed since their previous attempts to get change of use, and these were refused.

The details follow:-

The pub is not vacant as Mr and Mrs Noquet are living in it illegally and there is an enforcement notice on this very point to which they are appealing.

They have also illegally without planning permission and without having the necessary bat survey carried out (current police investigation) turned the bottle store into an additional dwelling by raising the roof by over 1 meter, adding 3 velux windows, adding a door in the back, providing separate electricity and water supplies. Adding a large picture window (currently hidden behind the old barn doors) and adding household equipment.

They have also taken many steps to antagonize the village with the placing of a large shipping container on the banks of the Sib in an area of outstanding beauty, and within the conservation area. They have also piled up rubbish and dumped an old Range Rover and Horse box both of which are unroadworthy at the same location. They are doing a land grab on the highways land in front of the

Bishop Blaize and blocking the access to their neighbours land.

The Conservation Area Appraisal of the villages of Sibford Gower, Sibford Ferris and Burdrop was carried out and adopted by CDC, and the Bishop Blaize as a public house is prominent as a central village feature and facility which is part of the charm of the conservation area and well loved by all. The villages are a less vital and attractive place without the Bishop Blaize since it has been closed by Mr and Mrs Noquet.

The Planning, Design and Access Statement by Plainview dated 14<sup>th</sup> March 2012 – document Ref 10025 AR/WC/JN contains a number of inaccuracies or omissions. These are :-

- 1) Photos.Fig 2 is a very old picture and was before they did the complete refurbishment of the Bishop Blaize public house to make it a dwelling without planning permission.
- 2) Fig 2 does not show the full site plan for the Bishop Blaize (Bishops End).
- 3) planning applications missing from 4.1 – these ARE on the Cherwell web site.
  1. 22<sup>nd</sup> August 2006; Planning application 06/01697/F -Claiming non viability -refused.
  2. 29<sup>th</sup> March 2007; Resubmission of 06/01697/F - Change of use from licensed premises into dwelling house -refused.
- 4) Section 5.5 The refurbishment has been largely completed and Mr and Mrs Noquet are currently occupying it illegally and subject to an Enforcement notice for which they are appealing.
- 5) The Garage referenced at 5.9 has been built without planning permission in the pub car park within the last year.
- 6) With the reference to the CAMERA report on pubs generally, they failed to reference the CAMERA report on the Bishop Blaize as being a successful public house and that it should remain open.
- 7) Planning, Design and Access statement appendix B Marketing Evidence. The letter to Mr and Mrs Noquet from Fleurets is incomplete. It states that they have 5 offers and are failing to provide the accounting information needed to conclude the sale. The missing part of this letter possibly states that asking for £175,000 more than they paid months earlier is unrealistic, and to take one of the offers that have been received for £575,000 – still £150,000 more than they paid for the Bishop Blaize.
- 8) Planning, Design and Access statement appendix B Marketing Evidence. The document fails to mention the marketing efforts of Fisher German in 2009 when they had 6 people interested in buying the Bishop Blaize in its dilapidated state after the water leak and subsequent flood.
- 9) Competition from the bar at the village hall. The Village hall only has 10 licences per year and prior to Mr and Mrs Noquet the bar was run by the Bishop Blaize and added to its turnover.
- 10) Section 6.3 they fail to mention that the nearest supermarket is 7 miles away.
- 11) 6.8 The failure in the marketing is due to asking for £600,000 for something that they had paid £425,000 for only months earlier. They then reduced the value by driving away business and closing the pub and after many years and a serious flood for which they must take responsibility for they are still asking for more than they paid for the pub. The recent offer of £330,000 in September 2010 sounds generous given the state of the buildings due to the flood, and the fact that it had been closed for over 3 years.
- 12) Section 7 housing Need. Granting change of use will not materially increase the housing stock as the Noquets are currently living there. There are quarters for the publican and family in addition to the pub area. There is a strong argument for keeping the facilities of the Bishop Blaize as with the additional housing planned for the area there will be more demand for rural facilities such as the Bishop Blaize and it will provide employment in the area.

The Bishop Blaize dates from 1640 and in the hands of committed publicans has been extremely



successful.

Mr and Mrs. Merchant, the previous landlords, ran the pub successfully for over 5 years with a turnover of £191,742 in the last full year of trading, and in the 10 months before the sale this amounted to £174,428. (an annual run rate of £209,313). In a previous application for change of use Mr. Noquet claimed that the lower figure for the last year of trading by Mr and Mrs Merchant was an early indication of the decline in sales. He failed to mention that these figures were for a 10 month period. The Bishop Blaize was very profitable under the stewardship of Mr and Mrs Merchant.

The kitchen and dining facilities had been extended to support the increasing demand for food.

The Bishop Blaize was the centre of village life for Sibford Gower, Burdrop and Sibford Ferris, and is unique in the area in that it has a large garden for traditional pub activities.

There were many clubs and activities taking place at the Bishop Blaize, which included:-  
Fish and Chips - eat in or take out on a Monday evening which was very popular as most pubs in the area are closed Monday evenings.

Darts - Thursday evenings.

Ladies Darts on Wednesday evenings.

The Bishop Blaize sponsored the Cricket club and they would entertain their opponents on a Saturday or Sunday after a match..

Monthly Quiz Sunday night

Folk/blues Sunday night

The Fielding Centre - lunches weekly in school holidays.

The Local Farmers were regular attendees at the BB, enjoying dinners and plenty of ales.

As this was a central location the Village Hall Committee met regularly for planning meetings in respect of the Sibfords Village Fayre.

The Bishop Blaize also ran the Bar at the Village Fayre and at other events.

The circular walks which started and finished at the Bishop Blaize were also very popular as people could park in the car park and end the day with a drink and a reasonably priced meal.

The village cycling club would meet at the Bishop Blaize and return for a well deserved drink after their cycle ride.

A village treasure hunt organised by the church and other organizations started and finished at the Bishop Blaize, and everyone enjoying a drink in the garden afterwards.

A number of people have said it was also a place where men and women could go on their own and there would always be a number of local people that you knew, and that you could talk to.

The pub enjoyed a children's play area in the garden with swings and climbing equipment.

An independent Taylor's Report was commissioned by Mr and Mrs Merchant . This report was offered to Mr and Mrs Noquet, but the offer was declined. This report showed that the Bishop Blaize was not only a sound business, but had scope for the business to be developed further.

Whilst pubs in England are closing at an alarming rate, these are mainly in urban areas and not in rural areas like the Bishop Blaize as they are thriving businesses. The Bishop Blaize is unique in the area in that it has a large garden that commands wonderful views over the conservation area and many listed buildings. The garden was enjoyed by many people from far and wide who would enjoy a relaxing weekend or evening drink or fine pub grub.



The Bishop Blaize gardens and view. Pre Mr and Mrs Noquet.

In addition to the activities already mentioned there are others which the large garden can accommodate.

**Aunt Sally.** Aunt Sally is unique to Oxfordshire, and there is a very active Banbury Aunt Sally League and a Hook Norton Aunt Sally League. The Bishop Blaize falls in the catchment area for both of these and has one of the few gardens in the area that could be used for Aunt Sally. Games are played on Tuesday evenings during the season.

**Horseshoes or Quoits.** An area of the garden could be used for this traditional game.

**BBQ.** In the summer months the pub can be extremely busy with lots of people eating outdoors which effectively increases the number of covers by a factor of 2 or more. The previous owners also had the occasional BBQ which proved to be very popular, but hard work.

A very useful space for meetings/classes even exhibitions - especially during Art Weeks.

The outdoor space would be great for things like life drawing in the summer months.

In the winter months people would sit in the warm and inviting atmosphere afforded by the wood burning stoves and quietly drink and sometimes play traditional games such as cribbage or dominoes. This could be encouraged further with the addition of Shove Ha'penny, chess, drafts etc.

Mr and Mrs Merchant had suffered from much ill health in the last couple of years at the Bishop Blaize and retired when they sold the Bishop Blaize. There was a general feeling in the village that a new, younger, and more vibrant proprietor would breathe new life into the Bishop Blaize and make it even better.

The Wykham Arms is the other pub quoted in the village. This is situated to the west of Sibford Gower and over a mile walk from Sibford Ferris and over half a mile from the Bishop Blaize in Burdrop. The Bishop Blaize is central to all these areas of conurbation. When considering the accessibility of alternative pubs it has been found as a general guide there is an 800M threshold when considering how far people are prepared to walk. Using this criteria the Bishop Blaize serves the three villages of Sibford Ferris, Burdrop and Sibford Gower, whereas the Wykham Arms only serves Sibford Gower. The Wykham Arms has always marketed itself as an up

market “Gastro Pub” with very popular Champagne and Lobster nights. (Ref: The Four Shires Magazine Published: 23 June 2008). The two pubs are very different and cater for a different market. The Bishop Blaize Inn catering for people who wanted good beer and reasonably priced food and taking advantage of wonderful views in the large garden whilst the Wykham Arms is a restaurant where people go for a special occasion to enjoy the quiet ambiance of a good restaurant.

7th February 2006. Mrs J Noquet purchased the Bishop Blaize. They had been in competition with the Hook Norton Brewery. The representative of the Hook Norton Brewery had been sitting in the car park with his cheque book and was putting pressure on Mr and Mrs Merchant to sell The Bishop Blaize to the brewery. According to the Land Registry the price was £425,000 with additional monies being paid for good will and stock. See attachment ON103473\_Title\_register5.pdf

Attachment '30-3700(259) D Chadwick Scanned.pdf' Dated 30<sup>th</sup> May 2007 from Frampton's was in response to a previous attempt at getting change of use for the Bishop Blaize. This clearly states that Mr and Mrs Noquet paid over the true market price and this was a situation of their own making under the principle of caveat emptor.

Within days of taking over the Bishop Blaize Mr Noquet told a member of staff that they had only bought the pub to close it and develop the land. This immediately made people suspicious of Mr and Mrs Noquet's motivations.

Mrs Noquet did not live there, only visiting at the weekends. The pub was run by her husband, Mr Noquet who never smiled and was found by most people to be very rude.

Most of the village activities that the Bishop Blaize were stopped. The quiet ambiance was destroyed when Karaoke and television were introduced – like a town pub.

March 2006 A well respected member of village life was let go from his job as barman in the pub by Mr Noquet. Subsequently Mr Noquet said that he was not employing him any more for being dishonest, and for lying. This caused disquiet in the villages and Mr. Noquet found that his allegations had not been true and withdrew them offering the job back. The Job was not accepted.

March 28<sup>th</sup> 2006 -letter from Humberstones – see Planning, Design and Access statement appendix B Marketing Evidence. This clearly shows that Mr and Mrs Noquet only bought the Bishop Blaize as a speculative venture. Asking £600,000 (without stock and good will) against the £425,000 they paid for it the previous month. Given that the Frampton's letter states that they clearly paid over the odds for the Bishop Blaize this should be seen in its true light as a clinical ploy to prove that the Bishop Blaize could not be sold as a going concern. However this backfires on them.

May 2006 after only 3 months in the Bishop Blaize, Mr Noquet's letter in the Banbury Guardian claiming a boycott of the Bishop Blaize. Fewer people were using the Bishop Blaize because of the unwelcoming atmosphere, poor food served after a long delay, higher prices and regularly running out of beer.

Under the previous landlord drinkers would often order a bowl of chips. Mr Noquet refused to serve these as he said “It is no longer that type of establishment”.

22<sup>nd</sup> August 2006; Planning application 06/01697/F – Change of use from Licensed premises into

dwelling house. This application was claiming non viability of the Bishop Blaize Inn. 6 MONTH after taking on the Bishop Blaize!

September 2006 the Bishop Blaize Support Group was formed as it was widely felt that the pub trade was being wilfully destroyed.

6<sup>th</sup> October 2006 Planning application refused.

From mid December the Bishop Blaize was managed by a husband and wife team Rob and Diane with no previous pub experience. They had to regularly buy supplies out of their own money to keep the Bishop Blaize going as the Noquets were not paying bills/ releasing money for supplies. Diane fell in the kitchen and broke her arm, but continued to help with the day to day running of the pub, and offer a cheerful service. Even under these harsh conditions the business started to improve.

February 2007 Mrs. M Bryan, the chef of long standing at the Bishop Blaize was made redundant and told that she was not entitled to any compensation. This resulted in Mrs Bryan making a claim and the Noquet's were taken to the Employment Tribunal and ordered to pay redundancy, unpaid wages, holiday pay, compensation and costs.

16<sup>th</sup> March 2007 – Incomplete Letter from Fleurets (– see Planning, Design and Access statement appendix B Marketing Evidence.) This states that they had been advised that £600,000 was too high and that there had been 5 offers for as much as £575,000 - £150,000 more than they paid for the Bishop Blaize.

23<sup>rd</sup> March 2007 Mr and Mrs Noquet forced Rob and Diane to closed the Bishop Blaize just before BST started (25<sup>th</sup> March) and the Easter weekend (6<sup>th</sup> April) when business traditionally picks up significantly. This was a deliberate act to avoid the increase in trade that would have been inevitable. Again a clinical plot to depress the business whilst asking an unrealistic price for it in an endeavour to show that it was unmarketable.

Rob and Diane continued to live in the non-pub part of the building waiting to get paid. Mr and Mrs Noquet continued to live in Bracknell.

29<sup>th</sup> March 2007; Resubmission of 06/01697/F - Change of use from licensed premises into dwelling house

17<sup>th</sup> May 2007 A further report on the value and viability of the Bishop Blaize was conducted by Thomas E. Teague a firm of valuers and members of The Association of Valuers of Licensed Property. (see attachment TeagueReport.pdf)

This Professional report fully considered the operational environment including competition from surrounding villages, and did not view the Bishop Blaize as unviable as was claimed.

The letter from Frampton's, Attachment '30-3700(259) D Chadwick Scanned.pdf' supports the above report with the observation “if a landlord of a public house fails to provide a proficient service to customers whether intentionally in order to drive down the viability of the business – or by sheer incompetence – it is inevitable that this business will deteriorate financially” and goes on to say “The planning system should not come to the aid of a business proprietor who seeks to run down his business with the aim of gaining planning permission for a more financially attractive development”.

During this period the Bishop Blaize was on the market, and Mr and Mrs Noquet accepted an offer in writing for the sale of the Bishop Blaize as a public house, once again proving it viability as a pub.



7<sup>th</sup> June 2007 Banbury Guardian letter from Mr and Mrs Noquet disputing all the objections to their change of use, and ending their letter with the words "The Bishop Blaize Inn will never trade as a public house again."

A couple of days before the planning meeting Mr and Mrs Noquet withdrew their acceptance of the offer for sale as they were confident that they would in fact get the change of use planning application approved.

29<sup>th</sup> June 2007 Planning application refused.

August 2007 Rob and Diane finally left the Bishop Blaize. They had used the staff accommodation in recompense for not being paid. They still had not been paid.

December 2007 Noquets sold their home, Darah Farm in Bracknell, for £1,000,000 and moved from Bracknell to Spain.

January 2008 claim started against Mrs Noquet by Mrs M Bryan to recover the award made by the employment tribunal.

During 2008 the Bishop Blaize was not lived in and rarely visited to pick up mail by members of the Noquet family. The electricity was turned off for nonpayment of bills. It is inconceivable that anyone would leave a building during the winter without heating – this was an obvious consequence of having the electricity cut off. A fact that Mr and Mrs Noquet were fully aware of due to their visits from Spain.

1<sup>st</sup> April 2009 Mrs M Bryan awarded an order for sale of the Bishop Blaize due to non payment of previous monies awarded by the court against Mr and Mrs Noquet.

20<sup>th</sup> April 2009 Massive water leak discovered, and judging by the volume of water used. The leak had possibly been running since mid February when there were sub zero temperatures.

25<sup>th</sup> June 2009 Date Bishop Blaize emptied of all the water damaged furniture etc. ready for sale.

A number of potential buyers viewed the Bishop Blaize in its dilapidated state and 6 showed interest in buying it as a public house and with a view to returning it to its former glory. Most of the potential buyers were experienced publicans.

The sale was handled by Fisher German and scheduled for 22<sup>nd</sup> July 2009

The Bishop Blaize was valued at £330,000, but this was reduced when the full extent of the damage was understood.

The sale was suspended by Mrs. M Bryan's lawyer when Mrs. Noquet paid the judgment debt and promised to pay the legal costs incurred (around £11,000). In their defence they claimed to be living in Spain and had therefore not received the court papers.

16 Sep 2009 09/01275/F Proposal Alterations and extension to barn to provide 4 en-suite letting rooms. This proposal had some merit, but the main problem was that the alterations would take up space in the car park, and would also increase the demand for car parking space. There are a number of solutions to this car parking problem, which is to buy one or both of the adjacent parcels of land, or to extent the existing car park over an unused part of the pub gardens as there is plenty of space.



The Application was withdrawn.

June 2011 The Noquets return from Spain.

12/00011/CLUE | Received: Thu 05 Jan 2012 Certificate of Use based on 4 years continuous use as a dwelling – refused.

Cherwell District Council have issued an enforcement notice on Mr and Mrs Noquet to stop using the public house part of the Bishop Blaize as a dwelling, and this has been appealed. One of the grounds of the appeal is Ground A of the appeals process claiming non-viability.

We have recommend that the appeal is rejected as the Bishop Blaize has been proven time and time again that it is viable, and it could be a thriving public house yet again.

It was extremely viable when they bought it in 2006. The business was systematically run down and planning applied for change of use within 6 months of the purchase.

Numerous people have offered to buy the Bishop Blaize over the intervening years with a view to running it as a viable businesses which is in itself evidence of its viability.

Adding letting rooms would enhance the business, and there is also potential for expanding the bar/restaurant area.

Reinstating the village activities that were curtailed would immediately start to have a positive result on the customer numbers, and there is ample potential for further activities in the very large garden.

We strongly recommend that this application is refused.