

## **Chronology of events, provided by Bar Wars Ltd**

### **January 2019**

Fleurets instructed by Bar Wars Ltd to market The Windmill confidentially and mention only to parties they believe to be interested in this type of venue.

### **October 2019**

The Windmill placed on the open market by Bar Wars through Fleurets. The Windmill staff were informed that the Windmill would close on 1<sup>st</sup> March 2020 if a suitable buyer was not found.

Community Group express interest in buying the pub and running it as a community pub. Bar Wars was approached by Tessa Fitzjohn and Diane James (local residents and founding members of the 'Save the Windmill' community group) about the possibility of a community take over. Bar Wars was keen to explore all options, but did have some concern about the likelihood of a community bid being successful and questioned whether the community truly understood the level of organisation and commitment required to be proficient in such an undertaking. Discussions with the community group begin.

### **November 2019**

Lengthy detailed discussions held with Tessa Fitzjohn and Diane James on behalf of the 'Save the Windmill' community group about the community group proposals.

First planning application (ref: 19/06116/F) submitted in anticipation of the intention to close the pub on 1<sup>st</sup> March 2020 if a buyer could not be found and the community bid were to fail.

Local press pick-up the story.

No formal offer received to date.

### **December 2019**

Public meeting held in The Windmill to launch community bid – attended by the Community Group and Bar Wars.

Representative from Punch Taverns expresses interest and makes verbal offer of asking price without viewing site. Punch informs Bar Wars that the offer is available for 48 hours and then off the table. Bar Wars agree to give the community group more time to continue to canvass for the community bid. Punch withdraw their offer.

### **February 2020**

Offer to lease the pub received from a local pub company. Terms agreed a premium of £27,500 with an annual rent of £25,000 p.a. index linked to inflation.

### **March 2020**

Community group apply for funding from the Plunkett foundation.

The Windmill is officially closed.

Negotiations are on-going to complete the lease with the local pub company as soon as practicable to allow continuity. Lease delayed as tenants of flat needed more time to find alternative

accommodation. It is decided to complete on 31<sup>st</sup> March 2020. Local pub company pull out on 18<sup>th</sup> March due to lockdown announcement.

#### **April 2020**

First planning application refused under Delegated Powers due to issues relating to (i) standard of living accommodation proposed and amenity concerns, (ii) adequacy of the refuse/cycle storage provision proposed, and (iii) lack of information regarding trees.

#### **July 2020**

The Windmill added to BCC's list of Assets of Community Value (ACV).

Planning application resubmitted addressing the reasons for refusal of the previous application (ref: 20/02864/F).

#### **August 2020**

Community bid fails to reach their target. The campaign receives pledges totalling £170,480 which is £324,520 short of the asking price.

No formal offer received to date.

#### **November 2020**

Nick James views property and verbally declares that he is unwilling to offer anything close to the asking price.

Application taken to Development Control B Committee on 11 November 2020 with recommendation for approval. Committee resolution is to grant planning permission. Notice of Decision (Planning Permission issued Planning consent for change of use granted on 12th November 2020.

24th November 2020 site publicly marketed through Ocean Estate Agents.

No formal offer received to date.

#### **December 2020**

On 8th December 2020, a sale was agreed with Elson Homes who wished to convert the site to reflect plans executed by Smith-Maloney architects (as per the planning permission 20/02864/F). Sale is conditional on the planning permission. Solicitors instructed to process.

On 22nd December 2020 (being the final day of the six-week judicial review period) BCC informed Bar Wars that an application for Judicial Review had been submitted by Nick James on the grounds of failure to note consideration of The Equal Opportunities Act.

#### **January 2021**

Notice of intent to sell submitted to meet ACV requirements at BCC. Moratorium period begins. Bar Wars attempted to make contact with the community group to ascertain if the ACV application was intended to facilitate a serious bid to purchase. No response from the community group.

#### **March 2021**

Fleurets remove The Windmill from their website.

No formal offer in writing to date from anyone other than agreed sale with Elson Homes

### **May 2021**

18th May 2021 Nick James emails Bar Wars regarding his intention to make an offer. He is directed to Ocean Estate Agents. Ocean rejects offer on Bar Wars' authority as it is significantly and unrealistically short of the asking price.

### **June 2021**

3 Eldon Terrace (which includes what was the pub's cellar) is sold.

### **July 2021**

Full sixth month ACV moratorium period expires without anyone from the community group coming forward to discuss the matter.

Planning application is placed on the 21<sup>st</sup> July 2021 Development Control Committee B Agenda for consideration (following the quashing of the original planning permission), noting due consideration to Equal Opportunities Act and completion of the ACV process.

Prior to the Committee meeting, Nick James instructs Thrings solicitors to write to BCC threatening a further Judicial Review if the application is put before Committee on 21<sup>st</sup> July 2021.

BCC legal team withdraw application from the Committee agenda, while they consider the points raised in the letter.

### **September 2021**

Following discussions with the BCC Case Officer, Bar Wars has been advised to provide any additional information, to allow the application to be reconsidered. The Case Officer advises that the full 8-week consideration period will start again including public consultation etc.