

61 Wishing Tree Road North,  
St. Leonards-on-sea,  
East Sussex, TN38 9LJ

22nd August 2012

Dear Mr Brown,

**Re: Wishing Tree PH, 63 Wishing Tree Road North, St Leonards-on-sea**

Review of the premises licence for the above Public House is due to be heard on 17th September and as immediate neighbours of the premises in question, we will be attending the review on that date as we totally support the review under the licensing objective—prevention of public nuisance.

We have kept a contemporaneous diary of the noise problems related to this pub since 2008 soon after we made our complaints to Mr Scrase and Mr Bell. Enclosed is a copy of this diary from 2010 (as requested by Mr Bell) when Mr and Mrs Farhall became the new licensees.

As you can see, the noise problems are extensive and have been a major concern for us over the years since the extension of the licensing hours were granted in 2005, and then the smoking ban in 2006. We moved to the area in 2002 and living next to the pub had **not** been an issue to us until the dates mentioned.

Our health has deteriorated since these dates, certainly over the last few months and we would like to see this issue resolved since we feel that the extended license is inappropriate.

Yours sincerely

T M & G M O'leary

G. M O'leary  
J. M O'leary

The following information is fact and copied from a written and contemporaneous diary kept by us from 2008. At your request, only data from 2010, when Mr and Mrs Farhall bought the Wishing Tree Public House, is included.

DATE	TIME	DETAILS	EFFECTS
24th/25th August (Tues/Wed) 2010	12mn—0115hrs	Three men on motor cycles walked in to pub at 12mn, then hung around outside of pub with drinks (front) until 0115hrs. They were noisy.	unable to go to sleep because of noisy clients until after the clients had left and this is a weekday
4th/5th Sept 2010 Sat/Sun	2330hrs—0207hrs	customers outside of pub at 2330hrs yelling and screaming abuse with language so foul as to cause Mrs O'leary extreme anguish. This carried on until well past 0130hrs. Mr O'leary arrived home from work at 0207hrs to find 2 girls drinking outside the pub and walking up and down past our house shouting abuse and generally in a very sorry state. I asked them to keep it down but they ignored me. The landlady who was clearing glasses from outside the premises made no attempt to curb their behaviour.	Mrs O'leary really upset about this behaviour and noise and unable to get to sleep until after customers had gone home.
6th /7th September	until 0330hrs	?lock-in as group of men ?how many, outside of pub (front) at intervals throughout the night until 0330hrs when they shouted their goodbyes.	Woken from sleep <b>THREE</b> times this night - weekday again
11th/12th September	0005hrs	Customers outside of pub walk to outside of our house and shout 'lets make some noise outside this house' then male customer urinates on our wall at front of our driveway. Puts his glass on our wall while doing so and when finished says to ?landlord standing by 'is it ok if I bring the glass back later?!!	Not able to sleep until they had left and disturbed generally by this action. This incident was witnessed by our neighbour no.59a
2nd/3rd December (Thur/Fri) 2010	0130—0230hrs	Group of men and a woman being extremely loud and shouting. Noise continued until around 0230hrs	woken from sleep <b>TWICE</b> this night which we found upsetting as we had to get up early that Friday morning
7th/8th January (Fri/Sat) 2011	until 0500hrs	Pub very noisy, customers outside drinking until after 0130hrs. Customers very noisy when leaving pub at 0500hrs	Very little sleep this night as couldn't get to sleep until after 0130hrs and woken again at 0500hrs!! <b>REALLY</b> fed up with all of this
21st/22nd January (Fri/Sat) 2011	until 0330hrs	Clients drinking outside front of pub at 0235hrs when Mr O'leary arrived home, they were being noisy and one client walked out of pub with a full pint of drink at this time. Clients still noisily leaving pub 0330hrs	unable to sleep until around 0330hrs because of noise
28th/29th January † (Fri/Sat) 2011	0030—0330hrs	Customers generally rowdy outside of pub during the evening, turned in to a brawl around 0030hrs, police called. Customers noisy on leaving pub at 0330hrs	unable to get to sleep because of noise until around 0330hrs and had to be up again at 0730hrs!!

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5th/6th Feb 2011	until 0235hrs	Mr O'leary arrived home from working around 0230hrs, pub still open and clients drinking. Publican closed pub doors soon after Mr O'leary arrived home.	
19th/20th Feb. (Sat/Sun) 2011	Until 0145hrs	Very noisy—0115hrs people outside pub arguing and shouting, minor skirmishes and very abusive language. Ambulance called to pub and general disruption until around 0145hrs.	not able to sleep until after 0145hrs
Fri 11th March 2011	0244hrs	Mr O'leary arrived home at 0244hrs, pub still open with all lights still on	
3rd July (Sunday) 2011	afternoon 1600hrs	pub noisy (music) in the afternoon, side doors open	too noisy for us to stay in the garden so had to go indoors and close windows. Next door neighbours (no. 59a) had to do the same
4th/5th July (Mon/Tues) 2011	until at least 0330hrs	Group of males arrived late evening and appeared fairly drunk. VERY noisy on leaving pub at 0330hrs	Awoken at 0330hrs. This we find hard to deal with when we have to get up early next morning
9th/10th July (Sat/Sun) 2011	0030hrs— 0320hrs	Group of young people outside/leaving pub at 0030hrs, screaming and shouting then another group left the pub at 0320hrs in a very noisy manner (shouting etc) Abandoned drinking glasses found on cars in street next morning	Difficulty getting to sleep initially and then woken up at 0320hrs. Now feeling at a loss at what to do next to get a decent nights sleep.
31st/1st July/Aug 2011	-0000hrs— 0300hrs	Loud music and lots of cabs arriving ? To pick up people from 12mn until 0300hrs	not much sleep this night
5th August 2011	0250hrs	clients in drinking area at 0250hrs	
19th August 2011	?	pub noisy. Fight outside pub	
23rd/24th Sept 2011	0220hrs— 0234hrs	Group of people leaving pub 0220hrs being very noisy and shouting, car doors banging and cabs coming to the pub to pick up clients. Then another group noisily left the pub and more cabs came to pick them up. Could hear other clients still in the pub but do not know what time they left.	woken suddenly at 0220hrs by very noisy clients and not able to get to sleep again easily

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24th/25th Sept. Sat/Sun 2011	0045hrs until after 0200hrs	Large number of young people emerged from the pub, many with drinking glasses in hand, seemingly intent on causing mayhem. There were arguments, shouting swearing, a general fracas. Police were called when a car was vandalised. Unfortunately after the police left (nearly 0200hrs) there were still people around in the drinking area of pub, not being rowdy but still noisy. The friends' of the boy arrested were checking over his car (which had been vandalised), constantly banging the doors, revving up the engine and playing music. We didn't hear anyone from the pub (landlord) tell them to keep it down or to go home. Soon after 0045hrs, and before the police arrived, the landlord's car was seen leaving the premises but not sure who was driving. A bottle was left on our wall.	not sure what time we got to sleep this night but it was not until the early hours of the morning so too tired to go and look after my elderly mother today.
30th/1st Oct 2011	until 0155hrs	Pub had been noisy for most of evening as most (it seems) of the clients were sitting outside in the drinking area but by 0130hrs this was still going on. By 0138hrs the crowd gathered in the road outside the pub, a couple of people still had drinking glasses in their hand and continued to be very noisy they were not disruptive as such but very noisy which included bad language. A cab came to pick up the last of this crowd at about 0155hrs.	dreadful night, couldn't sleep because of the noise so considered closing windows to help dull the noise but night very warm so we decided to try and suffer the noise. It is not an option for us to bed down in another room for the night as the noise can still be heard from the back of the house.
14th/15th Oct (Fri/Sat) 2011	0138hrs	Noisy male emerges from pub at 0138hrs, shouting. Stops abruptly after awhile	woken up suddenly by this noisy client
15th/16th Oct (Sat/Sun) 2011	0150hrs	Group of noisy females emerge from pub and get in to a cab at 0150hrs	Loud enough to wake us up
17th/18th Oct (Mon/Tues) 2011	2245hrs - 0130hrs	Group of men arrive via cab at 2245hrs and leave premises at 0130hrs not overly noisy but loud enough to wake us up	woken up
29th/30th Oct 2011	0130hrs— 0200hrs	Pub closed around 0130hrs but allowed clients to sit outside in drinking area until after 0200hrs	woken up
30th/31st Oct 2011	until 0200hrs	Mr O'leary arrived home at 0147hrs, clients still outside drinking until after 0200hrs	
18th/19th Nov 2011	0100hrs	A number of clients outside of pub and in drinking area until 0100hrs being VERY noisy and a male seen to be urinating outside of pub main entrance!. Many clients appeared drunk but we understand that this was a wedding party!	unable to get to sleep until early hours because of noise

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10th/11th Nov 2011	until 0245hrs	Not good. Group of drinkers in outside drinking/smoking area during evening, <b>VERY</b> noisy with no let up until well after licensing hours We didn't hear anyone trying to keep them in check. This weekend particularly noisy with constant shouting/loud voices by a group who generally behave in this manner.	unceasing noise and unable to sleep until probably soon after 0200hrs but woken again at 0245hrs by noisy people out side
21st/22nd Jan 2012	from 0150hrs	Number of pub's clients were very loud. They were gathered in the outside drinking area (not smoking area) and the area the other side of the fence (road side), obviously in the throes of a heated argument. This continued for awhile and nobody from the pub told them to move off the premises or to keep quiet. A member of this crowd got in to a vehicle and drove off very noisily and fast—rather worrying as he seemed to have had a lot to drink.	Woken suddenly at 01.50hrs by loud drinkers and had great difficulty in getting back to sleep again
28th/29th Jan 2012	0200hrs	Noisy clients in smoking area at 0200hrs. Mr O'leary arrived home around this time, saw and heard them. They were still there around 02.15hrs after Mr O'leary had unloaded his car. By this time a cab(s) had arrived to pick up some of the customers.	woken up
11th/12thFeb 2012	2330hrs— 0154hrs	Quite a lot of noise heard coming from the smoking area around 2330hrs—midnight but loud voices and screaming woke Mrs O'leary at 0130hrs. Mr O'leary arrived home at 0150hrs and noticed clients with drinks in pub area, very loud and shouting. Some clients leaving pub around 0154hrs seemed to make a point of being noisy.	woken up around 0130hrs by someone screaming in pub
17th Feb 2012	0100hrs— 0230hrs	This noise business is getting out of hand. Pub clients very noisy around 0100hrs. Got up to see where noise coming from and saw clients in the outside drinking area. This carried on until around 0200hrs when it seemed to quieten down ? Clients went back in pub again but could still hear that they were still around until 0230hrs.	woken up 0100hrs and not able to sleep because of noise Found this episode very upsetting as I (Mrs O) do have to get up early and sleep deprivation is not much fun. Dreading coming weekend
18th/19th Feb 2012	0200hrs	<b>For the third time in seven days</b> we have had 'out of hours' noise problems from the pub. 0200hrs clients very noisy on leaving pub. Cabs arriving to pick up drinkers. A 'people carrier' arrived at 0220hrs To pick up another group of very noisy clients.	family to stay over weekend, they were sleeping at the back of the house and were woken up by the noise as we were. We are at our wits end
19th/20th Feb 2012	0120hrs	Cabs arriving at pub to pick up drinkers at 0120hrs, this continued until 0128hrs. This is a Sunday night and thought closure was at 12mn!	woken up.....

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woken at 0100hrs by screaming, shouting and abusive language unable to get back to sleep until early hours and it is getting us down. Next door neighbour (no. 59a) spoke to us in the morning to say how awful it was, especially as he has to get up for work really early.

A VERY noisy pub last night. All evening people drinking in outside area, not only smoking area and were rather loud. Noise level rising throughout the evening, woken up at 0100hrs and clearly these drinkers were now drunk. The noise level was so bad that the whole of Hollington must have heard them and there was no way we could go back to sleep. Many cabs arriving to pick up drinkers throughout late evening and early hours. Could see that Landlord went outside to 'rescue' his drinking glasses that were on the tables. Glass left on our wall and clients staggering around with them in their hands. Cabs arrive to pick up drinkers around 0200hrs.

Pub pretty noisy from clients in smoking area on our arrival home.

Drinking glasses still being taken off the premises as a glass was smashed outside of our house around midnight on Sunday.

Rather concerned about Saturday night. Mrs O'leary went to bed around 2330hrs and heard quite abit of noise coming from a group of men who appeared to be near the end bungalow/footpath. They then walked up to the pub and went into the premises, still being rather loud. Mrs O'leary didn't think anymore about it and went to sleep. Mr O'leary arrived home around 0130hrs and noticed that a group of fairly loud and agitated men were still drinking outside the pub but still on the premises. Further to this, when he had finally finished unloading his car at 0140hrs, another small group of men emerged from a car (near to the footpath and walked up to the pub and went in to the premises. somebody sounded a hooter at this time.

Not good, no point in even trying to get some sleep until after 0200hrs The pub must have had a disco or something as music loud until 0100hrs. although all I could hear was the constant bass which is very much like torture (I should imagine). The clients were loud, shouting and yelling with bad language and were in the smoking area and patio all or most of this time. I suppose the drinkers had to shout at each other because the music was so loud. Clients noisy and calling out until well after 0200hrs.

Pub noisy and mainly coming from the smoking area. Clients leaving (after 0130hrs) continued to be very noisy, hanging around outside of the pub and then walking along the street. I recognised them as being associated (Family) with a previous landlady and this family were always noisy.

pointless in even trying to sleep because of noise. Wearing us down

This noise problem is really affecting us

2nd/3rd March until 0200hrs  
2012

10th March around 0030hrs

w/e 23rd—25th March

14th/15th April 2330hrs -  
2012 0140hrs

21st/22nd April after 0200hrs  
2012

27th/28th April 0130hrs  
2012

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DATE	TIME	DETAILS	EFFECTS
Friday 11th May 2012	until 0115hrs	pub clients loud , screaming and shouting	Unable to sleep until clients quietened down. Mrs O'leary's health now affected and she was hospitalised after having a stroke earlier this week
Saturday/ Sun 12th/13th May 2012	until 0300hrs	clients hanging around pub until gone 0300hrs although not as loud as last night	Disturbed sleep <b>AGAIN</b>
Friday 25th May 2012	until 0015hrs	outside of pub noisy until 0015hrs, quite abit of shouting in the street from people who seemed to be hanging around the pub area	not able to sleep until quietened down
Saturday 26th May 2012	around midnight	outside very noisy and we had to close the bedroom window around midnight to try and get some sleep. Not sure when noise stopped as closing the window does help to muffle the noise	closing bedroom window was the only way we could get Some sleep which is something we would not choose to do on a warm night but we needed to get some sleep
Sunday 27th May 2012	afternoon	during the afternoon pub did get noisy from the loud music playing in the pool room with windows and doors open	
Saturday/Sunday 9th/10th June 2012	0121hrs	Mr O'leary arrived home at 0121hrs to find many punters inside the smoking area, which incidentally is now without lights, they were making loads of noise. Some of them left as I was going in to the house (in a cab 247247), started the recording machine but not sure as to what was recorded. The noise continued sporadically until 0150hrs when it appeared that the premises had closed. A little after this, 6 people came out of the pub with one carrying what looked like a large pack of beers which he put on my wall whilst he lit a cigarette. they made their way up the road rather noisily and obviously drunk and one of them still had his drinks glass in his hand. They stopped outside no.59a for awhile and then moved on.	Mrs O'leary staying with family to try and get some sleep
Sunday 17th June 2012	0131hrs	Mr O'leary arrived back home at 0131hrs. There were a number of people talking and drinking in the smoking area and they remained there until just after 0200hrs.	
Sat/Sun 23rd/24th June, 2012	until 0150hrs	PC Ash monitoring pub this evening—he visited pub at 0118hrs and had to tell 5 people outside the premises to be quiet as they were verging on shouting at each other. He listened and watched for some time and no person from the pub challenged them.	Not able to sleep until around 0200hrs

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went to bed early as feeling extremely tired and unwell but there was so much noise coming from the pub that there was no way that I could sleep. Very upset about all of this and I (Mrs O'leary) had to stop Mr O'leary from going in to the pub in the morning to give them a piece of his mind!

So much noise coming from the pub—recording apparatus activated at 2315hrs. Constant stream of cabs picking up people until around 0050hrs. Around this time a number of VERY loud people got in to a car, probably their own as they were sounding the hooter and shouting out of the window as it drove off and half way down the road. Obviously not local people.

Fri/Sat 29th/30th June until 0050hrs 2012

There was no way that anyone could sleep tonight! Mrs O'leary very upset on Sunday as now very tired from lack of sleep and frustrated that the landlord doesn't do anything about the noise

Awful night. Live music until 12mn, very loud clients outside the pub until closing (not sure when this was but kept awake by noise until around 0145hrs), continuous cabs/vehicles arriving to pick up noisy people. A very noisy time around 0030hrs with hooters going and to cap it all, recorded music was going on until around 0120hrs! A good opportunity to use recording apparatus but seemed to malfunction. Next door neighbour (no. 59a) came down to his gate as he was so angry. Our gate was kicked open at some point. PC Ash was observing this mayhem during this night.

Sat/Sun 14th/15th July until 0120hrs 2012

woken from sleep twice by noise

Noisy outside pub area (sounded like youngsters). Got out of bed at 12mn to see if noise coming from park area but couldn't see anyone but did see 3 youths walking into pub via smoking area at this time. Up again at 0030hrs as still noisy and a large group seen leaving pub, some got in to A cab and others congregated for awhile opposite our house (on the pathway).

Wed 18th July midnight 2012

Appeared quiet until around midnight when it got fairly noisy from either people leaving pub or they were in the smoking area—a lot of shouting but not sure when the pub finally closed.

.Sat 21st July midnight 2012

Cannot get to sleep until early hours

Episodes of raised voices until gone 0100hrs, mainly from smoking area and when people leaving the pub and getting in to a cab.

Friday 27th July 0100hrs 2012

woken up at 0122hrs


Group of people standing outside of the pub talking loudly and seemed agitated as they were swearing. At this time a male got in to a white car which was parked other side of our front garden wall, on pub premises.

Sat/Sun 11th/12th August 2012 0122hrs

Woken up at 0015hrs

Departing clients of pub shouting and being noisy, and slamming car doors.

Monday 13th Aug 0015hrs

  
 G.M.O'Leary  
 22nd Aug. 2012



[REDACTED]

21/8/12

Dear Mr Brown

RE: LICENSING ACT 2003 - THE WISHING TREE PH  
WISHING TREE ROAD NORTH, ST LEONARDS-ON-SEA

My name is [REDACTED] This is my statement  
to the incidents & noise occurring from the  
Wishing Tree PH.

I therefore wish to remain anonymous  
for any reprisals that may occur afterwards.

I have lived in this Road for over 20 yrs.

This about the Lth owner this PH  
has had. There has always been noise  
coming ~~at~~ from there, but it is noise  
& incidents are becoming more frequent,  
with the PH hours having been  
extended, with karaoke, disco's bands  
& rowdyness, police being called with  
Rights, arguments while walking along the  
road, taxis zooming up & down the road  
road, till the early hours of the morning

I actually saw a taxi pull up & someone  
getting out & going into the pub at 1.15 am

I cannot give you specific dates & times.

I feel that before PH's are given extended licenses they should have taken into consideration PH's in residential areas, if some Supermarkets are not allowed to stay open all night in residential areas, why should PH's  
If pub owners cannot manage to run a pub from 11 to 11, which is what I have always known to have been & I am 63 there is something wrong.

I did not know that anything could be done until PC Ash knocked at my door & asked about the noise levels in my road after midnight.

Yours sincerely

