

The Wishing Tree

63 Wishing Tree Road North, St Leonards on Sea, East Sussex, TN38 9LJ

Sunday, September 02, 2012

Emily Horne
Scrutiny & Democratic Services
Hastings Borough Council
Aquila House, Breeds Place
Hastings
East Sussex
TN34 3UY

Dear Emily Horne

Re: Application to review an existing premises license at The Wishing Tree public house, 63 Wishing Tree Road North, St Leonards on Sea

I have already sent letters to the Licensing manager Bob Brown in relation to the above review but after reading through the full report and at the letters sent in by some residents of Wishing Tree Road North I would like the committee to know that the information that has been provided is not completely true and is misleading. I don't deny these residents heard what they say they did but not all the accounts were from the pub. I'm not going to attend the review because I see it as a witch hunt started by the residents of no.61 and continued by PC John Ash. I'm not getting into any arguments; I would just like to point out that the so called diary of events provided by Mr & Mrs. Oleary about the pub is not correct in what it said. There are a number of discrepancies with the times stated. I'm not going to point out everyone but I would like the committee to know that on Saturday 12th May the pub was closed and everybody cleared by 1.30pm. I know this because I had to get everything ready for my daughter's birthday party on the Sunday and I remember it well. Secondly Wednesday 18th July the pub was closed at 11.30pm. The group seen leaving the pub where a group of youths which I had to clear away from the smoking shelter, they said they were looking for fag ends in the ash trays on the decking. Thirdly Saturday 11th August pub closed 12.30am. The group standing outside the pub talking had just come off the park. I know this because we also kept a diary. This date was included in the week I sent to Bob Brown. This was sent to Bob Brown before I received this diary kept by Mrs. Oleary. Monday 13th August states that at 0015 departing clients of pub shouting and being noisy, slamming car doors. We had a pool cup match on that date and apart from two customers everybody had left by 11.20pm. At about midnight a taxi came and picked up Mark. Mark is a regular of the pub and is well known in the area. He was born with Spina bifida and has trouble walking, Steve, another regular and Sharon, Land Lady helped Mark into the cab. At no time was there any shouting and there was only one car door closed. The pub was now empty and was closed. Like most nights I was then in my office, which is in the front of the property, until about 2am. It is obvious that the Oleary's are

obsessed with the pub; they have kept a daily diary for many years about customers at the pub? And have written a very biased view.

We have a 10 year old son and an 8 year old daughter that have no problem sleeping; the 8 year old is in the front bedroom. The committee should have a true account to base their decision on. The Oleary's use a recording apparatus which only proves a noise was made it doesn't mean it was from the pub. From this diary I can see they have almost no incidents Monday to Thursday but get disturbed once or twice a week but yet they are blaming the pub for health problems and being unable to sleep. I find this very hard to believe I get disturbed more than them. It could be the obsession with the pub that is causing the ill health.

Unfortunately some men do urinate in the street, not all of them are from The Wishing Tree public house. This will continue to happen even when the pub is closed down. I notice from one of the letters that a taxi arrived at 1.15am and someone going into the pub, the only time this happens is when the driver comes in and helps one of our customers out to the taxi, he has a problem walking, sometimes Sharon carries him out. The letter also mentions fights and arguments; this was back when we first took the pub. Ask the police they will have records to prove what I'm saying.

Whilst I'm sitting here writing this at 2.15am a number of youths have come up the road in front of the pub, shouting and laughing, quite obviously had been drinking. We have been closed since 1.20am. I'm not saying that they came from the pub down the road but that pub does have Karaoke every Friday and Live music every Saturday. As a matter of interest we closed at 11.40pm on the 24th August and I walked down Wishing Tree road at about 12.15am and music could be heard a good 500 yards up from the pub. There were a number of customers outside drinking.

The Wishing Tree is now a relatively quiet pub most weeks. Last week we had a funeral with about 200 people attending. We had no trouble and all was relatively quiet with everyone gone by 1.50am. Due to having to wait for taxis. We try to filter people out slowly instead of a big group leaving at once, which in the past has lead to arguments and even fights.

We do have to hold events at the pub to be able to compete and survive but we keep these to a minimum with Karaoke once a month and live music about every six weeks. As I stated in a previous letter to Bob Brown we have now implemented some steps which will help with cutting down on the noise, during and when the customers leave. These have worked well the last three weeks. Had PC Ash and David Bell worked with us instead of just trying to trap us, these steps could have been implemented sooner. They have had CCTV installed to monitor the pub and even have a neighbour keep a daily diary but only come and shout, and I mean shout at us about every six months. On one visit PC Ash tried to tell me I have customers come from outside the area and sit in the smoking shelter all day and don't even buy a drink. I'm not sure where he gets his information but I have CCTV to prove otherwise.

These problems have occurred because we had made the pub busy. I have pushed the noise issue so far at our customers that trade is already beginning to drop. We have notices posted all around the pub, inside and out. It is also displayed on the TV screens around the pub. On a typical Saturday night we

could expect to see about 100 people during the night, this Saturday we had about 20. I notice from the review Bob Brown is not only asking for a reduction in our hours and for the removal of live music but he is also asking that a condition is added so we can't use all the outside area. All the complaints are about noise after 11.30pm so why ask for the removal of tables from outside. Reduce our hours and we will have no choice but to increase the trade during the day and we will need the outside areas. It is getting to a point where the council is making it impossible to operate. We get permission to have a smoking shelter but David Bell had a restriction put on it so we can't use it after 10pm. Where does he think the customers are going to smoke after that time? Has anyone in the council got any common sense? Keeping the smokers in one place as far away from number 61 was our main concern. The Smoking shelter is used all the time we are open, it's not occupied by the same people all day long but what are we supposed to do? The government has forced 80% of our customers outside. We have tried to make them comfortable whilst outside. I didn't realize we were not allowed to do that.

I understand I can appeal any decision the committee makes, through the court, which will cost money we don't have, so I would like to point out that if you implement all Bob Brown is asking you will be closing the pub. PC Ash has had it in for us from the day we opened. He has walked up Wishing Tree Road North letting residents know they can write and complain about the noise from the pub. Not all the noise is from the pub and most of the residents know this that's why so few letters have been sent in. I have sent in a petition with more signatures in favor of the pub, which live in Wishing Tree Road North. Mr & Mrs. Oleary have continually complained about the pub for the last five years. Get the pub closed and their property is worth another £8 to £10,000 more. It was cheap when they bought it because it is next to a pub. How many actual complaints have the council received? And how many are from different addresses? How many complaints / call outs have the police actually have on The Wishing Tree? Nobody will tell me this. How many complaints have been given to PC Ash? PC Ash is a bully and in my opinion has abused his position. We held a charity event here recently and unfortunately we had a customer leave at about 11.50pm and sound her car horn for about 10 minutes and generally causing a nuisance even after I had spoken to her. Later that night about 1.30am when we were clearing the customers from the pub PC Ash arrived at the door, quite agitated because we still had customers in the premises. Shortly after clearing the pub PC Ash came and told us that he had been outside for about an hour and the noise was very loud, which I have to agree it was. We had been very busy with about 150 people. He also stated he had witnessed on 3 occasions, men that had left the pub, urinating in peoples driveways. He wouldn't describe them to us, he said he had spoken to them but hadn't issued any tickets. I thought this was against the law and carried a fine. If I knew who they were we could deal with it so they don't do it again. What I can't stop is the others that do just the same but have nothing to do with our pub. It's so easy to just point at us. A member of staff was still here and was trying to explain how hard it had been to get everybody out quietly but PC Ash accused her of having too much to drink and told her to go home. He wasn't prepared to listen. She only had one drink on us at the end of her shift. She also got into her car and drove home. If PC Ash really thought she had had too much to drink then why did he let her drive away?

I have tried to be reasonable and at no time have I stated that we will not make any noise. This is a pub and at times it will be noisy no matter what anybody does, but I will ensure it is kept to a minimum. I understand being woken in the early hours can be a problem but even if I close down the

pub this will continue, it's the area we live in, even I get woken up with kids screaming, car doors banging and youths generally being a nuisance on or around the park and I have to work seven days a week. I have had people walk up and down the road with beer glasses in their hand. We have several pubs and clubs around us that sell drink in glasses which the customers walk off with.

We took a closed pub which at the time had a rough reputation and most of our customers we have today wouldn't have entered The Wishing Tree. Some hadn't been in for over twenty years because of its reputation they are now regulars. We have given The Wishing Tree back to the community and we help raise a lot of money for Local charities. It can be very busy at times but not every day or even every week and with it comes extra noise which we are cutting down. There is a pub just down the road from us and a Club just up the road from us they then make as much noise as us. During the day when the weather is good there is a lot of noise on the park directly opposite, it's called LIFE children playing and enjoying themselves. It's what happens at The Wishing Tree people come because they enjoy themselves. We are one of only a few pubs left that are still a pub that does some food. We still have darts, pool and shove. We still have people sat at the bar discussing the day's events, its pub life. I have to work very long hours every day, I have to smile no matter what life throws at me and at times I wonder why I don't just sell up. I own The Wishing Tree and the ground it stands on, its worth more as a building plot than as a pub but it's what my wife and I do. I can't stress this enough, the pub can't survive if you implement all that Bob Brown is asking and you will leave me with no choice but to sell up and take my money elsewhere.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P N Farhall', written in a cursive style.

P N Farhall