

From: [REDACTED]

Sent: 25 August 2015 22:26

To: Licensing

Subject: Representation against the variation to the licence application to extend the hours of operation of the rear garden of Wabi

Please find below a representation against the variation to the licence application.

Please can you confirm receipt of this email, thank you.

Dear Sir,

We would like to make a representation against the variation to the licence application made by East Street (Horsham) to extend the hours of operation of the rear garden of Wabi located at 38 East Street Horsham, from 23.00hrs to 0100 on a Friday and Saturday night on the grounds of prevention of public nuisance.

We enclose a scale plan of the area which shows the relationship with the front of our house, shown with a blue cross and the garden of Wabi – the distance shown by the red line is 30.5m. The front of our house, where the main bedroom is located is located, is therefore in close proximity and overlooks the garden of Wabi, though other residential properties are even closer, as you can see.

When the Wabi garden is occupied the noise from patrons in the garden is clearly audible in our bedroom. Whilst the noise is loudest in the summer when our windows are open for ventilation, as we are in a Horsham District Council conservation area and to maintain the appearance of our Victorian house, we have wooden sash windows which have limited noise attenuation – so we can clearly hear noise from the Wabi garden even when the windows are closed.

With the current garden closing time of 23.00hrs the issue is tolerable.

However, as a demonstration of how much nuisance this extension to the garden closing time would bring, on the night of Saturday 1st August 2015 we were unable to get to sleep after we went to bed shortly before 23.00hrs due to the noise from the patrons in the Wabi garden. We contacted Wabi at about 23.40 to enquire why the garden was still occupied, contrary to their license and were informed that they had a special extension until 00.00. We were unable to get to sleep until after the garden closed at midnight. Therefore it is reasonable to state that if the garden opening time was extended to 01.00 on Fridays and Saturdays, we would be unable to get to sleep until after this time when the garden is occupied with a number of Wabi customers, much of the time. As this is over two hours later than our normal bed time, this would be intolerable and is therefore totally unacceptable.

The garden was also cleared late last Friday, 21st August, which also delayed us getting to sleep.

It is worth noting that this proximity to local residents was the reason why the rear garden closing time was set at 23.00 in the original licence – the local residential occupation has not changed since, so nor should the licence.

We therefore consider that extending the garden closing time this late is completely inappropriate for licenced premises adjoining a residential area, and would cause real nuisance to local residents, as has already been demonstrated and therefore should not be accepted.

We would also like to request that you do not extend the garden closing time on an occasional ad-hoc basis.

Yours faithfully,

[Redacted signature]

[Redacted name]

[Redacted title]

[Redacted address line 1]

[Redacted address line 2]