

8 MAY 2012
PROTECTION
Handed
into
Reception

Ho Wah,
29, Roundstone Street,
Trowbridge.
Wiltshire.
BA14 8DE

5th May 2012

Ms Maggie Jones,
Licensing Officer,
Wiltshire Council,
165, Bradley Road,
Trowbridge.
BA14 0RD

Your Ref :-12/00105/NOMUS/SAV1.5

Environmental Protection Act 1990

Complaint of loud music - Galaxy Caffe, 28, Roundstone Street, Trowbridge, Wiltshire. BA14 8DE

Dear Madam,

Thank you for your letter of 2nd May further to the above issue.

Sadly, despite our initial complaint & your officers investigation, the problem has increased since Christmas, especially at the weekends. Volume builds up during the evening with a heavy booming bass that reverberates throughout the entire property.

Several customers have complained, & indeed left my restaurant without ordering as they couldn't stand the noise, some inevitably never to return. This is normally my busiest period, so this is a considerable loss.

The invaluable help of my kind daughter at these times cannot continue as the sound is magnified upstairs in the rooms where we would normally put her small baby to bed whilst she was helping us.

Recently the situation deteriorated to a level where police were called, & public order issues arose; this is of much concern to me & once again most damaging to my business & to the council's efforts to build a thriving & prosperous town.

I do hope that this matter can be speedily resolved & look forward to hearing further from you.

Yours sincerely



Y.C Lee

CC: Ms Susie Vowles

From:
Sent: 09 May 2012 14:27
To: Jones, Maggie
Subject: Ho Wah Restaurant, Trowbridge.

TO:- maggie.jones@wiltshire.gov.uk

Dear Ms Jones,

We have been regular customers at the Ho Wah restaurant for over 30 years & have enjoyed many happy evenings there.

Unfortunately we have recently been forced to complain to Mr Lee about the intrusion of very loud noise (hammering bass sound) from the neighbouring establishment.

He has most politely told us that you are investigating (& given us your email), since we feel that you should be aware of the loss that this well established, popular & invaluable business is suffering as a result of this terrible din.

Sadly several regular customers, whom we would often meet, no longer seem to be visiting, & recently we saw a party leaving before they had ordered - very sad.

We are sure that this level of noise must be injurious to the health of those in the café - let alone to this area of Trowbridge!

We hope that we are in time for our observations on this matter to be considered during your investigations.

Yours sincerely

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5th May 2012

Licensing Department
Wiltshire Council
Trowbridge
Wiltshire

RE: Galaxy Caffe licence review

Dear Maggie,

I am writing in this instance to comment on the effect of the late music licence granted in December 2011 at the Galaxy Caffe in Roundstone Street opposite my property.

When The Galaxy Caffe was first opened, I was very pleased that the investment was made and they made a great job of developing their cafe. I did not object to their application for an alcohol licence as they assured me it was not going to be a late night drinking venue but a cafe/restaurant.

Since the late licence was granted it has become a popular Saturday nightclub.

When the application for a late licence was first made, I sent an objection letter detailing my concern and predicted the effect that the late licence would have. The licensee convinced the council that he was wishing to have music to accompany the food element of his restaurant. The licence was granted against the professional advice of the Environmental Health Department (with a clause not to include Karaoke which is not the only source of loud music) and we have now suffered the consequences.

I would like to add that both The Malt House public house and The Carpenters Arms public house on the same street have both had dealings with Environmental Health and the Licensing Department with regard to noise and public disturbance. The Malt House was ordered to close for a period of 3 months during which they worked very hard to conform to the requests of the licensing department and now run their business in such a way that does not cause a nuisance to others. The Carpenters Arms had their music licence removed and can now only play music from their jukebox which cannot be heard outside their premises.

The fact that the Galaxy Caffe has had their licence granted after the others have had theirs revoked is grossly unfair on those other businesses and is not in keeping with the residential nature of this area.

On most Saturday nights, The Galaxy Caffe has played loud music, disco style, which is so loud that I cannot hear my television properly and the repetitive bass shakes my windows. The music often doesn't start until 10pm at which point it gets turned up very loud and continues past 2am. Favourite songs are often put on repeat. My children and I are often woken by the sound of the music which becomes even louder each time someone walks into or out of the premises. This is a frequent occurrence as there is no dedicated smoking area and people congregate outside in the street to smoke.

This in turn creates a secondary noise scene whereby people are chatting, drinking and smoking outside and contributing to the overall noise. As the evening gets later and people consume more alcohol, the talking becomes shouting, singing and general drunken behaviour. When the music stops somewhere between 2 and 3am, the people are still gathered and slowly disperse into the night, singing, shouting and chanting often till after 4am. In this way it is run as a nightclub and not a cafe/restaurant.

I have complained to the Environmental Health Department who have been inside my home and witnessed this for themselves.

My home is also my business, a small family run hotel. My business is being affected by the music. On one occasion, a couple who were staying at the hotel were unable to sleep. They came to my private living area and asked to be moved to another room, they found that the other rooms were no quieter and opted to stay where they were. The lady was pregnant and was quite frustrated. Although they were very pleasant, I was unable to charge them for their stay as they were unable to sleep and that is the fundamental point of my business – a bed to sleep in for a night. By giving the room for free, I am operating a damage limitation policy whereby they are less likely to give a poor review online, detailing the late, loud nightclub.

Another guest commented that the “internet did not mention the nightclub outside” and they would not have stayed if they had known it was there. I cannot afford to give rooms for free, the summer season is coming up and the potential for my business to be ruined is evident. I am also suffering from stress and anxiety every Saturday. I am so worried about my customers complaining, I cannot sleep and I stay awake listening to the revelling across the street from my bedroom and my heart is pounding. I find it difficult to then face my guests in the morning at breakfast and ask them if they had a good night.

My hotel, like any other is subject to independent reviews by the people who stay here. They post accounts of their experiences online for potential guests to read. I have two online reviews detailing the music from the Galaxy Caffe warning people who might be considering staying here of the potential for disturbed sleep – it’s not good for my business or my health or that of my family.

I have invested a considerable amount of money, time and passion into The Polebarn Hotel, in growing the business against harsh economic times and more to come. It is my family home and my livelihood. I pay domestic rates to live here as well as business rates. I have always believed in supporting local businesses and do most of my trade in this town. I am a staunch supporter of Trowbridge Town Centre and hope it will support me. I do not run my business in a way that will affect my neighbours and would hope that my neighbours would offer me the same courtesy.

I appeal to the council to consider the wider effects of their decision to grant the licence and consider a more sensible approach whereby any music ceases at 11pm which is a reasonable time and a fair compromise. If, as originally planned, the music is to accompany people eating at the cafe, they would more than likely have finished eating by that time. An alternative would be to ask The Galaxy Caffe to provide full soundproofing and regular decibel monitoring as is standard for any new late night music venue and to limit the amount of people outside and their behaviour using security staff at the door, again, as standard.

Yours Sincerely,