

Initials

18 AUG 2021

RECEIVED

Licensing Unit

Worthing Councils

[REDACTED]

Sorry but I do object to "MANUKABAH" etc.
 I've resided in Chandos Rd 13 years now. From
 Chandos to Porland Rd, the whole square is
 an "ECHO CHAMBER", our road is a one-way
 system, we will get cars using Chandos Rd
 like a racetrack with no doubt Tom Tom
 music as well, we have enough to put up
 with now, i.e. car park, in Buckwingham,
 all the bars this that and another all
 go down the tubes, so save your cash
 and us residents a break

Worthing,

[REDACTED]

[REDACTED]

Objection to 14 August.
 Licensing Application.

Licence application - Manuka Bar and Kitchen

1 message

19 August 2021 at 11:57

To: "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>

With regard to the above application I would like to comment as follows:

Objection to the permanent permission to place tables and chair on the Square. I understood this measure was to help recover from Covid not a permanent arrangement. The bar can takeover the majority of the square and probably increases tables by 200% compared to inside seating. I did not move into this property to be next door to an outside restaurant and bar with DJs etc and the ensuing additional noise. It is also unfair on other licensed premises who are not adjacent to a large square and only actually have a pavement outside their premises.

I do not object to the remainder of the changes but would like the bar to try and move their patrons on once leaving the bar to keep noise to a minimum.

Sent from my iPad

I hereby object to the changes proposed to the existing business hours of the Manuka Bar and Kitchen Ltd, 9 Portland Square, Worthing BN11 1QH.

After extensive searching we were fortunate to find and purchase our home at [REDACTED] having moved from Portslade. This now seems to be the worst move we have made. Any extension to Manuka's licensing hours will make living here even more unbearable.

We have a 3 bedroom house and the master bedroom at the front of the house is unusable as a bedroom and the back bedroom can only be used as a bedroom with the windows closed and wearing earplugs when sleeping. This is all caused by the noise we hear from Manuka Bar caused by the music and their customers. The noise carries down the street and affects the back bedroom and the master bedroom. Drunk people passing by the front of the house shouting, banging on our windows and ringing our doors getting in their cars, slamming their doors and speeding off. We have seen people urinating on our front door and across the street in the delivery bay of the Sports Direct shop.

In the morning there is often plastic cups littering the street, smashed glasses on the pavement and empty bottles left on our window sills.

We object to the permanent installation of tables and chairs serving the business from 10 am till 11pm which will be inevitably used by their customers well in to the hours of the morning. This permanent installation of tables and chairs will be used as a pitstop by any late night party goer passing by.

We know that we are on the edge of the Town Centre but we live on a residential street and hope consideration would be shown for the residents which include retired persons. Professionals with young families who have jobs to go to like mind at the NHS were I have 12

hour shifts that start 7am. We live here 24 hours a day, all year long. We can only put up with so much noise. Enough is enough!

We were looking forward to the improvements to Portland road but they seem to be only improvements for the profit of private businesses like Manuka Bar and not the public who have paid for the improvements through their taxes.

The residents of Chandos Road are spending their hard earned earnings improving our homes and look of the street and please don't let Chandos road be turned into a slum caused by the noise, litter and often aggressive behaviour by the customers of Manuka Bar that this proposed extension to their business hours will cause.

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED] Worthing BN11 1TJ

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Fwd: Manuka Bar and Kitchen Licence Application

1 message

24 August 2021 at 09:12

Forwarded message -----

Date: Fri, 20 Aug 2021 at 16:30
Subject: Manuka Bar and Kitchen Licence Application
To: licensing.unit@adur-worthing.gov.uk <licensing.unit@adur-worthing.gov.uk>

Dear Sir/Madam,

My name is

Address

[worthing](#)
[West Sussex](#)
[BN111QG](#)

I would like to formally register my objection to the licence application from Manuka Bar and Kitchen. In particular I object to the extension of hours, permanent outside pavement drinking tables and recorded music until 0130hrs and 0140hrs at a weekend. My objections are based on myself and my family living close by to Manuka in Portland Road and this will severely impact on our enjoying peaceful sleep and a quiet, relaxing home environment. We can hear the local entertainment establishment's music in our home and garden already, and are grateful that as it stands it always ends around 11pm. We then have the noise and disruption of people dispersion from the area until around midnight. Extending this time period will cause disruption to a residential area extending north into Portland Road and the surrounding streets. This is a densely residential area with many of the properties housing families and older people. Alao, it was quite unpleasant when Manuka had its tables and chairs out over the summer to have to walk that way to get home. I was under the impression that the huge investment in the Portland Road up lift was to promote the restaurants and cafe culture, not a lively cocktail bar. Thank you for you time.

Yours sincerely,

[Sent from Yahoo Mail on Android](#)

18th August 2021

Public Health & Regulation (Licencing Unit)
Adur & Worthing Councils
Portland House
Richmond Road
Worthing
BN11 1HS

To whom it may concern

LICENCE APPLICATION – MANUKA BAR AND KITCHEN LTD

We have recently been informed of a licence application for the variation to the premises licence at Manuka Bar & Kitchen, 9 Portland Square, Worthing, BN11 1QH. We object to this permission being granted on the following grounds.

Manuka Bar have recently had temporary permission for the placement of tables and chairs in the designated area outside the property, we have experienced numerous issues with this, we have been extremely patient as we fully understood the issues facing the hospitality industry at this time and their protocols for social distancing. However, these issues can not continue going forward.

Our patients are predominately older in age and less mobile so we need to maintain good access for wheelchairs and mobility scooters, which was not maintained during this time. We have experienced a lot of noise from the tables as well as music being played. We conduct hearing tests and require the area to be quiet and at times we have been unable to carry out our appointments in full as the hearing tests have failed due to outside interference. We have had occasions where we have had to ask for music to be turned down and people to move away from outside the branch for us to continue our appointments.

We believe that having the tables and chairs outside on a permanent basis would reduce the visibility of our shop from street level and we would experience increased levels of antisocial behaviour and general nuisance, than we already currently experience.

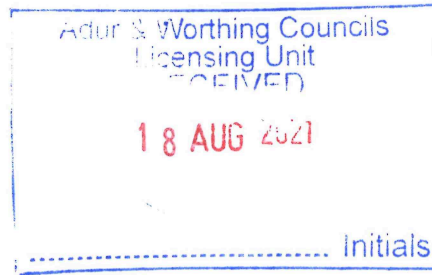
I hope that you are able to take the above into consideration and refuse permission of the new application.

I look forward to hearing from you.

Yours sincerely



The Licensing Unit
Adur & Worthing Councils
Portland House
Richmond Road
Worthing
BN11 1HS



16th August 2021

Dear Sir/Madam,

RE: Variation to premise licence at Manuka Bar & Kitchen, 9 Portland Square, Worthing, BN11 1QH

We write as owners of the property, [REDACTED], which has three residential flats, two of which are directly opposite Manuka Bar. One of the flats is on the same first floor level as Manuka Bar. There is also a further eight flats next door to our property.

We are writing to voice our concern and objection to this application on the basis of noise and disturbance to local residents. We feel the existing licencing hours are late enough for an area which has a large number of residents. At what point does a bar become a night club? We are also concerned if these changes were granted, this could set a precedence in this area for other businesses to increase their trading hours.

With regards to the application to have permanent permission for the outside seating area and to extend the closing time of the current temporary licence - without details of size of area or number of tables, it is difficult to know to what degree this will affect the local residents. We would definitely object to any outside recorded music.

We strongly object to extending the existing time of recorded music, and sometimes live bands, on the grounds of noise and disturbance to local residents. Under the existing conditions of their licence this already causes disturbance. When Manuka Bar originally applied for their premises license in 2017, they gave us assurances about this subject, and I quote from their letter "We are installing a new sound system that is specifically tuned and designed for this Venue to keep any bleed of sounds to an absolute minimum, and we will have strict monitoring levels in place in consideration to our neighbours." Unfortunately, this has not been adhered to on numerous occasions.

When considering this application, it should be noted once Manuka Bar has closed, there will be further noise and disturbance late at night/early morning along Portland Road and surrounding area with their customers leaving the premises, traffic movements, taxis, phone calls, etc.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]

20 August 2021

Manuka Bar and Kitchen Ltd 9 Portland Square Worthing BN11 1QH - Objection to licensing application

To Adur-Worthing Licensing Unit - objection to the above application (Application / Applicant)

1. [REDACTED] *This is a residential area. Albeit on the edge of the town centre, it is significantly residential in character, my home at [REDACTED] being part of a row of terraces built in 1903.*
2. Sound from Portland Square reverberates there on the hard surfaces like an auditorium and travels clearly and directly through the air corridors of Chandos Road gardens at the back, and the street at the front.
3. I already suffer nuisance from those premises of:
 - a. Noise from loud music and noise of patrons emanating directly from the premises inside and outside. That noise carries directly, clearly and loudly through the open air across the back of Panacea Clinic and the back gardens of Chandos Road directly to my back bedroom; it carries down Chandos Road to my front room, particularly upstairs. I heard this kind of noise when Manuka operated only from inside their premises before Covid19 and the level of noise has significantly increased since patrons have been seated outside.
 - b. Noise of patrons in the street out the front – drunkenly congregating or moving through our streets, vehicle activity (parking, engine noise, unnecessary revving, souped-up engines, slamming of car doors, music from their cars, vehicle lights). This activity is directly related to the closing time of Manuka premises because it is at the highest level at night at and around 22:00;
 - c. Likewise anti-social behaviour is directly related to the closing time of Manuka premises because it is at the highest level at night from about 22:00 frequently continuing into the early hours as follows: banging with fists on windows and doors to the extent of nearly breaking them, urinating and defecating on the doorstep, against my door and property walls and on the public footpath outside my home, vandalising my property (e.g. my car, window boxes), littering the street in front of my house and the footpath generally with toilet tissue, empty bottles broken glass etc. You name it they do it.
4. There is no-one to help. The police certainly can't or don't. I'm sure members of the licensing unit must know what it's like when you're woken from sleep, or can't get to sleep, or back to sleep because of noise. The tiredness resulting from the disrupted, lost sleep cannot be made up for. The time spent in complaining and logging nuisances is a further imposition and to date, because it has brought no effective result, I have stopped complaining. For example, apart from all the work afterwards logging the nuisance etc, if one calls the after-hours noise number no-one will come out to do anything about it unless there are phone calls from at least 2 different households; one has to get up to make the phone call which adds to the wakefulness; adds despair at being unable to stop the noise then and there; and at one stage the process included having to stay up to wait an unspecified length of time for a return phone call to prove your bona fides.
5. We residents of Chandos Road care about our homes. We work, many of us 6 or 7 days a week, some of us on night shifts. A few of us are retired in our 80s and others of us have new born babies or young children. We need our sleep and peaceful enjoyment of our homes during the day as well as at night. I work from home 7 days a week and can hear and am disturbed during the day, as well as at night, by the noise from Portland Road & Square including from Manuka particularly on weekends.
6. **For the above reasons, and on the following grounds, I object to the above licensing application being granted, even on a "wait and see" basis or on a temporary basis.** I certainly do not accept having to endure the nuisances for any period of time while the authorities go through the process of reviewing the licence granted following our complaints. Each complaint represents at least one and probably more than one victim of ruined sleep, days of effective work or leisure lost to fatigue, work hours and pleasure in peaceful enjoyment of our homes lost to the suffering and disturbance at the occurrence of the nuisance itself;

On the grounds of public nuisance – direct noise nuisance for extended periods of opening, from outdoor operation, from playing recorded music and from the volume of patron behaviour due to alcohol;

7. I've been hearing the noise from Manuka's premises from when it first started its operations when it operated only from inside their premises before Covid19. The level of noise affecting me has significantly increased since patrons have been seated outside. The licence application, which if granted would permit hours of opening **10:00AM until 1:30 or 1:40am** 363 days of the year and until 2am on Christmas Eve and New Year's Eve opening until 2 am the following morning, would:
- a. extend the duration of the direct noise nuisance to unacceptable hours and for an unacceptable duration lasting potentially all day as well as into the night and wee hours.
 - b. extend the level of direct noise nuisance by playing recorded music (though played inside the premises it will be heard outside), not only from the music itself, but from the further raised voices as patrons naturally increase their voices to be heard above the background din of music and their fellow patrons noise.
 - c. extend the level and duration of direct noise nuisance by extending the period of permissible seating outside, the period of alcohol sales and the music, indubitably spilling to the outside above which again, voices will be raised to compete.

Indeed, if the music and voice noise could and would be contained wholly within the 4 walls of Manuka's premises without emanating to the outside then there would surely be no need for a license application to regulate the hours of operation at all?

On the grounds of prevention of crime and disorder

8. Manuka's patrons' contribution to the afore-mentioned crime and disorder anti-social and criminal behaviour will inevitably increase with an extension of opening hours, alcohol sales hours and pavement seating hours as applied for.

Public nuisance – obstruction

9. The extent of the designated pavement area permanently applied for is smaller than the space currently taken up by the Applicant but is nevertheless of significant extent, across the front of other retail premises here (Hidden Hearing which may turn out to be exceptionally well-named from the point of view of noise and visibility of the premises) plus 2 other retail premises currently not let or open for business. It is also unclear whether the proposed extent of the designated shown (approximately 4.3m x 4.2m) includes the Applicant's barriers each about 30cms width and placed around the tables & chairs, plus also the distance of those barriers away from the tables & chairs?
10. Regardless, although there may technically be sufficient width for pedestrians to access those other shops between the Applicant's proposed seating and the shops it is in located in front of, the ease of that access will be impeded and the visibility of those other shops will be obstructed. Additionally, taken together with any use those other shops may be expected to take up in front of their own premises, Portland Square will be choked up with furniture and will not be comfortable for general street use by the public, particularly given that, due to Covid, it is even more important for people to be able to move around at a safe distance from one another. Particularly with Covid19, people being out and about in Portland Square need more space, not less, and to enjoy the new upgrade which has been funded by public funds - not forced to squeeze around Manuka's barriers, canopies and tables and chairs to access other shops or have Manuka's and its patrons loud and rowdy activity imposed beyond the curtilage of Manuka's own premises frontage which is on Portland Road to the east.

Town centre location is not an excuse for us to have to endure the nuisance:

11. Many is the time that Council and the Licensing Unit has cited the "town centre location" of Chandos Road as an inevitable reason to permit an applied for permission and level of nuisance affecting our residential amenity that would be unacceptable were it not for this "town centre location". Yet Chandos Road is not within the official limits of the Town Centre boundary. I submit and strongly

urge the Licensing Unit to take note of the following points in respect of Manuka Bar's application and refuse it:

- a. Chandos Road is not within the official Town Centre Boundary. A boundary exists to be adhered to. For example, Chandos Road is adjacent to or just outside several Conservation Areas, yet the protection of being in a Conservation Area has never been flexible as to the boundary for us to claim the advantage of protection from it. Likewise, the residential amenity of Chandos Road ought not to be permitted to be affected by a flexible approach to the Town Centre boundary in favour of Manuka's activities.
- b. Regardless of location, we residents, as residents of our homes, are entitled to some level, surely, of residential amenity? At what level therefore does the Licensing Unit propose this will be meaningfully and successfully achieved if the requested licence on any, some, or all of the Applicant's requests (hours of operation; hours of alcohol sales, recorded music playing; designated pavement seating extent, location and hours of outdoor use) be permitted?
- c. The type of activity for which Manuka Bar has and seeks addition to - namely recorded music playing to patrons attending and drinking alcohol until the small hours - is akin to a night club. It is significantly different to the European-style street café, ordinary shopping activity and pedestrianised upgrade of Portland Road and Square as promoted by Council which I supported and have long looked forward to. *Instead, Manuka's night-club style activity ought to be confined to the central areas of the town centre where it is appropriate, not brought to the margins of the town centre directly adjacent to pre-existing residential where it is not at all appropriate.*
- d. Manuka's application both individually and in its contribution to the other increasingly late night and drinking establishments of Portland Road therefore represents a significant departure in the character of the area and therefore ought not to be permitted or certainly not without further investment by Council to significantly and effectively offset the negative impacts of that change on our residential amenity.
- e. ***Like retail in general, we residents and certainly I, have also been adversely affected by Covid19 and by lockdown. My residential amenity is therefore even more important than ever it was. It is certainly wrong that the initiatives taken by government (which I wholeheartedly support) to assist on-street retail through the triple crises of online sales, Brexit and Covid19 should require the sacrifice of my residential amenity. Far more to the point would be a significant reduction in business rates to realistic levels.***
- f. If local residents are driven out through the degradation of our amenity, then the other kinds of retailers reliant on our more local style of everyday trade will suffer.
- g. If the freehold status of Portland Square means that Manuka's licence application benefits from some get-out clause from the usual regulatory controls of the Licensing Act, then certainly the Applicant and the Square freeholder ought not to be extended the full benefit of Covid19 government concessions in relation to pavement licences for example, which have been temporarily put in place to support public realm high street retail (noting moreover, that Manuka's Application is for a permanent licence). In other words, the freeholder and its tenant Manuka ought not to be allowed to have it both ways.
- h. Furthermore, given the public funds spent on the freeholder's land, there ought to be some sort of quid pro quo to the general public at large, including local residents of Chandos Road, and at least not a pavement seating arrangement which obstructs general public activity and access on the Square and to other retailers on the Square.
- i. *Meanwhile however, it is a matter of relevant planning precedent, that this is not a case of us residents moving to the nuisance. We, the residential character of this area, were here first and this is a case of the Applicant bringing the nuisance, the Town Centre to us - expanding the town centre activity outwards into our residential zone.*

- j. The retail area of Portland Square has until recently been mainly of “ordinary” shops with normal opening hours and normal retail activity ie no intrusion with noise pollution or annexation of the public realm outside the four walls of shop premises.
12. This objection is not only about the noise but the privatisation of the street well beyond what is fair, reasonable and civilised, with due regard to the layout and available space in Portland Road and Square for the general public at large including local residents, not just the people paying to eat and drink at Manuka.
13. *The upgrade currently being carried out to Portland Road and Portland Square is for all of us and is long awaited* – it ought not to be annexed to the private use of bars and restaurants except to their fair share against their own frontage and as appropriate to the width of the street and pedestrian access.
14. It is not only retail which has suffered due to Covid. As a result of Covid, the amenity of our home life and also out home working life has never been more important.

On as separate matter:

15. Council has not abided by its own policies in that the present licence application was not advertised in the street (it should have been for 28 days). Though I live just around the corner, I only found out about the Application on Sunday evening 15th August 2021 from a private leaflet put through my door;
16. The information on Council’s website is woefully lacking. I had to spend considerable time finding out important, basic information such as the location and extent of the designated pavement area for seating applied for and whether the music was to be played from within the premises or outside, none of which information is publicly available on the site but was kindly supplied on request after the assistance of a succession of Council officers. Full detail of the extent of the seating (such as whether or not it is the maximum extent including the barriers) is still not known.
17. I found out on Tuesday 17th August 2021 by sheer chance that *Manuka is part of Portland Square which is privately owned by a freeholder (Portland Market Development Limited)*. That fact, and that a significant proportion of the public funds being expended on the Portland Road upgrade is therefore being spent on upgrading private freehold land has not at any stage been made public or transparent by Council, such as for example in the draft public consultation for the upgrade or anywhere in this licence application. The freeholder of Portland Square has therefore benefitted from what seems thankfully to be turning out to be a beautiful, quality upgrade funded by public funds including Coast to Capital funds. Thus whether any quid pro quo for the public good has or could have been negotiated in return for the freeholder’s freebie is unknown and the public had no input at the consultation stage for example as to such possible arrangements which could have included concessions / undertakings as to the conduct of leaseholders in respect of neighbouring residential amenity and the public street generally.

This representation is an indication of the strength of my opposition to the Application because of its undoubted further and significant derogation of my residential amenity if granted.

Yours sincerely

[REDACTED]

[REDACTED]

Fwd: Variation to the Premises Licence at Manuka Bar & Kitchen

1 message

Licensing Unit <licensing.unit@adur-worthing.gov.uk>

18 August 2021 at 09:21

To: Simon Jones <simon.jones@adur-worthing.gov.uk>, Jade Marshall <jade.marshall@adur-worthing.gov.uk>

[REDACTED]

----- Forwarded message -----

[REDACTED]

Date: Tue, 17 Aug 2021 at 20:16

Subject: Variation to the Premises Licence at Manuka Bar & Kitchen

[REDACTED]

To whom it may concern.

I am the owner of [REDACTED] Worthing BN11 1 QH. [REDACTED]
address is 1 [REDACTED] West Sussex. BN14 0AB

I refer to the above variation application and wish to formally lodge an objection to the requested amendment of the licence condition that temporarily allowed the Manuka premises to place table and chairs to become permanent for the following reasons:

1. It is unclear what Manuka's designated area is - normally a plan would be included highlighting this area, including size and numbers of tables and chairs.
2. I have a concern that Manuka will attempt to use the designated area in front of my business at 4 Portland Square which is totally unacceptable as it will impact my business and placement of my tables and chairs in my designated area.
3. I also wish to ensure that customers continue to have easy and un-impeded access to my shop.

Regards

[REDACTED]

Manuka Bar and Kitchen Ltd

1 message

16 August 2021 at 12:14

To: "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>

Dear Sir/Madam

I am objecting to the extension of the extended hours due to the fact that people living in Portland Road have to put up with a lot of noise when and after people are at and leave these places

There is shouting, fighting and general mayhem with broken glass on the road and pavement

I think that the hours are okay as they are and should not be extended

Yours sincerely



Sent from [Mail](#) for Windows

Fwd: Manuka Bar & Kitchen

1 message

Licensing Unit <licensing.unit@adur-worthing.gov.uk>

23 August 2021 at 10:13

To: Simon Jones <simon.jones@adur-worthing.gov.uk>, Jade Marshall <jade.marshall@adur-worthing.gov.uk>

[REDACTED]

[REDACTED]

----- Forwarded message -----
[REDACTED]

Date: Fri, 20 Aug 2021 at 16:54

Subject: Manuka Bar & Kitchen

To: licensing.unit@adur-worthing.gov.uk <licensing.unit@adur-worthing.gov.uk>

I write to object to the above application for a variation of the premises' licence. These premises are very close to residential properties whose occupants need their sleep.

We do not want either loud musical entertainment or dining after midnight during the week or an extension at weekends.

[REDACTED]

Sent from my iPad