14th July 2018

8 Chalk Lane,
Epsom,
Surrey
KT18 7AR

telephone:

F.A.O. Tim Richardson
Town Hall, Epsom

Re: The Grumpy Mole at the Amato Licensing Hearing Panel, Tues. 17th July 2018

Dear Sir,

Thank you for sending me a copy of the letter from Stephen Thomas Law regarding the above, which arrived today. The owners of The Grumpy Mole have clearly provided Mr. Thomas with inaccurate information. I therefore request that this letter and accompanying documents are circulated to the members of the Licensing Hearing Panel and to Mr. Thomas prior to the hearing.

Documents enclosed:
16th August 2013: Letter to Punch Taverns from M (12 Chalk Lane) regarding problems with the trees.
6th March 2017: Letter to Grumpy Mole prohibiting use of private footpath on behalf of all the owners of 8 – 14 Chalk Lane (copy delivered by hand to 'Inn on the Green', Tadworth on 13th March).
23rd March 2017: Letter from Mr (12 Chalk Lane) relating to retention of soil and trees.
5th April 2017: Letter from Graham Jones (Company Secretary Dougal Inns Ltd.) responding to the above 2 letters. Please note: there was no apology for removing the gate and the illegal use of the footpath.
10th May 2017: Response to Mr. Jones's letter, signed by all the owners of 8-14 Chalk Lane.

It can be seen from the attached correspondence that Mr. initiated the concern about the trees and commented on the fencing. The employees of the Grumpy Mole showed no respect for the adjacent neighbours' property, knowingly using the private footpath to access building materials for works at the Amato when they had no right to do so. The clearing of the pathway was the responsibility of the owners of the Amato as the material removed had originated from their property. I repaired the gate, not employees of the Grumpy Mole, as claimed in Mr. Thomas' letter, and the resident of No. 14 provided the padlock. Local residents will confirm that they saw me undertaking these works.

The letter from Stephen Thomas Law has not alleviated my concerns, or those of my neighbours, that our lives will not be further disrupted by any extensions of licensing at the Amato. This was until recently a quiet neighbourhood. It is occupied largely by elderly residents and families with young children and is of historic architectural importance. The opening of the Grumpy Mole has totally altered the environment, to our detriment. It is interesting that Mr Thomas mentions that the Amato has ceased to be a 'local pub' and has become, in real terms a restaurant, which is now attracting customers from a far wider area than the Amato's previous use. Frequently the present customers are disrespectful to local residents and are not controlled in their behaviour or considerate as they leave late at night or in the noise coming from the garden. We attach a list of some recent disruptions which have been forwarded to the Environmental Health Officer. You will notice that since the end of May we have been awoken on at least ten occasions by noisy customers departing from the Amato late at night. We are convinced that extending the licensing hours and drinking-up time will further extend the late-night disruption. Weekends are bad, this should not be extended to week-nights as well.

Yours faithfully,

Copy to Angela Slaughter, Licensing Team.

12 Chalk Lane
Epsom
Surrey KT18 7AR

16th August 2013

Punch Taverns
Jubilee House
Second Avenue
Burton upon Trent
Staffordshire
DE14 2WF

FAO: Surveyors and Property Maintenance Department

Dear Sirs,

Re: Your property - The Amato, Chalk Lane, Epsom

I am writing on behalf of my neighbours' whose properties like mine, numbers 8,10,12 & 14, are separated by means of a 'right of way' beyond your rear garden.

We are increasingly concerned over the height and spread of the fruit trees adjacent to the boundary fence, since we have lost the benefit of sunlight into the rear areas of our houses and gardens. Furthermore, the enormous sycamore tree by the Amato sign; again the density also obstructs the sunlight reaching our front gardens. It is our considered opinion that urgent major surgery is needed to restrict the adverse effect of the excessive growth over our residences in Chalk Lane.

It is hoped that suitable measures will be taken to deal with this serious problem as a matter of some urgency. Our concerns have been raised with previous tenants, to no avail, so we would appreciate your Department's early response in this regard.

Yours faithfully,

8 Chalk Lane 10 Chalk Lane 14 Chalk Lane

8 Chalk Lane
Epsom
Surrey KT18 7AR

6th March 2017

Mr. Richard Barnes (Director)
Grumpy Mole Restaurant/ Cafe Ltd.
21-23 Queen Street
Ipswich
Suffolk
IP1 1SW

Dear Sir,

Re:- The Amato, Chalk Lane, Epsom, Surrey.

We the owners of 8,10,12 and 14, Chalk Lane, Epsom and have a private footpath between 14, Chalk Lane and the north-west boundary of the Amato. This footpath is for the exclusive use of the residents of the above dwellings and provides our rear access. As you are aware the Amato is being converted into a 'Grumpy Mole' country bar and restaurant.

On Thursday 23rd February contractors working at The Amato unscrewed the bolt on our street gate and used our private access to wheelbarrow materials into the garden of your property. When the following day enquiries were made of those working at The Amato, 'Marco' stated that it was your intention to put a gate in the space in the new fence close to your north-west boundary to provide access into your garden via our private path. The owners and users of the Amato have no legal right of access via our private footpath. If you consider that the access you have is inadequate you must form one directly onto Chalk Lane. The removal of our bolt is criminal damage and any reoccurrence of this action will be reported to the Police. Please instruct your staff and contractors immediately not to enter our property and, to take the necessary actions to ensure your clients cannot enter our property.

We note that you have carried out works at Betchworth without obtaining the necessary consents. This letter is a Formal Notice that you have no legal right to use the path situated outside your north- west boundary.

We look forward to your early confirmation of the above requests.

Yours faithfully,

On behalf of the owners of 8,10,12 & 14 Chalk Lane

12 Chalk Lane
Epsom
Surrey KT18 7AR

23rd March 2017

Mr. Simon Nicholson
c/o Inn on the Green
Dorking Road
Tadworth
Surrey
KT20 5RX

Dear Mr. Nicholson,

Re:- The Amato, Chalk Lane, Epsom, Surrey.

In the absence of a response to our letter of the 6th March 2017, we observe that the two spaces in your new fence have now been closed and are appreciative of your firm's action.

Furthermore, in the summer last year your contractors removed the fencing, soil and debris that had fallen into our private footpath during the period that the Amato was unoccupied. The former fence mostly had its lower edge at our path level and soil etc. had built up at the rear to about 0.4m high. This new fence has been constructed at your garden level and set about 0.4m back from the boundary leaving no support for the soil which is falling onto our path. We welcome your proposals for retaining the soil on your property.

We are also increasingly concerned over the height and spread of the fruit trees adjacent to the boundary fence, since we have lost the benefit of sunlight into the rear areas of our houses and gardens. The enormous sycamore tree by the Amato sign; again the density also obstructs the sunlight reaching our front gardens. Our gardens have been overwhelmed with sycamore seeds each autumn through to spring-time. In our considered opinion urgent major surgery is needed to restrict the adverse effect of the excessive growth over our residences in Chalk Lane and, potentially a damaging effect on the structual stability of the brick retaining wall on your front boundary.

We understand that suitable measures will be undertaken by your firm to deal with this serious problem, as a matter of some urgency.

Yours sincerely,

On behalf of the owners of 8,10,12 & 14 Chalk Lane

The Grumpy Mole

Dorking Road
TADWORTH
Surrey KT20 5RX
Tel: 01737 353529
Email: tadworth@thegrumpymole.co.uk

BROCKHAM GREEN
Betchworth
Surrey RH3 7JS
Tel: 01737 845101
Email: brockham@thegrumpymole.co.uk

Ewell Road
CHEAM
Surrey SM3 8AA
Tel: 020 8394 2000
Email: cheam@thegrumpymole.co.uk

Caterfield Lane
OXTED
Surrey RH8 0RR
Tel: 01883 722207
Email: oxted@thegrumpymole.co.uk

The Grumpy Mole
Country Inn & Dining

The Owners of 8,10,12,14 Chalk Lane
Chalk Lane
Epsom
Surrey
KT18 7AR

5th April 2017

Dear Sirs,

Re The Amato, 18 Chalk Lane Epsom

I respond to your letters of both the 6th & 23rd March. I regret that they appear to be written with a degree of negativity and with a confrontational tone.

Back in February this year, we applied to the Land Registry Office, for a copy of the title, and associated plan of the pathway (please see enclosed), to learn that the pathway to the rear of the Amato, was owned solely by a Mrs. , with an address in Ewell. We would respectfully point out that without written consent from Mrs. for you to correspond on her behalf, then the two letters we have so far received, merely represent the wishes of local residents.

We duly wrote to Mrs. , seeking consent to use her pathway at various times of the year purely for the purposes of removing garden waste etc, but certainly not for general access. To date we have not had a reply to our letter.

Since acquiring the Amato, we have done nothing other than try to improve and upgrade, what was, in essence, a pub not fit for purpose. We have spent a considerable amount of time, effort and money, in the hope that it will provide the local community with a far better pub and eatery than has been there for many years. Indeed, the rear garden was particularly neglected, and the rear fence practically nonexistent. The pathway you are referring to and which seems to be causing so much concern, was completely overgrown with weeds, brambles and other debris, so clearly it was not being used or cared for.

The builders removed two skip loads of rubbish and completely cleared the path way so it *could* at least be used.

In accordance with your wishes, as local residents, we have erected a new fence and have ceased to use the pathway. We have also removed a number of fruit trees and will commission a report on the Sycamore tree a little later in the year.

Lastly, it was never our intention for there to be bad relations with our neighbours, and indeed we cleared/improved the pathway with good intentions, in the hope that all stakeholders would have been rather pleased.

We sincerely hope that going forward we will be able to have a much more positive and mutually supportive neighbourly relationship.

Yours faithfully,

Graham Jones

Company Secretary, Dougal Inns Ltd.

PS. Your note regarding the works we have carried out at Brockham is inappropriate and ill informed. All works carried out at that site have been under the auspices of the Council and have had full planning permission and consent.

Enc - Official copy of register of title as at 28 Feb 2017

8 Chalk Lane
Epsom
Surrey KT18 7AR

10th May 2017

Mr. Graham Jones
Company Secretary
Dougal Inns Ltd.
APTL Maybrook House
97 Godstone Road
Caterham
Surrey CR3 6RE

Dear Mr. Jones,

Re:- The Amato, 18 Chalk Lane, Epsom

I respond to your letter dated 5th April 2017 on behalf of the owners of 8,10,12 and 14 Chalk Lane.

As a Chartered Surveyor I have found it necessary to be direct in my correspondence with owners who do not respect their neighbours property rights. My letter of the 6th March was written with the knowledge and consent of Mrs. Bradley who has been a friend of mine for over 20 years'. This letter expressed the wishes of the owners and not 'merely representative of the wishes of local residents' as stated in your letter. Accordingly, this letter is signed by the owners of the above properties.

The removal of rubble, soil, broken fencing etc. from the pathway was material that had fallen from 'The Amato' onto our pathway and which complaints had been made to Ember Inns over the previous two years'. Your enquiries at the Land Registry will have no doubt revealed the rights of way held by adjoining owners over the footpath.

Your expenditure on 'The Amato' is not philanthropic but to improve on an asset from which you expect the establishment to be a profitable concern; it is unlikely to be of benefit to nearby residents.

When your firm arranges an examination and report on the height and spread of the Sycamore tree, would you please also include the very large remaining fruit tree adjacent to the boundary of 'Pine Hill' properties; as several branches reach across No: 14 towards No: 12.

.....Contd.....

Your last paragraph states that you wish a much more positive and mutually supportive neighbourly relationship but you do not apologise for knowingly entering adjacent property without consent or the removal and partial replacement of the bolt on our gate.

We obtained the information about your Brockham establishment off the internet, you may find it advantageous to get this removed if it is inaccurate.

Yours sincerely,

Owner of 8 and 10 Chalk Lane

1 – Owner of 12 Chalk Lane

– Owner of 14 Chalk Lane

8, Chalk Lane,
Epsom,
Surrey KT18 7AR.

Environmental Health Officer,
Town Hall,
Epsom.

Dear Sir,

Re:- Amato, Chalk Lane, Epsom.

Please find below the dates that I have been disturbed by clients of the Amato. I usually settle down to sleep about 10.30 pm and the bedrooms are at the front of the house.

May 30	11.45pm	a group of 8/10 people loudly departing from the Amato.
31		Deborah called regarding extended hours (our 1st meeting), there was no mention of music being included. I told her about the previous night and sections of stone slabs thrown / pushed into our passage adj. Amato.
June 9	2-6 pm	Very loud group in garden.
10	2-5 pm	—"—
17	1.20 am	2 cars / 3 groups loud farewells outside Amato.
22	11.20 pm	A group loudly walking down Lane.
	11.45 pm	3 cars loudly leaving with occupants.
	11.55 pm	Couple standing on corner loudly talking to another also leaving.
23	0.05 am	2 very loud groups conversing
	0.20 am	Conversation still going on before shouting to each other as they got into cars.
	0.40 am	Very loud car leaving + accelerating down road and beeping friends before backfiring @ corner.
	5.15 am	Refuse van having problems turning corner @ Warple Road. Made collection from Amato and accelerated down road.
R4	0.05 am	Group of 8 people standing at the corner men in white DJ's women in high heels speaking loudly as none waited for taxis.
	0.10 am	Another 2 couples at corner of Warple Road waiting for taxis talking loudly.

July 6 11.45pm Loud departures - use of car horn.
7 0.30am Car revving + 2 groups shouting farewell.
12 During evening 10-12 people having a loud party adjacent to fence onto our frontage.
10.43pm Same group loudly departing outside our house.
13 11.45pm 4 adults on corner shouting farewells.
14 0.05am 6 —11—
0.15am 4 people, 2 playing with 'lazer' across road.

I will continue to record when I am disturbed and forward them to you.

Yours faithfully

14/7/18.