

APPENDIX 6

Mrs K. Richardson,
Flat 5,
1 Pelham Place, Pelham Road,
Seaford, East Sussex
BN25 1EN

28/09/2016

For the attention of Sue Lindsey,

As a local resident in Pelham Road, I feel the Bay Tree Inn has over the years repeatedly not complied with its license.

In the past 8 years we have had to deal with excessively loud bank holidays, which can be heard right from the station to the beach, an excessively loud private party that lasted all afternoon and night, and ongoing weekends of loud music and excessively loud shouting customers. To try to block out the sound we have had double glazing fitted throughout the flat, however, this is insufficient and we are currently getting quotes for secondary and acoustic glazing to try to block out the current excessive sound from the Bay. We have also tried to go away or out on weekend evenings and bank holidays, on several occasions over the years, but my husband's work is highly stressful and tiring, as was my work, so we have often been too tired to go out and just wanted to relax at home. Also, that solution is expensive, and I have ongoing back problems meaning I have been unable to work for the last two and a half years, and that have made going out for long periods difficult and unpleasant for me for several years now.

It is particularly bad with the current tenants, who not only disturb when they stay there with their yapping dog throughout the morning, their own shouting, yelling and drinking in the garden, but also as highly irresponsible pub landlords. The disturbance was extremely shocking and upsetting when they arrived, and has been ever since. They have repeatedly tried to tell me I am not hearing what I have said I am hearing, or that it must be coming from elsewhere, or that the sound is carrying because it is a clear day, such as the various sports commentaries on the television outside, and the loud music on the August Saturday Bank holiday. Furthermore, when I have complained about various loud sound, they have told me they looked at the rules and regulations and that they weren't doing anything illegal. I feel they are being deceitful and disrespectful.

I would like to participate in the request for the Bay Tree's license to be reviewed. I feel the Bay Tree Inn is currently undermining three of the licensing objectives:

Protection of children from harm:

Adults shouting and swearing so loudly as to be heard by myself regularly in the street as I pass by and by myself within my property. I have heard them through closed double glazed windows and the music on in every room of the flat. Families with young children also walk down the streets around the Bay, and several live in the area.

I have seen children running around in the pub garden with nothing specific to do while the parents are drinking and shouting to each other. This appears to be encouraged by the

current tenants whom I have also seen drinking and shouting outside with young children and babies present.

Public nuisance:

Most Friday and Saturday nights and bank holiday weekends the music is playing too loudly for my husband and I to be content in our home. The music and vocals thump straight through our closed double glazed windows and our music playing loudly in each room of the flat, until gone 1 am. in the morning. We also hear the shouting of the customers outside in the garden, until gone 1.00 am. I often have to wear earplugs to be able to go to bed. Please see the council's diary sheets for some specific incidents I have noted when not wearing earplugs. I also sent a letter detailing the most recent offensive bank holiday behaviour to the tenants and to the environmental health officer. I have enclosed a copy with this information. They had excessively loud music despite knowing it was a nuisance for us from our complaints about previous Bank Holiday loud music over Easter and all day on the 2nd May bank holiday.

On several occasions guests of the pub have been so loud in the garden throughout the day and night that their voices come through closed double glazed windows and music turned up in every room of the flat. There is frequent shouting, yelling and swearing that is in my mind a public nuisance and prevents me from being happy and comfortable not only inside my own home or sitting on my balcony outside but also walking down the adjacent road.

Since the current tenants took over from Elton I have felt sick and stressed from having to be locked so frequently and over such a timescale inside my own home, unable to enjoy the day, evening or night. I worry each day what nuisance is going to happen next, and I dread weekends and bank holidays. It has got worse than it was before Elton.

Guests of the pub use our steps to sit on and drink and smoke. We have often had to ask people to go so we can get in after an evening out. We have also been left with cigarette butts, plastic pints full of beer, bottles of beer, and bottles of wine.

On one afternoon in early September, as I was sitting on my balcony to get some air, one of the younger tenants or staff (Rob) was shouting across to some friends outside a few doors past me. I was caught in the cross fire of this exchange, so I felt I had to come in. Rob's friends were then trying to get his attention again shortly after. I asked the friends to stop.

Public safety:

We came home on Friday 9th September evening to find the police dealing with a customer outside. This does not create a safe environment for local residents to go out in the evening.

On several occasions over the years and currently, there has been broken glass from the pub around the area. This creates a feeling of lack of protection for local residents against drunk people outside with glass.

One evening a drunken woman had to be removed from our front door steps by another pub client as she was arguing with us when we asked her to move. This does not make me feel safe going out and returning in the evening.

With the frequent shouting, yelling and swearing from the pub garden and from inside the pub, I do not feel safe sitting on my balcony outside or walking down the adjacent road.

I would ask the Review Committee to keep in mind the fact that the Bay tree Inn has repeatedly been closed down, and then permitted to start up again on a full license, only for the new tenants to resort to the same socially irresponsible behaviour and drawing in some clients that causes such a public nuisance and completely ignores public safety. Also, they use some of the same staff, so these people should be able to advise the new tenants on what has been considered too loud in the past, however, they do not seem to share this information. There is also the issue of the pub under the various consecutive tenants repeatedly becoming quieter when they are being monitored or after a complaint, only to resume their noise and disruption once things have settled down, thereby knowingly behaving in a manner to disturb the peace of the entire neighbourhood. Please do not be fooled by any future slight improvement, this process has been allowed to go on for far too long now, and is completely unfair on local residents. As these consecutive licensees, and even more so with the latest licensees, have been unable to consider the surrounding residents and insist they are operating within the law, despite complaints and clear requests from both residents and the council to be quieter, blatantly putting the right of having a license above the right of the local residents to be comfortable in their homes and safe from public disorderliness, thereby undermining licensing objectives, surely the pub does not merit the responsibility of a license. Furthermore, I would like to highlight that this is purely a residential area, and a pub that is repeatedly lax in preventing public drunkenness and disorderliness does not fit.

Yours sincerely

Kate Richardson

A handwritten signature in dark ink, appearing to read 'KH Richardson', written in a cursive style.



Lewes District Council
www.lewes.gov.uk

Environmental Services
Environmental Protection Act 1990
Record of Alleged Nuisance



Public Health Team
Southover House
Southover Road
Lewes, BN7 1AB

Form completed by:	Case Officer: Neil Parker
Address:	Complaint Number: WK/201615923
Tel No Day/Evening:	Address/location of nuisance source: The Bay Tree Inn, Pelham Road, Seaford, East Sussex, BN25 1EP
Mobile:	Issue date: 14.6.16 Return by: 15.7.16

Date	Time started	Time finished	Description of noise nuisance (e.g. loud music, dog barking, etc), describe how the problem affected you and any action you took.
12/11/2012	19:45	21:30	Loud Music. Son could not get to sleep. I could clearly hear the words to the song.
15/6/16	21:45		TV on outside. Cheering woke me up. Had beer off all day as bad weather came on later.
16/6/16	12:30 PM	late?	TV on outside. Can hear it from inside. Neighbours actually in garden. 1:30 chairs lined up, group of men watching. I can still hear through closed windows. Texted Bay at 17:34 to complain. No response.
17/6/16	21:00	23:45	Music coming in through bedroom + sitting room window. Husband had fallen asleep before music started, so I didn't call hotline. Texted Glen 10:40 as music louder. Went down at 23:45.

Continued overleaf

Date	Time started	Time finished	Description of nuisance, describe how the problem affected you and any action you took
18/6/16	22:30	?	Shouting and loud voices from garden. Kept happening. Had to put in ear plugs to sleep + windows closed.
19/6/16	→ 8/7/16		Wind/rain on both, no one very long in garden + drowned out music in evenings at work home.
19/6/16	19:30	20:00	can hear tennis commentary through window. No one in garden. Texted to complain at 8 pm. Was told I couldn't be hearing sound as only screen on. Screen went off. Sound (commentary) stopped. I was then told I couldn't have been hearing t.v. from pub as they had a door.
2/7/16	16:00	gone midnight	Shouting from garden, incessant. Then music in evening. Had to put earplugs in to sleep + windows closed. Good weather.
10-12/7/16			poor weather.
13/7/16	21:00	late?	Loud voices from pub garden. Had to put earplugs in to sleep + windows closed.
14/7/16	14:00	gone 22:00	shouting + laughter coming into flat from pub. Noise escalating 15:30. Short break 16:20 building up again. By 17:30 had to shut window to sleep + earplugs in to sleep + windows closed.

This record is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signed Richard BN 25 1EN

Date 19/7/16

15/7/16 14.00 -> late

shouting + laughing coming into front garden. Had to keep windows shut.

At 19.30 went onto balcony to ascertain what noise was. Heard woman shouting

'I can't hear a @x@x thing in there'. She stayed shouting in garden. I can hear the music up here. Had to keep windows closed + earplugs to sleep. Texted Ben but no response (at 22.55). Had texted earlier (19.54) normally.

16/7/16 13.15 -> late.

Shouting + laughing coming through. Have to keep windows shut. Had day again.

Same in evening. Shouting + music. Earplugs + windows closed to sleep.

18/7/16 2.20 a.m

(19/7/16)

Wanted to open bedroom window for air, but could hear men talking in garden when I went to sit on landing with door open to enjoy fresh air before going back to bed after ^{my very early} sleepless hours.

Continued overleaf

Lichen BN251EN

Richardson BN 251EN

Thanks Neil for your time and support. Sorry this is
rather messy. Any queries, please do ask. I will keep writing
notes as /if necessary through summer weather.

Kind regards,

Kate.

Please see printed texts to Bay.
Also letter detailing August Bank
Holiday nuisance.



Environmental Services
Environmental Protection Act 1990
Record of Alleged Nuisance

Public Health Team
Southover House
Southover Road
Lewes, BN7 1AB

Form completed by: Kate Homewood	Case Officer: Neil Parker
Address: Richardson	Complaint Number: WK/201615923
Flat 5, 1 Pelham Place, Seaford	Address/location of nuisance source: The Bay Tree Inn, Pelham Road, Seaford, East Sussex, BN25 1EP
Tel No Day/Evening: 01323 550472	Issue date: 22 September 2016 / Return by: 12 October 2016
Mobile:	

Date	Time started	Time finished	Description of noise nuisance (e.g. loud music, dog barking, etc), describe how the problem affected you and any action you took.
12/11/2012	19:45	21:30	Loud Music. Son could not get to sleep. I could clearly hear the words to the song.
4/9/16	9pm	1.15	shouting + laughing from garden carried through closed double glazing and our own music. Disturbed my sleeping
	9pm	1.05	music thumping through closed double glazed windows and own music and T.V. on. Disturbed relaxing through evening, then sleep difficult. Texted at 1.12, just as music stopped, complained about voices. Rob was trying to get the people inside from 1.05

Continued overleaf

2: checked BN 251EN

Date	Time started	Time finished	Description of nuisance, describe how the problem affected you and any action you took
6/9/16			2.0 in garden with friends, shouting, past me (on balcony) to friends, a couple of doors down from me, I felt I had to come in. When it had stopped, I went back out, but his friends were still trying to attract his attention back. I called to them to stop.
8/9/16	1ish pm	11 pm	Blocker in garden shouting, yelling, swearing. At 6.30 pm I texted Landlords to have a word with the men as it was progressively getting worse. I had to have window shutters closed all afternoon, evening and night. day very hot and uncomfortable as no cloud to block out sun so heat built up. No response from Landlords.

This record is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signed [Signature] Date 27/9/16

Please also see printed text messages to Bay-



Lewes District Council
www.lewes.gov.uk

Environmental Services
Environmental Protection Act 1990
Record of Alleged Nuisance

Public Health Team
Southover House
Southover Road
Lewes, BN7 1AB

Form completed by: Kate Homewood Richardson	Case Officer: Neil Parker
Address: Flats 5, 1 Pelham Place, Rotherham Rd, Seaford, E. Sussex BN25 1EN	Complaint Number: WK/201615923
Tel No Day/Evening: 01323 895472	Address/location of nuisance source: The Bay Tree Inn, Pelham Road, Seaford, East Sussex, BN25 1EP
Mobile: 0740174657	Issue date: 12 September 2016 Return by: 12 October 2016

Date	Time started	Time finished	Description of noise nuisance (e.g. loud music, dog barking, etc), describe how the problem affected you and any action you took.
12/11/2012	19:45	21:30	Loud Music. Son could not get to sleep. I could clearly hear the words to the song.
13/09/16			shouting and cheering from garden, kept making me jump very hot day. Needed to keep some windows open but had my music on quite loud to try to block it. The loud cheering was regular and persistent through afternoon. music thumping through closed double glazing + music on shouting and swearing in garden through closed double glazing + music on regular intervals, but consistent after about 10.45. Trying to sleep, couldn't sent text, no response.
14/09/16	9pm	23.05	
14/09/16	9pm	23.15	
15/09/16	1.30pm	5pm	Dog yapping throughout day. Tenant outside drinking

Continued overleaf

Date	Time started	Time finished	Description of nuisance, describe how the problem affected you and any action you took
			all afternoon, getting louder and louder. Difficult to block her out, her shouting came through whole flat. Had to close windows + turn music right up, but she still came through. Rain at 5-6pm sent her inside. Then...
15/9/16	6pm	stopped noticed after a couple of shows.	really loud shouting and yelling and whooping from group of 3 young men in garden. Came through entire flat, even with windows closed and music and t.v. on. Difficult to relax very unpleasant to listen to. Not sure when stopped noticing
23/9/16	4:30pm	Not sure when stopped noticing. Didn't make note.	Block in garden shouting, yelling, began about 4:30, by 5:40 had to shut all door and windows as so persistent and invasive. Turned music up really loud, could vaguely hear them still, then we had T.V. on as well. Difficult to relax when we have to be so loud. Tired, so bed by 8:30. Earplugs.
24/9/16	10:30ish	1ish	Day yapping throughout morning. Adults shouting angrily to

This record is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true. P10

Signed al H. chudson Date 27/9/16

(April) Easter Weekend 2016

2nd May Bank Holiday 2016

Hi please can you keep the volume down on your music and on the karaoke, the music is disturbing, playing loudly for 3 nights in a row over Easter, and starting at 4 p yesterday! Also, it is not fun listening to karaoke all night when you are trying to relax or sleep in your own home. Thankyou for your consideration.

09/04, 09:27

We are really sorry to hear that I will do my best to keep it quieter if it happens again please let me know straight away once again we are really sorry to hear this

Glen and Clare

type a message



Thank you for your response, much appreciated.

Hi, sorry, but we can hear your music through our closed windows and with our own music playing. Please can you lower it a bit, thank you.

29/05, 13:53

Sorry we will sort it out

29/05, 14:11

I thought you were going to sort it out?

29/05, 15:19

Music still booming all through

type a message



2nd May Bank Holiday 2016

Music still booming all through flat and my bones. Have left you phone message also as you aren't answering phone. This message is for official record to show council as evidence of time span of nuisance.

29/05, 17:30

Is that a tv screen going up in your garden?

06/06, 12:12

Yes. Is there a problem with that?

06/06, 12:13

I just want reassurance it won't be loud and you won't have groups of people cheering and

type a message

...

Richardson Buzsien

I just want reassurance it won't be loud and you won't have groups of people cheering and shouting outside, it's noisy enough on the garden without that!

06/06, 12:19

There won't be any sound coming out of it. It's just for customers in the day watching football. I'm really sorry but we are a pub and a running business and noise can sometimes be an issue but we are not breaking any laws and we do have an outside entertainment liscence.

06/06, 12:20

type a message

...

Thanks for the reassurance re tv screen. I hope you can understand it is upsetting to be unable to escape the shouting and swearing that comes from your garden as it is, so I am worried about the addition of football excitement!

06/06, 12:29

We do understand that and we don't want it to upset anyone. But it will be monitored as best as we can.

06/06, 12:32

I do appreciate that, and many thanks for caring

06/06, 12:38

type a message



Your welcome

06/06, 12:41

Thought you said there was no speaker on outside tv? I can hear it through open window even with my music on.... It's been quiet during wind and rain, which is why I haven't complained to you yet, but thought you should know as you are possibly unaware how loud it is and how far the sound is traveling. Thanks.

16/06, 13:21

I can still hear tv over my music through CLOSED windows. Please turn volume down. Thank

type a message



I can still hear tv over my music through CLOSED windows. Please turn volume down. Thank you.

Hi, the music and voices from inside pub are coming in through kitchen and bedroom windows, would be grateful for volume turned down and doors shut, thanks

Hi hope the music is quieter sorry

Thanks, yes it was.

Hi, sorry, but I can clearly hear Wimbledon commentary from your garden.

Really! That's strange as our screen is on but there is no sound coming out of it.

Exactly, it's from inside the pub

We haven't got it on inside the pub as we have the dj inside. So I guess it's not us.

What, only just now as I've

What, only just now as I've complained! The screen is now off and now there is no sound. It was def from down there in your pub

09/07, 20:15

We went outside to check and decided to turn it off as no one is watching it.

09/07, 20:16

Yes, and now there is no sound either

09/07, 20:17

If your clients come out into the garden saying they can't hear a #@@@ thing in there, do you

.. . . .

type a message



Richardson BN25 1EN

If your clients come out into the garden saying they can't hear a #@@@ thing in there, do you really need it so loud for b me to hear with my windows closed? Not kidding, that is what I have just heard a guest of yours say. Please consider your neighbors, thank you

15/07, 19:54

Your music is still coming through, only even louder now than when I contacted you earlier. I can also hear the voices from inside the pub Please turn it down and close back garden doors. Thank you

15/07, 22:55

type a message



Richardson BNZS-1EN

We can hear your music and people shouting in the garden still. Please turn volume down and get guests inside. Thank you

25/08, 00:52

Can you lower the music please I can hear it throughout flat thanks

10/08, 16:01

Hello. Just to let you know it's bank holiday weekend and we are doing a beer festival for Saturday and Sunday. Sunday we are having love music outside till about 9 ish. We have a license for this and checked all of our rules and regs. Hope it's not too

type a message



Hello. Just to let you know it's bank holiday weekend and we are doing a beer festival for Saturday and Sunday. Sunday we are having love music outside till about 9 ish. We have a license for this and checked all of our rules and regs. Hope it's not too much of a problem. Glenn and Clare

26/08, 10:23

Thanks, I will let you know if it is.

26/08, 14:42

That's coming right through. We've tried closing windows and putting our own music right up, but I can hear and feel the beat

type a message



That's coming right through.
We've tried closing windows and
putting our own music right up,
but I can hear and feel the beat
and hear the voice.

Unfortunately I think the music is
being carried as it's a clear day,
we are in the garden and all able
to talk normally so it's not too
loud in here, feel free to pop in
and we'll see what we can sort
out and try to reach an amicable
solution.

Sorry, but I am not happy

Sorry, but I am not happy
coming in with people drinking. I
wouldn't be saying it's a problem
if it wasn't. As already said, I've
got windows closed and music
up, but you're music is
overwhelming, it only needs to
go down a bit, I'm sure you'll still
hear it if we can hear it in here.
Thanks for your consideration.

Your music is still a nuisance.

And still... I know you've taken
breaks, but when it comes back
on it's a nuisance.

It's going off in 20 mins

27/08, 20:09

Well, we have heard you all the time until now.... So much for 'amical solutions'. And you've still got people being loud in the garden.....

Just so you know, whatever sound limit you have on right now for your fiasco night with closed back garden door now is not a nuisance.

31/08, 21:52

The sound level tonight is a nuisance, can hear beat

type a message



Richardson BNUZS IEN

The sound level tonight is a nuisance, can hear beat thumping through windows, despite wind and rain through night.

04/09, 00:24

Can now hear the melody and voice, with windows closed and music on. Also can hear the shouting and shrieking of your customers, both male and female.

04/09, 00:40

Can you have a word with the blokes outside and their shouting, yelling and swearing. It's been all afternoon and getting worse. Thanks

type a message



R: churchoan BANZS 1EN

blokes outside and their shouting, yelling and swearing. It's been all afternoon and getting worse. Thanks

The music is very loud. Please can you turn it down a bit. We can't sleep. Thanks

It's past 1 am, I can still hear people in the garden

Can you ask your guests to stop shouting and swearing in the garden, trying to sleep

type a message

The Landlords
The Bay Tree Inn
Pelham Road, Seaford
East Sussex
BN25 1EP

Mrs Richardson
! Pelham Place, Pelham Road
Seaford, East Sussex
BN25 1EN

29/08/2016

To the Landlords of The Bay Tree Inn, Pelham Road, Seaford.

Re: noise nuisance on Saturday 27th and Sunday 28th August 2016

I am writing to make a formal complaint about the noise levels coming from the pub on both Saturday and Sunday, despite myself, and then some other neighbours, getting in touch with you to complain and request the noise level be reduced at various points throughout the day.

Your music began around 12.30 p.m. on Saturday, on amplifiers in the garden. We tried to block you out, closing the windows and turning on our music loudly in every room of the flat, however, we could still hear your music clearly. When I texted you to say it was unbearable, you did not seem to accept that it was a nuisance for us. You said it was because it was a clear day that the sound was carrying the music. You also tried to tell me that it was ok because you were all talking normally. Shouting loudly to converse is what we could hear, all day and evening and night. Although you invited us in to come to an amicable solution, I explained I was not happy to, as I was uncomfortable coming into a drunken environment to talk with you. I made the point that you could turn the music down as your guests would still be able to hear it, if we were able to hear it through closed windows and our own music turned right up, however, you ignored this polite request, and you then continued to play the music as loudly and sometimes even more loudly. All in all, you subjected us to overwhelming sound for over a 13 hour period in our own home on Saturday. The noise was not confined to us in our home: when we went out at 8.00 p.m. to get away from it on Saturday evening for a bit, we could hear the music at both ends of the street, and the same upon returning at 11.30 p.m. It was not necessary for you to play to the whole of Seaford, only for your guests who chose to be there to hear some music. We continued to hear music coming from inside the pub, and loud voices from the garden until gone 1.00 a.m. when I texted you to complain again.

On Sunday my husband and I could bear it no more and went out from just after midday when you started. We returned at about 10.30 p.m., and you were still noisy with music coming into our home and noise from in the garden until way past 11.30 pm. Neighbours told us the noise was unbearable, and we have been told the music was also heard in homes the other side of the graveyard.

I am sending a copy of this letter to the Environmental Health Agency.

Yours sincerely

Mrs Richardson.