

Dear Danielle

Thank you for your email and your phone call. I confirm that I would be willing to try and resolve this matter informally. I am not available week commencing 26 April but should be from the week after.

I should explain that I am making this representation on behalf of all the occupants of Stafford House, twelve households in all, as I am one of the Directors of Stafford House (Eastbourne) Limited, the company that runs the building.

Had we known about the application for this licence sooner, (it was just by chance that the small sign was noticed on the door of the kiosk of Dirty Burger Bros (DBB) – only visible when the kiosk is closed) we would have asked our neighbours in Southfields Road and Old Orchard Road and proximity if they have similar concerns.

We are therefore concerned that should this application be successful there will be some upset and worried residents in the vicinity in addition to us at Stafford House.

You have already seen our quickly prepared email dated 14 April 2021, but we will use this opportunity to set out our situation more precisely.

Our main concerns are:

The prevention of crime and disorder - the proposed hours of opening and potential abuse of alcohol will encourage crime and disorder in what is a residential area

This is fundamentally a residential area on the edge of a commercial area – Old Orchard Road and Southfield Road both have building projects ongoing adding to the number of residences, so it is clear that the purpose of this area is to house people with their families and provide easy access to services such as transport, libraries, doctors and dentists, and shops for everyday living.

We accept that this could **nowadays** also include access to take- away food at hours to benefit the living and working community.

The occupants of this residential area have a right to enjoy their environment without the increase in the threat of crime and disorder and public nuisance. We have chosen to live here assuming that we will be able to get a good night's sleep every night before setting off to work and school the following day and to walk in streets not littered with discarded food wrappers and beer cans, or fear vandalism to our properties and cars.

We have welcomed this small business into the area, not expecting for one minute that there would be an attempt to turn the area into an outside late-night venue for eating and drinking. We accept that a small business such as Dirty Burger Bros. can fit well with the ethos of local sole traders to service the residents and the workers in adjacent areas. However, we do not find it acceptable to take the risk that late hours and alcohol sales may change the nature of the area by increasing public disorder.

It will also bring cars into the area, to pick up food and alcohol to take away late at night adding to the noise and traffic pollution.

The prevention of nuisance

The area already suffers from littering and noisy late night customers leaving clubs and pubs in other areas of Eastbourne, particularly at the weekend.

The introduction of food and drink at late hours for consumption in the street, will turn the area into a mecca for people exiting pubs and clubs wishing to extend their night out. We really cannot accept this as it will cause an enormous public nuisance to what is in effect a residential area.

We acknowledge the intentions of the DBB to moderate behaviour, we do not believe that in practice this is what will happen. Customers coming late at night to purchase food are often inebriated anyway so it is not realistic to expect customers to adhere to the rules. We would prefer those customers to be discouraged from coming to our neighbourhood to avoid public order issues, thus not adding to the workload of our already overworked police force.

This type of operation is better suited to other commercial areas of Eastbourne, although we would question the wisdom of allowing any business to add to the problem of late-night drunkenness and public littering in Eastbourne.

We do not see anything in the plan to deal with the amount of waste left in the streets and on our property from take away food outlets. Some additional bins that are emptied every night/early morning by the owners and a general street clean in the vicinity would be helpful, whatever hours they operate.

The protection of children from harm

Late night noise and street vandalism, disturbs and frightens our children and litter in the street is unhygienic.

Public Safety

The likely misuse of alcohol will reduce public safety in the area.

We consider it unnecessary and potentially problematic to sell alcohol from the stall at any time of the day or night.

We understand it is illegal to consume alcohol in the street and we understand that the owners of DBB have plans to prevent people doing so but we do not believe that these plans can be successful.

We welcome the plans for CCTV although all the points in DDB's amended proposal on CCTV appear to assume it will not prevent the crime that we are so concerned about, but merely assist the police in dealing with it after it has happened. **We do not wish to suffer any increase in crime and disorder. We seek to eliminate it.**

We are already greatly troubled by revellers using our premises to picnic, go to the toilet and deposit their rubbish after dark. CCTV may well be a deterrent but will not stop this behaviour especially if offenders are already reckless due to the consumption of alcohol. We further anticipate that the DBB customers will move away from the stall and hide in our car park or service yard, to avoid all the preventative measures proposed.

Summary

1. We have no objection to the DBB kiosk operating up to 22.00 on a weekday and 23.00 on Saturday
2. We have no objection to the DBB kiosk selling alcohol to their customers to be delivered at their home addresses under the conditions that DBB proposes.
3. We oppose the sale of alcohol to people at the kiosk under any circumstances
4. We welcome the plans for CCTV
5. We would like to hear of any proposals for dealing with the littering resulting from the sale of food and drink by the DBB kiosk and proposals for cleaning up after the customers in the surrounding area.
6. Since we have suffered additional trespasses onto our property since the opening of DBB, the Directors of Stafford House (Eastbourne) Limited are discussing the erection of Private Property signs to try to deter this. If our plan goes ahead, we would respectfully ask that Dirty Burger Bros contribute to the cost.

Many thanks Danielle for your help with this.

all best wishes

Mary Gray

Director, Stafford House (Eastbourne) Limited

On Tue, 20 Apr 2021 at 12:39, Ball, Danielle <Danielle.Ball@lewes-eastbourne.gov.uk> wrote:
Dear Ms Frances Mary Gray

Licensing Act 2003

**Premises licence application (post) EBC
Kiosk Adj 2 Old Orchard Road Eastbourne East Sussex BN21 1DB**

I write concerning correspondence which was received by my office on the 16th April 2021.

Please be advised that any representation, along with your details will normally be released to the applicant and/or their Agents as part of the process, unless you indicate that there are specific circumstances where you believe that your details should not be released. Please inform us of this within 24 hours of receipt of this letter.

Frequently, a meeting is convened between the applicant and those making representations, which on occasion is attended by members of the Council Licensing Team in order to resolve matters informally. I would be happy to act as a mediator in any meetings held. Please let me know if you would be happy to meet with the applicants or if there is anything that the applicants can amend to alleviate your fears.

Your representations, and details in part, will also be included as part of any subsequent Committee Report in order for all parties to be informed of your representation.

I must remind you that any representations must relate to the Licensing Objectives which are:

- The prevention of crime and disorder
- The prevention of nuisance
- The protection of children from harm
- Public Safety

The initial consultation period for relevant representations finishes on 21st April 2021 and, where necessary, a hearing will be convened which you will be invited to attend to support your representations.

Due to Covid-19 (coronavirus), we are experiencing an increase in phone calls and a reduction in staff.

To free up our staff to help those most in need, we are asking customers to use our online services at www.lewes-eastbourne.gov.uk whenever possible. This is available 24 hours a day, 7 days a week, at a time that's best for you. If you register and sign in to your account you can track the status of your reports and requests online. The website also has a new webchat available which is open from 8.30am to 5pm Monday to Friday.

Following government guidelines on social distancing, we have now closed our reception areas at Grove Road in Eastbourne and Southover House in Lewes. This is to protect our residents and staff.

Our services are under constant review as we respond to the situation. To find the latest updates from the councils on Covid-19 (coronavirus), please visit www.lewes-eastbourne.gov.uk/covid19/

Yours sincerely

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Specialist Advisor Licensing

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Mary Gray

