

THE LEWES OLD RACECOURSE RESIDENTS ASSOCIATION

The Licensing Officer
Lewes District Council
Southover House
Lewes BN7 1AB

February 4, 2022

Dear Sir/Madam

We, a group of residents on the Lewes Old Racecourse (LOR), are writing to express grave concern about an application for the establishment of a permanent weekend/bank holiday alcohol bar on the Racecourse for the period April to September, 2022. This follows the allocation of numerous TENs during 2021, allowing the regular presence of 'The Paddock Bar' to operate in close proximity to the residential properties on the racecourse. The bar became a continuous cause of conflict between residents and the officers of the Old Racecourse Ltd. due to concerns about noise, litter, wildlife and natural habitat disturbance, and excessive use of the private road by taxis.

We are aware that representations must relate to one or more of the four licensing objectives of crime prevention, public safety, public nuisance and child protection. Our comments below will reflect our deep misgivings on these matters. It is, however, initially imperative that the contextual setting of the application be fully appreciated. An application was made in early 2021 to the planning authorities at the South Down National Park (SDNP/21/01228/PRE) for a seasonal bar and café to be located on the Old Racecourse. The South Downs were categorical in their opposition. The following quote is taken from their written decision – “the proposed pop-up cafe and bar would conflict with the local development plan (SD25 of the SDLP) and as such would be unacceptable in principle with no material considerations that would justify a decision other than in accordance with the development plan.” In discussions with our local MP and other concerned citizens (e.g., Friends of Lewes; Friends of the South Downs), the point has been made repeatedly of the need for closer collaboration between the licensing authorities and South Down planners on matters, such as the pop-up bar, which have such a profound potential impact on the future integrity of this heritage site. Approving a license for the Paddock Bar would set a worrying precedent that would likely lead to the mushrooming of such alcohol driven venues across the supposedly protected domains of the National Park.

The prevention of crime and disorder

Whilst the licensee is not normally responsible for the acts of customers once they vacate a bar, we have a unique situation here at the Old Racecourse location. Drinkers must walk about 1.5KM over often darkened fields and paths to reach the nearest public road. Disorderly behavior can result in damage to both the natural fauna and flora as well as serious disruption to animal and bird life. An example would be gates to fields being left open, allowing sheep to stray disastrously beyond their enclosures. Similarly, access to and return from the bar is over land used by the endangered Skylark for nesting during the months of operation. Other endangered species potentially impacted include bats, hares, slowworms and adders. If customers choose to walk down the unlit private road after imbibing, a threat of anti-social behavior poses significant challenges (littering, endangering resident motorists, etc.).

Public safety

The bar consists of a converted horse box located in a paddock close to residential houses and horse stables. Dry bales of hay will, in part, be used for seating patrons. The license application contains no mention of first aid facilities (e.g., is there a defibrillator?) nor plans to deal with fire. Similarly, the application fails to discuss the provision of hot and cold water and permanent toilet facilities thus posing significant hygiene risks. Because the site is on a narrow private road that is a considerable distance from a main public thoroughfare, access for service vehicles will be difficult to manage and navigate. There are good reasons why we don't see public houses on the top of hills with no public road access.

Prevention of public nuisance

The Paddock Bar will be located directly in front of a small community of residential dwellings (approximately a dozen homes) and a number of active horse stables. Note that the paddock selected to house the bar is closer to the housing complex than the site used in 2021. Considerable noise can be expected from the generator and from groups of 30 to 40 patrons. This noise will carry easily through the open air to the houses and the stables, becoming highly disruptive and disturbing to home owners and horses alike. Despite the statement in the application that the bar can only be accessed on foot, experience from last year indicates that a steady stream of taxis will be used to ferry customers home. We have evidence of taxis parked frequently at the top of the Motor Road, generally next to the sign indicating "No Parking Permitted."

In conclusion, the question must be asked "is this an appropriate place for a bar?" The South Down planning authorities have been unequivocal in their view that a bar/café is antithetical to the development ethos of the Park. Moreover, Article 52 – an agreement signed by Lewes District Council – is clear that designated use at the Old Racecourse is confined to residential and equestrian activities. The Friends of Lewes put our view succinctly when they objected last year to the pop-up bar – they had serious concerns that the proposal could materially change the nature of areas adjacent to the Old Racecourse and risk turning a special area renowned for its peacefulness, nature and views into a hospitality venue. They felt that a pop-up bar was an inappropriate development in an area of very visible, quiet open land within an unspoilt natural environment. "It will encourage drinkers to congregate, resulting in noise and the risk of anti-social behaviour." We strongly concur and respectfully request that this license application be denied.

Sincerely,

REDACTED object to the application for a permanent seasonal licence which will materially change the nature of the area and cause nuisance to users of a special area renowned for its peacefulness. A licenced pop-up bar is an inappropriate development in an area of very visible, quiet open land within an unspoilt natural environment. It will encourage drinkers to congregate, resulting in noise, disturbance and nuisance to nearby residents, the risk of anti-social behaviour and activities likely to be to the detriment of the character of the area.

Dear Sir/Madam,

RE: The Old Racecourse Ltd, The Paddock, The Old Motor Road, The Old Racecourse, Lewes, BN7 1UR

I am writing to register my objections to the application for the abovemention Premesis Licence application.

The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, primarily the prevention of crime and disorder, public safety, and the prevention of public nuisance. My reasoning for objecting on this basis is outlined below.

The Prevention of Crime and Dissorder

The proposed premesis does not have toilet facilities, nor the required infrastructure or permission to construct some. The site is situated in a Small Civil Parish with no access to funds. The nearest Public Toilets are approximately 1.5 miles away in Western Road, which would have to be reached by walking down an unlit private road or via fields with grazing sheep in residence. Therefor it is highly likely that the patrons of the proposed premesis will have no choice but to commit the offense of urination or defication in a public place.

The proposed premesis is in a location in very close proximity to breeding pairs of Pedigrine Falcon's, the proposed times of operations fall within breeding season. It is my understanding that the proposed premesis will be powered by a generator, due to lack of infrastructure for mains power. The noise of the generator combined with the usual noise and comings and goings associated with a premises would no doubt cause a disturbance to the birds. It is illegal to disturb Pedigrine Falcon's during Nesting season. Furthermore the proposed premesis liscence is within a field where Skylarks nest, as they are ground nesting birds I would be concerned that bar would put their nests at undue risk of being destroyed by being trampled during nesting season, as they are not always visible in the long grass.

Due to the location of the proposed premesis and the lack of infrastructure to service the proposed premesis, I have serious concerns about dissorder caused by antisocial behaviour and disorder when Patrons are making their way to and from the proposed premesis. There are no litter bins in proximity to the bar, which may lead to littering. In the darkness of nightfall patrons may find it difficult to find their way back to the main road leading to possible trespass.

Public Safety

As well as the abovementioned concerns in respect of the offence of deficating and urinating in a public place above, I also have concerns surrounding the hygiene risks posed by the lack of toilet facilities, both to the Patrons of the bar, and also to visitors to the National Park.

Due to the premesis being accessible only through fields of grazing sheep, unlit bridleways, or a private road, I would be concerned for the safety of those leaving the bar on their way back to the public road. Furthermore mobile phone signal cam be problematic, and raises concern about how someone would raise the alarm should an incident occur.

The proposed premesis is in very close proximity to a well used Gallop. It is not entirely fenced and there are points where it could easily be accessed accidently by someone without knowledge of the area.

Horses can travel down the gallops at speeds of 40 miles an hour posing a serious safety risk. Whilst the gallops are not used in the evenings. It would not be uncommon for them to be used earlier in the day within the proposed opening times of the bar.

Prevention of Public Nuisance

The proposed premises is situated in countryside within South Downs National Park, the noise of the patrons, combined with the noise from the generator used to run the bar would interfere with the peace and tranquility of the countryside one expects to find in a National Park, and will have an adverse effect on other users.

REDACTED proposed premises is a small number of residential houses, active racing stables, and gallops. The increased footfall will undoubtedly cause a nuisance to them, especially as the area is unlit in line with the National Park dark skies policy. It would be very easy to trespass onto these properties accidentally as happened last year when the applicant had a TENS in place.

Although the application states that access will be on foot only for patrons, the bar will need vehicular access for deliveries such as stock. The traffic would cause a nuisance to both local residents, but would also affect the integrity of the public bridleway it would have to travel down, making it inaccessible for other users.

In view of the above, I would urge the Licensing Authority to refuse the Application.

Yours Faithfully,

Dear Sir/Madam

I am writing to concern about an application for the establishment of a permanent weekend/bank holiday alcohol bar on the Racecourse for the period April to September, 2022. This follows the allocation of numerous TENs during 2021, allowing the regular presence of 'The Paddock Bar' to operate in close proximity to the residential properties on the racecourse.

We were told that we could not object in the normal way as the licenses were unclear (being temporary) and now this permanent application enables members of the public and organizations to voice our concern.

An application was made in early 2021 to the planning authorities at the South Down National Park (SDNP/21/01228/PRE) for a seasonal bar and café to be located on the Old Racecourse. The South Downs were categorical in their opposition.

Approving a license for the Paddock Bar would set a worrying precedent that would likely lead to the mushrooming of such alcohol driven venues across the supposedly protected domains of the National Park. Indeed you are directly opposing their mandate with little to no consideration of the impacts.

It has been very unclear how to engage in the opaque process of the TEN, and I have noted that the letter requesting feedback for this permanent bar keeps 'disappearing' from the gate to the fields near where the bar will be centered. I have also noted on the planning portal that you yourselves have failed to engage adequately with the SDNP planners on this matter and I feel the engagement in general has been very poor.

The prevention of crime and disorder

Drinkers must walk about 1.5KM over often darkened fields and paths to reach the nearest public road. Disorderly behavior can result in damage to both the natural fauna and flora as well as serious disruption to animal and bird life.

An example would be gates to fields being left open, allowing sheep to stray disastrously beyond their enclosures. Similarly, access to and return from the bar is over land used by the endangered Skylark for nesting during the months of operation.

Public safety

The license application contains no mention of first aid facilities (e.g., is there a defibrillator?) nor plans to deal with fire. Because the site is on a narrow private road that is a considerable distance from a main public thoroughfare, access for service vehicles will be difficult to manage and navigate. There are good reasons why we don't see public houses on the top of hills with no public road access.

If customers choose to walk down the unlit private road this was a frequent issue over the period in which the TEN's were being issued. Does encouraging people to walk on unlit roads and paths seem a good idea? The applicant repeatedly states there is no vehicular access (although there is much evidence to the contrary)

Prevention of public nuisance

The Paddock Bar will be located directly in front of a small community of residential dwellings (approximately a dozen homes) and a number of active horse stables. Note that the paddock selected to house the bar is closer to the housing complex than the site used in 2021.

Considerable noise can be expected from the generator and from groups of 30 to 40 patrons. Indeed this noise was a feature late into the evening on the nights the bar was open. This noise will carry easily through the open air to the houses and the stables, becoming highly disruptive and disturbing to home owners and horses alike.

Despite the statement in the application that the bar can only be accessed on foot, experience from last year indicates that a steady stream of taxis will be used to ferry customers home. We have evidence of taxis parked frequently at the top of the Motor Road, generally next to the sign indicating "No Parking Permitted." Indeed a cursory call with the local Taxi offices will show you that there were repeated requests for drop offs and pick ups.

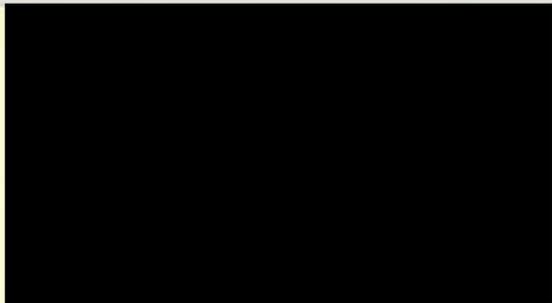
Either way we are confronted with people walking unlit roads and paths in the dark leaving gates open or taxi's parading up and down the private road.

This application should be rejected:

-
-
- It contravenes the permitted use laid out by the southdowns planning authority
-
-
-
- It contravenes the permitted use established with LDC as part of the sites development (Section 52)
-
-
-
- It contravenes the deed of covenant that bounds owners here to a set of community principles
-
-
- It contravenes many elements that need to be considered for the issuing of a license laid out in this letter
-

In the event you decide to grant this license in the face of such widespread concern and disruption I would like some clarity on how we as residents can monitor the behavior of the applicant with regards to the licenses restrictions.

Kind Regards



Trevor Beattie, Chief Executive
South Downs National Park Authority
South Downs Centre
North Street
Midhurst
GU29 9DH

28 January 2022

Dear Trevor,

RE Objection to Application SDNP/21/01228/PRE | Proposed seasonal camping use on existing undeveloped land. Proposed seasonal pop-up bar and café.

I am writing to object to the application for a permanent licence for a pop-up bar and café identified above, that is being considered for The Old Racecourse.

Firstly local residents have been contacting me throughout the last 18 months about the disruption and concerns from the pop up events that have happened from the temporary licensing of the pop up pub which has generated untold noise and environmental damage to one of the most habitat rich areas in the town of Lewes. In addition to the physical damage that is being caused to the area, the issue of noise and light pollution is of grave concern in an area which is renowned for its views, beauty, and its peacefulness. The South Downs National Park Authority have been heavily involved in this in terms of the environmental impact.

Applications of this type threaten the beautiful downland environment with noise that may raise issues of disturbance and/or reduce tranquility. The proposal of a pop-up pub/café attacks the character of the area, in a move away from nature. For this reason, it would not be an appropriate addition to the South Downs area, nor does it keep in tone with what visitors who venture to the South Downs expect.

Environment control also factors into the decision when discussing the issue of the downs we must also consider research into land contamination, currently this is inadequate for any approval.

In addition I have been contacted collectively by the local pubs in Lewes town about the impact that the proposal would have on them. The hospitality sector has been one of the hardest hit sectors by the pandemic. Our local pubs have already had a tough time during Covid, as you can imagine, and the introduction of competition in this manner (a pop-up with significantly less overheads) would further prolong their recovery at such a critical time and would bring into question the survival of many of them and they would be deeply concerned if the council allowed this permanent licence to go ahead.

With this in mind, I believe the application should not be permitted for a permanent pop-up pub located on the downs.

Yours sincerely

