Christopher & Katherine Waterside Court
Weardale Road
London

4th April 2019

RE: Notice of application for new/variation of a premises licence, Dirty South, 162 Lee High Road

Dear Licensing officers,

My wife and I are the owners of Waterside Court and we are writing to oppose the request made by the Dirty South to change their licence. This new license includes all current licensable activities being permitted in a new beer garden at the rear of the premises.

The proposed outside area to be used is immediately adjacent to the Waterside Court building. It backs on to our private car park and the Quaggy River. We are asking for the planned beer garden to be objected by your committee. Our reasons for this are detailed below.

Protection of children from harm:

We have a young child and our concerns, along with several other young families in Waterside Court, primarily revolve around our child's well-being and safeguarding. When the garden briefly opened (illegally) last year the noise caused children distress. There was a lot of loud swearing and conversations were clearly heard from properties within the Waterside Court. I am aware that some residents were subject to verbal abuse while sitting on their own balcony and this sort of anti-social behaviour cannot be tolerated. With the beer garden in such close proximity to the flats we also have concerns with customers smoking in this area. Consideration must be given to the welfare of children when designating any external smoking areas. The security of our property is also a concern as the car park of Waterside Court is not lit and the fencing around the proposed beer garden is not fit for purpose. It would be easy for a customer to scale the fence or climb over with the aid of a chair. Although this is not a guarantee, it is important to consider any potential issues that could occur due to reckless behaviour and unwanted visitors could impact our children.

Noise:

One of our other main concerns is the increased level of noise that a beer garden will inevitably create. The proposed area for the beer garden backs on to the private car park of the residence and is easily visible and audible from the flats at the back of the building. After opening (without a license) last summer, the residents, who are directly adjacent to the garden, saw an increase in noise in their own homes due to customers at the pub. The setting up of a bar in the back area could intensify the use of the beer garden, which would result in an increase in noise that could be worse than it was last summer. This not only impacts those directly next to the garden but has an impact on us as a community. Loud and invasive conversations will directly affect the standard of living and privacy. The drunken and threatening behaviour, which was clearly seen last summer, will of course impact the mental health and wellbeing of those in our community. It is not acceptable for someone to feel like they cannot relax peacefully in their own home.

Is there a need?

We are not sure why the beer garden space is needed when the current front space outside the pub is so under used.

Environmental Impact:

The Waterside Court development backs on to the Quaggy river. This proposed beer garden will also back onto it and could have an environmental impact. It is very peaceful in an evening and is a haven for much wildlife. We worry that the increased noise and activity would impact this natural habitat. The consumption of food and drink in this outside space could also attract unwanted rodents.

Final Comment:

The beer garden was opened illegally last year and was subsequently closed once complaints were received. This disregard for any legal procedure is an example of the poor ethos of the management. It suggests that there could be further ignorance of regulations should any compromise on timings be made with the licensing committee. This is why we write to ask that the beer garden not be given any permission to be used at all.

Yours faithfully,

Christopher and Katherine



Licensing Authority London Borough of Lewisham Holbeach Office 9 Holbeach Road London SE6 4TW

Dear Sir or Madam

RE: Formal objection to the application for new / variation of the premises license made by Dirty South Public House, 162 Lee High Road, London, SE13 5PR on the 12th of March, 2019. (License # PL0356)

Last year, the Dirty South Pub opened a rear beer garden without a license in a space directly adjacent to my block of flats. My once quiet space was intruded upon by loud patrons, blasting music, and loud operational noises. I was also subjected to cigarette smoke, antisocial behavior by drunken patrons, and felt intimidated by heckling patrons when requesting that the pub take reasonable measures to ameliorate the situation. It caused enormous stress, sleepless nights, and I experienced terrible anxiety that the quality of my life and home were being stripped away.

Since requests for help from the Environmental Health Team weren't successfully answered or implemented, I am asking (pleading) that you not grant any licensure to the pub which would allow it to have a rear beer garden or pop-up bar to the rear of the building. I feel that the pub needs to have its noise and dealings inside and not destroy the atmosphere of my home. Allowing the rear beer garden would put the pub operations directly adjacent to my home.

Last year, the Dirty South pub operated an unlicensed beer garden to the rear of its property. As a result I experienced:

- Intimidation and distress caused by pub customers who shrieked and cackled regularly. I'm afraid to continue to complain because they know where I live. When the management attempted to address the situation with customers, they started heckling us for moving next to a pub garden. The beer garden did not exist before we purchased our flat. Additional antisocial behaviour included a patron urinating next to my property I felt unsafe in my car park and home.
- Noise from bar and customers which was NOT alleviated by the pub keeping the doors closed
 as customers entering and exiting the garden constantly opened the door, letting music blast out
 of the pub and the door slam behind them. This negatively affected me because, despite using

1

white noise, a TV, fans, and music, I could still hear the pub noises at an obtrusive level in my house, which made it hard to sleep and too stressful to open the windows in hot weather.

• Second hand smoke coming into my house. Smoking, was permitted and wafted into my space.

I'm concerned about a decline in my property value as a beer garden adjacent to my building makes it a less attractive and unhealthy place to live. This is our first property and only investment. The pub already has one beer garden to the front of the property. We have not complained about that and lived harmoniously with the pub next door to us until it opened the disruptive rear beer garden. Before the rear beer garden opened, I accepted occasional noises from the pub during large events as reasonable, but the rear beer garden turned the pub into a daily nuisance and created a very stressful, unhealthy atmosphere in my home. There was no quiet enjoyment in my property possible while it was open.

I would like you to reject any license which allows for the opening of the rear beer garden and pop-up bar. Last year's illegal opening negatively impacted my health, caused a lot of stress, overbearing heat and stuffiness inside my flat, a lack of sleep due to noise, intimidation by patrons, antisocial behavior by drunken patrons, second-hand smoke, and a light which is constantly on outside my bedroom window. I feel that allowing a beer garden license threatens my daily happiness and long-term well-being and locks me into a home ruined by a bar that already has a beer garden in the front of the pub. Please protect us from this threat.

Yours faithfully

Pauline
Owner / Occupier
Waterside Court
Weardale Road
London, St

Anna Clarica Waterside Court Weardale Road London SE13 5PZ

07/04/2019

Licencing Authority
London Borough of Lewisham
Holbeach Office
9 Holbeach Road
London
SE6 4TW

RE: Notice of application for new/variation of a premises licence, Dirty South, 162 Lee High Road, London, SE13 5PR

Dear Sir or Madam,

I am a resident of Waterside Court, Weardale Road, London SE13 5PZ. I am writing to object to the application for new/variation of a premises licence made by the Dirty South Public House, 162 Lee High Road, SE13 5PR on 12th March 2019.

Waterside Court is located immediately adjacent to the public house Dirty South. My flat is located on the ground floor, facing towards the road and is immediately adjacent to the side alleyway and front seating area of Dirty South.

Last summer I made a series of complaints about the excessive noise coming from the pub. The noise continued well into the evening, beyond 11pm. While my bedroom is on the side of my property furthest from the source of noise, it was still very audible to the point of preventing me and the other resident of the flat being able to sleep. In the living room and kitchen area, it was unbearable. Having now conferred with the other residents of Waterside Court, it is apparent that this noise and disturbance was a direct result of the rear garden being illegally opened and customers spilling out to in front of my home.

I strongly object to the proposed changes to the licence at Dirty South and would ask your committee to take into account the following, in line with LBLA's own objectives:

Prevention of public nuisance - noise:

As introduced above, this is the main issue for me. I have a right to the peaceful enjoyment of my home. Despite the formal complaints I made last summer, no improvement has been made. It is an ongoing and significant issue.

Prevention of crime and disorder – security:

One of the huge positives of living in Waterside Court is the levels of security we are afforded by the gated carpark at the back of the property. My concern, if the licence is granted, is that strangers will be able to easily access the car park and the side doors to the property.

Privacy:

As with the situations I brought to the council's attention last year, continued use of the beer garden will also impact on the privacy I should be afforded in my own home. On a number of occasions upon leaving the beer garden, Dirty South customers gathered in front of my flat, less than 2 metres away from my living room window. This was late at night and there were very drunk. This anti-social and disruptive behaviour is a privacy concern as well as impacting on the desirability of the property.

Desirability of property:

4 Waterside Court is currently for sale. It has been on the market since August 2017. A number of potential buyers were deterred by the noise levels last year and concerns are still being raised about the impact of people drinking in the outdoor areas. This is a major concern. If the licence is to be granted and we have a repeat of the incidents and noise levels that were experienced last year, the property will continue to be difficult to sell and there are also concerns about depreciating value.

I am grateful for you taking the time to hear my concerns and will consider my objection going forward.

Please do not hesitate to contact me via email or telephone if you require any further information.

Yours sincerely,

Anna

Email:

Telephone:

Olivia Eastdown Park
Lewisham
London
SE13 5HU

6th April 2019

Licensing Authority London Borough of Lewisham Holbeach Office 9 Holbeach Road London SE6 4TW

RE: Notice of application for new/variation of a premises license, Dirty South, 162 Lee High Road, London, SE13 5PR

To whom it may concern,

I am writing to formally object to the application for new/variation of a premises license made

by the Dirty South Public House, 162 Lee High Road, SE13 5PR on 12th March 2019. To clarify, please note that I do not have objections to the current operation of the premises within its current capacity.

I am the owner of Eastdown Park and have lived there since early 2018. The garden to the rear of my house runs next to the River Quaggy and is surrounded on all sides by gardens and residential properties. It is a place that is a very quiet and tranquil where I can relax in the peace and quiet of the natural surroundings.

Last year, in May/June 2018, The Dirty South illegally opened their rear outside area as a 'beer garden' without a license, which immediately impacted the peaceful atmosphere that I have enjoyed in my property.

Upon its opening I immediately noticed the significant increase in noise level. This was from the clientele of the beer garden, shouting, cheering, swearing, laughing, shrieking and often chanting. The content and nature of which was clearly audible and unavoidable. It ruined the atmosphere that I had enjoyed at my property. I found it intrusive; so much so that even when I felt forced to go inside my house to avoid it, It could still be heard even with the doors and windows closed.

I felt that this noise was excessive and extremely unreasonable and my right to enjoy my home environment had been taken away from me without any choice and also deprived me of the outside space that is an integral part of my property.

Also, the beer garden is located in the River Quaggy corridor and is only a few metres from the Quaggy itself. Part of the attraction of my property for me is the fact that it runs next to the river. This is an unusually quiet and natural stretch and benefits from a huge amount of quite rare wildlife such as bats, kingfishers, woodpeckers, egrets, herons, various ducks and moorhens as well as an abundance of more common birds. This unusual amount of wildlife should be protected wherever possible, by ensuring any development enhances the river setting and it is my feeling that the beer garden will push this natural development away through the excessive, intimidating noise as well as making the area more attractive to vermin, rodents and seagulls through the introduction of food consumption.

A very important factor in purchasing my property was the unusually natural river environment it had to the rear, and the peace and tranquillity it afforded. It is now a very real fear that I have that should this be taken away through the introduction of the noise a beer garden has

proven to bring; the resale value of my property will be significantly impacted.

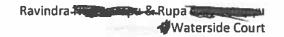
I trust that this letter explains the grave objections and worries I have to the opening of the beer garden and the very negative and detrimental effect it will have on my life and the enjoyment of my property.

I would be very willing and able to attend any potential hearing on this matter and would welcome visits from the Council to fully assess the impact of the application to our lives.

Yours sincerely,

Olivia Land

Weardale Road



Lewisham London SE13 5PZ

6TH April 2019

Licensing Authority London Borough of Lewisham Holbeach Office 9 Holbeach Road London SE6 4TW

RE: Notice of application for new/variation of a premises licence, Dirty South, 162 Lee High Road, London, SE13 5PR

Dear Sir/Madam

We are writing to formally object to the application for new/variation of a premises licence made by the Dirty South Public House, 162 Lee High Road, SE13 5PR on 12thMarch 2019.

To clarify, please note that we do not have objection to the current operation of the premises within its current capacity.

My wife & 2 Kids live in Waterside Court, Weardale Road, London SE13 5PZ as tenants. Our flat is adjacent to the public house, Dirty South, and our flat we are living is located at the northwest corner, directly next to Dirty South and facing its rear garden.

At the end of 2017 Dirty South re-opened for Business. In May/June 2018 Dirty South has illegally opened their rear outside area as a beer garden without a licence, which has caused enormous disturbance and nuisance to all the residents in Waterside Court as well as other neighbours beyond due to the unacceptable level of noise and nuisance. We had a Baby in March 2018 and it was very difficult for our baby to get to sleep with the level of noise and nuisance.

Due to the close proximity of our property to the beer garden, we have suffered significantly from noise and over-looking problems, as a result we were unable to open windows in summer months, unable to use our own balconies, also unable to sit in our living room Nor sleep in our bedroom; furthermore, we have been subjected to verbal abuse from drunken customers whilst being at home.

Keeping in view my kids and the nuisance that is going to be created I state my strong objection to variation application by Dirty South.

Yours sincerely,

Ravindra Waterside Court
Weardale Road
Lewisham

London SE13 5PZ

Email:

Krisztian Market Waterside Court Weardale Road London SE13 5PZ

6th April 2019

Licencing Authority London Borough of Lewisham Holbeach Office 9 Holbeach Road London SE6 4TW

RE: Notice of application for new/variation of a premises licence, Dirty South, 162 Lee High Road, London, SE13 5PR

Dear Sir or Madam,

My wife and I live in Florage Waterside Court with our young child. I am writing to object to the application for new/variation of a premises licence made by the Dirty South Public House, 162 Lee High Road, SE13 5PR on 12th March 2019.

Waterside Court is located immediately adjacent to the Dirty South Public House.

We have a young child and our concerns, along with several other young families in Waterside Court, primarily revolve around our children's well-being and safeguarding. Last year, the Dirty South opened the beer garden in their rear area illegally, during that time, there were a lot of loud swearing, shouting and screaming coming from the beer garden which has caused a lot of distress to children and also adults, and conversations from the beer garden customers could be clearly heard from within the Waterside Court properties.

When the beer garden was opened, more customers seemed to gather in front of or nearby Waterside Court, either urinating to the bushes in our forecourt or sitting down on the pavement being drunk. The beer garden operation seemed to have escalated poor customer behaviour, furthermore the poor management and judgement of the pub had not only done nothing to improve the situation but also seemed to make it worse, for example often extremely loud music were being played in the evening and continued after mid-night.

I hereby state my strong objection to the variation application made by Dirty South.

Please do not hesitate to contact me via email or telephone.

Yours sincerely,

Krisztian 16 Waterside Court, Weardale Road, London, SE13 5PZ

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Mullin-Murrell, Angela

From: simon 2 Sent: 24 March 2019 10:33

To:
Licensing
Subject:
Dirty South Public House Re

Dirty South Public House Rear Beer Garden License Application

Dear Sir or Madam,

I am emailing you to object to the application for a license to cover a rear beer garden at the Dirty South pub, 162, Lee High Road, Lewisham, SE13 5PR.

About this time last year the landlord of this public house opened a beer garden at the back of the pub without getting the license to do this officially.

As a result, the households that back onto the pub (of which we are one) were subjected to excessive noise and sometimes abuse from it's customers during the summer evenings.

The garden is located in a very built up area and the noise from music and people shouting and talking gets greatly amplified. As a result of which, we were forced to shut all our windows on hot summer evenings to block the noise out so that we could sleep. Due to this opening up of the garden without permission, all trust has broken down between the local residents and the landlord and we are very concerned that he will not adhere to the rules of the licensing laws as he has previously tried to bypass them.

Therefore, we strongly object to this application for a rear beer garden license, and hope that you will consider our objections as stated in this email.

Yours faithfully,

Simon and Jane Kee

Sent from Yahoo Mail for iPhone



Licensing

Sent: Sent: 20 March 2019 11:08

To: Licensing The Dirty South licensing

Sent to Lisa Hooper for acceptance. Uploaded on M3

Dear sir

I would like to raise my very strong objection regarding the new licensing proposal for The Dirty South pub, at 162 Lee high road, S.E.13 5.P.R

I live in Weardale Road, which is the road adjacent to The Dirty South.

I have lived in this property for 40 years.

Extending their hours would severely impact our lives and I have huge concerns regarding the new licensing and the impact on us all would be huge and incredibly stressful.

• the noise level coming from the garden in the summer was unbearable, forcing us to retreat from our gardens into the house closing doors and windows in the heat so sleep was impossible!

It's not just the music and the people it's the clearing up afterwards with the bottles being smashed into bins.

Our gardens are very close to the proposed area.

- parking comes a huge issue as our road is perfect parking for the pubs visitors, when they decide to leave the pub they ascend onto our road outside our houses where there are nightly drunk infused fights, conversations, raised voices and phone calls. They all seem to be oblivious to the fact they are surrounded by houses, again this is terrible in the summer with windows being opened.
- often in the mornings we have to clear up food that has been bought from the local takeaway and left on our front walls, they urinate anywhere they seem fit and we've had to clear up vomit too
- we are a very quiet residential area/road with a mixture of very young families and the older generation that have lived in this area for many years, my neighbour is in her 90s and gets incredibly scared with the noise outside her front door late at night. It is scary, and I myself would not go out to ask them to "quiet down" as you open yourself up for lots of verbal abuse.

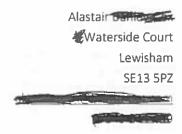
I would also like to point out that The dirty South already has a garden area at the front of the property!

As you must appreciate the extended licensing would exacerbate all of these issues, and I'm very worried about. Please would you take all of these concerns into serious consideration.

Thank you

Sarah war

Sent from my iPhone



Licensing Authority
London Borough of Lewisham
Holbeach Office
9 Holbeach Road
London
SE6 4TW

28th March 2019

To whom it may concern

I am a resident of Waterside Court, London, SE13 5PZ. The Dirty South public house on 162 Lee High Road, London, SE13 5PR (license # PL0356) has applied for a license variation to open a beer garden and bar in their rear outside area (the proposed area).

I strongly oppose the Dirty South's license variation application for the proposed area.

The proposed area is *immediately adjacent* to my home in Waterside Court, and within eight metres of the River Quaggy corridor. My home, including an outside balcony, looks out onto our private car park and river environment; my backyard. To the right of this view, in plain sight less than 15 metres from my home, is the proposed area.

It is inconceivable that this would not be a statutory nuisance due to its proximity, any activity in this area is both audible and visible. The backyard of my home is incredibly peaceful and serene; if a beer garden or bar is allowed, the peaceful and safe enjoyment of my home will be severely affected.

Objections

Below are my objections, going into specific detail of how I will be affected, with annotations marking the Lewisham Borough Licensing Authority's (LBLA) objectives, which are

- 1. the prevention of crime and disorder
- 2. public safety
- 3. the prevention of public nuisance
- 4. the protection of children from harm

Noise nuisance (LBLA objective 3)

In summer 2018, before it was shut down due to the volume of complaints and lack of a license, a beer garden was opened in the proposed area. It was open for around six weeks during June and July. I was disturbed by noise at least 16 times across 13 days in a 42-day period; due to this I have first-hand and expert knowledge of what noise can occur.

Almost all activity is audible from the proposed area. Noises include: normal conversation, laughing, cackling, shouting, screaming, whooping, singing, babies crying, doors slamming, and furniture dragging. Some of the noise is a constant din; other noise can be sudden and surprising.

A noise nuisance will occur almost every time someone uses the beer garden and it is impossible to know when it's going to start or end. It can go on for hours. The severity of the nuisance tends to

scale with the number of people and level of excitement and inhibition. Conversation content can be clearly audible - I will be forced to hear other people's conversations.

Often the nuisance will sound like a raucous party is going on especially when many people are in the beer garden or lots of alcohol has been consumed; whilst I myself have attended loud parties elsewhere in the past, it was always by choice.

These are all expected noises associated with a beer garden or bar and one or more of them will occur when in use.

Recordings

I have audio recordings from the Dirty South's 2018 beer garden period, recorded by my mobile phone from my front room window less than 15 metres away. Multiple and persistent occurrences of all of the noises from the proposed area listed above can be heard, as well as the ambient noise level when the proposed area is not in use. The contrast between the two is quite stunning.

Whilst I have spent significant time indexing and cataloguing these recordings, this work is incomplete – the recordings are eight hours in total. The noise is obnoxious; for instance, on one occasion there is music and a din of voices, followed by a loud and sudden door slam, a few seconds of silence, then a baby crying, presumably having just been woken up. I can send samples – please let me know if this will help.

Artificial light nuisance (LBLA objective 3)

Outside lighting was used when 2018's Dirty South beer garden opened. The light bleeds into our backyard. When I'm in my front room as well as two of my bedrooms, illumination of the proposed area will be in my eyeline.

Privacy, security, harassment, intimidation and abuse (LBLA objectives 1,2,3,4)

Privacy

There is line-of-sight from the proposed area to my balcony and into my front room and two bedrooms. I can be seen and watched by anyone in the proposed area. I feel uncomfortable with this; it is intimidating and I feel like my privacy is invaded. I would feel nervous about using my balcony when people are using the beer garden.

Security

Waterside Court consists of a block of 16 flats, a stand-alone property, an end-of-terrace property, and private, off-street parking. It is secured by an entry-phone front door and a secure, pin-protected vehicle gate. Once passed one of these outer entry points, there are entry points for the block of flats via a lightweight side-door, the rear garden of the terraced property via a gate, and the stand-alone property via its front door. The backyard, including the off-street parking and riverside surroundings, is also accessible at this point.

The proposed area and the backyard are separated by a simple fence, it wouldn't be hard to circumvent Waterside Court's entry-phone front door and vehicle gate security via this fence. Security is compromised because the proposed area will be open to the general public and is particularly out of sight.

Harassment, intimidation and abuse

During 2018's Dirty South beer garden period, residents who were trying to peacefully and safely enjoy their homes were

- verbally abused by beer garden users
- subjected to flippant discussions about them an example: [shouting] "You guys, you're too loud, [inaudible] disturbing the neighbours...I know right...I know that's what [inaudible] saying, [inaudible] too loud. Weh-heeeeyyyyy".

These two incidents occurred within a six-week period; I would expect this sort of incident on a regular basis due to the proximity of the proposed area to Waterside Court – we are immediately adjacent. It is likely that pub patrons will be aware of residents and their activities in their own homes.

Environmental impact (LBLA objectives 1,3)

Consumption of food, especially leftover food, in the proposed area is a concern; this will attract rodents and seagulls. This can result in mess, damage to property, and is also a health hazard.

Smoking and litter are a concern. Secondary smoke and the pungent vapour from e-cigarettes can waft across to my balcony and come through my windows. Disposing of cigarettes is also a fire hazard if care is not taken. As well as the block I live in, immediately surrounding the proposed area is a natural river frontage of the River Quaggy. Litter is unsightly and can cause further problems – in addition, the toxic chemicals from littered cigarettes can leach into the environment and cause problems for the riverside and associated wildlife.

Residential property: desirability and value

I'm not sure which, if any, of the objectives this falls under; I ask that you take it into account and not deem it irrelevant since it affects the peaceful and safe enjoyment of my home. Consider the scenario where activities are allowed in the proposed area: the price and desirability of my home will be reduced, and I may find myself unable to move home in order to escape the stress and disruption caused by these activities.

In summer 2014 when deciding whether or not to move to Waterside Court, the immediate surroundings were a major factor in my decision to buy. Whilst the pub was not operational at the time, I was aware that it could re-open, but because the proposed area was not licensed and would be a nuisance if it were, I was comfortable with this.

Further comment

Both my wife and I have taken advantage of the food, drink, friendly staff and relaxed layout of The Dirty South in the past; however, it now feels inappropriate to use it. It's a pity that my further enjoyment of the pub is not really possible due to the 2018 beer garden episode and the approach and opinions of the owner. When the owner visited Waterside Court and stood in my backyard during this time, despite residents' explanations and demonstrations of the scale of the problem, the owner said that we should be ok with the noise - a noise that is a significant increase over the ambient noise level. To now be faced with it happening again, this time with the full backing of the borough, is thoroughly upsetting.

Providing more amenities that can be enjoyed by our community is important, but this should not be to the detriment of local residents – we are a captive audience who can't just up and leave.

The six-week period in June and July 2018 when the Dirty South beer garden was open demonstrates the incredible levels of nuisance, disorder, and reduction in personal safety that I would expect from the proposed area being used for any activities in the future.

I implore you - please do not grant any license that allows for activities in the proposed area.

Please do not hesitate to contact me by phone or email.

Yours faithfully,

Alastair ***

Alaskar Mary

Luc, Le

From:

Mallory, Cllr Jim

Sent:

30 March 2019 16:51

To:

Licensing

Cc:

Holland, Cllr Octavia; Rathbone, Cllr James; 'Jason'illand, Cllr Octavia; Rathbone, Cllr O

Subject:

RE: Objection to Licence Variation Application by Dirty South, 162 Lee High Road,

London, SE13 5PR

Dear licensing officers

Briefly, to submit my support for the residents living in the area near the Dirty South public house, in their objections to the licence being extended to the outdoor back area and any hours applied for be limited. Before any permission is granted the applicants must agree to put up noise and sight barriers, namely, proper roofing with acoustically-sound cover. In addition, hours for use outside must not extend beyond 11pm on Friday and Saturday, and 10 pm on weekdays and Sunday.

Many thanks Regards Jim Mallory

From: Jason (M) [mailto:adia_andate_mailto:adia_and

Sent: 28 March 2019 21:14

To: Licensing

Cc: Mallory, Cllr Jim; Holland, Cllr Octavia; Rathbone, Cllr James;

Subject: Objection to Licence Variation Application by Dirty South, 162 Lee High Road, London, SE13 5PR

Dear Sir or Madam,

I am writing to formally object to the application for new/variation of a premises licence made by Dirty South Public House, 162 Lee High Road, London, SE13 5PR on 12th March 2019.

Please find attached objection letter and supporting documents for your perusal.

Please note I have copied this email to our local Councillors to whom I have made contact with regarding this matter to keep them informed.

I would be grateful if you could acknowledge receipt of this email.

Many thanks

Kind regards,
Jason



Jason Waterside Court
Weardale Road
London
SE13 5PZ

28th March 2019

Licencing Authority London Borough of Lewisham Holbeach Office 9 Holbeach Road London SE6 4TW

RE: Notice of application for new/variation of a premises licence, Dirty South, 162 Lee High Road, London, SE13 5PR

Dear Sir or Madam,

We are writing to formally object to the application for new/variation of a premises licence made by the Dirty South Public House, 162 Lee High Road, SE13 5PR on 12th March 2019.

To clarify, please note that we do not have objection to the current operation of the premises within its current capacity.

Waterside Court, which houses sixteen flats and a stand-alone single family house, are located adjacent to the public house, Dirty South, and our property is located at the northwest corner, directly next to Dirty South and facing its rear garden. (Please refer to attached annotated photographs for illustration)

My wife and I live in Waterside Court, Weardale Road, London, SE13 5PZ, immediately adjacent to the public house Dirty South. We have purchased our property in December 2015, at the time when we moved in Dirty South had been staying closed since 2011; at the end of 2017, Dirty South has re-opened for business.

Last year, in May/June 2018, Dirty South has illegally opened their rear outside area as a beer garden without a licence, which has caused enormous disturbance and nuisance to all the residents in Waterside Court as well as other neighbours beyond due to the unacceptable level of noise and nuisance. Due to the close proximity of our property to the beer garden, we have suffered significantly from noise and over-looking problems, as a result we were unable to open windows in summer months, unable to use our own balconies, also unable to sit in our living room nor sleep in our bedroom; furthermore, we have been subjected to verbal abuse from drunken customers whilst being at home.

The level of noise and disturbances caused by the beer garden was very severe, we had made many complaints directly to the manager and the owner of Dirty South, however the situation did not improve.

There are several young families in Waterside Court. Naturally, the parents are very concerned of the children's well-being. Last year, noise had kept both children and adults distressed; constant swearing, screaming, hysterical laughs and shouting were daily occurrence. Normal conversations of customers from the beer garden were easily audible in the inside of the properties. We have a very good neighbourly relationship in Waterside Court, we are all extremely concerned about the possible detrimental impact which could have on our everyday lives in our very own homes if the application was granted.

Last year, due to the unacceptable levels of noise and nuisance experiences, we have reported the incidents to the Lewisham Council through its website; our reference numbers are ref: CRM:0066013; CRM0159635; CRM:0159831; CRM:0159638; CRM:0066375. (Attached please find extract of CRM records)

We conclude that the proximity to the neighbouring residential properties made it inappropriate for the rear of Dirty South to be used by the customers. We note the following observations and incidents from last year to raise and explain our objections.

1. Noise nuisance

Our flat is located on the second floor of Waterside Court, immediately adjacent to Dirty South, facing the rear area.

As mentioned earlier, normal conversations from the beer garden were audible inside our property even with the doors and windows closed, together with the swearing, shouting, laughing, and screaming, which had caused constant disturbance to us whenever we were at home.

Waterside Court was not constructed with air conditioning, and therefore we have no choice but to open the doors and windows in summer months.

Our right to enjoy our home was completely taken away by Dirty South's operation of the beer garden. Our home was no longer the place we could relax after long stressful days at work whenever the beer garden was in use.

2. Overlooking

Due to the proximity of the beer garden to our property, we were constantly suffering from overlooking problems by the people using the beer garden.

There was an extremely unpleasant and distressing incident last year that a group of drunken customers started verbally abusing me by shouting, swearing, and calling names when I was standing on my own balcony because they thought I was watching them. Immediately after the incident, we have made complaint to Dirty South but nothing was done and no support was given to us. (Please refer to my attached email to Dirty South manager Franc Walsh dated 8th July 2018 23:08)

I believe it is not acceptable for anyone to be exposed to verbal abuse and insults while being at home.

We felt completely powerless, frustrated, shaken and exposed in our own property.

3. Privacy and Security

After the incident above, it has become clear to us that if any unpleasant incidents happened, the customers would know where we live whilst they would remain anonymous. As much as we will stand up for our own cause, we are fearful of our own safety if the similar incidents ever happen again.

In preparation for setting up beer the garden, Dirty South had installed a very flimsy fencing. It is a painted plywood partition and does not provide any acoustic or visual protection to any of the neighbours at all.

4. Anti-social behaviour

Last year, we reported an incident happened around midnight whereby a male and a female customers were outside the back door to the beer garden, adjacent to our flat, they were talking loudly, and at the same time the female was smoking and the male was urinating at the corner facing Waterside Court right by the fence (indecent exposure in public place as he was clearly within sight from Waterside Court), the female later disposed the lit cigarette on the floor which posed a fire risk to us and the buildings around.

The above incident has given an insight of the kind of behaviours that burdened upon us if the beer garden was re-opened. In Waterside Court, we have several families with babies and young children. We also noticed young families reside above Dirty South. Therefore we strongly believe should the application was granted, the protection to children would be seriously compromised.

Allowing the use of the beer garden will eliminate our right to relax and enjoy our own home completely.

We hereby express our strong objection to the variation application made by Dirty South.

We would be very willing and able to attend any potential hearing on this matter and would welcome visits from the Council to fully assess the impact of the application to our lives.

Yours sincerely,

Jason ₩ Waterside Court.

Myska Mille

ari Zbenisti Districtivo



Photo 1: View towards the rear garden of Dirty South and the rear of the Eastdown Court from 11 Waterside Court (photo taken on 23.03.2019)



Photo 2: View towards the rear garden of Dirty South from 11 Waterside Court (photo taken on 23.03.2019)

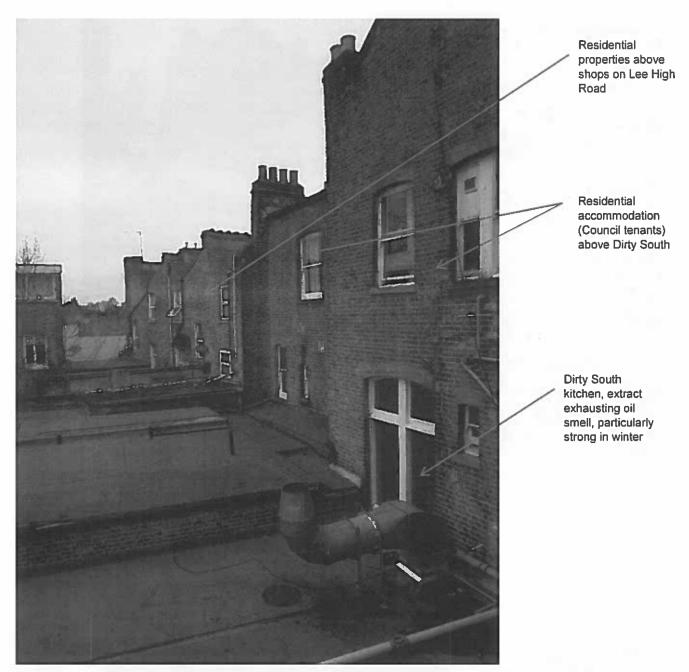


Photo 3: View towards the rear of Dirty South and residential properties above shops on the Lee High Road from 11 Waterside Court (photo taken on 23.03.2019)



Photo 4: View towards the rear garden of Dirty South from Quaggy river bank side (photo taken on 23.03.2019)



Photo 5: View towards the rear of the Dirty South and Waterside Court from Waterside Court carpark (photo taken on 23.03.2019)



Photo 6: View towards the rear of the Waterside Court, the houses on Weardale Road and No 17 Waterside Court from Waterside Court carpark (photo taken on 23.03.2019)



Photo 7: View towards the Quaggy river bank, No 17 Waterside Court and houses on the Eastdown Park road from Waterside Court carpark (photo taken on 23.03.2019)

Londis Dirty South
Dirty South
Whole Chrid Therapy Dirty South, Beer garden proposed to the rear

Waterside Court (16 flats and 1 house)

Photo 8: Arial photo of the neighbouring area from Google



Photo 9: Arial photo of the neighbouring area (close-up) from Google

Re: Message from neighbour at Waterside Court

Jason

Sun 08/07/2018 23:08

First of all, thank you for taking your time to speak to us on Tuesday the 3rd July 2018.

Unfortunately, the reason I am writing to you is about an extremely unpleasant incident happened on Friday night (6th July 2018) caused by your customers at the beer garden.

On Friday night, I went out to my balcony for some fresh air and was checking my phone at the same time, it was just before 10pm (at around 9:45pm) so as expected, there were customers in the beer garden including a group of 3 to 4 female customers along with some children who were sitting at the table with the L-shape bench which is next to the single timber door leading to the inside of your pub (which also is the closest table to our block of flats), the children were running around playing with a lot of noise.

To my absolutely shock, the next thing I knew, I was being shouted at by one of the female customers from that group with extremely offensive language and she also appeared to be taking photos of me, when I asked her why she was taking photos of me she reply by saying because I was taking photos of her children, which I note was a completely outrageous, insulting and false accusation. I also note that one of the insults and verbal abuse was she calling me a "Paedophile", this is an extremely offensive word and a particularly horrible thing to be called, especially when I was actually in my own home.

I therefore went downstairs to your pub and tried to tell your staff about this incident, which resulted a bit of "shouty" moment; and I assume your staff should have mentioned to you by now.

Long story short, the incident eventually ended with the customers involved and myself being advised to contact you by email.

I do however have to point out that one of your female staff involved in this incident (who has acknowledged of being aware of the ongoing issues of the beer garden causes to the residents and also recognising me because you and I had a conversation the other night at your pub) was initially trying to be impartial and has confirmed that she has not witnessed anything regarding the incident, however later on at one point has wrongly and inappropriately encouraged and supported the false accusation against me by those rude and unreasonable customers by saying that I would have deleted any photo on my phone when I offered to show my phone to them.

Moreover, I was at one point being accused of "invading the customers' privacy".....once again, from actually within my own property! Not only was this stated by the customers but also reiterated by the staff member. A statement that almost beggars belief. It is MY privacy being invaded!

This unfortunate and unpleasant incident has indeed highlighted the following serious issues:

- 1) I have suffered from some extremely rude verbal abuse and completely ludicrous, insulting and false accusation while I was at my own home simply because of the close proximity of the beer garden and especially that particular table which is extremely close to our property and without any visual barriers at all.
- 2) Even though it was before 10pm, the use of the rear area as a beer garden in such close proximity is still causing public nuisance, and continuously affecting and stopping my wife and me to enjoy our own home.
- 3) Since the beer garden is open, we have not been able to use our own balcony, not only because of the problem of noise but also overlooking (customers always look up whenever we go out to our balcony) they might think they are being looked at, but we feel extremely exposed whenever we try to use our own balcony as usual.
- 4) Because the beer garden is extremely close and without adequate visual barriers, not only our balcony but also our living room can be looked into from the beer garden. We are now forced to permanently close our sheer curtain as our privacy has been invaded Numerous strangers can now be continuously looking up into our property. (we have now with no choice but to add a privacy screen to our balcony railings just to try to improve a little bit of our own privacy)

I note since we last spoke on the 3rd July 2018, we have not yet heard from Ian, but among all other ongoing issues which are yet to be resolved with Ian, at this point however, as a matter of urgency due to the unpleasant incident mentioned above, we strongly request, at the very least, the immediately abandon the use of that particular table which is the closest to our block, or installation of proper and sufficient visual barriers to ensure our and our neighbours' properties cannot be looked into.

I also need to stress that we do not want to have any argument with your customers, and we do not bear a grudge against any of your staff, which is never our intention - all we want is to have our privacy back and be able to enjoy our own home.

Should you like to discuss further please do let me know.

I look forward to hearing from you or lan soon.

Kind regards, Jason

Extract of CRM Logged last year

From: cer

Sent: 23 July 2018 00:23

To: cer

Subject: Noise nuisance report logged online CRM:0066013

Environmental Health Team

The following noise nuisance report has been logged CAS-1512470-W0Q6Y0

for 162 LEE HIGH ROAD LONDON SE13 5PR

Details are:

Customers details are Jason

Email:

Phone number.

Tenure? Homeowner,

Date and time incident occurred - 21/07/2018 02:00

Where incident occurred - noise from pub next door

Details of incident - Very noisy birthday party in the beer garden in the evening. They went inside of the pub, loud muic played, although door was closed, continuous and loud music plus people singing, cheering and shouting could still be clearly heard from inside our flat, which again caused great disturbance to our normal daily life at home. I called Dirty South to complain at 00.09am and requested to turn down the music, staff acknowledged and said that they will turn music down, but nothing has changed, music and people shouting are still audible.

At 23.55pm, a male and a female customers were outside the back door to the beer garden, just beyond the metal stairs, adjacent to our flat, they were talking, at the same, female was smoking and male was urinating with his shorts down at the corner facing Waterside Court right by the fence (indecent exposure in public place as he is clearly within sight from Waterside Court). Female later disposed the lit cigarette on the floor, posing a fire risk to us and buildings around.

Incident has happened before - Yes

If yes reported before, when? -

If yes reported before, details - Beer garden has been causing disturbance to our daily life, as it is very noisy (we can hear all the conversation), voice travels up. The pub is particularly noisy in the Friday and Saturday evenings, they play music into early morning and no improvement has been made even we contacted the pub when the incidents happened owners and pub managers to complain.

Incident reported before what happened? - No

If yes reported before, reported to whom? - Details of perpetrator: Dirty South, 162 Lee High Road London SE13 5PR

CRM Control Team

From: cer

Sent: 23 July 2018 23:43

To: cer

Subject: Noise nuisance report logged online CRM:0066375

Environmental Health Team

The following noise nuisance report has been logged CAS-1513613-P8W5S9

for 162 LEE HIGH ROAD LONDON SE13 5PR

Details are:

Email: Phone number: The state of the state

Tenure? Homeowner,

Date and time incident occurred - 23/07/2018 20:00

Where incident occurred - Dirty South, 162 Lee High Road London SE13 5PR

Details of incident - The pub next door to us opened a beer garden in June. We tried to liaise with the pub manager on noise and unacceptable behavior of the customers but no improvement was made. The proximity of the beer garden is too close, particularly one table right next to our flat is very problematic. This afternoon, a group of people, say 5 to 6 people were talking in the early evening say 6pm to around 8.45 pm and I can hear everything they said. I am sure that they are not aware that we can easily hear the conversation due to its location. It is sickening to have to hear random strangers talking hours on end at my own property. There is no peaceful place to come back to when I get home after stressful day in the office. We need your help to get our peace back. Please help us.

Incident has happened before - Yes

If yes reported before, when? -

If yes reported before, details - I have reported previous incidents yesterday. But please note that we face this everyday. Every single day, we hear random strengers talking and not able to fully relax at home because of the noise in the beer garden.

Thank you.

Incident reported before what happened? - Yes

If yes reported before, reported to whom? - CouncilDetails of perpetrator: Dirty South, 162 Lee High Road, SE13 5PR

CRM Control Team

Ruth and Hilton Waterside Court
Weardale Road
SE13 5PZ

Licensing Authority London Borough of Lewisham Holbeach Office 9 Holbeach Road London SE6 4TW

29th March 2019

Re: Dirty South, 162 Lee High Road SE13 5PR License # PL0356: Opposition to full license variation.

Dear Sir or Madam

We are writing to formally state our strong opposition to the license variation for the Dirty South pub 162 Lee High Road SE13 5PR to include the rear beer garden space and a secondary bar.

We live in a family house separate to the main Waterside Court block, situated directly opposite the rear beer garden and space proposed for the new bar. We purchased our property in 2006 when the space in question was used for business purposes as an office space for a projection hire company.

Our house runs next to the River Quaggy and is surrounded on all sides by gardens, residential properties and the office building and yard space as described above. These buildings served to screen us from the majority of external noise creating an incredibly peaceful and quiet place to live. This was a huge consideration when we purchased the property as this is simply not an area where the social noise a beer garden brings could ever be considered reasonable when measured against normal ambient noise levels.



Aerial view of Waterside Court premises and the Dirty South

12

We were initially pleased when the pub re-opened in late 2017 and supported it as much as possible, visiting frequently.

We voiced our concerns when the rear beer garden opened with Franc Walsh - the then bar manager - who informed us that 'acoustic boards' would be placed along the beer garden which - as we understood it - would soundproof the garden and completely screen the Waterside Court premises.

However when the garden was 'finished' it became apparent that there were to be no 'acoustic boards' and Waterside Court would be only partially screened by some very flimsy, poorly attached plywood. We were very disappointed as we felt the design of this space did nothing to mitigate the obvious issues it was apparent would be caused and in fact clearly demonstrated a willful disregard to the surrounding neighbours.



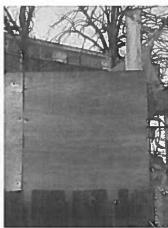




Photo 1: View from 17 Waterside Court

Photo 2: Plywood 'Screening'

Photo 3: Raised Bench

During the period of time the rear beer garden was operating unlicensed for 6 weeks in the summer of 2018 the problems were multitude causing constant distress to our family. We felt intimated in our own home. Not only by the patrons of the garden but also by the actions of the owner lan Gough who - we felt - was completely unconcerned and disregarding of any distress his actions were causing and - at times - highly confrontational. We have included below a diary of events regarding the period of time the rear beer garden was open as we feel this best illustrates the issues we faced.

Diary of Events:

We were compelled to voice our concerns regarding the lack of 'acoustic boards' and the resultant intrusive noise from the rear beer garden on Saturday 1st July after arriving home at 6pm. Despite the heat of the day we were unable to open any windows due to the excessive noise levels from the garden prompting us to visit the pub to discuss the issue with Franc Walsh. Franc accompanied us to the Waterside Court car park to clarify the issues we were facing. The email exchange below details this meeting and its outcome, chasing and arranging a meeting with the owner of The Dirty South - Ian Gough.

I fully understand

I will pass your number on to him. Hopefully a solution can be achieved soon. In the mean time I have briefed the team again regarding noise levels/ controls and garden usage.

Always there to help Franc

On Wed, Jul 4, 2018 at 4:09 PM, Hilton wrote Hi Franc.

Thanks for the quick reply.

Didn't mean to nag but just that I hadn't heard from him.

My number's the second pust in case.

Thanks for your help

Regards Hilton

On Jul 04, 2018, at 03 59 PM, Franc Walsh <franc@dirtysouth.co.uk> wrote.

Hi Hilton, lan assured me that he would be in touch. Could you forward me a phone number taht I could also pass onto him.

Best wishes Franc

On Wed, Jul 4, 2018 at 3 50 PM, Hilton Construction wrote: Hi Franc,

I'm just checking that you haven't missed the below email I sent. Could you confirm that you've forwarded the issues to the owner please?

Many thanks,

Regards, Hilton.

Begin forwarded message:

Hi Franc

As agreed, following Saturday evening's discussion I'm sending you this email to document concerns we have about the development of the Dirty South's rear beer garden. There are 3 main issues that present themselves. Noise, privacy and aesthetic

Noise

Bear in mind that the rear beer garden is only some 20m from our house and when in use, makes a very unpleasant experience for us. The noise is sometimes louder than (for example) our television even with all of our doors and windows closed. Also the entrance to the beer garden is only 3 to 4m from the nearest Waterside Court flat - we understand that the occupants have already complained many times and will be contacting you by email in due course.

On a previous occasion when I came to speak to you about the noise issue, you mentioned that acoustic boards would be put up as part of the intended plan to protect residents from undue noise. The only boards that have been put up are some nominal, low height lengths of plywood with gaps in between. These have absolutely zero impact on reducing any noise.

Also they don't extend to the part of the fence nearest to the flats which further indicates the complete lack of consideration for your heighbours.

The manner with which the lengths of plywood have been constructed has left gaps in between them, negating their purpose as any form of privacy shield

Additionally, it is still not high enough to prevent those using the beer garden from seeing into our property As mentioned above, there actually aren't any boards where the flats are nearest to the fence We have witnessed clientele peering through and over the fence to have a better look into the car park. this makes us extremely uneasy and raises concerns regarding our and other resident's security

Aesthetic:

From our side of the fence, the construction is poorly considered, of the lowest quality and the lack of any finishing again shows a complete disregard for the neighbouring residents. Please see attached photo

We would be grateful if you could forward the above concerns to lan, who you've explained is the owner and has organised the rear beer garden's development

I would be happy to meet him to discuss the above in person as it would probably be more informative and productive

We are appreciative of the Dirty South's reopening and recognise the efforts that have gone into creating a desirable establishment.

We, along with other neighbours have gone out of our way to support the business However in the last few weeks since the beer garden at the rear has been in use, the issues it has created mean the neighbourhood goodwill is fast evaporating.

We urge you as a matter of pressing importance, to review the construction and use of the beer garden as the current situation is intolerable and cannot continue

Hook forward to hearing from you shortly

Regards,

Hiltori

While waiting for the meeting date the noise nuisance and privacy and security issues continued with the rear beer garden prompting us on Monday 9th July to phone the Licensing Authority to outline our concerns and then - at their request - follow up by email.

Unfortunately the Licensing Authority did not respond to the email and as there was no respite from the noise nuisance we then phoned and emailed again - this time speaking directly to Gary Madigan, Crime Enforcement Regulations Officer, London Borough of Lewisham on 16th July.

From: Ruth

Subject: Fwd. License Query: Dirty South, Lee High Road SE13 5PR Lewisham. Licence No PL0356

Date: 16 July 2018 at 11:12

To: gary.madigan@lewisham.gov.uk Cc: Hilton

Hi Gary

As per our telephone discussion this morning at 11am please find below original email regarding issues concerning the Dirty South rear beer garden sent last Monday. As discussed if you could look into the issues raised and revert as soon as possible it would be much appreciated.

Many thanks and best regards

Ruth Chapple

From: Ruth S. Subject: License Query: Dirty South, Lee High Road SE13 5PR Lewisham. Licence No PL0356

Date: 9 July 2018 at 14:45:56 BST To: licensing@lewisham.gov.uk

Hello there

As per our telephone conversation today at 2pm I am a resident who lives next to the Dirty South Lewisham SE13 5PR (Licence No PL0356) in Lewisham

The pub is currently converting a building at the rear of their premises (previously leased to a lighting and projection company) and has opened a beer garden in the yard space of this building

There was no consultation with the local residents regarding this change of use

Little or no screening (10 inches of plywood across 50% of one garden wall) has been installed to prevent the users of the garden from overlooking the nearby flats and houses, severely curtailing the residents privacy.

The noise generated by the garden users is prohibitively intrusive particularly in the early evening causing a nuisance which unreasonably interferes with the residents enjoyment of their homes.

We have reported all major incidents of nuisance dating back to June 9th since the beer garden has opened, both orally and in writing to the bar manager Franc Walsh. Unfortunately Franc is "unable" to put in place any measures to address the issues.

We have therefore arranged a meeting with the owner fan Gough scheduled for 8pm on Thursday 12th July

Prior to this meeting it would be beneficial to know under the terms of their licence.

- 1) Is the rear beer garden and intended bar included in their original licence?
- 2) Should they have applied for a change of use and/or planning permission for the secondary bar space?
- 3) Should there have been a consultation period with the inhabitants of the neighbouring residential area prior to opening of the rear beer garden.
- 4) What measures if any have been put in place to promote the licensing objective of preventing public nuisance?
- If it is possible to respond to these queries prior to Thursday 12th July it would be much appreciated

Many thanks and best regards

Ruth 2

My husband finally managed to arrange to meet with lan Gough on the 17th July. This was a disappointing meeting from our side as we felt Mr. Gough did nothing to address our concerns or even acknowledge the issues the rear beer garden was causing.

From: Ruth Complete C

Subject: Fwd: Meeting notes re. Public Nuisance from Rear Beer Garden at The Dirty South

Date: 20 July 2018 at 10:32

To: gary madigan@lewisham.gov.uk
Cc: Hilton Green hiltongreen@me.som

Hi Garv

For your records and further to my previous email please find below notes from my husband's (Hilton Green) meeting with lan Gough the owner of The Dirty South on Tuesday 17th July.

Many thanks Ruth **Charpie**

From: Hilton Company

Date: July 20, 2018 9 50 07 AM

Subject: Meeting notes re. Public Nuisance from Rear Beer Garden at The Dirty South

Hi lan

For your reference please find below notes from the meeting at 8pm on 17th July 2018 regarding the public nuisance affecting the local residents caused by the rear beer garden of The Dirty South.

Attending were Hilton Green (HG) and lan Gough (IG).

IG agreed that there had been no consultation with the neighbouring residents and no direct research had been carried out relating to the impact on the residental area prior to the opening of the rear beer garden.

HG outlined the main concerns as aesthetic, acoustic and the increased security risk caused by users of the beer garden having a direct line of sight into neighbouring properties.

1) Regarding the aesthetics:

IG agreed that the external view from the neighbouring residences needs addressing as currently it looks unfinished. IG will outline ideas for finishing the neighbours side pending discussions with his designer. No timescale agreed for this - see 'Next Steps' below.

2) Regarding the increased security risk.

IG agreed that this 'could' be addressed.

HG understood this to be in conjunction with the finishing solution offered regarding the aesthetics issue as outlined above.

IG agreed that there should be additional screening added to continue the entire length of the party fence.

This will help address the privacy issues raised by the residents of the adjacent flats as currently all patrons entering and exiting the beer garden have a direct and close view into the internal living space of the neighbouring flats.

As above there was no timescale agreed for IG's proposed solution to this issue.

3) Acoustics:

Unfortunately no agreement was reached.

HG outlined the issue of intrusive noise generated by the users of the beer garden prior to 10 pm. IG stated that there is no structural solution to this problem and that complete enclosure of the outside space being the only researched option.

IG offered to visit the neighbouring premises on different occasions to judge noise levels - HG has given the access code to IG to facilitate this. However there is uncertainty as to what benefit this will have.

IG also offered to train the bar staff to help 'police' noisy customers and more prominent signage asking for users to respect the nearby residents.

However as our main concern the residents feel the noise levels of the users of the beer garden is beyond reasonable and is prohibitively intrusive.

We are disappointed at the solutions offered as we feel they will in no way address the noise:

- A) This 'policing' would depend on a member of staff being PERMANENTLY positioned in the garden not bar staff occasionally popping outside to clear glasses. Having staff in a dedicated 'librarian-style' role people in the garden role is obviously unfeasible.
- B) Offering to retrospectively address customers after they have disturbed the residents is clearly not a solution. The disturbance has already happened.
- C) It can not be perceived as a preventative measure either as it is subjective to the members of staffs' perception of noise level and their ability to anticipate any disturbance in advance.

Further to the above three points, the events of Thursday 19th July 2018 are proof that any staff policing of the beer garden is ineffective in preventing unreasonable noise. Please refer to coming email that will explain the events in detail.

Next steps:

If we could agree a timescale to address the rear fence as outlined in points 1 and 2.

We suggest 10 working days for a proposed solution from your designer and so would expect to receive this proposal for consultation with the residents by August 2nd 2018.

With regards to Point 3 - We feel that the solutions offered are in no way adequate so we would ask that you reconsider your options available, given the documented distress the rear beer garden has caused since it's opening.

We would suggest that you outline a more suitable approach to address the noise nuisance for consultation by August 2nd 2018.

We thank you for your time on Tuesday, your understanding and your stated willingness to co-operate with the local residents on these issues.

Kind regards

Hilton and Ruth

On the Thursday 19th July the our concerns greatly deepened following an incident in the garden and the Dirty's South response to it.

This incident is transcribed below in our email and text exchanges with Ian Gough and in our complaint to the Environmental Health CRM: 0159271

From: Ruth Chappin with happing me.som

Subject: Environmental Health Complaint regarding Noise Nuisance from Dirty South South rear beer Garden July 19th 2018

Date: 20 July 2018 at 17:17

To: Gary Madigan gary.madigan@lewisham.gov.uk

Cc: Hilton Co. A. Hillon Co.

Hi Gary

The below is just to document for our records the events of yesterday and highlight the distress it caused, resulting in a complaint to the Environmental Health.

Obviously you have taken action against this complaint as outlined in your email this morning so it requires no further action at this stage.

Best regards

Ruth Comme

This is to document the events of the afternoon Thursday 19th July arising from the users of the rear beer garden of The Dirty South, (Licence number PL0356), Lee High Road, Lewisham.

Persons involved

Ruth (RC), Hilton (HG) residents of W Waterside Court, Weardale Road. 'Adam' - bar staff of Dirty South reportedly acting as manager in absence of new manager 'Charlie'. lan Gough (IG) - Owner of Dirty South.

4pm: RC aware of unreasonable and intrusive level of noise disturbance from large party in the rear beer garden. The noise consisting of shouting, shrieking and swearing steadily increased causing significant disruption of day to day activity inside residence of 17 Waterside Court.

5pm RC reports noise level directly to the bar staff inside the Dirty South - Adam and female member of staff. 5.05pm Video recording made by RC to document noise level.

5.20pm RC telephones Dirty South to request removal of party from rear beer garden. Informed by Adam that this was not possible ('I can't move them') however the female member of staff would have a 'strong word' with the party causing the nuisance.

This was ineffectual and resulted in an increased noise level of consisting of shouting, swearing cheering and jeering. This was highly upsetting and caused RC great distress.

5.30pm RC reports noise nuisance to Lewisham Environmental Health Team online. Reference number CRM 0159271.



6pm HG enters car park, observes unreasonable noise level combined with strong swearing.

6pm HG enters Waterside Court where noise can still be clearly heard. Texts IG to report status and request immediate action to stop noise.

6.10pm HG visits Dirty South and informs Adam that the noise level has remained unacceptable.

There is a reluctance of Adam to speak to the customers in the beer garden as he says he has already spoken to them and because it is still during daytime.

It is important to note at this stage the verbal exchange between HG and Adam has become very heated at this stage and is distressing for both parties.

HG states that a public nuisance is such whatever time of day it is.

HG strongly suggests that Adam speak to the customers to reduce noise or preferably bring them inside as it is disturbing his family within their home.

Adam finally agrees to bring the users of the beer garden inside.

HG thanks him and leaves.

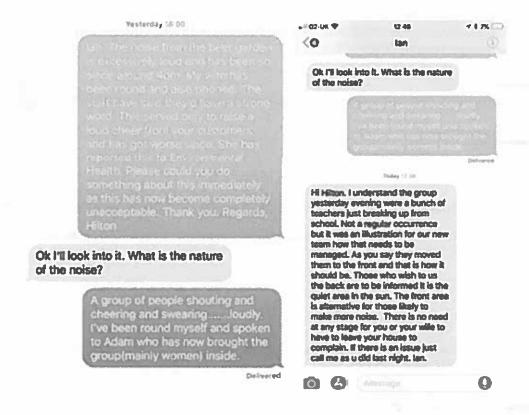
HG receives text from IG enquiring as to nature of the noise and states he will look into it.

HG texts back to inform IG that he has been round to the Dirty South and Adam has brought the group of customers inside.

Friday 20th July

12.30pm Text from IG outlining his response to the incident.

(See text exchange attached).



On the 21st July the noise from the rear beer garden was once again intolerable. We documented the events of that evening for our records. Please see email below and refer to Environmental Health noise nuisance CRM:0159501

Hi all

Apologies for bombarding you with e-mails recently.

This is to record the events of and cover our discussions with lan Gough from the night of Saturday 21st July 2018. If any one has anything to add let me know as I will be forwarding a copy of this to the Licensing Authority for their records. I will also have to forward a copy to lan as a representation of our discussions.

This way he won't be able to claim it's an inaccurate representation at a later date.

If you don't wish to wade through the edited highlights are:

1) Ian claiming he has been in the car park several times already that night then later admitting it was only his second visit to the premises - the first being a week ago.

This is important as Ian cannot claim to have monitored noise from our premises.

2) Ian claiming that Hilton's and my perception of noise nuisance was un-reasonable.

Noise nuisance is considered by the authorities from 'an overarching principal of reasonableness'

When Joseph, Jason and Ataya joined the discussion - Ian then states he is trying to find a workable solution to address the noise with the neighbours.

Solutions he has offered are:

a)Policing the noise:

We argued this is retrospective after disturbance has happened, events of 17th July and early that evening prove this ineffectual to the point of counter productive.

b)Not taking any pre-booked parties for the beer garden:

Ian will still allow large groups to use the beer garden so this ineffectual.

c)Closing at 9.30 (night of the 21st):

Noise Nuisance is intrusively prohibitive prior to 9.30pm

d)More prominent signage

Neither lan or the residents involved actually bothered arguing for or against more prominent signage for any length of time. Probably because we all know (including lan!) how pointless these signs are.

- 3) Ian suggesting that we were being patronising and condescending towards him.
 He may try to suggest to the Licensing Authority that he was unable to negotiate with us.
- 4) Ian admitted the noise level couldn't be described as quiet.

This is important as we feel they will argue the need for a secondary beer garden as 'a quiet place to enjoy the sun' (which lan had started to refer to it as such in his

correspondence) as opposed to front beer garden to the Licensing Authority.

- Ian states he is not intending to turn the internal space at the back into a secondary bar.
- 6) Ian states that space had been used as a beer garden previously around 15-16 years ago. (Roberto is this correct?)
- 7) Ian needs 'time to think about a timescale' to address the noise and aesthetics of the rear beer garden.

If you can make it all the way through the below and have any comments or there is anything you think we have missed please let me know.

I am aiming to send this to Ian and the Licensing authority friday afternoon.

Best,

Ruth & Hilton

Diary of Events and notes from discussions with Ian Gough regarding Noise level from the rear beer garden of the Dirty South on Saturday 21st July 2018

Persons present:

Ruth & Hilton - Waterside Court Joseph - Waterside Court

Jason 🗫 & Ayaka 🖜 - 👂 Waterside Court

Ian Gough - Owner of Dirty South (DS)

6.45pm

RC and HG register noise from garden consisting of raised voices, loud laughter and shrieking.

7,10pm

RC visited DS and informed bar manager Charlie that the noise level was too loud and far from the quiet place for people to enjoy the sun' as outlined by IG in his text correspondence of Friday 20th July 2018 to HG and e-mail exchange send afternoon of 21st July 2018 with JC.

7.12pm

Large cheers and shouts of 'Oh, we're being too loud are we?!' are clearly heard from the beer garden by RC. RC finds this response intimidating.

Noise continues at an unreasonable level - intrusively so - inside Waterside Court. It is worth noting at this stage that it is a very hot evening and HG and RC are unable to close windows due to the heat, particularly in their children's bedroom.

7.45pm

RC registers Noise Nuisance complaint online with Environmental Health ref: CRM:0159501

8.06pm

HG sends text to IG stating there is unreasonable noise from Beer Garden.

IG responds stating that it is generally no louder than other intermittent noises (see screenshot)

Approx 8.20pm: IG approaches HG at Waterside Court security gates.

IG states that noise level is standard for urban ambience and is not unreasonable and is typical for the premises of Waterside Court.

HG disagrees and outlines the intrusive effect the noise is having on day to day activity for the residents of Waterside Court, that RC is distressed by the noise this evening and that their children cannot get to sleep.

IG claims he has visited the car park/ Waterside Court premises 'several times' already that evening and has not heard any unreasonable noise from the beer garden.

HG asked why IG didn't 'come and get him' as IG knew that HG wanted to speak with him following the text sent at 8.06pm HG states that IG has not visited the car park as HG has been in the car park for the majority of the last 2 hours and there has been no sightings of IG.

IG states that HG is 'being patronising' and is acting in a condescending manner.

IG repeats that noise level generated by the beer garden is standard for urban ambience and is not unreasonable.

HG disagrees and outlines the intrusive effect it is having on day to day activity.

There is around 10 minutes of heated discussion with both parties repeating their claims.

RC joins.

RC outlines how much noise is interfering with home life - including children being unable to sleep due to proximity of bedroom to beer garden.

IG denies this is correct and repeats statement that noise is acceptable and states that noise level would be far lower internally.

These claims are repeated by both parties for around a further 10 minutes of heated discussion, interrupted by RC and HG's children stating from home doorway they are unable to sleep.

IG repeats that that noise level generated by the beer garden is standard for urban environment, is not unreasonable and less intrusive than police sirens.

HG disagrees and states that by these remarks IG is being evasive.

RC and HG are distressed by IG denial of noise intrusion and his claims that HG is being patronising and condescending.

IG states that HG and RC's children are unable to sleep due to RC - "the only shrieking he can hear".

RC states that HG and RC have been living with the issue of noise generated by the beer garden for the last 6 weeks and are understandably and justifiably frustrated by IG's repeated statements that the noise level is standard for the Waterside Court premises, particularly as this is only the second time he has visited the premises.

IG then agrees that this is his second visit to the Waterside Court premises however he has visited the rear beer garden of the Dirty South frequently and at different times of the day. IG repeats claim that the noise created by the beer garden is no worse than the standard ambient urban noise.

HG questions whether IG has visited Waterside Court premises during times when Beer Garden is unused to establish a base noise level for 'urban ambience' with which to draw comparisons.

IG admits that he has not and his observations are from beer garden.

RC states that the noise level clearly reflects that the beer garden is not 'a quiet place to enjoy the sun' as outlined by IG is his correspondence to HG and JC.

IG agrees that the noise level from users of the beer garden cannot be described as "quiet" however states again that the noise level is standard for an urban environment.

RC requests that IG therefore stop referring to the beer garden for users of the Dirty South to enjoy 'as a quiet place in the sun' in his correspondence.

IG agrees ("if you like") and states he doesn't wish to argue about semantics.

JL and AT arrive.

JC also joins group.

JC states how loud the noise is up on the 3rd floor (the location of his flat), how loud he has to have the TV to drown the noise from the beer garden out and how intrusive and distressing the shrieking and shouting from the current users of the beer garden is.

JC asks IG what plans he had to construct an acoustic barrier as outlined in reply on FaceBook by The Dirty South on 7th to his complaint on 6th July

IG states that he could not legislate for whoever wrote the reply and whoever posted it had no authority to do so.

IG states he has no intention of constructing any form of acoustic barrier.

Agreement from JL, AT, RC and HG regarding the increase in noise level from the beer garden the higher up you are.

IG states that the current noise level is the maximum it will ever be due a party booked into the beer garden.

HG queries this due to IG's statement on Tuesday 17th 2018 that no more bookings would be taken. IG admits that he hadn't checked if any future bookings had been made when he advised HG of this. IG repeats claim that HG is patronising him.

RC and JC point out level of noise on Thursday 19th July as (outlined in email dated 20th July 2018) was not from a pre booked party. IG states the events of Thursday night were mismanaged and apologises for the mismanagement.

IG states that protocols will be put in place to prevent large groups from creating the level of noise exemplified by the party on Thursday 19th July.

RC asks what these protocols will be - for example would the bar staff prevent any groups large than 3 people from entering the rear beer garden?

IG states that this would not be the case and the beer garden would still be available for use by large groups just not any pre-booked ones.

IG states he was trying to find workable solutions with the residents.

RC asks if IG will have a member of staff permanently stationed within the beer garden 'shushing' large groups in a librarian style, IG replies 'If we have to then we will' and states that RC is patronising him.

Discussion regarding ineffectual solution of bar staff policing noise exemplified by Bar Manager Charlie's earlier request to the current group for to respect the neighbours only resulting in shouts of 'Oh we're being too loud are we?' from the party followed by cheering and jeering, with no perceivable reduction in noise level. Also exemplified by the events of Thursday 19th July. HG states that the controls that are IG is proposing are reactionary and not preventative and still rely on a disturbance being made first before it can be stopped.

IG states the agreement the Dirty South made with the group at the time of booking is that they can stay in the garden until 9pm. Therefore at 9pm the noise level will no longer will be an issue.

IG re-iterates this point several times.

RC queries as to why they are allowed to make this level of noise up until 9pm.

IG states that they also 'as we speak' will be displaying more prominent signage requesting that patrons be respectful of nearby residents.

IG repeats that the bar staff will begin moving the party in shortly ('in 20 minutes' as the time was now approximately 8.40pm).

IG repeats his statement that noise level was no worse than noise from helicopters, airplanes and sirens.

HG, RC, JC and JL and AT disagree.

HG stated that the disruption from a siren, airplane, helicopter lasts 5 seconds 'maximum' - the noise from the beer garden had been going on for over 2.5 hours.

IG repeats his accusation that HG is being condescending.

IG states that he is trying to work with the residents to find a workable solution.

JC asks if there is a way of containing the noise.

RC states as per IG's previous statement made on the 17th July 2018 the only way to prevent noise escaping is through complete enclosure of the beer garden.

IG repeats he is not prepared to do this and will consider other methods of controlling the noise.

JL states his concerns as outlined in an email sent to IG on July 9th regarding issues with visual privacy and particularly regarding one table located in the rear beer garden in particular.

IG acknowledges receipt of email from JL and states he would like to follow up JL concerns with him at a later date.

9pm - Increased level of noise from the beer garden - IG states this is due to the bar staff moving the pre booked party inside.

RC asks the outcome of Fridays visit by the Licensing Authority and a Police Licensing Officer was.

IG states that the Licensing Authority 'weren't particularly bothered' unless IG considers opening a secondary bar.

RC states that Franc Walsh (the previous manager prior to Charlie) had stated that the intention of a secondary bar.

tG denies this and states he can't legislate for Franc.

RG asks what he intends to do with the internal space at the rear of the main premises.

IG states he hasn't decided yet.

RC leaves.

Discussion of how to progress:

No satisfactory agreement arrived at for noise issue as IG's and HG/RC/JC/JL/AT's perception of beer garden noise differs so significantly.

IG states that he will instruct staff to police noise level and that no party bookings would be made in future.

He would also think about time needed for solutions to the aesthetic/security issues.

9.20pm - Noise still intrusive from beer garden. Pre booked party still in beer garden. IG states this is because we are detaining him.

IG leaves

9.30pm. Main party in beer garden are moved indoors by bar staff.

We feel it is important to note than Ian Gough lied to the residents on this occasion regarding the visit on the 16th July from the Licensing Officer stating that 'they weren't bothered unless we opened a secondary bar'. This is incorrect as the email from Gary Madigan below states that no meeting actually took place as Mr. Gough was not available at this time and therefore meeting was rescheduled for 25th July.

From: "Madigan, Gary" <<u>Gary.Madigan@lewisham.gov.uk</u>>
Subject: RE: Environmental Health Complaint regarding Noise Nuisance from Dirty South South rear beer Garden

July 19th 2018

Date: 27 July 2018 at 09:01:29 BST To: 'Ruth

Dear Ruth

Sorry for the delay in replying, I initially visited the Dirty South on the day we first made contact, but the owner was unavailable, so a meeting was rescheduled when he was available.

On the 25th August 2018 at 14:00pm, My Manager and the Licensing Officer for Lewisham Met Police visited the Dirty South and met with the owner. The owner was advised that noise complaints had been received in relation to the use of the beer garden at the rear of the property, the owner was advised that a full licence variation should be submitted to the Council to add the outside areas on to the plan attached to the licence, as they were not shown and not licenced. A full variation requires a 28 day notice period, so interested parties can make representations if they feel the licensing objectives are affected.

It was also advised that the rear outside space should stay closed until the variation process has been completed in light of the recent noise complaints.

If the owner decides to submit the full variation I will contact you to make you aware.

Many Thanks

Gary Madigan
BSc (Hons) ACIEH
London Borough of Lewisham
Crime Enforcement & Regulations Officer

Current License

The pub already has a beer garden to the front of its premises. It is important to state that we have nothing against the pub operating under its current license, including the front beer garden. We are unsure as to why the pub would need a secondary beer garden when the current operational beer garden to the front of the premises is an area under-exploited by the owners and is NEVER at capacity as illustrated on the attached pages. (Please see photographs taken after the closure of the rear beer garden at various times of the day during the remaining summer months of 2018).

Impact on the River Quaggy

The rear beer garden is situated around 8 metres from the Quaggy River corridor with the area in between left as a natural river frontage, lightly maintained by the managing agents of Waterside Court.

This is one of the few fairly natural stretches of the river and should be protected and safeguarded from the intrusive and chronic noise pollution the beer garden and secondary bar bring. Lewisham Council's own River Corridor Improvement Plan published in 2015 states the need for such undisturbed areas of the river corridors to prevent any disruption of the natural processes of flora and fauna (Section 6.16 - page 33).

We are very fortunate that even in such a densely urban area the quiet afforded to this stretch of the Quaggy has allowed a diverse array of birds and wildlife to thrive. Bats, kingfishers, woodpeckers, egrets, herons, various ducks and moorhens as well as an abundance of 'typical' garden birds have all been spotted here. This unusual amount of wildlife should be protected wherever possible, by ensuring any development enhances the river setting.

In urban habitats, bird diversity and abundance has been shown to decline as a result of chronic noise levels, not to mention the hazards - rodents and seagulls - food consumption in this area brings.

We think it maybe helpful at this stage to summarise our concerns as stated above against each of the listed Licensing Objectives:

Licensing Objectives 1 and 2: The Prevention of Crime and Disorder and Public Safety.

As outlined in our email above dated 2nd July we are extremely concerned with the security breach the rear garden brings. There are gaps in the plywood screening allowing anyone to easily view into our property (Photo 2 - above). The inbuilt bench in the beer garden perpetuates this - allowing any patron to easily view over the plywood into our property from the full length of the beer garden (Photo 3 - above). Further more at the end of the gardens closest to the Waterside Court flats there isn't actually any screening at all and boards are missing from main fence.

We have an electric security gate to prevent unsolicited access to the Waterside Court premises. However the beer garden with its inbuilt bench now affords an easy and simple access route for anybody wishing to enter our property.

In the short period the garden was open in 2018 we witnessed many patrons peering over and through the fence and plywood screening in order to have a better look into the Waterside Court properties and car park. As transcribed in the email dated July 2nd 2018 this raises huge concerns regarding our and our property's security.

Licensing Objective 3: The Prevention of Public Nuisance.

In the weeks that the Dirty South rear beer garden was opened in July 2018 to state in the clearest possible terms the chronic, intrusive and intimidating noise nuisance dramatically and unreasonably interfered with and disrupted our lives, our comfort and our ability to enjoy our property.

Please refer to the Environmental Health complaints reference W/201892181 as testament to this. As do our repeated efforts to broach the issue with Ian Gough, license holder of the Dirty South as outlined in the diary of events above.

The magnitude of the noise disturbance is such that even inside our house, with the windows and doors shut our day-to-day living is significantly disturbed causing extreme distress to our children and ourselves. Our property relies on opening windows and doors as ventilation (i.e. not air conditioning) and in hot weather we are simply not able to do this at ANY time of the day when the beer garden is in use.

The excessive noise is still clearly audible, intrusive and disruptive even at the rear of our property meaning that we are unable to utilise our garden during the times the rear beer garden is open, effectively removing any safe, private, outside space for our children to enjoy.

Licensing Objective 4. The Protection of Children from Harm.

In reference to the licensing objective to protect children from harm - Waterside Court and the surrounding residential area is a family-centric location; the relative peace and quiet, the local amenities of a public library, good transport links and abundance of local parks not to mention the fortunate location of the River Quaggy all make it a attractive place for young families. Over the years there have been many such families resident in Waterside Court and we ourselves have 2 children, currently aged 8 and 10.

In reference to the incident outlined above on Thursday 19th July 2018 - the noise on this occasion was present from around 4pm consisting of shouting, swearing, cheering and jeering. It was highly intimidating, intrusive and distressing for ourselves and our children then aged 7 and 9. The noise was clearly audible inside our property even with the windows and doors shut. The party mainly responsible for the noise was later identified as a group of school teachers.

The incident proves that the pub management are simply unable to control the noise nuisance - if a group of school teachers can not be policed to maintain appropriate levels of behaviour then there is simply no way of managing the behaviour of any other patrons presenting a risk to children residing at the adjacent properties.

This incident clearly demonstrates that the provision of a beer garden surrounded by such a family-centric area creates safeguarding issues for any child present in the adjacent residential properties at any time of the day.

We trust the above illustrates the very real and negative impact re-opening the rear beer garden will have on our day to day lives, significantly interfering with our enjoyment of both the inside and outside spaces of our property. We feel also it is worth noting our concern regarding the financial implications the re-opening of the rear beer garden would have on our property, significantly reducing not only the value of the property but also our ability to ever sell or even rent should this noise nuisance be allowed. This simply will afford us and our children no escape or respite from the chronic distress the rear beer garden causes.

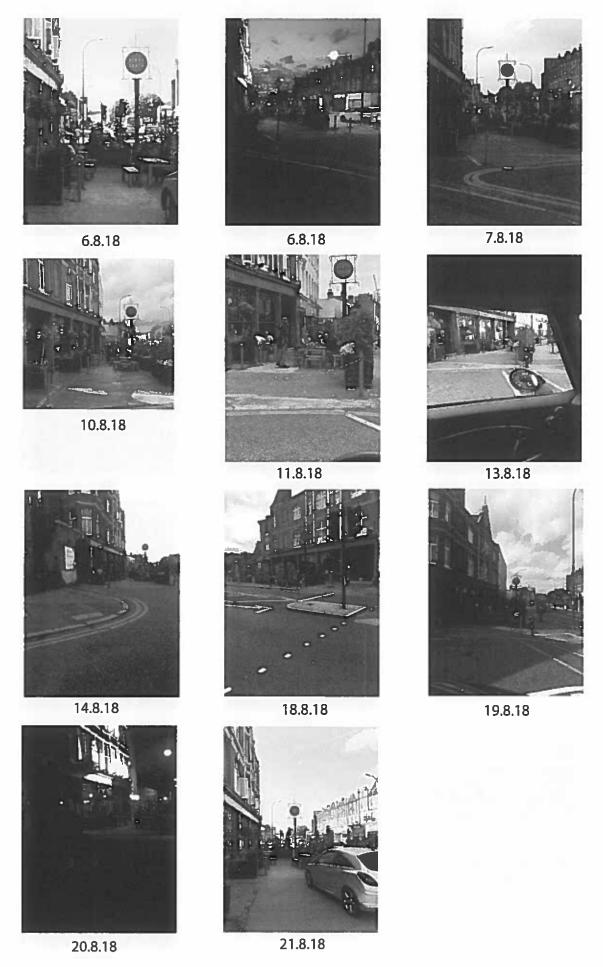
We would be very happy to attend the license variation hearing and welcome any questions or visits to our property by any of the Licensing Committee in order that they may fully appreciate and understand the grave impact granting the license variation will have on our lives.

Yours faithfully,





PHOTOGRAPHS TO SHOW DIRTY SOUTH'S UNDER USED & UNDER EXPLOITED FRONT BEER GARDEN.
PHOTOGRAPHS TAKEN JULY / AUGUST 2018. GARDEN IS NEVER AT CAPACITY



PHOTOGRAPHS TO SHOW DIRTY SOUTH'S UNDER USED & UNDER EXPLOITED FRONT BEER GARDEN.
PHOTOGRAPHS TAKEN JULY / AUGUST 2018. GARDEN IS NEVER AT CAPACITY



Property

Address Dirty South (Bar Only), 162 Lee High Road, London, SE13 5PR

Telephone 020 8318 4596 Fax Area LG - Lee Green

Worksheet

Source

Name Ruth ***

🥏 Waterside Court, Weardale Road, London, SE13 5PZ

Address Home Tel

Fax

Email

Work Tel

ruthels

Mobile

16/07/2018 Time 11:32

Application **CPEH - Complaints - EH** Method

Task Group CLIC - Lb Licenses

Recd By

Date Recd

GJM - Gary Madigan

Task **CLC - Licensed Premises cmplt**

Department EE - Environmental Enforcement

Source Type

Details Noise nuisance from a new rear beer garden

Message

Officer GJM - Gary Madigan

Target

Actual

Time Taken 80

First Response

16/07/2018 11:35

Next Task

Completed

16/08/2018

16/08/2018

Due

Allocated 16/07/2018 Outcome

C703 - Resolved

References

No references set up.

Complaints

Subject Details

Title

Initials

Telephone 020-65-75-75-75

First Name

Fax

Family Name

Email

Section

Offence

Statute

Purchase Date

Purchase Time

OFT (Product)

FSA Type

OFT (Condition)

Previous Complaints		(Last 10 not including this one)						
	24/07/2018	Details Full Variation Noise nuisance from a new rear beer garden Noise nuisance from a new rear beer garden	Status Comp Comp Comp	Outcome C703 C703 C703	Officer SMA GJM GJM			
WK/201892589	23/07/2018	Noise nuisance from a new rear beer garden Noise nuisance from a new rear beer garden	Comp Comp	C703 C703	GJM GJM			



Actions							
Action 0000 - Procedure Started	Officer GJM	Actual 16/07/2018	Target	Т	ime	Value	Number
025 - Email In	GJM	16/07/2018 11:35			5		



Comment From: Ruth

Sent: 16 July 2018 11:12 To: Madigan, Gary Cc: Hilton

Subject: Fwd: License Query: Dirty South, Lee High Road SE13 5PR Lewisham. Licence No PL0356

Hi Gary

As per our telephone discussion this morning at 11am please find below original email regarding issues concerning the Dirty South rear beer garden sent last Monday. As discussed if you could look into the issues raised and revert as soon as possible it would be much appreciated.

Many thanks and best regards

Ruth Chapple

Begin forwarded message:

From: Ruth

Subject: License Query: Dirty South, Lee High Road SE13 5PR Lewisham. Licence No PL0356

Date: 9 July 2018 at 14:45:56 BST To: licensing@lewisham.gov.uk

Hello there

As per our telephone conversation today at 2pm I am a resident who lives next to the Dirty South Lewisham SE13 5PR (Licence No PL0356) in Lewisham.

The pub is currently converting a building at the rear of their premises (previously leased to a lighting and projection company) and has opened a beer garden in the yard space of this building.

There was no consultation with the local residents regarding this change of use.

Little or no screening (10 inches of plywood across 50% of one garden wall) has been installed to prevent the users of the garden from overlooking the nearby flats and houses, severely curtailing the residents privacy.

The noise generated by the garden users is prohibitively intrusive particularly in the early evening causing a nuisance which unreasonably interferes with the residents enjoyment of their homes.

We have reported all major incidents of nuisance dating back to June 9th since the beer garden has opened, both orally and in writing to the bar manager Franc Walsh. Unfortunately Franc is 'unable' to put in place any measures to address the issues.

We have therefore arranged a meeting with the owner lan Gough scheduled for 8pm on Thursday 12th July.

Prior to this meeting it would be beneficial to know under the terms of their licence;

- 1) Is the rear beer garden and intended bar included in their original licence?
- 2) Should they have applied for a change of use and/or planning permission for the secondary bar space?
- 3) Should there have been a consultation period with the inhabitants of the neighbouring residential area prior to opening of the rear beer garden?
- 4) What measures if any have been put in place to promote the licensing objective of preventing public nuisance?

If it is possible to respond to these queries prior to Thursday 12th July it would be much appreciated.



Many thanks and best regards

Ruth

025 - Email In

GJM

20/07/2018

5

Comment From: Madigan, Gary Sent: 20 July 2018 09:28

To: 'Ruth

Subject: RE: License Query: Dirty South, Lee High Road SE13 5PR Lewisham. Licence No PL0356

Dear Ruth

I noticed that there were issues again with the level of noise within the rear beer garden of the dirty south last night, I am visiting the pub today along with the Police Licensing Officer and I will address these issues. Please keep me updated if there are any further problems.

Many Thanks

Gary Madigan

BSc (Hons) ACIEH

London Borough of Lewisham

Crime Enforcement & Regulations Officer

Central Team

(Catford South, Rushey Green, Blackheath, Perry Vale, Forest Hill, Lee Green)

025 - Email In

GJM

20/07/2018 09:20

Comment From: cer

Sent: 19 July 2018 17:44

To: cer

Subject: Noise nuisance report logged online CRM:0066499

Environmental Health Team

The following noise nuisance report has been logged CAS-1510276-K6T3H6 for 162 LEE HIGH ROAD LONDON SE13 5PR

Details are:

Customers details are Ruth

Email: ruthshapple@www.com Phone number:

Tenure? Homeowner,

Date and time incident occurred - 19/07/2018 17:00

Where incident occurred - Dirty South Rear Beer Garden

Details of incident - Persistant and intrusive noise from beer garden users greatly interfering with my enjoyment of my home. 2 complaints - in person at 5pm and on the phone 20 minutes later yielded no reduction in noise level. I work from home and the noise is obtrusive and highly disruptive and causing great distress.

Incident has happened before - Yes

If yes reported before, when? - 09/06/2018

If yes reported before, details - Every since the Dirty South opened its rear beer garden there have been repeated incidents regarding the noise level. We have documented these with the management both verbally and in writing.

Incident reported before what happened? - Yes

If yes reported before, reported to whom? - CouncilDetails of perpetrator: Dirty South Beer Garden

CRM Control Team

025 - Email In

GJM 24/07/2018 08:25

5



Comment From: Ruth

Sent: 20 July 2018 17:18 To: Madigan, Gary Cc: Hilton

Subject: Environmental Health Complaint regarding Noise Nuisance from Dirty South South rear

beer Garden July 19th 2018

Hi Gary

The below is just to document for our records the events of yesterday and highlight the distress it caused, resulting in a complaint to the Environmental Health.

Obviously you have taken action against this complaint as outlined in your email this morning so it requires no further action at this stage.

Best regards

Ruth

This is to document the events of the afternoon Thursday 19th July arising from the users of the rear beer garden of The Dirty South, (Licence number PL0356), Lee High Road, Lewisham.

Persons involved

Ruth Chapple (RC), Hilton Green (HG) residents of # Waterside Court, Weardale Road.
'Adam' - bar staff of Dirty South reportedly acting as manager in absence of new manager 'Charlie'.
lan Gough (IG) - Owner of Dirty South.

4pm: RC aware of unreasonable and intrusive level of noise disturbance from large party in the rear beer garden. The noise consisting of shouting, shrieking and swearing steadily increased causing significant disruption of day to day activity inside residence of Waterside Court.

5pm RC reports noise level directly to the bar staff inside the Dirty South - Adam and female member of staff.

5.05pm Video recording made by RC to document noise level.

5.20pm RC telephones Dirty South to request removal of party from rear beer garden. Informed by Adam that this was not possible ('I can't move them') however the female member of staff would have a 'strong word' with the party causing the nuisance.

This was ineffectual and resulted in an increased noise level of consisting of shouting, swearing cheering and jeering. This was highly upsetting and caused RC great distress.

5.30pm RC reports noise nuisance to Lewisham Environmental Health Team online. Reference number CRM 0159271.

6pm HG enters car park, observes unreasonable noise level combined with strong swearing.

6pm HG enters Waterside Court where noise can still be clearly heard. Texts IG to report status and request immediate action to stop noise.



6.10pm HG visits Dirty South and informs Adam that the noise level has remained unacceptable. There is a reluctance of Adam to speak to the customers in the beer garden as he says he has already spoken to them and because it is still during daytime.

It is important to note at this stage the verbal exchange between HG and Adam has become very heated at this stage and is distressing for both parties.

HG states that a public nuisance is such whatever time of day it is.

HG strongly suggests that Adam speak to the customers to reduce noise or preferably bring them inside as it is disturbing his family within their home.

Adam finally agrees to bring the users of the beer garden inside.

HG thanks him and leaves.

HG receives text from IG enquiring as to nature of the noise and states he will look into it. HG texts back to inform IG that he has been round to the Dirty South and Adam has brought the group of customers inside.

Friday 20th July

12.30pm Text from IG outlining his response to the incident.

(See text exchange attached).

025 - Email In

GJM

24/07/2018 08:26

5



Comment From: Ruth [mailto.]

Sent: 20 July 2018 10:32 To: Madigan, Gary Cc: Hilton

Subject: Fwd: Meeting notes re. Public Nuisance from Rear Beer Garden at The Dirty South

Hi Gary

For your records and further to my previous email please find below notes from my husband's (Hilton Green) meeting with lan Gough the owner of The Dirty South on Tuesday 17th July.

Many thanks Ruth Chapple

From: Hilton

Date: July 20, 2018 9:50:07 AM To:

Subject: Meeting notes re. Public Nuisance from Rear Beer Garden at The Dirty South

Hi lan

For your reference please find below notes from the meeting at 8pm on 17th July 2018 regarding the public nuisance affecting the local residents caused by the rear beer garden of The Dirty South.

Attending were Hilton Green (HG) and Ian Gough (IG).

IG agreed that there had been no consultation with the neighbouring residents and no direct research had been carried out relating to the impact on the residental area prior to the opening of the rear beer garden.

HG outlined the main concerns as aesthetic, acoustic and the increased security risk caused by users of the beer garden having a direct line of sight into neighbouring properties.

1) Regarding the aesthetics:

IG agreed that the external view from the neighbouring residences needs addressing as currently it looks unfinished. IG will outline ideas for finishing the neighbours side pending discussions with his designer. No timescale agreed for this - see 'Next Steps' below.

2) Regarding the increased security risk.

IG agreed that this 'could' be addressed.

HG understood this to be in conjunction with the finishing solution offered regarding the aesthetics issue as outlined above.

IG agreed that there should be additional screening added to continue the entire length of the party fence.

This will help address the privacy issues raised by the residents of the adjacent flats as currently all patrons entering and exiting the beer garden have a direct and close view into the internal living space of the neighbouring flats.

As above there was no timescale agreed for IG's proposed solution to this issue.

3) Acoustics:

Unfortunately no agreement was reached.

HG outlined the issue of intrusive noise generated by the users of the beer garden prior to 10 pm. IG stated that there is no structural solution to this problem and that complete enclosure of the outside space being the only researched option.

IG offered to visit the neighbouring premises on different occasions to judge noise levels - HG has given the access code to IG to facilitate this.

However there is uncertainty as to what benefit this will have.

IG also offered to train the bar staff to help 'police' noisy customers and more prominent signage asking for users to respect the nearby residents.

However as our main concern the residents feel the noise levels of the users of the beer garden is beyond reasonable and is prohibitively intrusive.



5

We are disappointed at the solutions offered as we feel they will in no way address the noise:

- A) This 'policing' would depend on a member of staff being PERMANENTLY positioned in the garden not bar staff occasionally popping outside to clear glasses. Having staff in a dedicated 'librarian-style' role people in the garden role is obviously unfeasible.
- B) Offering to retrospectively address customers after they have disturbed the residents is clearly not a solution. The disturbance has already happened.
- C) It can not be perceived as a preventative measure either as it is subjective to the members of staffs' perception of noise level and their ability to anticipate any disturbance in advance.

Further to the above three points, the events of Thursday 19th July 2018 are proof that any staff policing of the beer garden is ineffective in preventing unreasonable noise: Please refer to coming email that will explain the events in detail.

Next steps:

If we could agree a timescale to address the rear fence as outlined in points 1 and 2. We suggest 10 working days for a proposed solution from your designer and so would expect to receive this proposal for consultation with the residents by August 2nd 2018.

With regards to Point 3 - We feel that the solutions offered are in no way adequate so we would ask that you reconsider your options available, given the documented distress the rear beer garden has caused since it's opening.

We would suggest that you outline a more suitable approach to address the noise nuisance for consultation by August 2nd 2018.

We thank you for your time on Tuesday, your understanding and your stated willingness to co-operate with the local residents on these issues.

Kind regards

Hilton and Ruth

025 - Email In GJM 24/07/2018 08:27

Comment From: Ruth Charles [mailto: [ma

Sent: 20 July 2018 10:01 To: Madigan, Gary

Subject: Re: License Query: Dirty South, Lee High Road SE13 5PR Lewisham. Licence No PL0356

Hi Gary

Many thanks for the below, we will be documenting the events of yesterday in an email which we will forward to you. Also I will forward a record of our discussions with the owner of the Dirty South regarding the issues we have.

Unfortunately since the rear beer garden opened there have been many, many complaints. A fellow resident is cataloguing these and has recorded the noise levels. I will ask him to forward these to you also.

Pleae keep me updated regarding your visit and also if you could kindly revert regarding my original queries it would be much appreciated.

Many thanks and best regards

Ruth

026 - Email Out GJM 24/07/2018 10:02 5



Comment From: Nick.A.Gerry@met.pnn.police.uk [mailto:Nick.A.Gerry@met.pnn.police.uk]

Sent: 24 July 2018 09:39 To: info@dirtysouth.co.uk Cc: Hooper, Lisa; Madigan, Gary

Subject: re Beer garden Importance: High

Dear Ian

I hope you are well, would it be possible to meet with to discuss your beer garden to the rear of the pub. The council have been receiving noise complaint from your neighbours and I also believe that they have been speaking to your staff. I appreciate the beer garden is new and the weather is extremely hot and I except that your customers would want to use it. I also popped in last week and I have seen the garden and the notice on the back door. The main issue with the garden is that it is not on your plan and the main complainant appears to be aware of this. Due to your beer garden not being on the plan and the noise complaints that are coming to the council daily can I request that you don't use your garden at the rear of the pub until we can get together and talk about it. I am aware of the short notice but are you available to meet tomorrow afternoon at the dirty south. If you are available is 2pm a good time for you. The meeting will also be with the licensing team from Lewisham council

Regards

Nick

Nick Gerry Licensing Officer - Lewisham Police

Lewisham Police Station 43 Lewisham High Street Lewisham **SE13 5JZ**

0208 284 5041 07795801039

014 - Telephone In From . . . LIS 25/07/2018 14:00

Comment Telephone call in from the complainant asking for an update on the case, I updated that the venue were having a meeting today with police and licensing officers and that there may be a full variation being applied for, That the members of the public would be able to object too.

034 - General visit to

LH 25/07/2018 14:00

Comment I visited the Dirt South with PC Nick Gerry, and met with lan Gough the owner.

We advised him to submit a full variation to add the outside areas on to the plan attached to the licence. This will require a 28 day notice period so interested parties can make representations if they feel the licensing objectives are affected.

We discussed possible conditions with lan, such as a time limit on the use of the rear outside space and keeping doors closed when music is taking place inside the venue, to help minimise noise disturbance and nuisance at unreasonable times of the day.

We also advised that the rear outside space should stay closed until the variation process has been completed in light of the recent noise complaints.

014 - Telephone In From BK

26/07/2018 14:35

Comment Comp rang for update on a meeting about beer garden noise, email to Gary re call back

026 - Email Out

GJM

27/07/2018 09:02



Comment E-mail update to complainant

From: Madigan, Gary Sent: 27 July 2018 09:01 To: 'Ruth

Subject: RE: Environmental Health Complaint regarding Noise Nuisance from Dirty South South

rear beer Garden July 19th 2018

Dear Ruth

Sorry for the delay in replying, I initially visited the Dirty South on the day we first made contact, but the owner was unavailable, so a meeting was rescheduled when he was available.

On the 25th August 2018 at 14:00pm, My Manager and the Licensing Officer for Lewisham Met Police visited the Dirty South and met with the owner. The owner was advised that noise complaints had been received in relation to the use of the beer garden at the rear of the property, the owner was advised that a full licence variation should be submitted to the Council to add the outside areas on to the plan attached to the licence, as they were not shown and not licenced. A full variation requires a 28 day notice period, so interested parties can make representations if they feel the licensing objectives are affected.

It was also advised that the rear outside space should stay closed until the variation process has been completed in light of the recent noise complaints.

If the owner decides to submit the full variation I will contact you to make you aware.

Many Thanks

Gary Madigan
BSc (Hons) ACIEH
London Borough of Lewisham
Crime Enforcement & Regulations Officer
Central Team

(Catford South, Rushey Green, Blackheath, Perry Vale, Forest Hill, Lee Green)

Housing Offices Housing Provider

Remarks

No remarks found.

Related Addresses

No related addresses found.

Telephone

Type

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.

Luc, Le

From:

simon American

Sent:

24 March 2019 10:33

To:

Licensing

Subject:

Dirty South Public House Rear Beer Garden License Application

Dear Sir or Madam,

I am emailing you to object to the application for a license to cover a rear beer garden at the Dirty South pub, 162, Lee High Road, Lewisham, SE13 5PR.

About this time last year the landlord of this public house opened a beer garden at the back of the pub without getting the license to do this officially.

As a result, the households that back onto the pub (of which we are one) were subjected to excessive noise and sometimes abuse from it's customers during the summer evenings.

The garden is located in a very built up area and the noise from music and people shouting and talking gets greatly amplified. As a result of which, we were forced to shut all our windows on hot summer evenings to block the noise out so that we could sleep.

Due to this opening up of the garden without permission, all trust has broken down between the local residents and the landlord and we are very concerned that he will not adhere to the rules of the licensing laws as he has previously tried to bypass them.

Therefore, we strongly object to this application for a rear beer garden license, and hope that you will consider our objections as stated in this email.

Yours faithfully,

Simon and Jane

Weardale Road.

Sent from Yahoo Mail for iPhone

1.9

Carlos Manabela Manabela Waterside Court
Weardale Road
Lewisham
SE13 5PZ

Licensing Authority London Borough of Lewisham Holbeach Office 9 Holbeach Road London SE6 4TW

RE: Notice of application for new/variation of a premises licence, Dirty South, 162 Lee High Road, London, SE13 5PR

Dear Sir or Madam

We are writing to formally object the application for new/variation of a premises licence made by the Dirty South Public House, 162 Lee High Road, SE13 5PR.

We, Carlos, Anabela and family, are absolutely solidaire with our neighbours. This is a situation which doesn't cross our minds as tolerable, as we learned about the antisocial behaviour that has been portrayed towards those who are enjoying the comfort of their homes. This isn't something we expect to happen to anyone, regardless if they live near a pub or not.

I'm a former security systems engineer that has been working in this country for 20 years and have always worked with environmental agencies in regards to social behaviour. Nowadays, having suffered an accident at work which ended my career as an engineer, I work as a minicab driver, waking up every single day as early as 3.30am. Therefore, if this licence is approved, it wouldn't be very nice to be listening to live music from the beer garden up until late hours, let alone the noise the people make.

Also, we still have a son in full-time education, who likes to be in peace of mind studying. We also are carers of my aged parents-in-law. For all the reasons above, we reservedly oppose the schemed opening hours of the Dirty South Beer Garden.

Thank you for taking the time to listen to our concerns. Kind regards,
Carlos and Anabela

Luc, Le

From:

anabela di litera di la comita di la comita

Sent:

01 April 2019 07:20

To:

Licensing

Subject:

Objection to Licence Variation Application by Dirty South, 162 Lee High Road.

London SE13 5PR

Dear Councillor Mallory,

We are writing to formally object the application for new/variation of a premises licence made by the Dirty South Public House, 162 Lee High Road, SE13 5PR.

We, Carlos, Anabela and family, are absolutely solidaire with our neighbors. This is a situation which doesn't cross our minds as tolerable, as we learned about the anti-social behaviour that has been portrayed towards those who are enjoying the comfort of their homes. This isn't something we expect to happen to anyone, regardless if they live near a pub or not.

We are council tenants and as council tenants we been systematically neglected by the managment agency and also by the property managment. This includes trivial things, such as holding a key for the back door allowing access to the rubbish shed, as well as having been denied a space to park. However, we know that all these issues are not your fault, or even your concern. I'm a former security systems engineer that has been working in this country for 20 years and have always worked with environmental agencies in regards to social behaviour. Nowadays, having suffered an accident at work which ended my career as an engineer, I work as a minicab driver, waking up every single day as early as 3.30am. Therefore, if this licence is approved, it wouldn't be very nice to be listening to live music from the beer garden up until late hours, let alone the noise the people make.

Also, we still have a son in full-time education, who likes to be in peace of mind studying. We also are carers of my aged parents-in-law. For all the reasons above, we reservedly oppose the scheemed opening hours of the Dirty South Beer Garden.

Thank you for taking the time to listen to our concerns.

Kind regards,

Carlos

Watertise Court, Weardale Road, London, SE13 5PZ.

Roberto San 15 Waterside Court
Weardale Road
London
SE13 5PZ
3rd April 2019

Licencing Authority
London Borough of Lewisham
Holbeach Office
9 Holbeach Road
London
SE6 4TW

RE: Notice of application for new/variation of a premises licence, Dirty South, 162 Lee High Road, London, SE13 5PR

Dear Sir or Madam,

I am a resident of Waterside Court, Weardale Road, London SE13 5PZ. I am writing to object to the application for new/variation of a premises licence made by the Dirty South Public House, 162 Lee High Road, SE13 5PR on 12th March 2019.

Waterside Court is located immediately adjacent to the public house Dirty South. My flat is located on the third floor, facing towards the rear of the property and directly next to the Dirty South, My balcony and all my windows look out to the pub and its building.

I have been living my flat since it was constructed in 2000, and the Dirty South has been in and out of operation during my 19 years of residence. It has been a series of incidents with anti-social behaviour and noise pollution throughout the years they operated. I and other residents made a number of complaints previously, which were completely ignored by the owner. It was a huge relief when the pub was finally closed. The current owner is the same owner, and he has illegally opened the beer garden last year without an appropriate licence. In my opinion, the owner is not trustworthy. He made series of promises to the residents and never delivered.

Last year, the Dirty South opened the beer garden in their rear area. The level of noise generated by the beer garden was simply unbearable. Noise echoed to my top floor flat and travelled into inside of my flat. I was unable to enjoy my own property. There was constant background noise of conversations as well as screaming, swearing and shouting everyday until the beer garden was shut by the Licencing Authority.

Furthermore, my privacy was completely invaded during this period. As my property faces directly to the Dirty South's beer garden, I was unable to use my balcony and sit/stand near the windows/doors last summer when the beer garden was in operation. I can easily view most of the outside tables and anyone who is in the beer garden could see me on my balcony easily.

I state my strong objection to the variation application made by Dirty South,

Please do not hesitate to contact me via email or telephone.

Yours sincerely,

Roberto Waterside Court,
Weardale Road,
London, SE13 5PZ
Telephone

7

Francis, Zara

From: Bailey Andrew Andrew Built

Sent: 08 April 2019 15:54

To: Licensing

Cc: Cc:

Objection to Variation of Premises Licence - Dirty South Public House, Lewisham megmail.com Subject:

From:
Andrew Table
Waterside Court
Weardale Road

Telsements February Email.com

Lewisham, SE13 5PZ

Dear Sir/Madam,

Re: Objection to Variation of Premises Licence - Dirty South Pub, Lewisham

I am writing in response to the notice that Ian Gough and Jonathan Allen of the Dirty South Pub on Lee High Road, Lewisham wish to open a beer garden and bar at the rear of the premises.

I want to lodge an official objection to this; and my reasons are as follows:

I am concerned with the levels of noise that this beer garden would encourage with pub goers and revellers making noise late into the night. This is concerning as I live in Waterside Court which is immediately adjacent to the Dirty South Pub. I can appreciate that pubs can be lively and rowdy places, but once that atmosphere spills outside the premises then it becomes a nuisance for local residents. Whilst the Dirty South owners may wish simply to open a beer garden, they cannot vouch for nor guarantee the behaviour of their customers.

would encourage anti-social behaviour (people urinating, defecating and being sick etc.) in the alleyway; and at worst it may encourage drug dealing/taking. I do not wish There is an narrow alleyway that runs between the Dirty South Pub and Waterside Court. In the absence of adequate lighting in the alleyway, I suspect and fear that it to be faced with such behaviour in the evenings or at night; it would be both unacceptable and disconcerting.

resident I pay a Service Charge which includes cleaning of the block and its grounds. I fear that any instances of littering by pub goers would be burdensome to us residents and may require additional cleaning (with costs incurred). There is also the risk of vandalism of private property which concerns me. It is these worries over safety, the I am also concerned about the risk of littering and vandalism of property, both at the front of Waterside Court and at the rear where residents' cars are parked. As a wellbeing of the area and serious concerns about the nuisance that may arise, that underpin my objection.

do appreciate that the Dirty South does wish to grow and be a successful local business. However the addition of a beer garden creates a problem for me and fellow residents I believe. I do wish to enjoy the peace and quiet of my home; and this is nothing that the pub owners would not desire for themselves.

I do hope this letter will be taken into consideration and I can confirm I would be available for further discussion.

Yours sincerely,

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Luc, Le

From:

Nicole Micole Mi

Sent:

27 March 2019 18:01

To:

Licensing

Subject:

Objection to licensing variation at The Dirty South

To whom it may concern

I am writing in order to formally object to the application forlicensing variation made by The Dirty South (162 Lee High Road, SE13 5PR) on 12th March 2019 and in particular the intended use of the outdoor space at the rear of the premises.

I own and reside in flat Waterside Court, which is directly adjacent to the premises in question. My partner and I are currently expecting our first baby, due May 2019, and so are extremely concerned about the noise pollution and subsequent disturbance that this variation of license could cause to what is ordinarily a quiet, residential area. We believe this to be in contravention to the Lewisham Borough Licensing Authority objective #3 - the prevention of public nuisance.

We have experience of the sort and level of noise pollution that we can expect based on the six weeks in Summer 2018 when The Dirty South opened this area without the correct license. Many local residents objected to this at the time (complaints made to Environmental Health under case reference wk/201892181) and we were grateful that they were asked to close the outdoor space. I believe that granting this license variation will bring about the same disturbances that we previously experienced including; loud music, overheard conversations - the content of which is often clearly heard, shouting and singing - all of which would be allowed to take place in the rear outdoor space until 01:30am. Obviously, the severity of the nuisance scales with the number of people and their levels of excitement and inhibition throughout the evening and night. Noise carries across the car park and can be heard by many local residents whether inside or outside their properties, and I expect this to be particularly aggravating during the summer months when windows are more likely to be left open for ventilation.

Other concerns centre around increased potential for alcohol-induced antisocial behaviour in the immediate vicinity; again representing a contravention to the Lewisham Borough Licensing Authority objective #3. Please feel free to contact me for any further comment you may require in relation to this objection. I look forward to hearing of the agreeable resolution of this matter.

Sincerely,

Nicole 1

Luc, Le

From:

Sent:

25 March 2019 14:44

To:

Licensing

Subject:

Re: Dirty South 162 Lee High Rd

It's Katie

Sent from my iPhone

On 25 Mar 2019, at 13:36, Licensing < Licensing@lewisham.gov.uk > wrote:

Good afternoon,

Sorry i should've also asked for your full name.

Regards

Le Luc

Senior Business Support Officer Crime, Enforcement & Regulation Service London Borough of Lewisham

☎ T: 020 8314 3513 | ☐ E: le.luc@lewisham.gov.uk | ☐: 9 Holbeach Road, Catford, London SE6 4TW

From: mailto:

Sent: 25 March 2019 13:02

To: Licensing

Subject: Re: Dirty South 162 Lee High Rd

Certainly, it's 9 Weardale Rd, SE13 5QB.

Sent from my iPhone

On 25 Mar 2019, at 10:12, Licensing < Licensing@lewisham.gov.uk > wrote:

Dear Katie,

Thank you sending your objection.

As part of the guidance we cannot accept objections without the objectors home address, please provide your full address to accompany your objection.

Regards

Le Luc

Senior Business Support Officer Crime, Enforcement & Regulation Service London Borough of Lewisham

T: 020 8314 3513 | E: le.luc@lewisham.qov.uk | III: 9 Holbeach Road, Catford, London SE6 4TW
-----Original Message-----

From: Imailton Imailton

Sent: 24 March 2019 12:20

To: Licensing

Subject: Dirty South 162 Lee High Rd

Hello,

It has been brought to our attention that the Dirty South pub, 162 Lee High Rd, SE13 5PR have applied for a variation to their licence to cover the rear beer garden.

As close neighbours we object to this variation as we believe it would cause serious public nuisance to local residents due to noise levels late at night as well as posing a threat to both our privacy and security.

Best wishes,

Katie

Sent from my iPhone

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Luc, Le

From:

Eleanor

Sent:

20 March 2019 13:03

To:

Licensing

Subject:

Dirty South 162 Lee high road SE13 5PR

Dear Lewisham licensing,

I am writing as a resident of number Weardale road, to <u>strongly object</u> to the application made by 'The Dirty South' 162 Lee high road SE13 5PR, for a variation to their license.

This variation is in order to use their rear beer garden as a venue late into the evening/night.

I and many other residents object because the noise levels will be unacceptable.

We experienced this nuisance last year when they opened this area without the correct licence.

Case reference for last summers complaints to environmental health: Wk/2444111.

Yours sincerely,

Eleanor Weardale road, SE13 5QB

Luc, Le

Tel:

From: Sent: To: Subject:	mark 18 March 2019 21:29 Licensing Referencing Dirty South, 162 Lee High Road, SE13 5PR.
Dear Sir/Madame	
I am writing to you regarding the above and the extension of the dirty south rear beer garden.	
I would like to object to the area at the rear of the pub being used at all, for following reasons.	
Privacy and security issues particularly late at night.	
Public nuisance: Specifically Noise Nuisance - Quiet residential area on all sides of rear beer garden.	
Sheer volume of noise complain public nuisance caused The case reference for last sum	ints from when the beer garden was open last year is proof at the level of mer was Wk/201892181
The Dirty South already have a capacity.	a beer garden at the front which is under exploited by the owners and never at
I am also concerned about the privacy and security issues, however I think the noise level is incredibly intrusive, not just when I am in my garden but also inside with doors and windows shut.	
If you would like to discuss please don't hesitate to contact me.	
Regards	
Mark	
Mark •••••	
■ Weardale Road	
Lewisham	
SE13 5QB	

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Get Outlook for iOS

Miss Christine

Waterside Court

Weardale Road

London

SE13 5PZ

Telephone:

Licencing Authority London Borough of Lewisham Email: Licensing@lewisham.gov.uk

Email address: email address:

8 April 2019

Dear Sir or Madam

Ref: Dirty South public house variation licence application, 162 Lee High Road, London, SE13 5PR

I am writing to register my objection to the application for a variation licence application made by the Dirty South public house 162 Lee High Road, London, SE13 5PR

The basis for this opposition is that granting a licence to Dirty South Public house will create public nuisance, public safety, disorder and antisocial behaviour.

I live on the first floor of Waterside court on Weardale road and I often see Dirty South public house customers hanging around, chatting, hysterical laughs and shouting, used offensive language, screaming, smoking and drinking outside Waterside court front garden which is just below my property. This has prevented me to open the front windows throughout the summer, if they open the rear outside area as beer garden then I will not be able to open my side windows at all. It would feel like I am in prison in my own home.

Last year, Dirty South public house was illegally opened their rear outside area as a beer garden, which has caused enormous disturbance and nuisance to us. This has caused me immense distressed and well-being. Weardale Road is a quiet neighbourhood but since the Dirty South public house reopened I was unable to open windows and fear of my safety as I often have to walk pass their customers drinking on my doorsteps.

The Waterside court residents' committee group had made many complaints directly to the manager of Dirty South public house and to the council. However the situation did not improve. We are extremely concerned about the possible detrimental impact which could have on our everyday lives in our very own homes if the application was granted.

Lastly, I would like to say that Dirty South public house are surrounding many residential properties with young families and I would urged the licensing committees to review their current licence and to consider the negative effects of the licensing hours. The residents in this area are already suffered noise nuisance and antisocial behaviour at all hours of the day and night since they reopened. I would appreciated if the Licensing Committee to refuse the variation licence application made by Dirty South public house.

Yours faithfully, Christine





Waterside Court
Weardale road
London
SE13 5PZ
14th March 2019

Licencing Authority
London Borough of Lewisham
Holbeach Office
9 Holbeach road
London
SE6 4TW

RE: Notice of application for new/variation of a premise licence – Dirty South, 162 Lee High road, SE13 5PR

To whom it may concern,

We would like to initially note that we formally and strongly object to the application made for the new/variation of a premise licence for the Dirty south bar, 162 Lee High road, SE13 5PR.

For clarity we note that we have no objection with the overall operation of the premises itself in its current capacity and occasionally go in there for a drink or something to eat.

To get a clear picture of what has gone on previous to this for us to raise a clear and valid objection I have tried to summarised the main detail in the flowing paragraphs.

We purchased our property in Spring 2014 in the Waterside Court apartment complex (adjacent to the Dirty South bar). Our apartment is located to the rear of the development and has a nice south facing balcony view overlooking trees and the Quaggy river which runs behind the property. This is a great sun trap and a very nice peaceful area to relax in the weekends and evenings especially during the summer months. It manages to escape the noise and busyness of Lee High road to the other side of the apartment block.

At the time of our purchase the Dirty South had been closed since 2011 and it was unclear if it ever was going to re-open. We reviewed the possibility of this re-opening when considering the purchase of our apartment and decided that if it did it should have no impact on our right to the peaceful enjoyment of our apartment due. We

factored this in relation to our apartments position to the opposite side of the Dirty South premises and the lack of any external activity here previously. At some point (I believe in 2017) the Dirty South re-opened its doors for trade and we were happy to see that we were not affected in any way by its operation.

However, in May/June 2018 the Dirty South without notice to surrounding neighbours (or even the appropriate licence) illegally opened a 'beer garden' to the rear of their premises. This immediately brought a to an end the peaceful enjoyment of our property we had enjoyed since moving in. At first, we tried to ignore this initial noise by closing our windows to try to blank this noise out. However, very quickly we found this was causing us an incredible amount of disturbance that we could not live with. My first contact with the Dirty South was when I was trying to sleep after 10pm on Wednesday June 6th and I contacted them via Facebook messenger to ask;

"What time are you going to keep your new beer garden open until each night? There is a lot of noise coming from it (zero from the bar thankfully)."

I got a response the following day that noted;

"Hello mate, the garden will shut at 11 o'clock. It's also a work in progress so higher fences will be erected with soundproofing. Sorry if its inconvenienced you and we'll definitely keep an eye on it in the future!" The transcript of this is attached for reference.

At the time of receiving this I was hopeful that more would be done by the proprietors and this noise would stop emanating from here. However, this hope was shown to be misguided over the following weeks. The noise continued often well past 11pm and continued to get busier and louder with no measures being put in place for soundproofing as promised.

After a few weeks of this it became apparent to me that this was now affecting all of the other residents to the rear of the apartment block and number 17 (a standalone unit to the rear of the development). From many conversations amongst the residents we shared how we had contacted the bar to note our concerns and how much disturbance this was causing us.

Eventually we received the details of one of the owners (lan Gough) and wrote to him on Friday 20th July to express our concerns. This noted many things including the extreme noise, drunk people shouting coming from the premises, enjoyment of our property ruined and nothing being done to soundproof as promised. I received a response to this email on the same day which did not address all of my concerns and alluded to meeting sometime to discuss next week. The transcript of this is attached for reference.

On Saturday 21st July (the day after my email conversation with the owner) we experienced extreme noise all day due to a party in this 'beer garden'. I met with several of the residents in the neighbouring apartments who were all very distressed with the level of noise that had been going on all day. We happened to meet the owner of the bar (lan Gough) with several other residents to the rear of the property to try to show him how much this was disturbing our quality of living. This meeting

lasted for close to an hour but it was very disappointing. Ian tried to convince us that the noise was minimal and nothing more than normal and that the plywood sheeting in place was an adequate acoustic barrier. He would not commit to making any changes to making this easier on our life and kept bringing the conversation back to how he thought we should be ok with the noise. The owner wasn't prepared to make any concessions such as the suggestion of moving one of the tables which was causing particular anguish and disturbance to one set of residents.

Following this on Monday 23rd July we had to write to the council to report the extreme noise that occurred on the Saturday. (Report number CAS-1512830-K4Q5P6). The transcript of this is attached for reference.

On the same date we also wrote to Gary Madigan (Crime Enforcement & Regulations Officer for the London Borough of Lewisham) to raise queries about the validity of the licence the Dirty South were operating under. On the 27th July we received a response noting the 'beer garden' had been shut as the owner was not operating this area with a licence to do so. The transcript of this is attached for reference.

To summarise the above we object strongly to this application as we knowingly are aware of the following that will be detrimental to our right to the enjoyment of our property;

We cannot open our windows or balcony door during the summer time due to the excessive noise that appears to echo and travel into our apartment. We want to clarify that this is an issue not just at night time, our enjoyment and relaxation, whether on the balcony or indoors with balcony doors open during the day is also highly affected.

Our apartment block was constructed prior (in 2000 when the Dirty South was open) to any beer garden being in existence here and relies on ventilation via opening windows (not air conditioning). The development if constructed presently with a long-standing existing beer garden in place would be insisted by the planning authority on having air conditioning to avoid the need during summer months to open windows and doors to cool the apartment. Our balcony would also have been constructed as a 'winter garden' to again avoid us having to deal with this existing noise. The apartments as presently built and approved by Building Control and NHBC do not tolerate for any external noise of this magnitude.

Our private external space (balcony) is effectively taken away from us to enjoy as it cannot be used to relax due to the loud noise and peering clientele from the 'beer garden'.

Drinkers in the bar shouting up at other residents on their balcony, shouting 'what are they looking at' and being called 'perverts', for just trying to enjoy their own private space.

Although our apartment block is just off a busy road in terms of traffic, it is not an area where this type of social noise from a beer garden is the 'norm' and it was never anticipated. Our choice to purchase this property was based on the fact it is

within walking distance of train stations, but far enough out of the town to avoid social noise, and to enjoy peace and privacy.

Re-opening this 'beer garden' will result in the very real potential of reducing the resale value of our property as we will struggle to ever sell this or possibly lease it if this noise is allowed to continue. Prospective buyers will be massively turned off by this rather than the quiet peaceful area of relaxation that it always has been.

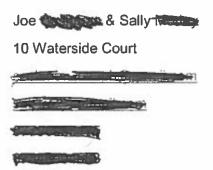
We would also like to highlight our concerns that we believe this application to install a pop-up/fixed bar in the beer garden is a tactical move, we see it as an application to request above and beyond what the proprietor actually wants/needs in the hope that he will get approval for just the beer garden as a space for customers to sit and drink/eat, which is what he ultimately wants. There is absolutely no need to put a bar in the 'beer garden'. It is a very small area, not to mind the excess noise this would create, because to include 'all licensable activities already on the premise' would also include music. People are perfectly capable of walking in to the building to order their drinks.

We stress that we firmly object to this request for permission to use the rear outside area of the premises for any/all licensable activities already on current license, for the avoidance of doubt, our objection also covers this rear outside area being used as a space for customers to occupy/consume drink and food.

We trust this letter is transparent in its content and clearly explains our grave objections, worry and fears that this planning application if granted will have a very negative affect on our lives.

We would be very willing and able to attend any potential hearing on this topic or would welcome a visit from any of the adjudicators on this matter to fully understand the impact of this decisions on our lives.

Yours faithfully,



The Dirty South

1K people like this

Pub

6 JUN AT 22:19

What time are you going to keep your new beer garden open until each night? There is a lot of noise from it (zero from the bar thankfully).

7 JUN AT 18:16

Hello mate, the garden will shut at 11 o'clock. It's also a work In progress so higher fences will be erected with soundproofing. Sorry if it inconvenienced you and we'll definitely keep an eye on it in future!





Joseph **Carles (Company)** mail.com>

Dirty south 'Beer garden'

Joseph Carlon in the Company of the

20 July 2018 at 12:23

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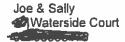
I have meant to write this note for a while but have been very busy at work and away on holidays. I am writing to you about the recent 'Beer Garden' that was suddenly introduced with clearly very little thought to the side of your establishment. I have received your details from Hilton whom I am aware you met and he has aired his personal concerns.

I have many issues with this 'beer garden' that I would like to note below;

- 1. This was introduced suddenly with little thought or care for any of the surrounding neighbours which I found very inconsiderate and not a good way to treat your next door neighbours.
- 2. I sent a facebook message to your page on the 6th June at 22.19 as I could not sleep with the volume of noise coming from this 'garden'. This was not the first night I had this issue. I had a response the following day saying the garden will shut at 11 o clock, work in progress, high fences with sound proofing will be put up etc.... (See attached)
- 3. 11 O' clock is completely unacceptable time to keep any beer garden open. I note that in any area around Blackheath these are closed from 21:30 if near residents. I note this has now moved back to 22:00 from what I have witnessed in the past few days. Please confirm that this is correct? I note the door for the bar is often still left open causing noise to now emanate from the bar especially when there is music playing (which was never a previous issue)
- 4. The high fences that have been up are an eyesore from our viewpoint and look like the cheapest possible thing that could be put together at short notice. Please confirm is this to remain in place?
- 5. Soundproofing has been noted to be erected. I hope that what is currently installed is not being deemed as soundproofing as there is zero soundproofing properties to what has been put up as well as there being gaps to allow sound to pass through on top of the fact that half of the fence is only covered by this nasty plywood structure. Please confirm what is to be put in place for soundproofing?
- 6. I haven't seen one sign that is even asking for people to respect their neighbours?
- 7. When people have been using this area they have been at times exceptionally noisy for long periods and have not been told to stop or moved on by the bars management.
- 8. We have a security gate for anybody to be able to access the near our property. Now anybody in this 'beer garden' can just climb over this small fence and get access here.
- 9. Privacy It used to be a nice experience to the near of our property to sit out on the balcony in the evenings and relax and enjoy the sunshine and peace and quiet. This has now been completely ruined by the Dirty South. Instead I have drunk people shouting and are able to look up at me trying to relax.
- 10. When the Dirty South opened I used to call in once or twice a week and have a drink or two and sometimes something to eat but to be honest since you have opened this I cannot bring myself to go inside the door which is a shame as I like the bar and the relaxed way it has been laid out. I was told by the bar staff there was no plans to return this to a live music venue as it would not be acceptable to disturb the surrounding residents. I don't know how true this was or the reasons behind this but I had appreciated this consideration at the time.

Please review my queries and let me know what action the Dirty South plans to take to alleviate my concerns and issues.

Regards







Joseph Cashman < cashman.joseph@gmail.com>

Dirty south 'Beer garden'

To: Joseph Cc: Sally

20 July 2018 at 13:46

Dear Joseph

i would like to speak to you further but did consider it useful to you and necessary to advise you in the meantime that the beer garden will not be open till 11pm

i am not sure who responded to you Facebook message but the information was not authorised

In fact the latest we intend to open 10 pm and more often we will close earlier, and move people to the front

Also our intention is that the beer garden is a quiet area to sit in the sun when it comes around that side of the building

I understand there has been teething problems and for that i apologise, but i have a new management team in place and with

the feedback from yourselves and lessons learned from incidents in the early weeks we shall eliminate such disturbances.

Notices are also being prepared as i proposed to Hilton tp respect neighbours and keep noise to a minimum.

It is true i did not consult the neighbours but that does not mean i did not consider yourselves, indeed the main reason we did not re-open as a live music venue was in consideration of our neighbours and the beer garden was and is not intended to be, intrusive.

Maybe we can meet at your convenience sometime next week in the meantime if you have any specific issues please call me



[Quoted text hidden] [Quoted text hidden]

<Dirty South FB message.png>

The Dirty South Bar (Lee High road SE13) has in the past 2 months opened a so called beer garden to the rear of their property. This used to be a nice peaceful area to the back of our property with very little noise. It is now filled with people screeching and constantly talking over each other. It has made our property unliveable at times due to the excessive noise that echoes in and around our property. Saturday 21/07/18 was just one example of this where a seemingly large group made a lot of noise all evening long. Myself and a number of other residents have been in contact with the owner and voiced our concerns but he does not agree that this noise we are experiencing in our own homes is a problem. We met him outside our properties on Saturday evening to discuss this and listen to the noise together but again he did not agree with our viewpoint. I do not see how having nothing ever existed in this area in the form of a beer garden that this is allowed by Lewisham council to be in operation without any consideration to any of the homeowners who have lived here in peace for many years. I request that something is urgently done to close this as it should not have been allowed to be opened in the first place. For clarity I have no issues with the bar itself and have zero problems with its noise it generates from the bar or its operating hours.

Regards

Patrick-



Thank you for reporting your incident. We will usually contact you within two working days.

This is your reference number CAS-1512830-K4Q5P6



Joseph Cashman < cashman.joseph@gmail.com>

Dirty South - PL0356

3 messages

Joseph Cashman (Cashman Gov.uk)

To: Gary.Madigan@lewisham.gov.uk

Cc: Sally-based and Company

23 July 2018 at 16:53

Hi Gary

Apologies for the direct email but I have been passed on your address as the relevant person by a fellow resident. If I should address my queries elsewhere or raise my concerns in a different manner will you please kindly point me in the correct direction.

My main query is the validity/legality around the Dirty South bar (162 Lee High road, SE13 5PR) being allowed to operate a 'beer garden' to the rear/side of their premises. This has not existed previously and is now having a very serious impact on my right of peace and quiet in my own residence.

Can you please confirm if this 'beer garden' forms part of the licence?

If yes how do I find a copy of this to note any exclusions and inclusions?

When was this external section added to the licence and what is the process involved in doing this?

How do I raise an objection to the existence of this 'beer garden'?

Also I note on your website that the licence in question is noted as follows;

SUSPENDED FOR NON PAYMENT OF ANNUAL FEE

Can you please clarify if this is a clerical error as this business is still in operation and has not stopped trading at any point in 2018?

Please note I do not have any personal objection to the existence of the main licence for the bar in this location but I am extremely unhappy with the location it has decided to set up a 'beer garden'.

Regards
Patrick Count
Waterside Court
Weardale road
SE13 5PZ

OF PERSONS

Madigan, Gary <Gary.Madigan@lewisham.gov.uk>
To: Joseph @gmail.com>

27 July 2018 at 09:06

Dear Mr

Sorry for the delay in replying.

On the 25th August 2018 at 14:00pm, My Manager and the Licensing Officer for Lewisham Met Police visited the Dirty South and met with the owner. The owner was advised that noise complaints had been received in relation to the use of the beer garden at the rear of the property, the owner was advised that a full licence variation should be submitted to the Council to add the outside areas on to the plan attached to the licence, as they were not shown and not licenced. A full variation requires a 28 day notice period, so interested parties can make representations if they feel the licensing objectives are affected.

It was also advised that the rear outside space should stay closed until the variation process has been completed in light of the recent noise complaints.

I can also add that the suspension shown on the public access database is an error.

Many Thanks

Gary Madigan

BSc (Hons) ACIEH

London Borough of Lewisham

Crime Enforcement & Regulations Officer

Central Team

(Catford South, Rushey Green, Blackheath, Perry Vale, Forest Hill, Lee Green)

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For advice and assistance about online security and protection from internet threats visit the "Get Safe Online" website at http://www.getsafeonline.org

Joseph Cashman <cashman.joseph@gmail.com> 27 July 2018 at 16:00 To: Ruth Chapple <ruthchapple@me.com>, Hilton Green <hiltongreen@me.com>, Sally Morley <sal_ire@hotmail.com>

FYI

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