

Appendix B - UPPER GARDNER STREET COMPLAINT SPREEDSHEET

DATE	COMPLAINT	ACTION
14/01/2017	<p>The pic labelled the 25th was taken on Christmas day, this is def XXXX's rubbish from dip locks yard. It was cleared a day or so later.</p> <p>The second pic by the residential bins was taken just after 5pm today the 14th. Although I have no prove its pretty obvious where it's come from!</p> <p>There was no rubbish left in the street.</p> <p>Thanks</p>	Advice letters sent out



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29/11/2017	<p>Thank you for your response. I have taken some pictures on Saturday 25th November from inside and outside of my property, please see attached.</p> <p>I don't find this acceptable. I don't want to make a song and dance of this as I feel this is exactly what he is trying to achieve although I shouldn't have to stare at the back of his tent when I open half of my store. I am simply asking he move to another pitch.</p> <p>Please could you send someone out to deal with this. I have been told by numerous people that he is trying to talk badly of me and it seems he is trying to ruin my reputation. Surely this is a form of harassment and not acceptable within the eyes of the council.</p> <p>I had heard a rumour prior to opening that he had planned on doing this, which I chose to ignore as I didn't believe someone would go to that extent simply for not getting a particular space I was offering within my business, I was shocked and concerned when seeing that he had</p>	29 November 2017 – Warning Letter sent
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gone out of his way to organise this not only directly out the front of my property but on the very same day I was opening to the public for the first time. I find this behaviour incredibly concerning as I have obviously become a target to XX XXXXXX and he chose that space and time to impact me the most.

I would like this issue dealt with in a friendly manner, and would like to stress, considering our disagreements it is in both of our interests to trade away from each other, there is enough room for us both to be on the street, just not right on top of each other.



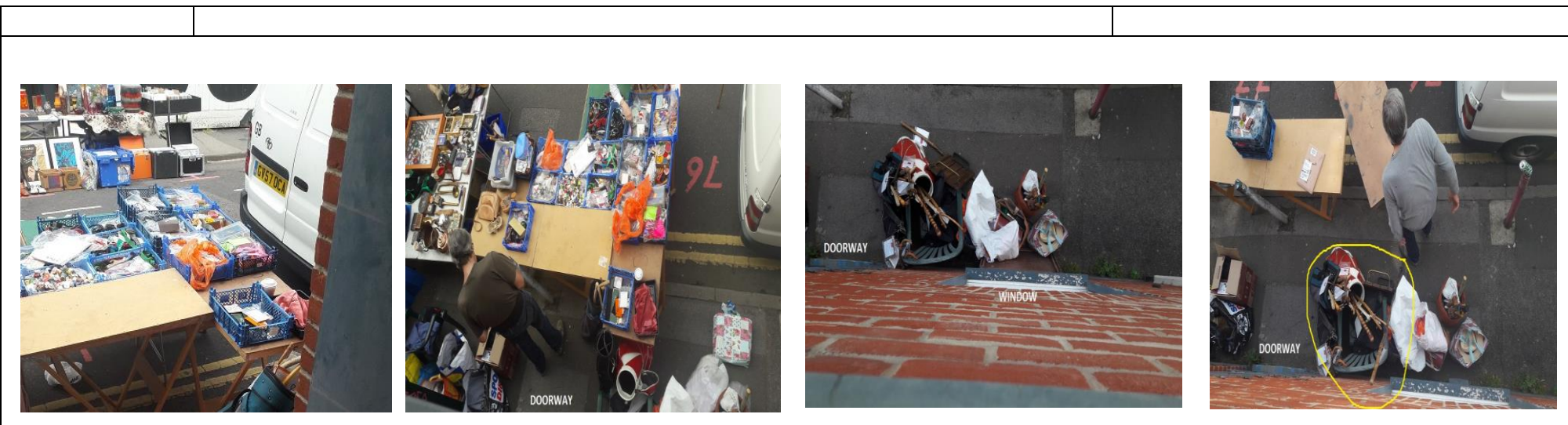
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08/05/2018 Complaint from XX XXXXXX (pitch XX) that owner of XXXXX X Upper Gardner Street is using pitch XX (this is a do not allocate pitch)

29/05/2018 I bought a house in Upper Gardner St in 2015. I've recently begun redecorating the front of my house at great cost and labour.

Each Saturday the street vendor outside my property uses the entire front wall of my house to stack his equipment and stock, directly leaning them against the wall. These items include very long walking sticks. A few weeks ago some of this equipment slid off the wall and crashed onto my front door. I've asked the vendor twice to stop leaning items in this way, carefully and nicely, explaining the damage it could do to my property but he still continues to do this.

I would like for him to stop leaning his items on the front of my house, effectively using it as an extension of his business. Please could you kindly let me know what action I - or you - could take to implement this given that he is, I believe, in breach of your license guidelines for trading in Upper Gardner Street, in particular: "will cause no danger, obstruction, nuisance or annoyance to people in the vicinity and will leave 2m unobstructed footway". It's a distressing position for both myself and my partner to be living in either fear of damage to our property, or fear of possible confrontation/retaliation from the vendor.



06/06/2018

I spoke to a member of your team yesterday who said that my case would be responded to within 10 days. (Please see my original email dated 29/5/18, with additional information and photographs sent on 3/6/18.)

Referring to your own procedures on your website, it's clear that my initial enquiry is actually a complaint and I believe it fits within the following criteria for a 5-day response:

Accident: Obstruction to my property, blocking the pavement (health & safety issues), breaching 2m distance rule.

Condition of premises: Potential damage caused to my property by street market vendor.

Complaints regarding the service: Failure of Brighton and Hove Council to enforce their guidelines for licensed street market vendors.

As my first contact with your department occurred on 29/5/18, I would be grateful if you could answer my complaint within five days. I therefore look forward to hearing from you by the end of the week (i.e. before the next Saturday market) - especially given that this difficult situation has exacerbated my partner's mental health condition.

08/08/2018

Further to our telephone call yesterday I can confirm that, if it would help, we're okay with you passing on the photographic evidence to the market vendor.

Attached are some more photos taken on Saturday 28th July 2018 showing the vendor blocking my front door entrance again. Having checked the distance, his chair is just a foot from our doorstep. You can see this clearly in the photos by the light grey square of pavement directly outside our door.

Other than Saturday 28th July the vendor has not obstructed my property during Saturday

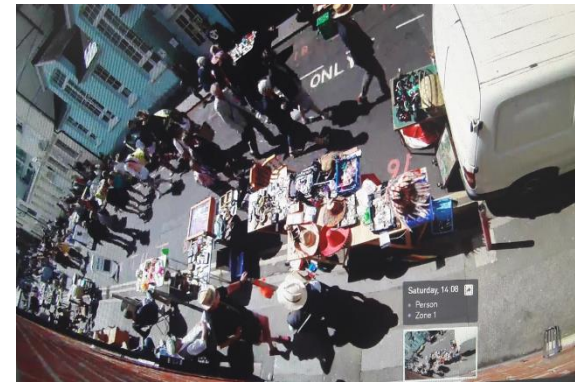
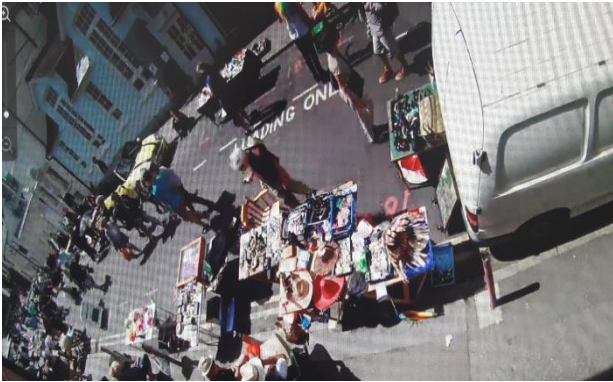
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market trading hours.

I hope this helps resolve the case and that the vendor will now stick to your guidelines in a peaceful manner. Or, given my partner's serious anxiety condition, if further action were to be taken our preferred option would be to have him moved to an alternate pitch rather than to have his licence revoked for fear of possible retaliation. However, we do understand that this decision is not in our hands and is a matter for the council.

Dispute from him regarding his breach of your rules and his increased demands to acquire my photographic evidence, by proxy (i.e. through yourself and the council), is noted on 7th August 2018 as a continuation of the vendor's general nuisance and harassment. We are of course happy to liaise with you on this matter any time, and are grateful for all your help.

PHOTOS



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27/04/2019

At the time of the visit we checked all the pitches. We spoke to all the stall holders that were there, and reminded them that they had to have their permits and ID's with them.

Following the visit, I checked with Parking to confirm what the parking restrictions are during the Market. They confirmed that both residents and traders should not be parking while the market is trading.

Warning letters were sent all stall holders reminding them of no parking, keeping within their own pitches etc. I have received a few responses.

23 May 2019 – Warning Letter sent

15/09/2019

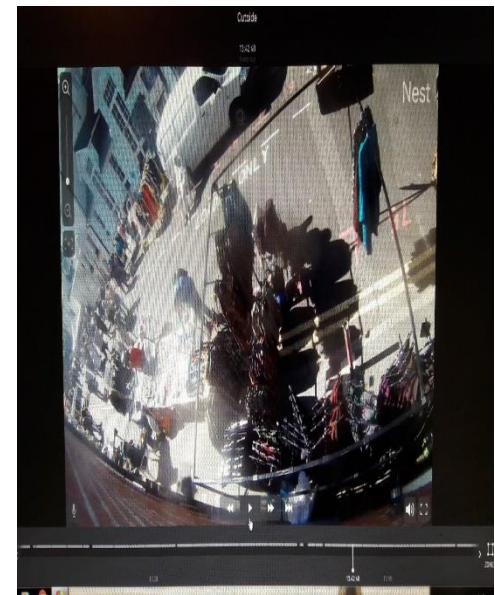
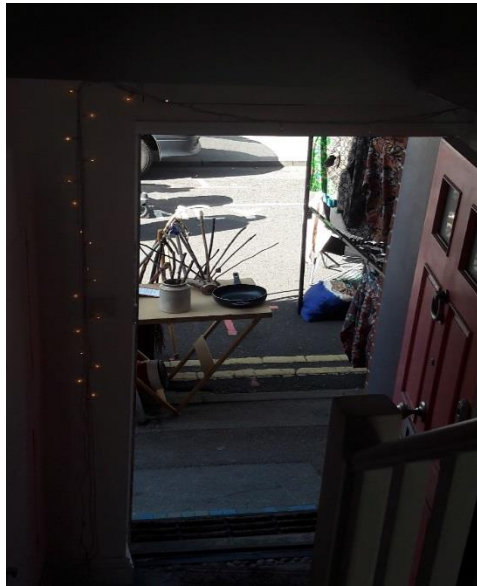
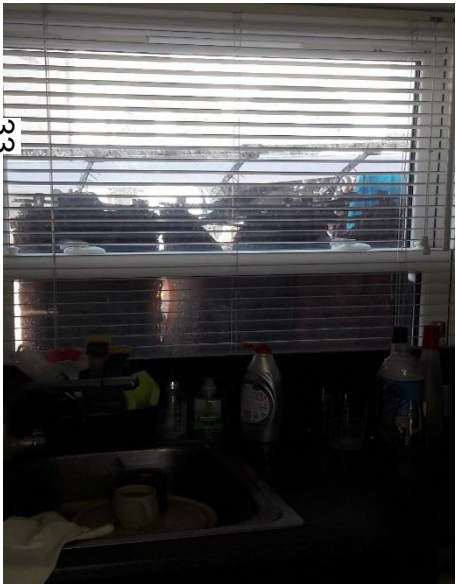
I hope you are well. After about a year of no issues with the market traders, I'm sad and frustrated to report that a new trader (pitches XX+XX) is now encroaching on our property. This began on 7th September.

4 September 2019 – Email sent and Field Officers to monitor

Unfortunately, they're leaning awning metal poles directly onto the house near my door. This is a similar issue to the one that started everything last time, when XXXXX's sticks crashed on our front door and caused damage. Access to our property is once again restricted, as you can clearly see in the photos - between the new vendor's stall/awning and xxxxx's long table, getting in and out is incredibly difficult. I have had to cancel therapy clients with disabilities as the only way through the gap is to turn sideways. Light through the front window is also reduced. (I have attached several photos and a video.)

I am keen to avoid any further possible damage to my property, so if the new vendors could be told to pitch up a safe distance from our house with nothing leaning on the walls, even while they are setting up/packing away, that would be great. I've not spoken to them yet, and don't intend to - as you can imagine it's better to avoid conflict after what happened the last time (especially considering my partner's chronic health issues, which include anxiety). I would also appreciate it being made clear to them that I don't want them to disturb us to try talking about the issues, e.g. knocking at the door during my working hours. I only wish to deal with the council, who are ultimately responsible for enforcing the Saturday Market regulations.

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21/09/2019

