

## Published Letters to SHRA 2018

### 28/11/2018 - Letter from SHRA member Peter Clinch about flashing, non-xmas, balcony lights.

Dear SHRA,

My wife and I are owners and full time residents of an outer harbour, sea view property in Centauri Court, Midway Quay overlooking Macquarie Quay to the left.

One of the many benefits of living at Centauri Court are the tranquil night-time, sometimes moonlit, sea views with distant lights from passing vessels, buoys and the Sovereign Light Tower. Unfortunately this idyllic view is now routinely spoiled by the tasteless, bright flashing lights on the balcony of a 2nd floor property in Polaris House, Macquarie Quay. Grateful if you would have a look at the YouTube video <https://youtu.be/3rxgkuQvrsY>.

Please be advised of the following;

- a) The flashing lights are not just 'Christmas lights' – they have been operating for many months.
- b) At this time of the year they are continually flashing from about 4:30pm to 11:30pm.
- c) Centauri Court properties have a clause in the lease 'You must not shine any bright coloured lights outside the windows in case they affect navigation of boats and vessels approaching the outer harbour.' Is there not a similar restrictive clause in all the harbour residential developments' leases?
- d) Macquarie Quay's Property Management operatives: Victoria Quay Management Company Ltd (VQMC) and their Managing Agents 'Sensible Property Management' have been approached more than once about this situation. Their replies:

*'As the balconies are private property, VQMC have no jurisdiction to demand that the resident of the apartment turns the lights off.'*

*'Whilst I'm sorry that you find the lights not to your liking, there is nothing in our lease that empowers me to act against the leaseholder in this respect.'*

Grateful for your help to rectify this situation, which is annoying other residents of the outer-harbour. I can't believe it would be tolerated in the 'inner-harbour' with its surrounding apartments, or in any other residential area in Eastbourne.

I will be sending a copy to Eastbourne Council to see if they are aware of the situation - hopefully they will help to take appropriate action to restore the evening tranquility to our much loved harbour.

Thank you for your anticipated help in this matter

Yours sincerely,

**Peter Clinch**, Centauri Court, Midway Quay.

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**SHRA response.** SHRA will write to the management companies to support Peter's case. Of course, with Christmas approaching and Sovereign Shines being promoted (including by SHRA), other balconies are being decorated and the impact of these lights will be very much reduced for a while. It would be helpful to know if other residents are bothered by the lights flashing every evening out of the Christmas Season - please let us know. [webmaster@shra.co.uk](mailto:webmaster@shra.co.uk)

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### **14/09/2018 - Letter from SHRA member Keith Forbes about the rentcharge.**

Dear Editor,

#### **Collective enfranchisement and upwards investment hopes dashed by Annual Estate Rental charge**

I write as one who has observed that efforts are now underway to get the ownership of at least one qualifying Sovereign Harbour building changed by collective enfranchisement if a majority of leaseholders are willing to see it through. If so, if cost-effective and with leases extended from the original 125 years or so to 999 years, to help improve investment market value.

But what I, and I am sure others, would also like to see, to give a balanced point of view, is what management companies and building freeholders think of this, and why, with any counter-proposals. It is such a shame that leaseholders associations concerned are partly to blame for this because they have not commented on this to their members with pros and cons to help them take a stand one way or another. They seem to want to hold just one meeting a year, possibly because many leaseholders are not occupying their premises year-round. It may also be one reason why, despite most flats being subject to the perfectly understandable requirement mentioned in their leases that short-term or holiday by-the-week-or-so rents are not allowed, this infringement goes on without any attempt by management companies to stop it. Also, some short-term or holiday renters bring dogs, also not allowed, resulting in wet floors of lifts and barking. Or they smoke pot, or complain about car parking, all offensive to occupants of neighbouring flats.

But the big stumbling block to full investment potential whether by collective enfranchisement or continuation of present leases of 125 years or less is that horrible and unique-to-Sovereign Harbour Annual Estate Rental Charge, principally as a flood defence charge and wrongly referred to as a Harbour Charge, that costs all freeholders and leaseholders an average of £265 in 2018. Until that is eliminated all freehold and leasehold units are severely hampered by this expensive covenant on present and future freeholders and leaseholders that has been proven to exist nowhere else in the UK or Europe or the world even where there are similar harbours, beaches and littoral drifts.

What especially infuriates me and I know others too is that in their most recent pamphlet, Sovereign Ward Conservative Councillors Penny di Cara, David Elkin, Gordon Jenkins, Paul Metcalfe, with Caroline Ansell and Robert Whippy, are all saying "Enough is Enough, Time for Action" about the stench coming from the Water Treatment Works. But they are not saying "Enough is Enough, Time for Action" about the inequity of the Estate Rental Charge that has gone on for far longer. Nor has this been mentioned in recent months by the Sovereign Harbour Residents Association.

The above need to be reminded that these injustices were legally created and/or continued when we had Labour Prime Ministers and that the present Conservative Government and Eastbourne Liberal Democrat Member of Parliament have done nothing to help right a massive wrong. If those mentioned by name above hope to be re-elected or elected they should work to right this wrong if they want the public to vote Conservative for them at the next general and county elections. It is going to become a major political issue. I am glad to hear it is now finally getting European Commission international news exposure, with the particularly unjust parts highlighted and offending public authorities, county council officials and other local entities mentioned by name.

**Keith Forbes**

San Diego Way.

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**SHRA response.** Members will know that SHRA is committed to challenging the Rentcharge and, as we pointed out in our 2017/18 Committee Report, we are working on a strategy to do so. We hope members will understand why the full nature and details of our ongoing work are best kept under wraps for the present. Sovereign Harbour is not unique in having a harbour charge, but the flood defence element is very unusual.

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**06/06/2018 Letter from SHRA member J. Bradnam about black silt and bad odour.**

Can anyone inform me why the outer harbour just outside the lock gates is covered in a black substance with a sewerage odour? This is clearly visible at low tide giving the trapped water a black appearance.

There has been a lot of work taking place at the moment close to the lock and I wonder if something has been discharged into the water.

Yours faithfully

**Mr J Bradnam**

Resident of Orvis CT.

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**SHRA response.** I thought the black silt may be because of the recent dredging operations disturbing sediment, but see response from Premier below. There has also been an outbreak of 'May bloom' - an algae bloom that is caused by

increased sunlight and water temperature. This causes a massive growth in plankton, which is seen as a beige/brown scum-like substance on the water.

I guess that either of these may produce the odour. I've recently noticed a stronger than usual seaweedy smell. We've had no reports of any discharge, but I'll copy your letter to Premiere Marinas and ask them to comment.

**Comments from Premier Marinas.** The blackening of the mud in the concentrated area of the outer harbour outside Orvis, Bimini and Centauri is unrelated to recent dredging activities. I say that because the area on the other side (Barbuda Quay, Anguilla etc.) remains brown, not black as visible at low tide.

The most likely cause seems to be May Rot. We have seen an increased amount of foam in the locks, which is a usual tell tail of an algae bloom. As that dies off, it gives off the rotting plant smell. Plenty of warm days in the recent past, with low wave energy in that area will see the algae build up in the quieter areas of the outer harbour. Add to that the drying out at low tide, and you get the smell once the water recedes. The seals seem quite happy though.

Certainly no discharge from recent works. The works by the locks involve block paving removal, nothing to discharge. Plus, the various environmental controls and restrictions which preclude such a thing.

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**13/04/2018. SHRA member Mike Grant writes to SHRA about the litter problem we featured in *Waterlines*.**

Dear Sir or Madam

Having read the [April edition of Waterlines](#)  about litter in the retail park, I found Neighbourhood First's reasons or excuses to effectively kick the can down the road to be somewhat laughable. Spurious health and safety concerns were raised including possible hazard waste, rats and a brilliant get out, unknown hazards. Precisely what these might be makes the mind boggle. Disused mine shafts, live ordnance or adders perhaps.

I can assure Neighbourhood Watch's inspector from personal experience that these risks are somewhat over-stated. About three or four years ago a large group of residents came together and undertook a major litter pick in the Harbour. I was part of a team that tackled the rubbish in the bushes and verges opposite the car wash and the nearby mini roundabout. I can confirm we all survived the ordeal. As far as I am aware no-one came to any harm.

As correctly identified in the article much of the litter is wind-blown from the retail park consisting of paper, food wrappings, plastic bags and bottles and hardly hazardous. I encountered no rats during my intrepid ventures into the bush but if there are a colony in residence now all the more reason to tackle the food waste that is attracting them. Whilst avoiding walking in the road makes sense there are areas within the bushes or grass verges far enough away from

traffic to allow safe litter picking. For sections close to the roads I would have thought a temporary lane closure very early on a spring or summer morning would inconvenience very few early shoppers with so little traffic about.

If the land is privately owned surely there are records to identify who the owners are. The Environmental Protection Act 1990 as amended by the Clean Neighbourhoods & Environment Act 2005 permits litter authorities such as Eastbourne Borough Council to issue Litter Clearing Notices requiring the occupier (or if the land is unoccupied, the owner) of land which is defaced by litter or refuse to clear it, and, where appropriate, take steps to prevent it from becoming heavily defaced again. Neighbourhood First have no reason not to take action whether to clean up themselves or get the owners to do so. The litter problem in the Harbour is not new. It has been there for years. It contributes to the run down tired appearance of the retail park. The status quo is unacceptable if the Harbour is to improve and be a sustainable and pleasant place to live.

Yours faithfully

**Mike Grant**

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**SHRA response.** Thanks for sharing your view, Mike. We agree that the litter problem needs tackling and we continue to engage with Neighbourhood First about it. The issues pointed out by Neighbourhood First are real and cannot just be ignored. Land ownership records indicate multiple owners and precise boundary issues are to be resolved. Premier's recent purchase of The Waterfront has further complicated investigations. We know that Neighbourhood First are aware of the powers they have under the various Acts because they have mentioned them to us as possible future steps. We are continuing to press for a clean-up of the areas.

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### **03/02/2018. South Harbour resident Bob Greenhead has written to SHRA about the bus lane.**

*Bus Route.* I have lived here for seven years and found the present system quite adequate. I am a frequent user. I seem to remember the last committee stating that people in the north may wish to visit the south and vice versa. Several points spring to mind.

- The herb gardens along side of the cinema will have to be decimated at some point to allow the buses to cut through.
- This I believe will cause a hazard to pedestrians and cyclists on the national cycle route.
- The buses stop at about seven in the evening so any visit can only be made during the day
- It would not be long before the route is open to all, causing a "rat run". A danger, especially past the school in Atlantic Drive.

My solution would be to combine the two routes. This would provide a half hourly service. Most of the residents of the harbour that I have spoken to agree. This would mean each bus driving up Atlantic Drive and then Pacific Drive. I

realise this may add a small amount of time to the bus route but I am sure bus companies solve such problems all of the time.

This would also allow people to visit the Crumbles and The Waterfront in an easier and more regular fashion.

**Bob Greenhead JP**

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**SHRA Response.** What do other readers think about this? In the past, bus companies have said that a bus lane would allow them to run a viable, half-hourly, cross-harbour service serving both North and South Harbours rather than the current hourly service to each single destination.

However, it should be noted that on Sunday and Bank Holidays some buses do serve both the North and South destinations on a single route via the normal roads as Bob suggests. Buses starting at Pacific Drive travel to Langney Point then whizz up and down Atlantic Drive before heading into town. This adds e.g. only ten minutes or so to the journey time for passengers travelling into town from the North Harbour.

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**04/01/2018. South Harbour resident Bob Greenhead has written to all our local councillors about the collection of rubbish from South Harbour residencies over the xmas and new year period. His letter is shown below.**

Good morning Councillor,

As you are probably aware, the residents of Sovereign Harbour [South] have a Tuesday rubbish collection. This has meant that the normal rubbish was not collected for two weeks. On telephoning the Council we were told to put rubbish into bags and that the bags would be collected along with the bins. Yesterday the bins were collected but the bags were left behind.

In the case of recycling rubbish, we are left without a collection for four weeks. The bins are now full and we have to wait a further two weeks for a collection. Next year Christmas Day falls on a Tuesday and it will happen again. Considering that somewhere in the Borough, this happens every year, surely a plan should be put in place. Our Council Expert on waste is Cameron Morley. Sadly he is on holiday until the 8th January, the very day before the next collection of recycling waste. Best time to go on holiday.... the busiest time of the year. I have sent this email to all four Councillors in the hope that they will take up the challenge and stop this non collection of waste by Kiers.

Regards  
**Bob Greenhead JP**

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**SHRA Response.** Having made some enquiries about this, it seem that the North Harbour, whose bin-day is on a Monday, received a special rubbish and recycling collection on Saturday 30th Dec to compensate for the loss of a

collection on Christmas Day. South Harbour's collection day is Tuesday and the last recycling collection was Tue 12 Dec. The collection for both rubbish and recycling due on Boxing Day was, understandably, cancelled, but unlike North Harbour, no alternative arrangement was made. The next recycling collection for South Harbour is 9th Jan nearly a month after their previous one, and our recycle bins are overflowing.

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**Update: email of 6th Jan to SHRA from Cllr Paul Metcalfe MBE,  
Sovereign Ward**

On receipt of an email from a resident of West Harbour with regards the bin collections over the Christmas period I immediately forwarded it on to the Chief Executive of EBC and informed the resident of this.

I have receive an acknowledgement and thank you from the CE. He replied that he would look into the matter and update me asap. I am looking forward to the update and will share with the resident accordingly.

You are welcome to publish this email along with the SHRA members' letter should you wish to do so.

Kindest regards

**Paul**  
Cllr Paul Metcalfe MBE  
Sovereign Ward