



Uttlesford District Council

Chief Executive: Dawn French

Licensing and Environmental Health Committee

Date: Monday, 22nd July, 2019

Time: 2.00 pm

Venue: Council Chamber - Council Offices, London Road, Saffron Walden,
CB11 4ER

Chairman: Councillor **P Lavelle**

Members: Councillors S Barker, **C Day** (Vice-Chair), D Eke, M Foley,
R Freeman, V Isham, **P Lees**, L Pepper and **M Tayler**

Substitutes: Councillors A Armstrong, A Coote, C Criscione, A Khan, J Loughlin
and E Oliver

AGENDA PART 1

Open to Public and Press

1 Apologies for Absence and Declarations of Interest

To receive any apologies for absence and declarations of interest.

2 Exclusion of the Public and Press

Consideration of reports containing exempt information within the meaning of section 100I and paragraph 1 part 1 Schedule 12A Local Government Act 1972.

PART 2

Exclusion of Public and Press

3 Determination of a Personal Alcohol Licence

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To determine a personal alcohol licence.

4 Readmittance of the Public and Press

Consideration of reports which do not contain exempt information within the meaning of section 100I and paragraph 1 part 1 Schedule 12A Local Government Act 1972.

PART 1

Open to Public and Press

5 Application to vary a Premises Licence

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To consider an application to vary a premises licence.

For information about this meeting please contact Democratic Services

Telephone: 01799 510369 or 510548

Email: Committee@uttlesford.gov.uk

General Enquiries

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 5

Committee: Licensing and Environmental Health Committee

Date:

Monday, 22 July 2019

Title: Application to vary a Premises Licence

The Axe Pub Ltd, 60 Ashdon Road , Saffron Walden CB10 2AT

Report Author: Matthew Chamberlain, Enforcement Officer

mchamberlain@uttlesford.gov.uk

Summary

This report sets out an application for the variation of a Premises Licence in respect of the above to remove condition 1, 2 3 & 5 of Annex 3. Representations have been made to this application so therefore this matter has been referred to the Committee for deliberation.

Recommendations

The application is determined.

In the event of an appeal against the decision of the Licensing Authority, then a member of the Committee is nominated to represent the Authority at Court.

Financial Implications

None

Background Papers

1. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
 - a. Variation application form.
 - b. Current premises licence.
 - c. Plan of premises.
 - d. Location map of premises.
 - e. Representation from Statutory Consultee (noise /nuisance).
 - f. Representations from interested parties.

Impact

Communication/Consultation	Details of the application was conveyed to Members of Uttlesford District Council, The Parish Council, and adjoining residents.
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Community Safety	None.
Equalities	None.
Health and Safety	None.
Human Rights/Legal Implications	<p>Under Article 1 First Protocol to the European Convention on Human Rights everyone is entitled to peaceful enjoyment of their possessions which includes property. This right may be interfered with if necessary to control the use of property in accordance with the general interest. The imposition of conditions under the Licensing Act 2003 is a legitimate interference with this right in this context.</p> <p>In the event that the licence holder or anyone who made relevant representations is dissatisfied with the decision of the committee there is a right of appeal to the Magistrates Court.</p>
Sustainability	None.
Ward-specific impacts	Saffron Walden (Castle ward) being the ward within which the premises are situated.
Workforce/Workplace	None.

Situation

1. The Axe is located on the northern side and facing Ashdon Road, Saffron Walden. There are residential dwellings situated on all 4 sides of the pub, and some at least of these postdate the grant of the first licence (by the Magistrates) to the premises. This is a two storey building with a single storey range to the rear. Access is onto Ashdon Road adjacent to Mill Lane with the pub garden and parking to the rear. There is a brick and flint wall adjoining the eastern boundary with Mill Lane.
2. The original application for licence from UDC was submitted for The Axe on 23 August 2005, during the transitional period with variations. Representations were received which required a hearing and the licence was granted subject to conditions on 23 August 2005.
3. On 6 October 2014, a review of the premises licence took place resulting in additional conditions being imposed by the Licensing and Environmental Health Committee. These conditions are shown on Annexe 3 of Appendix B.

4. On 20 March 2013, the licence was transferred from Greene King Ltd to Axe Pub Ltd of Unit 3 Ashdon Road Commercial Centre, Saffron Walden, Essex, CB10 2NH.
5. Four changes of premises supervisor have taken place at these premises since the review hearing in 2014 and at the time of preparing this report the current post holder is Karen Storey who has been on the licence since 4 June 2019, taking over from Jeffrey Stell.
6. The current premises licence permits Indoor sporting events, live and recorded music indoors only from 7pm to Midnight Monday to Sunday.
7. The current premises licence permits the sale of alcohol both on and off the premises from 10am until Midnight Monday to Sunday. The current premises licence permits the opening hours of the premises to be Monday to Sunday 10am to Midnight.
8. The variation application is to remove conditions 1,2 3 & 5 of Annexe 3 to the licence imposed following the 2014 review hearing. It be replaced by 2 new conditions as follows:
 - Drinks shall not be consumed outside the premises after 11.20pm Sunday- Thursday and Midnight Fridays and Saturdays.
 - New Year's Eve recorded and live music to end at 12.30am and sale of alcohol to end at 01:00am.
9. Copies of this application have been served on all statutory bodies which have attracted a representation from Environmental Health on the grounds of noise nuisance. Details of this representation can be seen in Appendix E.
10. An email from the Essex Police Licensing Officer dated 19 June, they being the statutory consultee for crime and disorder issues, states they have no objections to this variation application.
11. An email dated 4 June 2019 from the Essex County Council Children's Safeguarding Service, confirms they also have no objections in relation to the Child protection/safeguarding element of this licence application.
12. 18 representations have been received from interested parties, primarily local residents, raising concerns based upon the prevention of public nuisance objective, and hence support the views of Environmental Health. Residents are strongly opposed to the removal of some of the Annexe 3 conditions from the Axe's licence. The main reasons relating to their objections are:
 - Music events should be limited in numbers and kept inside the pub, although when music is very loud indoors this noise is also unacceptable.
 - Concerns about the increased frequency of indoor events if the condition pertaining thereto were to be removed. Removing the dB

level during events will increase the risk of noise nuisance for residents impacting upon the ability to enjoy their outdoor space.

- Playing music through outdoor speakers is not acceptable
 - Rowdiness from customers in the garden area and upon leaving the premises, in the car park, and the pavement outside.
 - Strong objections to add a new condition and drinks being consumed outside the premises after 11.20pm.
 - Frequent shouting, swearing and drunken behaviour from patrons in street resulting in bottles and broken glass over the road and pavement falling to resident to clear up.
13. Under the Licensing Act 2003 there is no obligation to write to residents advising them of applications received by the local authority. The responsibility is on the applicant to place a blue public notice on the premises for 28 days and a public notice in a local newspaper which circulates in the area in which the premises are situated. The Licensing Authority must advertise the applications in their website and advise all statutory consultees of the application. Residents are not a statutory consultee and nor is any organised group of them. Out of courtesy this Authority does write to the occupants of four properties immediately adjacent to the premises, advising that an application has been submitted but there is no obligation to do so.
14. In carrying out the statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003:-
- a. The prevention of crime and disorder
 - b. Public safety
 - c. The prevention of public nuisance
 - d. The protection of children from harm
- 21 The decisions that the Committee can make in respect of this application are to:
- a. Grant the application.
 - b. Modify the application by inserting conditions.
 - c. Reject the whole or part of the application.
- 22 When determining an application due regard should be given to the Council's Licensing Policy: This state, inter alia,
- 5.1 Licensed premises have a significant potential to adversely impact on communities through public nuisances that might arise from their operation. The Licensing Authority wishes to proactively maintain and protect the amenity of residents and other businesses from the potential consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.

5.2 The Licensing Authority intends to interpret “public nuisance” in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

5.3 Applicants need to be clear that the Licensing Authority may apply stricter conditions, including controls on licensing hours, where licensed premises are in or near residential areas and where relevant representations have been received. Conversely, premises which can demonstrate that they have effective controls and measures in place or proposed to prevent public nuisance, may be suitable for 24-hour opening.

5.6 If representations are made applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

5.7 When addressing the issue of prevention of public nuisance, the applicant should consider those factors that impact on the likelihood of public nuisance. These may include:

- (a) the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship.
- (b) the hours during which the licensable activities will be carried out particularly between 23.00 and 07.00.
- (c) A “wind down period” between the end of the licensable activities and closure of the premises the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises.
- (d) the design and layout of premises and in particular the presence of noise limiting features.
- (e) the occupancy capacity of the premises.
- (f) the availability of public transport.
- (g) A last admission time.

23 When determining an application due regard should be given to the Secretary of State’s Guidance issued in accordance of the Act. The most recent edition of this is dated April 2018, and the relevant sections of that Guidance state:

2.15 The Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from the premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden on smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and where their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address and disturbance anticipated as customers enter and leave.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.

- 24 If the Committee in their discretion wishes to impose conditions, the only conditions that can be imposed are those that are appropriate and proportionate to promote the licensing objective relative to the representations received. Equally, the Committee cannot impose conditions that duplicate the effect of existing legislation.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Either no conditions are attached to the licence on variation or the conditions do not satisfactorily achieve the licensing objectives the prevention of crime and disorder and the prevention of public nuisance.	3 - There is a possibility that local residents will suffer from crime and disorder and public nuisance even if what appears to be appropriate conditions are imposed.	3 - Due to the availability of the review procedure any inconvenience which may be suffered by local residents would be relatively short lived.	In the light of complaints received the Council surrounding this licensed premises members must consider whether the premises still meet the licensing objectives.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

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Uttlesford District Council



Application to vary a Premises Licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We THE AXE PUB LTD
 (Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL0 126

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 60 ASHDON RD			
Post town	SAFFRON WALDEN	Postcode	CB10 2AT

Telephone number at premises (if any)	01799 523630
Non-domestic rateable value of premises	£

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]

Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

2)
 TO REMOVE CONDITIONS 1, 2, 3 AND 5 OF ANNEXE 3 THAT WERE IMPOSED FOLLOWING A HEARING. TO BE REPLACED BY 2 NEW CONDITIONS AS FOLLOWS!

1) DRINKS SHALL NOT BE CONSUMED OUTSIDE THE PREMISES AFTER 11.20pm SUNDAY-THURSDAY AND MIDNIGHT ON FRIDAYS AND SATURDAYS

2) NEW YEAR'S EVE RECORDED AND LIVE MUSIC TO END AT 12.30 AM AND SALE OF ALCOHOL TO END AT 01.00AM

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> <u>State any seasonal variations for performing plays (please read guidance note 6)</u> <div style="text-align: center; font-size: 2em;">N/A</div> <u>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here (please read guidance note 5)</u>	
Tue				
Wed				
Thur			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u> N/A	
Fri				
Sat				
Sun			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>	

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

N/A

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</u> Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	
Mon			
			<u>Please give further details here (please read guidance note 5)</u>
Tue			
			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</u>
Wed			
			N/A
Thur			
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)</u>
Fri			
Sat			
Sun			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) NYE FINISH AT 12:30 AM		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<p><u>Please give further details here</u> (please read guidance note 5)</p>	
Thur				
Fri				
Sat			<p><u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)</p> <p style="text-align: center;">N/A</p>	
Sun			<p><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p>	

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6) N/A		
Sat					
Sun			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)	
Mon				
Tue				
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)	
Thur			N/A	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)	
Sun				

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 6)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

N/A

NYE TIMINGS 1AM

K

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	00:00	<p>NYE EVENTS ONLY END TIME 1AM</p> <p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</p>
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	
Fri	10:00	00:00	
Sat	10:00	00:00	
Sun	10:00	00:00	

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	Premises licence holder

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post		Post	

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M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

NOTHING ADDITIONAL

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

town		code	
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	[REDACTED]		

Notes for [REDACTED]

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not

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- o exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Licensing Act 2003 Premises Licence

126

LOCAL AUTHORITY



**Licensing Section
Uttlesford District Council
Council Offices
London Road
SAFFRON WALDEN
ESSEX
CB11 4ER**

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

THE AXE

60 ASHDON ROAD, SAFFRON WALDEN, ESSEX, CB10 2AT.

Telephone 07976 796720

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an indoor sporting event
- a performance of live music
- any playing of recorded music
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Monday to Sunday	7:00pm	Midnight
E. Performance of live music (Indoors)	Monday to Sunday	7:00pm	Midnight
F. Playing of recorded music (Indoors)	Monday to Sunday	7:00pm	Midnight
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	10:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	10:00am	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE	
AXE PUB LTD	NEW WORLD TIMBER FRAME, GRANDSDEN ROAD, CAXTON, CAMBRIDGE, CB23 3PL.
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)	
AXE PUB LTD	08361592
NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL	
KAREN LESLEY STOREY	25 SWEETMEAD, SAFFRON WALDEN, CB10 2EG.
PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL	
Licence No. 367	Issued by Thurrock

ANNEXES

Annexe 1 - Mandatory Conditions

Mandatory conditions - supply of alcohol

- 1) No supply of alcohol may be made under the premises licence
 - at a time when there is no designated premises supervisor in respect of the premises licence or
 - at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- 3) (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

6. The responsible person must ensure that-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

ANNEXES continued ...

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
8. For the purposes of the condition set out in paragraph 8 -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(a).
9. Where the permitted price given by Paragraph (b) of paragraph 9 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
10. -(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 9 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annexe 2 - Conditions Consistent with Operating Schedule

- 1) Strong management controls to be in place
- 2) Effective staff training to cover under age drinking, anti social behaviour, drunkenness on and off the premises, use of drugs and the protection of children from harm.

ANNEXES continued ...

- 3) Responsible management of the premises to be in place.
- 4) Capacity limits to be identified and adhered to.
- 5) Proof of identification scheme to be in place.
- 6) Litter bins to be available outside the premises for use.
- 7) Car park and entrances to be well lit.
- 8) Staffing levels to be adequate for capacity and trade.
- 9) Effective management checks on all internal and external trading areas in and outside of service times to take place.
- 10) All services, appliances and equipment to be checked and certified.
- 11) Training and supervision of staff to ensure strong visible management during all service times.
- 12) Loitering on the premises to be actively discouraged.
- 13) Management of staff and customers arriving and leaving the premises.
- 14) Sufficient staff to secure the protection of children to be on duty.
- 15) Children allowed only in the dining area until 10:00pm.
- 16) Children must be accompanied by an adult.
- 17) Table service to be provided in the dining area to ensure children do not need to leave the table.

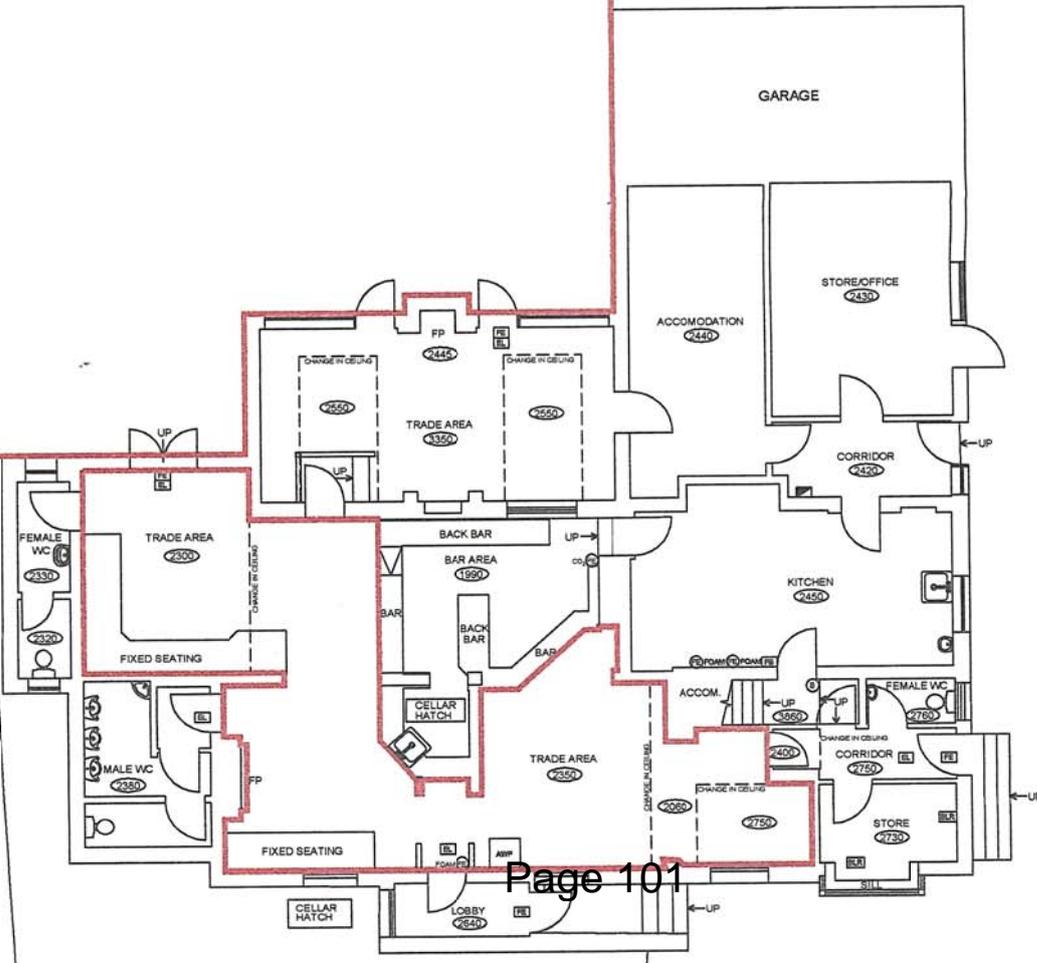
Annexe 3 - Conditions Imposed Following a Hearing

- 1) Drinks shall not be consumed outside the premises except for in designated areas and in no event between the hours of 11:20pm and 10:00am.
- 2) No regulated entertainment shall take place outdoors.
- 3) Music events to be limited to 6 in any 12 month period.
- 4) The licensee or representative shall conduct assessments of the noise from the premises on every occasion the premises are used for regulated entertainment. The assessment shall be carried out not less than once in every 60 minutes before 11:00pm and not less than once in every 30 minutes after 11:00pm. The assessment shall include sound level measurements and written records of the levels, time and location shall be made in a logbook and made available to the Licensing Authority.
- 5) Noise from regulated entertainments shall not exceed 34 decibels:
 - a) At the boundary with 58 Ashdon Road adjacent to The Axe building;
 - b) On the pavement immediately opposite the Axe building.
- 6) All windows and external doors must be kept closed except for access and egress when regulated entertainment is taking place.
- 7) Staff to be given training and supervision on their responsibilities for preventing nuisance arising from the premises including garden area and car park and that training records be produced to the council on request.
- 8) Staff to be deployed at the external doors and car park to ensure customers leave the premises quickly and quietly.
- 9) Designated taxi operators to be nominated for the use of staff and customers. The companies' numbers are to be displayed on the premises. The operators are to require their drivers to arrive and depart as quietly as possible and not to use their audible warning instrument or leave their vehicle with the engine running whilst waiting.

CAR PARK

OUTSIDE DRINKING AREA

GARAGE



RICT
RITY

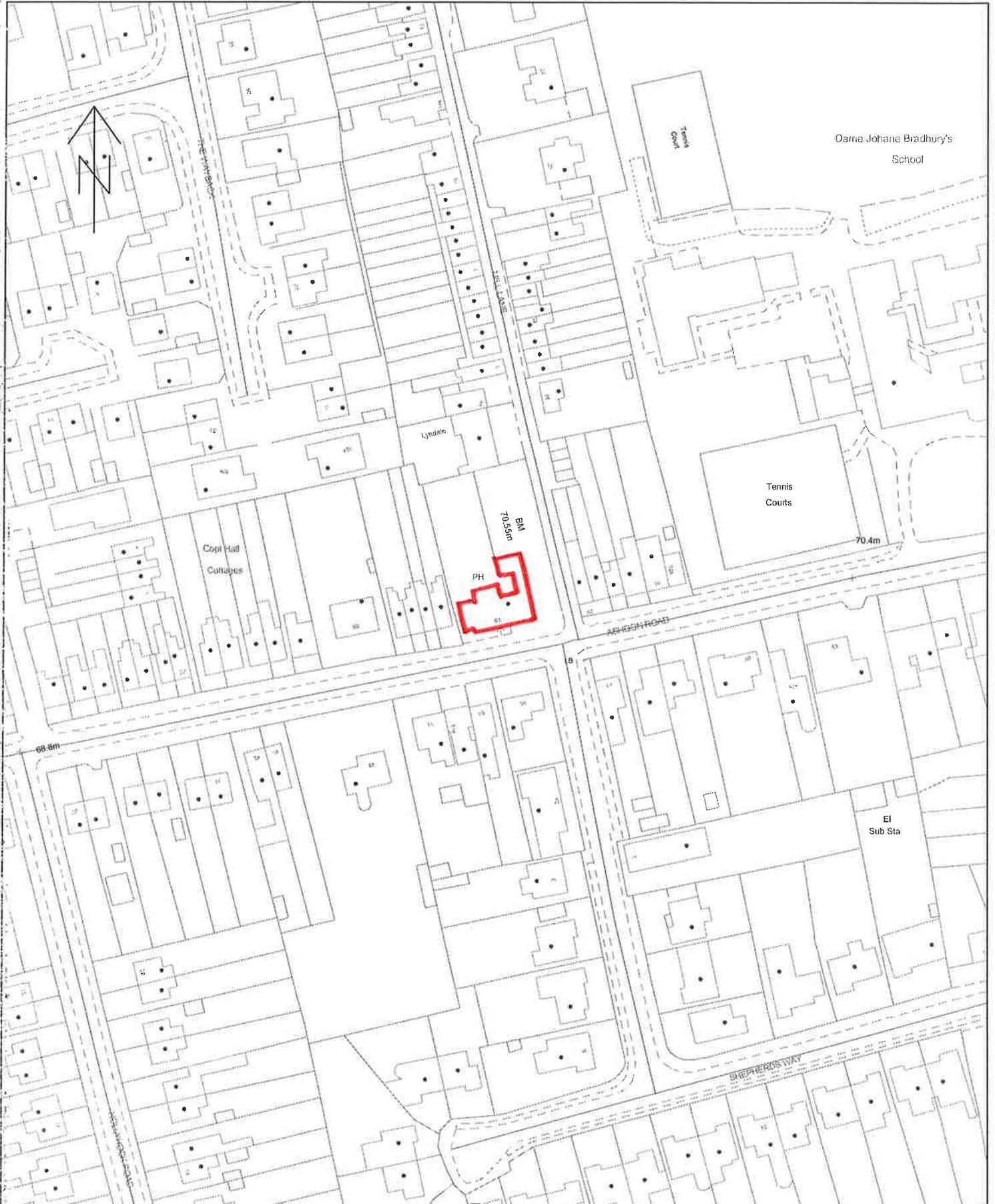
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Uttlesford District Council- Local Land Charges

MAP REFERENCE: TL5438NE SCALE: 1:1250

THE AXE, SJW

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Appendix E

LICENSING ACT 2003	
Premises : <i>Axe PH 60 Ashdon Road Saffron Walden CB10 2AT</i>	From: <i>Ann Lee-Moore Environmental Health Officer</i>
Summary of Representation: <i>Concerns that the application for variation if successful, is likely to cause a public nuisance.</i>	

The Environmental Health Service has concerns that there is potential for a public nuisance to occur if the application to vary the premises licence is approved as it stands.

Background

The Axe PH is surrounded on all sides by residential properties. The properties are not subject to noise from heavy traffic or other commercial activities. As a result, the public house must be operated with sensitivity to the amount of noise which may be produced from amplified music and from customers at or leaving the premises.

The current conditions contained in Annex 3 of the premises licence were applied on 31st October 2014 following a review of the premises licence on grounds of failure to comply with the conditions relating to the licensing objective of prevention of public nuisance.

The review followed a time when activities at the premises were causing widespread disturbance to a large group of residents in the vicinity of the premises, due to excessive noise from entertainment events and rowdy behaviour by customers. Complaints were received by the Environmental Health Service from ten separate households.

Further conditions on the licence were imposed following the review, to ensure the licensing objective is met by the incumbent and any future licence holder.

The level of complaints concerning the premises has reduced since the current managers have been in place, although sporadic complaints from neighbours have still been received. Complaints received within the last 12 months under the current management are summarised below:

June 2019 : complaints of loud disco type music playing outside on a Sunday, from 14.00 to 19.00hrs , followed by noise and disturbance from patrons in the garden area, including foul language and shouting

April 2019 : complaint of loud music, acknowledged that the landlords were better at responding to residents than previously (for example turning the bass down), but that there was still significant disturbance to residents from customers arriving and leaving the pub, especially during events. The complainant went on to advise that the bass could still be heard through shut windows, drawn curtains, earplugs and pillow over the head. Also

included in the complaint was noise from customers arriving and leaving, and evening conversations in the beer garden and car park. This noise was said to echo around the whole neighbourhood, so even if people speak at normal volume, it is very intrusive late at night, when everything else is quiet.

February 2019 : complaint of anti-social rowdy behaviour of customers, regular noise when people are leaving, from raised voices, slamming of car doors etc, also violence and foul language. Occupier of house had to move to the back room of the house to escape the disruption to sleep caused by the activities associated with the pub.

October 2018 : on-going problems of rowdiness & anti-social behaviour. Pub responsive but problem remains with the client base and the fact that the pub doesn't have enough staff to monitor all the areas.

Removal of conditions

Considering the specific conditions which the application seeks to remove:

Condition 1 : The applicant has asked for the condition to be removed but replaced by a condition with the same time restrictions for Sun-Thu but removal of "designated place", and to extend the outside drinking hours to midnight on Friday and Saturday evenings.

By restricting the location and hours when drinks can be consumed outside, the condition limits the potential for raised voices and rowdy behaviour causing a disturbance to neighbours. The likelihood of disturbance would be increased by allowing later outside drinking on Friday and Saturdays. There are no proposals submitted by the applicant to manage or restrict noise arising from changes to the condition, therefore removal of the condition is not supported.

Condition 2 : It is not possible to contain noise from outdoor events. Outdoor entertainment in a residential area has the potential to cause widespread disturbance. The condition does not prevent such events occurring as the licence holder can serve temporary events notices, but it does limit the number of such events to the current maximum of 15 per annum under TENs. Evidence from complaints concerning outdoor music which has not fallen within the licensing regime demonstrates that use of the outdoor area continues for some time after music has ended, with associated raised voices. There are no proposals submitted by the applicant detailing how the noise will be successfully managed to prevent public nuisance, therefore removal of the condition is not supported.

Condition 3 : The limit of 6 music events brings the total permitted events to 21 events in any 12 month period if the full quota of TENs are served. Limits under the licence reduces the risk of disturbance to neighbours. Removal of the limits is therefore not supported

Condition 5 : The noise level imposed by the committee following review was transposed from the licensing policy in place at the time, which set the level of noise from events as a starting point at 34 dB. If the holder wished to contend for a higher level they were obliged to provide a noise survey to support that contention. No such survey was been supplied. The existing condition effectively means that no sound from music shall be audible at the neighbouring properties, as the 34 dB level is below the ambient noise level. Assessing

compliance with this condition has proved to be impracticable. It should be noted that music noise in addition to ambient noise has been monitored well in excess of this level. Sound level recordings by management for events held following the review show ambient noise levels at 19.30, prior to the start of an event, to be in the range of 44-54 dBA. This level accords with monitoring carried out by the Environmental Health service.

Removal of condition 5 renders condition 4 inappropriate, as there are no criteria for management to measure against. There is no application to have condition 4 removed, and it is proportionate to monitor noise, however guidelines are needed to assess whether the monitored levels are suitable to avoid disturbance to neighbours.

Removal of condition 5 removes any action to be taken to reduce noise levels from music. A condition without set noise levels requires a subjective judgement of what is likely to cause a disturbance to residents.

Complaints often refer to the inability to escape bass music. It should be noted that the bass line of popular music is dominated by low frequency. Low frequency noise is characterised by long wavelength sounds that travel proportionately much further than higher frequency sound in the treble region, and are also easily transmitted through structures. To reduce the transmission, a very high standard of sound insulation is required, without leaks from the building such as door and window opening.

A decibel limit does not take account of the nature of the noise being generated, in that one type of music may be more disturbing than another, and fails to control the predominant bass line in some music unless a further frequency specific limit is applied. This then becomes difficult for the manager to monitor without specialist monitoring equipment. It fails also to take account of the ambient noise. Traffic is the predominant source of ambient noise in Ashdon Road, and noise levels fall as traffic reduces into the evening, making music noise more noticeable. Hence a noise level set relative to ambient noise prevailing at the time of monitoring may be more appropriate.

Conclusion

Relaxation of the licence controls removes the obligation of the licensee to serve TENs for events which have the potential to cause disturbance. Whilst this obligation remains, the Environmental Health service has the ability to raise an objection to a TEN, should evidence of disturbance be gathered from previous events. The existing conditions have maintained some control of public nuisance and although the level of complaints relating to noise has been low recently, consideration should be given to the possibility that residents have tolerated a degree of disturbance in the knowledge that operational timings and noise controls are in place. This does not translate to grounds for removal of those controls.

Complainants have acknowledged that the current manager is amenable to a request to lower the volume of music, however the current management can be replaced at some future date by management less responsive to neighbours' complaints.

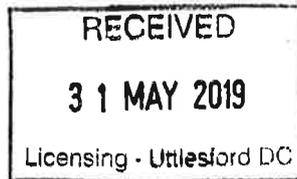
The history of complaints concerning noise and anti-social behaviour associated with the premises has demonstrated that the controls and measures attached to the licence to support the licensing objective of prevention of public nuisance have not always been met, and any relaxation of the controls should be resisted.

Should the Environmental Health and Licensing Committee be minded to approve the application to remove Condition 5, and be in a position to vary or replace Condition 4, it is suggested that the following two conditions are considered :

- 1. A noise management plan shall be submitted to licensing authority within 28 days from the date of this licence for approval by the Licensing Authority. No event involving amplified music shall take place without Licensing authority approval of the noise management plan. The noise management plan shall include details on measures, controls and actions to ensure that the playing of amplified music does not cause a public nuisance. Measures, controls and actions will include an approach to monitoring that also assesses the impact of any noise on neighbouring premises at the start of the regulated entertainment and periodically throughout the regulated entertainment and take any action to ensure compliance with the management plan. The management plan shall ensure a telephone number is made available for local residents to contact in the case of disturbance from noise or anti-social behaviour by persons or activities associated with the premises. The telephone number will be a direct number to the management who are in control during opening hours. A record will be kept by management of all calls received, including the time, date and information of the caller, including action taken following the call. Records will be made available for inspection either by any relevant responsible authority throughout the trading hours of the premises. The Premises Licence Holder must comply with the agreed noise management plan at all times during regulated entertainment.*
- 2. The Premises Licensed Holder shall within 28 days of receiving instructions by the Licensing Authority install a noise limiting device to the approval and satisfaction of the Licensing Authority. A noise limiting device (the specification and design to be agreed with Uttlesford District Council's Environmental Health Service) shall be fitted so that all regulated entertainment is channelled through the device(s). The maximum noise levels will be set by agreement with the Uttlesford District Council's Environmental Health Service and will be reviewed from time to time as appropriate. The noise limiting device shall be kept at the settings approved by the Council through an authorised officer of the Uttlesford District Council's Environmental Health Service. The Premises Licence Holder or nominated person shall ensure that the noise limiting device is sealed after commissioning, so that sound operators cannot override the system during the performance of live and recorded music. If deemed necessary, the noise limiting device shall only be reset to a level approved by the Council through an authorised officer of the Uttlesford District Council's Environmental Health Service within 7 days of notification.*

Appendix F

Licensing Authority
Uttlesford District Council
Council Offices
London Road
Saffron Walden CB11 4ER



31st May, 2019

To: Whom it may concern

Re: Proposed changes to the Premises Licence of The Axe Pub Ltd, 60 Ashdon Road, Saffron Walden

Dear Sir or Madam,

As residents who have lived in 66 Ashdon Road for 24 years and experienced various landlords come and go, we wish to object to the proposed removal of conditions 1,2,3 & 5 of Annex 3 from the Premises Licence.

Our reasons for objecting are:

Condition 1:

We are not in favour of allowing people to drink outside the designated areas, as defined at present. We are also against extending the hours during which alcohol can be consumed. In the past we experienced situations when patrons drink outside the pub, outside our front door and in Ashdon Road, causing disturbance and street fights, often late at night and early in the morning. In our opinion, relaxing this condition would only encourage more antisocial behaviour of this sort.

Conditions 2, 3 and 5:

The Axe is located in the middle of a residential area, surrounded by houses on all 4 sides. In our opinion, it is not suitable as a venue for discos and live music, as noise leaks out of the building, even with doors and windows closed. The limit of 34 decibels is well placed and protects us residents from excessive noise. We strongly believe that this limit should stay in place. For the same reason, we feel that outdoor entertainment should not be allowed and the limit of 6 events per year should remain.

Although with the new DPS in place (Mr. J. Stell) things have generally improved, we are still getting disturbance from the pub. There is still music being played at the pub, recorded and occasionally live. The live music has been particularly intrusive, especially the bass.

We are also disturbed on a daily basis by noise from the beer garden and car park, particularly in the evening and at closing time. Many customers arrive and leave in a noisy fashion and even conversations which are quiet reverberate around the neighbourhood. Then there are the loud conversations including foul language which are particularly unpleasant and intrusive. Most nights we have to close our windows and wear earplugs to be able to sleep.

Following the licence review, we have been in regular contact with Environmental Health Department at the UDC regarding disturbances and breaches to the conditions.

Since the licence review, we have also witnessed drug dealing of The Axe customers behind our back gate (leading to Mill Lane), as the current landlords don't tolerate it on their premises. In 2018 we contacted the Police at the UDC desk regarding this; however we were told that unfortunately they could not help.

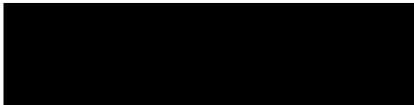
In October 2018 we were victim to criminal damage the perpetrator of which was a customer of The Axe (Crime Incident Number 1416191018).

We believe that relaxing the conditions in Annexe 3 would only make matters worse.

To summarise, the conditions in Annexe 3 have been imposed on the licence to protect us residents from excessive noise. Although under the current management things have improved and the landlords have been more responsive to neighbours, this management may change at some point in the future and so full conditions off Annex 3 need to remain in place to protect residents now and in the future. It took residents 18 months of complaining to the UDC and considerable effort of the Environmental Health section to bring about the license review which took place in October 2014. We don't want to find ourselves in the same situation in the future.

Finally, we would like to add that in fact, instead of removing and relaxing the conditions, we feel that the opposite should be done. For example, closing the beer garden after 9 or 10pm would be our suggestion, to allow residents to relax in the evenings. We would also like to suggest having door staff to discourage people from loitering outside the pub.

Yours sincerely,

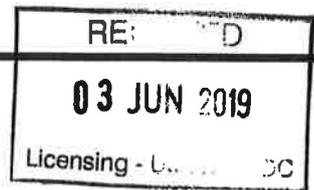


Radka and Les Platte

66 Ashdon Road
Saffron Walden
Essex CB10 2AL

E-mail: 

Joanne Jones



From: philip powell <[REDACTED]>
Sent: 31 May 2019 20:30
To: Licensing
Subject: [External]..Variation to Premises Licence No. PLO126 - The Axe Pub

Dear Sir/Madam,

I'm writing with regards to The Axe Pub's licence variation request. As a fairly recent neighbour of the pub I was surprised to read their current license as many of the conditions, particularly articles 1 & 5 of Annexe 3, are regularly ignored, to the extent I was oblivious of their existence.

Within 3 months of moving in next door to the pub we had the police on our doorstep asking if we knew anything about the 18 year old passed out by our house and the two men fighting their way up the street towards the common. I regularly have to pick my way over broken glass on my way to the car, and more than once has that glass been accompanied by a concerning amount of blood. Friday and Saturday nights regularly see late night arguments in the car park and nearby streets, and little if anything is done to contain drinking to the inside of the premises.

With specific regards to the request to remove conditions 1, 2, 3 and 5 of Annexe 3:

Condition 1: Drinks shall not be consumed outside the premises except for in designated areas and in no event between the hours of 11:20pm and 10:00am.

Regularly ignored already. The Axe even tacitly advertises the breach on its own website listing weekday close as 11pm and Saturday and Sunday as 'late'. <http://www.axepub.co.uk/>
The reasoning listed in the application as accommodation for NYE celebration seems a thinly veiled attempt to legitimise, or even extend, existing breaches, especially given the far reaching changes proposed to accommodate only one night of the year.

Condition 2: No regulated entertainment shall take place outdoors.

Whilst I don't particularly object to day time events, given the existing noise breaches the potential for this to become a night time issue is of particular concern.

Condition 3: Music events to be limited to 6 in any 12 month period.

The proposed 'unlimited' outside events are a concern given existing inability to contain violence, noise and general nuisance.

Condition 5: Noise from regulated entertainments shall not exceed 34 decibels.

Given that 34 decibels is approximate to a whisper, the fact that people regularly scream at each other in the street and carpark makes this condition breached every weekend already. No legitimate reason is proposed as to why a noise limit should be revoked, indeed it seems highly suspect that the pub feels its revocation is necessary for it to fulfil it's other ambitions and lends significant weight to the concerns residents have about the consequences of the other conditions listed here being lifted.

In conclusion, as a close neighbour to the pub I strongly oppose the removal of these conditions from the Axe's licence. Whilst I was not present in the street when Annexe 3 was added, one can only imagine they were added for good reason and as a result of a lengthy process involving careful consideration. Given that there is no evidence that the Axe can adequately adhere to the conditions at present, it seems unwise to give them license to police themselves when it comes to causing disturbances to local residents. I have no objection to exceptions being made

I'm writing with regards to The Axe Pub's licence variation request. As a fairly recent neighbour of the pub I was surprised to read their current license as many of the conditions, particularly articles 1 & 5 of Annexe 3, are regularly ignored, to the extent I was oblivious of their existence.

Within 3 months of moving in next door to the pub we had the police on our doorstep asking if we knew anything about the 18 year old passed out by our house and the two men fighting their way up the street towards the common. I regularly have to pick my way over broken glass on my way to the car, and more than once has that glass been accompanied by a concerning amount of blood. Friday and Saturday nights regularly see late night arguments in the car park and nearby streets, and little if anything is done to contain drinking to the inside of the premises.

With specific regards to the request to remove conditions 1, 2, 3 and 5 of Annexe 3:

Condition 1: Drinks shall not be consumed outside the premises except for in designated areas and in no event between the hours of 11:20pm and 10:00am.

Regularly ignored already. The Axe even tacitly advertises the breach on its own website listing weekday close as 11pm and Saturday and Sunday as 'late'. <http://www.axepub.co.uk/>
The reasoning listed in the application as accommodation for NYE celebration seems a thinly veiled attempt to legitimise, or even extend, existing breaches, especially given the far reaching changes proposed to accommodate only one night of the year.

Condition 2: No regulated entertainment shall take place outdoors.

Whilst I don't particularly object to day time events, given the existing noise breaches the potential for this to become a night time issue is of particular concern.

Condition 3: Music events to be limited to 6 in any 12 month period.

The proposed 'unlimited' outside events are a concern given existing inability to contain violence, noise and general nuisance.

Condition 5: Noise from regulated entertainments shall not exceed 34 decibels.

Given that 34 decibels is approximate to a whisper, the fact that people regularly scream at each other in the street and carpark makes this condition breached every weekend already. No legitimate reason is proposed as to why a noise limit should be revoked, indeed it seems highly suspect that the pub feels its revocation is necessary for it to fulfil it's other ambitions and lends significant weight to the concerns residents have about the consequences of the other conditions listed here being lifted.

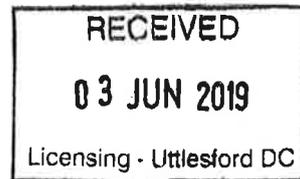
In conclusion, as a close neighbour to the pub I strongly oppose the removal of these conditions from the Axe's licence. Whilst I was not present in the street when Annexe 3 was added, one can only imagine they were added for good reason and as a result of a lengthy process involving careful consideration. Given that there is no evidence that the Axe can adequately adhere to the conditions at present, it seems unwise to give them license to police themselves when it comes to causing disturbances to local residents. I have no objection to exceptions being made to the licence in the specific case of New Years Eve or other such disparate events, so long as this is not achieved by the loosening of conditions that are already insufficient to contain and control issues at the pub.

Yours sincerely,

Mr Powell

62 ASHDON ROAD 2
SAFFRON WALDEN
ESSEX
CB10 2AL

Licensing Authority
Uttlesford District Council
Council Offices
London Road
Saffron Walden CB11 4ER



3rd June, 2019

To: Whom it may concern
Re: Proposed changes to the Premises Licence of The Axe Pub Ltd, 60 Ashdon Road, Saffron Walden

Dear Sir or Madam,

I am writing in objection to the proposed removal of conditions 1,2,3 & 5 of Annex 3 from the Premises Licence.

As a new member of the local community; this application has highlighted the restrictions currently in place for the Axe, restrictions which I am aware they frequently invalidate. On their website itself (<http://www.axepub.co.uk>) they advertise themselves as open and serving alcohol until 11 during the week and "late" over the weekend and I note they are currently licenced to serve until 11:20pm. As their neighbours I am also aware how frequently they breach their current terms with regards patrons drinking outside in the carpark and the hours with which they serve alcohol. Frequently I am disturbed by patrons drinking and having loud and offensive conversations in and outside the pub much beyond the licenced time.

My primary concern is with antisocial behaviour and violence in and around the pub. Police and or ambulances are a regular occurrence and on 2 occasions since we moved to the area (in November 2018) there has been blood and glass outside our door and on the path nearby.

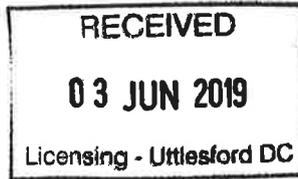
I believe that loosening the restrictions on this establishment would send a dangerous message that the current situation is acceptable and encourage further disruptive and hazardous behaviour.

Yours sincerely,

Tim Luddington

62 Ashdon Road

Licensing Authority
Uttlesford District Council
Council Offices
London Road
Saffron Walden CB11 4ER



51 Ashdon Road
Saffron Walden
CB10 2AQ

31st May, 2019

Re: Proposed changes to the Premises Licence of The Axe Pub Ltd, 60 Ashdon Road, Saffron Walden

To Whom it may concern

We have lived with our children at 51 Ashdon Road for 3 years and are regularly disturbed by noise, loitering and antisocial behaviour as a result of The Axe pub opposite our home. We wish to strongly object to the proposed removal of conditions 1,2,3 & 5 of Annex 3 from the Premises Licence.

Our reasons for objecting are:

Condition 1:

We are not in favour of allowing people to drink outside the designated areas, as defined at present. Even with the current conditions, we regularly experience situations when patrons loiter outside the pub causing noise which disturbs our children's sleep, as well as street fights, foul language and other antisocial activity. In our opinion, relaxing this condition would only encourage more antisocial behaviour and disturbance to our children, ourselves and other residents.

Conditions 2, 3 and 5:

The Axe is located in the middle of a residential area, surrounded by houses on all 4 sides. In our opinion, it is not suitable as a venue for discos and live music, as noise leaks out of the building, even with doors and windows closed. The limit of 34 decibels is well placed and protects us residents from excessive noise. We strongly believe that this limit should stay in place. For the same reason, we feel that outdoor entertainment should not be allowed.

We are particularly disturbed by patrons arriving and leaving The Axe pub in a noisy fashion. Even conversations which seem quiet reverberate around the neighbourhood late at night. Then there are the loud conversations and shouting, including foul language which are particularly unpleasant and unwelcome. Most weekend nights we have to close our windows and wear earplugs to be able to sleep.

We are also regularly disturbed by noise from the car park, particularly in the evening and at closing time with the arrival of taxis or cars revving their engines and racing off.

We have witnessed street fights and pub customers urinating up against residents garden walls after pub closing.

We believe that relaxing the conditions in Annexe 3 would only make matters worse.

To summarise, the conditions in Annexe 3 have been imposed on the licence to protect us residents from excessive noise. My family are already regularly disturbed by the activity of the pub and although we accept that the pub must be allowed to run its business, the full conditions off Annex 3 need to remain in place to protect the wellbeing of residents now and in the future. As I understand it, it took residents 18 months of complaining to the UDC and considerable effort of the Environmental Health section to bring about a license review. Residents including my elderly neighbours and those with children like ourselves

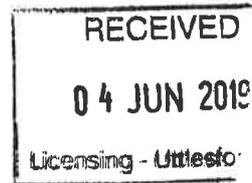
are particularly anxious and distressed that we may find ourselves in the same situation again. Indeed, instead of removing and relaxing the conditions, we would like to suggest having door staff at the weekend to discourage loitering and antisocial behaviour outside the pub.

Yours sincerely,



Claire and David Vintiner

Licensing Authority
Uttlesford District Council
Council Offices
London Road
Saffron Walden CB11 4ER



4 June 2019

To: Whom it may concern

Re: Proposed changes to the Premises Licence of The Axe Pub Ltd, 60 Ashdon Road, Saffron Walden

Dear Sir or Madam,

As a resident who has lived at 56 Ashdon Road for 13 years, and experienced various landlords come and go, I wish to strongly object to the proposed removal of conditions 1,2,3 & 5 of Annex 3 from the Premises Licence.

Reasons for objecting are:

Condition 1:

I am not in favour of allowing people to drink outside the designated areas. The designated area in place now has helped avoid what has been experienced in the past, situations where patrons drinking outside the pub, and outside our front doors and in Ashdon Road, caused disturbance. Street fights were a regular occurrence. Relaxing this condition would only encourage more antisocial behaviour of this sort.

Conditions 2, 3 and 5:

The Axe is located in the middle of a residential area, surrounded by houses on all 4 sides. In my opinion, it is not suitable as a venue for discos and live music, as both music and chatter can be heard very clearly and obtrusively, even with doors and windows closed. The limit of 34 decibels is well placed and protects residents from excessive noise. This limit needs to stay in place. For the same reason, outdoor entertainment should not be considered.

Although with the new DPS in place (Mr J. Stell) things have generally improved, disturbance from the pub still occur. The live music evenings have been particularly intrusive.

There is noise on a daily basis from the beer garden and car park, particularly in the evening and at closing time. Many customers leave late at night without thought for residents who may be sleeping and need to rise early the next morning! There have been, on a number of occasions, intrusively loud conversations with a great deal foul language. Particularly unpleasant and unwelcome when you want to spend time in your garden, or even go to bed with the windows open.

Following the licence review, residents have been in regular contact with Environmental Health Department at the UDC regarding disturbances and breaches to the conditions.

I believe that relaxing the conditions in Annexe 3 would only make matters worse.

To summarise, the conditions in Annexe 3 have been imposed on the licence to protect the residents from excessive noise. Although under the current management things have improved and the landlords

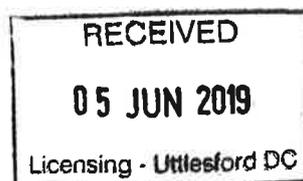
have been more responsive to neighbours, this has started to falter, and management may well change at some point in time. Therefore, the full conditions of Annex 3 need to remain in place to protect residents now and in the future.

It took residents 18 miserable months of complaining to the UDC and the considerable effort from Environmental Health to bring about a license review. Therefore, we don't want history to repeat itself.

Yours sincerely,

Vicki Culverwell

Licensing Authority
Uttlesford District Council
Council Offices
London Road
Saffron Walden CB11 4ER
Licensing@uttlesford.gov.uk



3rd June, 2019

To: Whom it may concern

Re: Proposed changes to the Premises Licence of The Axe Pub Ltd, 60 Ashdon Road, Saffron Walden

Dear Sir or Madam,

As residents who have lived in 55 Ashdon Road for 6 years and have experienced three landlords come and go, we wish to strongly object to the proposed removal of conditions 1,2,3 & 5 of Annex 3 from the Premises Licence.

Our reasons for objecting are:

Condition 1:

We are not in favour of allowing people to drink outside the designated areas, as defined at present. In the past we experienced situations when patrons drink outside the pub, outside our front door and in Ashdon Road, causing disturbance and street fights. In our opinion, relaxing this condition ~~would only encourage more antisocial behaviour of this sort.~~

Conditions 2, 3 and 5:

The Axe is located in the middle of a residential area, surrounded by houses on all 4 sides. In our opinion, it is not suitable as a venue for discos and live music, as noise leaks out of the building, even with doors and windows closed. ~~The limit of 34 decibels is well placed and protects us residents from excessive noise.~~ We strongly believe that this limit should stay in place. For the same reason, we feel that outdoor entertainment should not be allowed.

Although with the new DPS in place (Mr. J. Stell) things have generally improved, we are still getting disturbance from the pub. There is still music being played at the pub, recorded and occasionally live. ~~The live music can be particularly intrusive, especially the bass.~~

We are also disturbed on a regular basis by noise from the front of the pub, particularly in the evening and at closing time. Many customers arrive and leave in a noisy fashion and even conversations which are quiet reverberate around the neighbourhood. Then there are the loud conversations including foul language which are particularly unpleasant and unwelcome especially for our two teenage daughters. On these occasions we have to close our windows to be able to sleep.

We believe that relaxing the conditions in Annex 3 would only make matters worse.

To summarise, the conditions in Annex 3 have been imposed on the licence to protect us residents from excessive noise. ~~Although under the current management things have improved and the landlords have been more responsive to neighbours, this management may well change at some point in the future and so full conditions off Annex 3 need to remain in place to protect residents now and in the future.~~ It took residents 18 months of complaining to the UDC and considerable

effort of the Environmental Health section to bring about a license review. We don't want to find ourselves in the same situation in the future.

Finally, we would like to add that in fact, instead of removing and relaxing the conditions, we feel that further can be done to protect resident's entitlement to relax in their own homes. For example, having door staff to discourage people loitering outside the pub.

Yours sincerely,

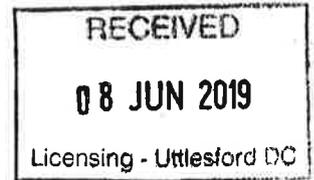


Louise and Robert Wilkinson

55 Ashdon Road
Saffron Walden
Essex CB10 2AL

Sharon Bartram

From: Glyn Mummery <[REDACTED]>
Sent: 08 June 2019 17:27
To: Licensing
Cc: Mum & Dad
Subject: [External]..FAO Mrs J Jones - your ref: JJ/The Axe



Dear Madam

I write with reference to your letter dated 4th June 2019 addressed to my parents who live at Lyndale, Mill Lane, Saffron Walden, Essex - directly behind The Axe.

They have asked me to write to express their deepest concerns over the proposed application to change the conditions to the premises license.

The local authority needs to consider very carefully the impact of this pub on the local residents. This is after all a pub in a residential area - each boundary having a residential dwelling next to it - as compared to a town centre location. It has limited car parking which already spills out on the surrounding streets.

It is accepted that a pub has existed on this site for many years and has served the local community well. However, in recent years (after R Turner retired) each successive owner has attempted to attract a wider audience by targeting a younger clientele. This has had a significant and damaging impact on the residents which in turn resulted in the conditions being imposed to once again bring some balance between the pub and the local community.

Since 2014 the pub has continued to go through numerous owners and to date no one owner has settled. Regardless of whether the current owner is able to control the impact these changes will have to local residents (which is disputed) there is no guarantee that any future owner will and the last time there were problems it took 18 months to get your department to take action with the sanctions imposed.

It is worth noting that the current owner does not live in the pub and therefore his proposed changes will have no impact on him whatsoever. It is also worth noting - although I am not able to substantiate it - that he does not visit at weekends.

I do have serious concerns about the reputation of the manager operating the pub for the current owner and the unsubstantiated stories surrounding her which include:-

- (a) facing a criminal charge for attacking her husband with a knife when inebriated.
- (b) is disqualified from driving because of alcohol.
- (c) is now running the pub on her own.

I trust your department will fully explore the above allegations with the police to understand their merits as I would not consider them a fit and proper person to run a pub and I am therefore concerned for my parents safety - whom are both both 80. To this end you should note that my father drank in this pub for the last 55 years and, under the current ownership, has had to stop due to the unpleasant atmosphere and bad language in this establishment. For your further information the manager recently banned two elderly gentleman from the pub because they tried to coax her dog from a pub seat so that they could sit down !!!

So to be absolutely clear we object to any conditions being replaced on the following basis:-

1 Prevention of crime and disorder

The new conditions will attract a large number of individuals to this pub situated in a residential area which will result in increased crime of vandalism and violent behaviour (as was seen before) in an area which is - in the main - occupied by elderly residents.

You should further be aware - if you are not - that the pub has a reputation for drug dealing. With restrictions lifted there is every chance this will increase and encourage further acts of crime.

The proposed changes are aimed at a demographic group alien to the area and entirely inappropriate.

2 Public Safety

These changes are likely to increase the footfall through the pub of young people who will be drinking. Where this is an out of the centre town pub a high number will drive. Temptation to drink and drive will be increased and the obvious risk to public safety.

As said before the pub is a known drug dealing establishment which in turn is a serious threat to the public safety of the local community.

Unrestricted music events will happen every weekend and the pub will become known in the surrounding area for providing the same. The local residents will suffer from noise late into nights.

(c) The prevention of public nuisance

This public house is in a residential area - any increase in the live music licence from where it is now will be a nuisance for all local residents. These residents have been here far longer than the current owner (my parents 55 years) and believe that they compromise significantly at the moment with the current conditions. The increase will serious impact on their enjoyment of the area and make them prisoners in their own home during summer months when they will not be able to have windows open or sit in their garden. The current limit to six times a year is accepted as middle ground.

The increase in licensing times is simply unnecessary in a residential area which cannot be patrolled as frequently by the police as a town centre location. This will very quickly result in incidents of public nuisances at very unsocial hours - as will incidents under the above (a) heading.

In the summer months my parents regularly suffer from noise from the garden, bad language and smashed glasses in the car park - and on occasion Mill Lane. Any increase in hours will prolong their suffering in the evening when they should be able to enjoy their environment. In addition unrestricted music in the garden will be completely unfair on all neighbours and prevent them from enjoying their own gardens.

I would add that the attempt to remove a noise restriction is a clear indication of the owners intent to make this a live music venue with no care, respect or consideration for its neighbours.

(d) The protection of children from harm

With drug dealers operating in the area any local children run the risk of being exposed to this danger. Increased music at the venue will likely attract more of this at times when children and young adults may be in the area.

The noise from any garden music events - which cannot be justifiable in a residential area - will impact on children's sleep and potentially unnerve them - especially with the volume of people that are likely to be attracted to the area.

In conclusion I seriously hope that the licensing authority will recognise that this is a pub in a residential area. These proposed changes are an attempt to turn the pub into a live music venue at weekends with unrestricted noise implications until midnight which is simply not compatible with the area and the demographics of the local residents.

I should be grateful if you would confirm receipt and that an email is a sufficient form of written communication.

I should also be grateful if you would advise whether these comments are to be made public as my parents are seriously concerned about any backlash - which I find concerning as well.

I look forward to hearing from you.

Yours faithfully

Glyn Mummery
Partner
FRP Advisory LLP

Mob [REDACTED]
Tel [REDACTED]

Please be aware that our privacy notices have been recently updated:

<http://www.frpadvisory.com/privacy/><<https://www.frpadvisory.com/privacy/>>

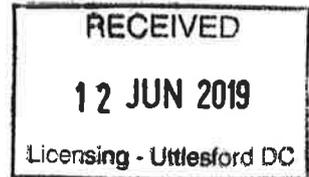
This electronic mail transmission is confidential and is intended only for the review of the party to whom it is addressed. If you have received this transmission in error, please immediately return it to the sender.

For further details of our disclaimer and corporate information, please click the link below:

<http://www.frpadvisory.com/emaildisclaimer.html>

Joanne Jones

From: Joanne Jones
Sent: 13 June 2019 12:20
To: [REDACTED]
Subject: FW: [External]..Re: The Axe pub issues



Dear Mr Holtby

I acknowledge your representation in relation to the variation application for The Axe PH, Ashdon Road. This application will be forwarded to Committee for Members to decide whether or not to grant and you will be advised of the time and date of the hearing once it has been arranged.

Regards

Joanne Jones
Licensing Officer

Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Tel: 01799 510598
E-mail:licensing@uttlesford.gov.uk

From: Nick and Nadine Holtby [mailto:[REDACTED]]
Sent: 12 June 2019 21:13
To: Matthew Chamberlain
Cc: NICK HOLTBY
Subject: [External]..Re: The Axe pub issues

Dear Mr. Chamberlain,

I'm writing to you concerning the proposed changes to the Premises Licence of The Axe Pub Ltd, 60 Ashdon Road, Saffron Walden

As you know from our earlier correspondence I and my tenants have experienced difficulties and nuisance from patrons of The Axe Public house leaving and fighting, shouting and swearing in the street outside our house. So when it comes to these proposals I am not in favour of relaxing the conditions of annex 3 because that is what protects the residents from what could otherwise be an even worse situation. Allowing people to drink outside the present designated areas would exacerbate the problems already seen. Scraping conditions 2, 3 and 5 would result in excessive noise even with windows and doors closed and outdoor entertainment would obviously have a similar disturbing effect. It's a residential area and the pub is surrounded by houses on all sides. It's bound to be a problem. I find it hard to believe that this application is even considered but I expect you have to do it.

If you are not the correct person to send this objection to please forward it on so my views can be taken into account.

Yours sincerely,

Nick Holtby
53 Ashdon Road
Saffron Walden CB10 2AQ

Sent from my iPhone

On 12 Feb 2019, at 09:09, Matthew Chamberlain <[REDACTED]> wrote:

Dear Mr Holtby

Can you just confirm the date as you have put 19 February.

Was it 00.46 hours on 09 February 2019?

Kind regards

Matthew Chamberlain
Enforcement Officer
Uttlesford District Council
Tel: 01799 510326
Email: [REDACTED]

From: NICK HOLTBY [mailto:[REDACTED]]
Sent: 11 February 2019 21:24
To: Matthew Chamberlain
Subject: Re: The Axe pub issues

Dear Mr. Chamberlain,

Thank you for your reply. Yes you may pass the recording on to the police. It was recorded on the 19th February starting at 00:46. Apparently the incident went on for half an hour to an hour after the recording ended as well. My tenant did not report it to the police at the time unfortunately. Maybe other residents did so.

Kind regards
Nick Holtby

Get [Outlook for iOS](#)

From: Matthew Chamberlain <[REDACTED]>
Sent: Monday, February 11, 2019 11:39 AM
To: NICK HOLTBY
Subject: RE: The Axe pub issues

Dear Mr Holtby

Thank you for your email and I am sorry to hear that this licensed premises is causing anti-social problems.

So that I can investigate the matter further please can you confirm the following:

Are you happy for me to share this information with other relevant agencies police etc. (not the premises as your details are withheld due to data protection purposes).

What is the time and date that this incident occurred?

Was this matter reported to Essex Police if so do you have the crime reference number?

Kind regards

Matthew Chamberlain
Enforcement Officer
Uttlesford District Council
Tel: 01799 510326
Email: [REDACTED]

From: NICK HOLTBY [mailto:[REDACTED]]
Sent: 10 February 2019 00:30
To: Licensing
Subject: The Axe pub issues

Dear Sir,

I want to bring your attention to the problems that local residents have with the Axe Pub and in particular with antisocial rowdy behaviour of customers from there. There is very often a lot of noise when people are leaving from raised voices, slamming of car doors etc. But all too often there is violence and foul language. As an example of this I attach a video of customers from the pub taken by a tenant of mine in January who has had to move to the back room of our house to escape the disruption to her sleep that the pub causes.

I think you will agree that it is quite disgusting and unacceptable behaviour but I'm afraid this is the reality of what we are made to suffer from currently. I would like you to take this into account when next considering the licencing of this establishment.

Yours Sincerely
Nick Holtby (owner)
53 Ashdon Road
Saffron Walden
CB10 2AQ

Sent from my iPhone

<image001.jpg>

Uttlesford District Council is the data controller for any personal information you provide to the council. For more information on your data protection rights or how to contact our Data Protection Officer, please have a look at our [Privacy Notices](#).



1 Mill Lane
Saffron Walden
Essex
CB10 2AS
6 June 2019

Dear Sirs,

Application for a variation of a premises licence,
the Axe public house, 60 Ashdon Road, Saffron Walden,
Essex CB10 2AT

I strongly object to the Axe's proposal to remove conditions 1, 2, 3 and 5 of Annex 3 of their present licence.

The Axe is very close to residential houses, with people of all ages including very young children; and already the noise from the pub is considerable. Removal of the conditions listed - very carefully considered when they were imposed - would increase this unacceptably.

Since the first notice went up outside the Axe, more details have been added, listing proposed days and times, etc. This does not in any way affect my objections.

Yours faithfully,



(MS M. FLINT
formerly Town Councillor).

The Licensing Authority
Uttlesford District Council

RECEIVED
12 JUN 2019
Licensing - Uttlesford DC

1A Mill Lane
Saffron Walden
CB10 2AS

Chief Planning Officer (Licences)
Planning Office
Uttlesford District Council
Council Offices
London Road
Saffron Walden.

Dear Sir,

Re Variation of the Premises
Licence for The Axe, Ashdon Road: Removal of
Conditions 1, 2, 3, 4 & 5 of Annex 3,

I wish to object to this application
for the above conditions. It would just
add to the noise and light pollution we
have to suffer as nearby residents to The Axe.

Yours faithfully,

[Redacted Signature]

61 Ashdon Road
Saffron Walden
Essex
CB10 2AQ

12 June 2019

Mrs J Jones
Licensing Officer
Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER



Dear Mrs Jones

APPLICATION FOR A VARIATION TO THE PREMISES LICENCE IN RESPECT OF PREMISES KNOWN AS 'THE AXE' SITUATED AT 60 ASHDON ROAD, SAFFRON WALDEN, CB10 2AT

Your reference: JJ/The Axe dated 4 June 2019

As a neighbour some 10 metres diagonally opposite The Axe pub we write to object to the application to remove conditions 1,2,3 and 5 of Annexe 3 that were imposed following a hearing in 2014 following considerable disruption to the neighbourhood caused by excessive noise and anti-social behaviour.

We also object to the application to add new conditions allowing drinks to be consumed outside the premises after 11.20pm Sunday to Thursday and to 12 o'clock midnight on Fridays and Saturdays.

We also object to a later extension on New Year's Eve for the sale of alcohol to 1.00am in the morning with the addition of music to 12.30am.

Our objections fall within the licensing objective of The Prevention of Public Nuisance. The Axe is located in the middle of a residential area surrounded by houses on all 4 sides and the current conditions (1,2,3 and 5) were designed to reduce the nuisance caused by the activities at The Axe to those living nearby. Removing those conditions is very likely to return to the situation that existed prior to the 2014 hearing. Despite these conditions the activities at The Axe still have a considerable impact on local residents. On certain nights of the week music can be heard bleeding from the premises, there is rowdiness and anti-social behaviour from customers in the garden area or leaving the premises in the car park and on the pavement outside continuing into the early hours of the morning. We frequently hear shouting, swearing (foul language) and witness drunken behaviour in the street. There are often bottles and broken glass over the road and pavements which we and others clear up.

In summary, for the reasons stated above, we object to the current application to vary the licensing conditions.

Yours sincerely,



S C & C WOOD

13 JUN 2019

2a, Shepherds Way,
Saffron Walden

Dear Sir,

Re the request by "The Ace", Ashdon Rd.
to have the licensing conditions reviewed.

Drinks should not be consumed outside
the premises or during the hours of 11-20pm.
until 10-00am.

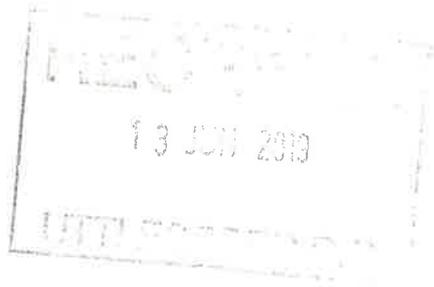
No regulated entertainment should
be allowed out of doors and should
remain limited to present conditions

Noise should not be allowed to
exceed 30 decibels outside the present
limit.

This is a residential area and
should remain protected by the
licensing Authority

Yours sincerely


RECEIVED
13 JUN 2019
Licensing - Uttlesford DC



Mrs Doreen A Townley,
49 Ashdon Road
Saffron Walden
Essex
CB10 2AQ

World Cancer Research Fund
www.wcrfuk.org/learn

Dear Sir,

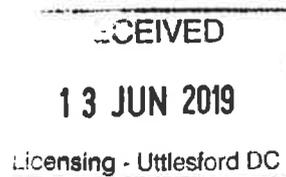
I am writing re the request by the
Axe, Ashdon Rd., to have the licensing conditions
removed that limit their entertainment hours etc.

In a residential area such as this it is
inappropriate to allow drinks to be consumed
outside the premises.

In the past there have been complaints about
noise levels due to music events - these
should certainly be limited and kept
within the pub. The residential area is very
close to the pub and the disturbance
caused by loud events would certainly
have 'residential amenity.'

I trust, therefore, that the licensing
Authority will keep the present limitations
in place.

Yours sincerely,
[Redacted Signature]



Licensing Authority
Uttlesford District Council
Council Offices
London Road
Saffron Walden CB11 4ER



17 June 2019

Concerning Proposed changes to the Premises Licence of The Axe Pub Ltd, 60 Ashdon Road, Saffron Walden

Dear Sir or Madam,

We have lived at 50 Ashdon Road for approximately 17 years during which time The Axe public house, under the 'control/management' of a string of landlords, has impacted upon us to a greater or lesser degree dependant upon the diligence of the landlord at the time. Being generous natured people who believe in a live and let live approach to life, we have largely suffered in silence in the face of the unsavoury activities of some of the landlords. Understandably, the impact of the pub's activities and customer behaviour have affected neighbours differently depending on their proximity to the venue; we are located approximately 40m away. By pure accident, we noticed a brief section in one of the local newspapers announcing an application for the relaxation of a number of significant conditions attached to the existing Premises Licence; understandably, this caused alarm bells that have compelled us to formally speak out. We know that we are not alone in considering the status quo far from acceptable and consequently feel duty bound to bring to your attention our concerns that provide substantive reasons why the Licensing Authority should act to deny the application. I am particularly disappointed that this application appears not to have been brought to the attention of all of the many residents whose lives have been blighted by the past activities of the pub.

We understand that objections to licensing are required to address specific issues and have attempted to describe the problems, relating to the operation of the premises that have affected our lives and continue to do so, in a manner that follows those key themes. We believe that it is incumbent upon the premises to demonstrate an ability to reform the totally unacceptable behaviour of the past and to provide a plan to manage current and future operations in a responsible manner that enables a healthy pub business to peacefully co-exist with the neighbouring community. It is our understanding that the current special constraints were only imposed after lengthy consultation between our neighbours and the Authorities and that, whilst these are imperfectly observed/enforced, they have enjoyed a measure of success. Relaxation of the present licence conditions would further undermine their efficacy; to do so would be deeply irresponsible and the Licensing Authority would be clearly failing in their duty.

We acknowledge that the present landlord appears to be attempting change in the way that the pub is operated and seems to be making some progress. Also, we recognise that it is impossible to operate this type of business without some disturbance to the peace and harmony of the neighbourhood but believe that such impact should be fair and reasonable.

Prevention of Crime and Disorder.

We have over recent years been impacted by the activities of The Axe.

On a number of occasions groups of young adults have persistently congregated outside our front boundary hedge and adjacent to our driveway - gathering hard evidence in the face of such intimidating activity is difficult, but it is likely that these gatherings involved the exchange or use of drugs. We trust you will recognise the wisdom of our choice not to confront these groups.

Anecdotally, the Axe has gained a reputation over the years as a venue where illicit substances could be obtained; the previous landlord is rumoured have adopted a very relaxed attitude to such trade within and around the premises. Doubtless, such activity has exacerbated many other issues.

Many times over the years we have been disturbed by the sounds of violent disorder in the street; sometimes this is limited to abusive language but there have been occasions when actual brawling and physical assaults have occurred. This has clearly been associated with the Axe because the noise suddenly began as customers emerge from the nearby premises rather than developing with the gradual approach of groups from the direction of town. Some of these situations have lasted for an hour or more and are quite frightening to witness and it would most certainly have been unwise to intervene.

Given the severe restrictions on Police resources imposed over recent years, the chances of timely Police intervention have been slim; consequently, it is surely reasonable that the potential sources of such crime and disorder are controlled in a manner that actively prevents their occurrence.

Public Safety.

There have been situations over recent years, where innocent bystanders have been affected by the overspill from The Axe. This has included pedestrians suffering threat from violently drunk customers spilling out of the Axe and also drunken individuals or groups occupying the live road, resulting in abusive behaviour and vandalism to innocent motorists unfortunate enough to be passing by late at night. Understandably, we the close residents are traumatised by such incidents too and have suffered numerous nights of disturbed sleep.

Prevention of Public Nuisance.

This is perhaps the category where the Axe has blighted our lives most frequently in the past and currently. The inclusion of the outside gardens within the premises licence does understandably help the landlords volume of business and this need not create an unreasonable problem. However, the volume of customers can and sadly does yield an excessive and unreasonable noise volume such that it is often impossible to enjoy a peaceful day or evening in our garden. We accept that a general hum will develop when groups of people gather and have no objection to that; unfortunately music is often loud and the behaviour of the groups of customers is often very loud and rowdy with persistent drunken shouting and shrieking from adults and screaming children. I understand that an order restraining noise levels is supposed to be currently in place; this is clearly not being properly enforced. Also, for some reason many of the customers surprisingly seem to arrive and leave by car, which means that closing time can be very noisy. The current licence conditions appear to allow external activities to continue until around 11pm; we believe that the relaxations sought would permit many more events, exacerbating the present unacceptable public nuisance that significantly blights our lives. In fact we firmly believe that the outside activities should be curtailed by 9 or 10pm at the latest rather than relaxed.

In summary, we acknowledge that the current landlord appears to have implemented notable improvements to the interior of the premises and the garden area, which hopefully in the medium term will be more conducive to operating the premises as a civilised, family friendly business. Whilst there has been some change in the amount of impact upon us and the other neighbours, we believe that this falls firmly into the category of a work in progress with substantial room for improvement.

We would welcome community discussions with the landlord with a view to developing an understanding of the impacts of the pub upon the neighbouring residents; following such discussions it should be possible to agree a written action plan whereby the landlord would commit to effective channels of communication, measures to ensure responsible management of operations and a means of emergency response in the event of incidents. If it could be demonstrated that the pub is capable of consistently operating as a good and reasonable neighbour then this might open the possibility of discussions concerning future relaxation of the current conditions. Obviously history has demonstrated that landlords come and go, along with very different attitudes to their neighbourly obligations; consequently, it would be imprudent, should any relaxations be negotiated in the distant future, for them to be open-ended.

Yours sincerely,


Cathy & Andy McGonegal

50 Ashdon Road
Saffron Walden
Essex CB10 2AT

RECEIVED
24 JUN 2019
Licensing - Uttlesford DC

SCANNED

51a Ashdon Road
Saffron Walden
CB10 2AQ

20 June 2019

Dear Madam or Sir

LICENSING ACT 2003: The Axe Public House 60 Ashdon Road CB102AT

I have lived at this address since April 2001. My house is almost opposite the Axe, and I estimate that the pub's windows are less than 20 m from my front bedrooms. Prior to the change of ownership in 2013, there were rarely problems with the pub.

There was then a period when there were numerous incidents of noise and anti-social behaviour. Following the 2014 licence review and the imposition of the current conditions the situation improved. I understand that there have been further incidents, which particularly affect the closest neighbours and those who regularly use bedrooms facing the pub. The police map regularly records crime near the pub's location, though this could include incidents not connected with the pub.

Neighbours at 51 and 53 Ashdon Road have moved away in the last few years, and told me that problems with the Axe were a factor in their decision to move.

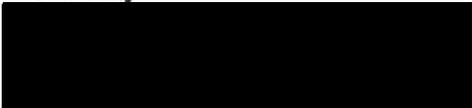
When I was at an event at the Axe last year shouting and swearing were tolerated inside, so it is not surprising that some patrons continue this behaviour outside when they leave. The pub has recently introduced happy hours and advertises that it will shortly introduce a loyalty card offering a free drink after a certain number have been consumed. This is unlikely to make the pub a better neighbour, and may be an "irresponsible promotion" contrary to the licencing objectives.

I use a bedroom at the back of the house, so have rarely experienced any disturbance from the pub since the licensing conditions were introduced in 2014. On the few occasions that I am in my front rooms at closing time, patrons leaving the pub have been noisy and apparently drunk. When I have overnight visitors I often move to a front bedroom so my guests can sleep at the back and be assured of a peaceful night.

The Axe is surrounded by homes where people have to get up early, children need to sleep and residents should be able to enjoy their gardens and open windows in summer. No other pub in Walden has so many close residential neighbours. It is wholly inappropriate, and incompatible with the licencing objectives, to permit longer hours for music, outside drinking and the sale of alcohol, and more frequent music events.

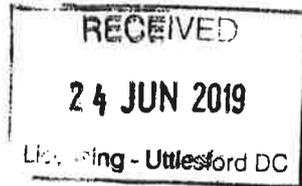
I urge the Council to refuse this application.

Yours faithfully



Barbara Wilcox

Licensing Authority
Uttlesford District Council
Council Offices
London Road
Saffron Walden



Samuel Burton and Rachel Lawson,
64 Ashdon Road,
Saffron Walden,
CB10 2AL

24th June 2019

Your Ref: JJ/The Axe

Dear Sir/Madam,

Objection to application for variation to the premises licence in respect of the premises known as The Axe, situated at 60 Ashdon Road, Saffron Walden, CB10 2AT.

As residents living in close proximity to The Axe, we wish to record our strong objection to the application for variation to the premises licence noted above, on the grounds of Prevention of Public Nuisance and the Prevention of Crime and Disorder.

We consider that all of the Conditions previously put in place should remain and not be replaced by the Conditions suggested in the current application.

The Axe is located in a residential area and unsuited to an outside drinking area, where patrons frequently stray into Ashdon Road sometimes causing disturbance and fights. The pub is currently having regular drinks promotions and happy hours which can encourage excessive drinking. (maybe check if they are doing promotions)

The Axe is surrounded on all sides by houses which in our opinion makes it not suitable for live music and other events, especially outside the premises. There is a noise limit at present which should be adhered to so that residents do not have to put up with excessive noise.

There is usually noise from the beer garden and the car park in the evening and at closing time. Many customers are noisy on leaving, especially the car park area and the noise travels around the road. Loud conversations, swearing, leaving glass bottles and urinating up against lampposts are not uncommon after leaving time.

My parents were visiting from Edinburgh last August and after walking around the Common went into The Axe for a drink on the way back to my house, and much to their surprise got caught up in a fracas inside the pub which spilled out onto the middle of the road. They did manage to make a quick exit, but not the right impression of Saffron Walden

With these licensing restrictions remaining in place, the Landlord has the framework to help manage the behaviour of the patrons, and we local residents have the comfort of knowing that we are

afforded some protection against the type of public nuisance and criminal disorder behaviours we have experienced previously, and to a lesser extent, continue to experience.

Therefore we are objecting to the removal of the existing conditions from Annexe 3.

Kind Regards,

Sam Burton and Rachel Lawson.



Licensing Authority,
Uttlesford District Council,
Council Offices,
London Road,
Saffron Walden,
CB11 4ER

23rd June 2019

To whom it may concern,

Re: Proposed changes to the Premises License of The Axe Pub Ltd, 60 Ashdon Road, Saffron Walden

As residents of 68 Ashdon Road we are writing to object to the proposed removal of conditions 1, 2, 3, and 5 of Annexe 3 from the Premises License.

Our reasons for objecting to this are as follows:

Despite current conditions stating that drinks shall not be consumed outside the premises, except for in designated areas and not between the hours of 11:20pm and 10:00am, we are regularly disturbed by noise from customers coming and going, drinking and talking loudly, including shouting and swearing, outside The Axe, which frequently continues later than 11:20pm, particularly at weekends. We feel that relaxing this restriction will only encourage more antisocial behaviour.

The Axe is in the middle of a residential area with housing all around, therefore we do not feel that it is a suitable venue for regular music events, as noise leaks out of the venue disturbing residents. We have a 2 year old and a second baby due in August and disturbance from such events can be quite disruptive, especially in the evenings. We therefore feel existing noise limit of 34 dB is appropriate and should be kept. In addition, we also feel the current restriction of 6 events per year should be maintained.

Having talked with other local residents we are aware of the lengths that residents and the Environmental Health Department at UDC went to in order to bring about the previous license review in 2014. We do not wish to be put in a similar situation again in the future, particularly given that, although we are aware that the situation has improved since the current restrictions were brought into effect, they are not always strictly adhered to.

Yours sincerely,



Elizabeth and Henry Allan,

68 Ashdon Road,

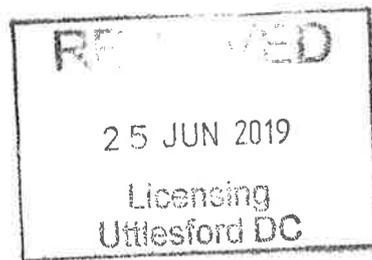
Saffron Walden,

Essex

CB10 2AL



Mrs Jones
Licencing Officer
Council Offices
London Road
Saffron Walden
CB11 4ER



Dear Mrs Jones

Application for a Variation of Licences – The Axe Pub Ltd, 60 Ashdon Road Saffron Walden, CB10 2AT

We live at no.58 Ashdon Road. Our property is immediately adjacent to the Axe Pub and outdoor space in which the proposed uses would be allowed – see Annex 1. We are therefore one of the properties that would be most significantly affected by the proposed licence changes.

We have lived at no.58 Ashdon Road for over five years and accept that there will always be a level of activity associated with the pub and that this comes hand in hand with our decision to purchase a property in such a location. However, it is also important to recognise that the pub is located within a wholly residential area, in very close proximity to people's homes. Therefore any proposed changes need to be balanced with the wants of the pub and current landlord vs effective safeguarding of local residents.

Over the years, we have on numerous occasions been adversely impacted by activity from the pub. In recent years we have benefitted from the safeguards that were put in place by UDC to protect the health, safety and wellbeing of local residents. The current **conditions and limitations have been effective and in our opinion have helped to protect residents**, although there remain occasions where we are disturbed by the pub's activities.

We recognise that the current tenant landlord is making positive changes to the way in which the pub is operated and this is welcome. However, issues remain and any relaxation of the current licencing will significantly increase the risk to us and other residents of increased disturbances and potentially harmful nuisances.

While the current landlord is taking a positive attitude, it is important to note that the licence subject to this review **sits with the premises and not the Landlord**. Those responsible for running the pub and their attitude towards managing and controlling permitted activities can change at any time as has been the case in the past. Furthermore, recent correspondence involving the current landlord and UDC Licencing Officers has been brought to our attention. This further demonstrates the likelihood that circumstances can change quickly and the need for **effective safeguards and existing conditions to remain with the property**.

Having reviewed the proposed changes to the licence and following discussion with the current landlord, I would like to state our STRONGEST OBJECTION on the following basis:

Prevention of Public Nuisance

There are already occurrences of public nuisance arising from current permitted activities – examples include playing music through outdoor speakers and unacceptable noise during indoor music events. We manage these by engaging with the current landlord rather than through the

formal reporting mechanisms. Similarly it is our understanding that locally the perception of residents is that the pub is being operated under a stricter licenced condition and therefore some disturbance is more tolerable or can be dealt with on a more informal basis. This means that the current record of incidents or complaints is not necessarily a true reflection of the current impact or scale of local concern.

While the current licence and conditions offers some protection to residents, allowing outdoor events, increasing the frequency of indoor events and removing the requirement to monitor sound levels during events will significantly increase the risk of noise nuisance and ability for residents to enjoy their outdoor space. There are c.50 properties within 50m of the pub's boundaries (c.90 properties within 100m) meaning that there are a significant number of residents at risk of being impacted by occurrences of statutory public nuisances. Many of these properties are older properties, that do not benefit from modern day soundproofing or thermal properties (i.e. there is a greater need to open windows in the summer months to cool properties) meaning that they are more susceptible to noise emitted from the pub. They also all have well used, private outdoor space which is well used.

Given the nature of events that would be allowed for by the proposed changes and proximity of residential properties, there are no effective ways to mitigate any potential impacts or safeguard the health and mental wellbeing of residents. On this basis, it may also be prudent to consider whether stronger restrictions on the timing of outdoor activities should be sought.

Prevention of Crime and Disorder

Since the introduction of the additional licence conditions, there have been fewer instances of Crime and Disorder. This demonstrates the effectiveness of the conditions; however there have continued to be incidents outside and within the vicinity of the pub – that have included criminal damage and antisocial behaviour. Again, it is important to note that these are not always reported due to the inaction that often follows due to the 'size of the crime' and current limitations on the police and other public resources. However, cumulatively these have a significant impact on local residents. Removing the existing conditions and allowing an increase in the number of events and allowing outdoor activities will increase the likelihood of these events occurring rather than actively seeking to prevent their occurrence.

Public Safety

Increasing the nature and frequency of events will increase the risk to public safety. Key to this is the accessibility of the pub and the high number of patrons who travel by car. The nature of events that would be permitted by the changes is likely to draw wider audiences. This would increase the likelihood of people visiting the pub by car. While there is a car park on site, the access is poor and it is often full with many patrons forced to park on Ashdon Road or surrounding streets – often on traffic restrictions or obscuring the entrances to existing properties. ECC and UDC Officers are well aware of the existing traffic situation on Ashdon Road and the dangers that are caused by parking restrictions and driver behaviour. Permitting further activity along the road that would exacerbate these issues would increase safety risk to all car users and pedestrians – both those using the pub and those travelling along Ashdon Road.

The Protection of Children from Harm

Ashdon Road is made up of predominantly family housing with a number of young families living within the 50m catchment of the Axe and it is important that their safeguarding is considered.

Increasing the frequency and nature of activities (particularly outdoor events) risks exposing young children to bad language or sexual expletives within their own home; as well as being disproportionately impacted through increased noise and disturbance more generally. Whilst it is noted that the intention of the applicant is for outdoor events to be limited to 7pm, this does not take account of the need of young children who require sleep during this time (especially where windows are required to be open during summer months to regulate temperature. It also doesn't take account of noise disturbances to young children that would continue from inside the property beyond this time, or the behaviour / noise of patrons outside until 11pm.

In addition to the main points of objection above and in reaching a decision it is important that UDC Officers and the licencing committee are made aware of and take account of the following:

- **Current Permitted Activities** - Other than outdoor events and noise limit restrictions, all other activities requested as part of the change request can already be undertaken. While there is a limit of 6 events on the main licence the Axe can apply for a not insignificant number of Temporary Event Notices (TEN) throughout the year in addition to this. Looking at the recent register, this approach was taken last New Year's Eve and the recent four day Easter weekend event. The advantage of the TEN is that if there are noise issues / anti-social behaviour and complaints then future TENs can be withheld by UDC. This provides a level of protection for residents that there wouldn't otherwise be and should there become an issue (such as that experienced with the previous two landlords) then the TEN provides stronger protection for local residents. The alternative is a long, difficult and protracted licence process as demonstrated by the previous action taken by UDC.

While it is recognised that there are financial and time implications for the landlord with the use of TENs, this is negligible in terms of the overall turnover / day to day management responsibilities and therefore shouldn't be justification for removing the current restrictions.

- **Consultation Process** – While it is understood that the statutory consultation requirements have been met, UDC has a legal duty to consult effectively and ensure those people with Protected Characteristics are not disproportionately impacted under the Equality Act (2010). We are very concerned about how aware affected parties are of this proposal. It is understood that other than the site and newspaper notice only immediate residents received a letter from UDC (a total of four letters). This is less than 10% of the properties within 50m of the Axe and those who could be significantly impacted by or have comment on the licencing objectives. Many of these properties are not accessed from Ashdon Road and therefore passing the site notice is unlikely. There are also a number of older and disabled people living within 50m of the pub who are likely to be significantly and disproportionately impacted by the proposals. However they have not been made aware of the application directly and we consider that they are likely to be unaware as a result of the statutory process.

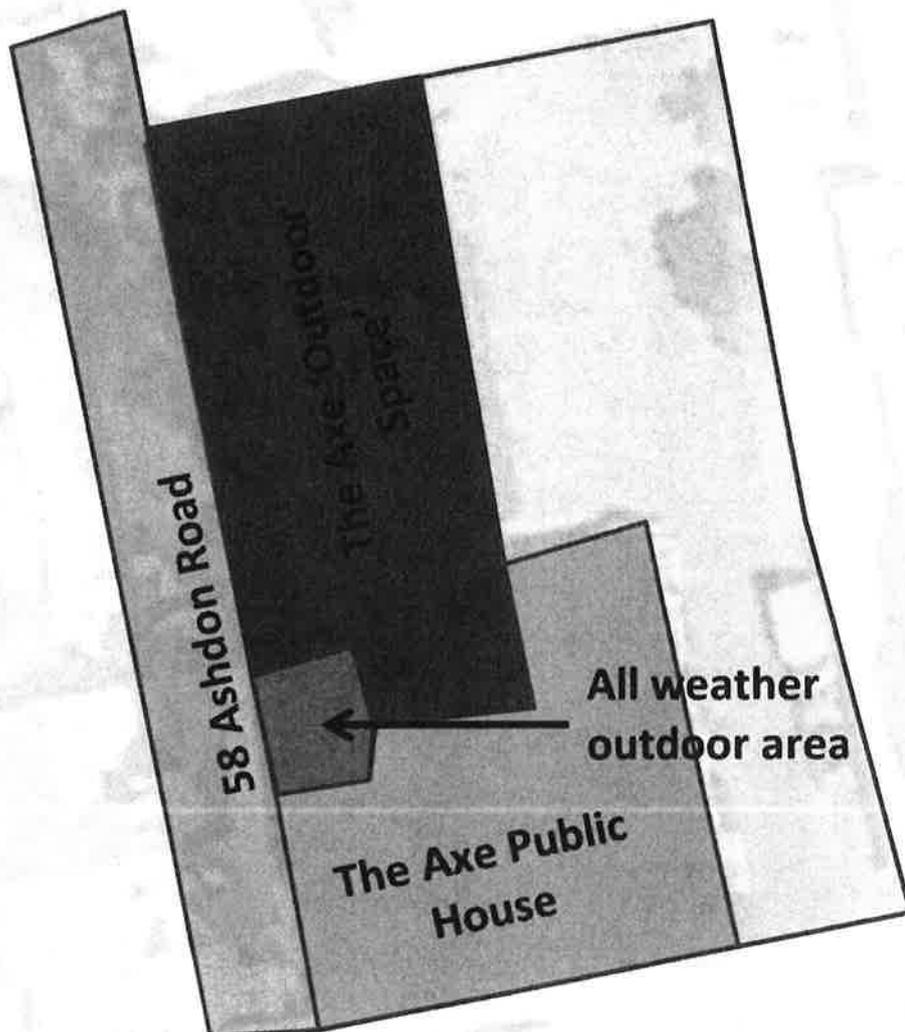
Separately, there are a number of errors and scribbles on the form which makes it difficult for people to understand what exactly is being applied for.

- **Noise Limits and Monitoring (Annex 3 Condition 4 and 5)** – as set out above we strongly object to the removal of conditions which require noise levels to be monitored during events. However, having spoken with UDC it is recognised that the current limit is unrealistic and unenforceable. Rather than removing the condition on this basis we would be willing to accept a slightly higher dB limit, agreed with UDC and supported by evidence. Any new limit should be set with the aims of avoiding noise nuisance and be enforceable.

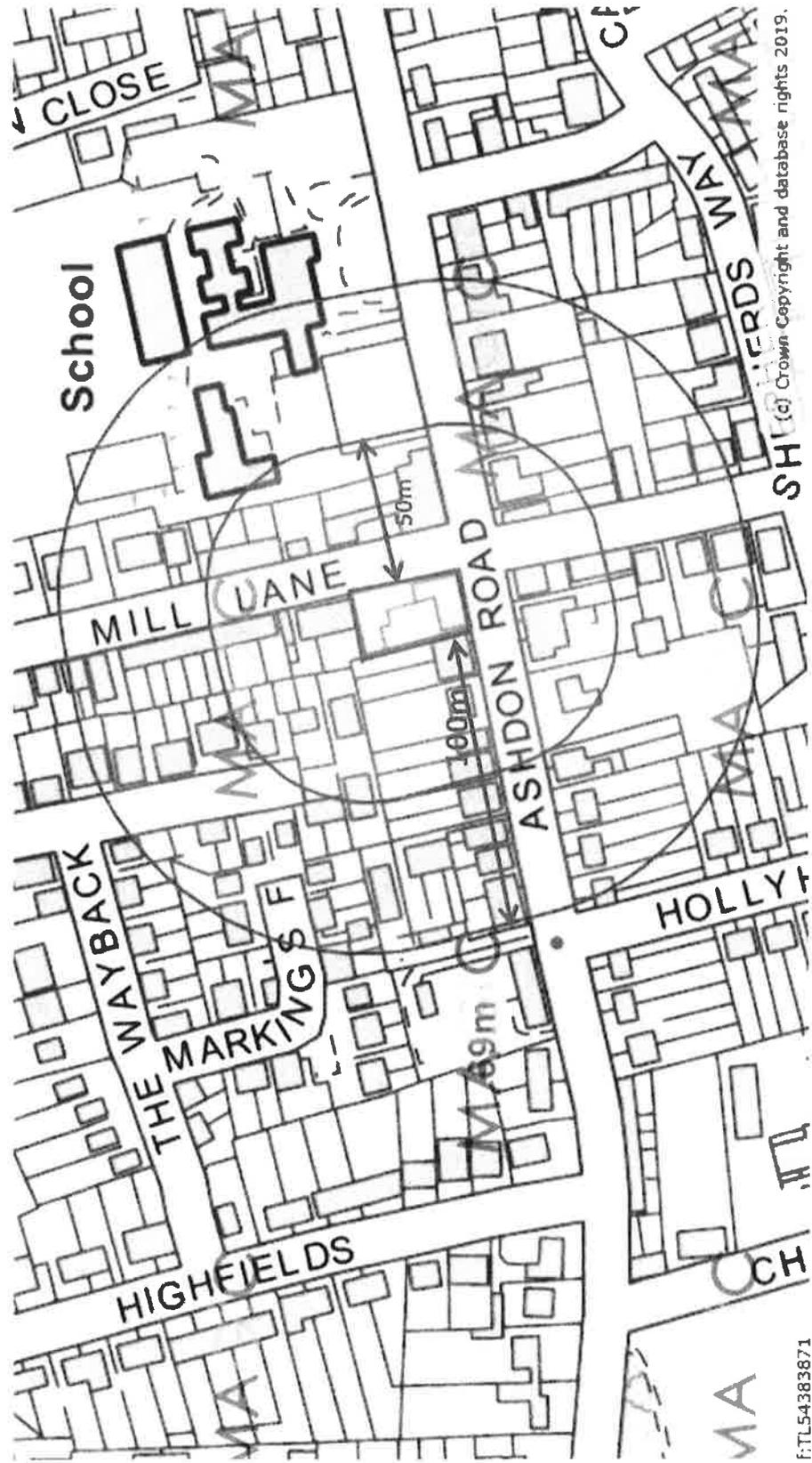
On the basis of the above impacts and in light of the significant local concern about the proposed changes, it is requested that the application be refused.

Yours sincerely

Chris & Alice Bearton



Annex 2 –Number of properties within 50m / 100m from The Axe Pub to 58 Ashdon Road at risk from outdoor event noise



f:TL54383871

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