



Public Document Pack

Uttlesford District Council

Chief Executive: Peter Holt

Licensing Panel Hearing

Date: Tuesday, 14th December, 2021
Time: 10.00 am
Venue: Council Chamber - Council Offices, London Road, Saffron Walden,
CB11 4ER

Chair: Councillor **P Lavelle**
Members: Councillors **S Barker**, M Caton, C Day (Vice-Chair), A Dean,
R Freeman, P Lees, L Pepper, **G Smith** and M Tayler

**Please note that the panel for this hearing will consist of
Councillors Lavelle, Barker and Smith.**

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 Application to vary a Premises Licence - The Axe Pub, 60 Ashdon Road, Saffron Walden CB10 2AT 3 - 67

To consider the application to vary a Premises Licence for the Axe Pub, Saffron Walden.

For information about this meeting please contact Democratic Services

Telephone: 01799 510369, 510548 or 510410

Email: Committee@uttlesford.gov.uk

General Enquiries

Council Offices, London Road, Saffron Walden, CB11 4ER

Telephone: 01799 510510

Fax: 01799 510550

Email: uconnect@uttlesford.gov.uk

Website: www.uttlesford.gov.uk

Agenda Item 2

Committee:	Licensing and Environmental Health Committee	Date:
		14 December 2021
Title:	Application to vary a Premises Licence The Axe Pub, 60 Ashdon Road, Saffron Walden, CB10 2AT	
Report Author:	Steve Mahoney, Senior Licensing and Compliance Officer	Item for decision: Yes

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 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.

Financial Implications

None

Background Papers

The following papers were referred to by the author in the preparation of this report and are available for inspection.

Appendix:

- 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 all relevant responsible authorities. A blue public notice was displayed on the premises for the required timeframe and a public notice was placed in a local publication circulated within the area of the premises.
Community Safety	None
Equalities	N/A
Health and Safety	N/A
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	N/A
Ward-specific impacts	Saffron Walden (Castle ward) being the ward within which the premises are situated.
Workforce/Workplace	N/A

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. It is a statutory requirement for this Committee to review and approve the licence fees.
3. 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.
4. 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.
5. On the 22 July 2019 a variation of the license was brought before the committee that resulted in it being refused in part with clause 1 – 3 of Annexe 3 remaining in force. Clause 5 was deleted and clause 4 was substantially amended.
6. Five 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 Deborah Hooper who has been on the licence since 09 April 2021, taking over from Karen Storey.
7. The current premises licence permits Indoor sporting events, live and recorded music indoors only from 7pm to Midnight Monday to Sunday.
8. 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.
9. The variation application is to remove conditions 1,2 & 3 of Annexe 3 of the licence:
 - Drinks shall not be consumed outside the premises except in designated areas and in no event between the hours of 11:20 pm and 10:00am.
 - No regulated entertainment shall take place outdoors.
 - Music events to be limited to 6 in any 12 month period
10. 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.

11. An email from the Essex Police Licensing Officer dated 12 November 2021, they being the statutory consultee for crime and disorder issues, states they have no objections to this variation application.
12. No other responsible authority have raised objections to the variation of this licence application.
 - 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 opposed to the removal of some of the Annexe 3 conditions from the Axe's licence. Details of these representations can be seen in Appendix F.
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.
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
15. The decisions that the Committee can make in respect of this application are to:
 - Grant the application.
 - Modify the application by inserting conditions.
 - Reject the whole or part of the application.
16. When determining an application due regard should be given to the Council's Licensing Policy: This state, inter alia,
 - i. 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.

- ii. 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.
 - iii. 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.
17. 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.
18. 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.
19. 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:
- i. 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.

- ii. 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.
 - iii. 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.
 - iv. 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.
 - v. 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.
20. 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.

21. 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 light of objections received to this application members should consider if this premises would 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.

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 DEBORAH HOOPER

(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	126
-------------------------	-----

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description			
THE AXE 60 ASHODON ROAD SAFFRON WALDEN ESSEX			
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		N/A	
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					
D	D	D	D	D	D	D	D

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)

To Remove Conditions 1, 2, 3 & 5 of Annex 3 which states:

- Music events limited to 6 per year
- No Drinks outside after 1120
- outside music not after 7pm

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</u> (please read guidance note 4)	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> <div style="text-align: center; font-size: 2em;">N/A</div>		
Mon					
Tue			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Wed					
Thur			<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>		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films 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> <div style="text-align: center; font-size: 2em;">N/A</div>		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Wed					
Thur			<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>		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			<p style="text-align: center;">NA</p> <u>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</u> (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

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</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			N/A		
Fri			<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</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 5)</u> This will not be every weekend but we are requesting that if we need to go over the 6 we are allowed we can.		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri	8pm	Midnight	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat	2pm	7pm			
	OR	8pm			
Sun	Asper				
	SAT				

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
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)		
Sat			We request that on occasion background music can be played outside ,		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance 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 performance of dance (please read guidance note 6) N/A			
Thur						
Fri			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 (please read guidance note 7)			
Sat						
Sun						

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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>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</u> (please read guidance note 7)		
Sun			Pass. screen outside for sporting events eg: World cup.		

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 checked="" 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					
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			We wish to have the 1120 curfew lifted so people can still sit outside and smoke/drink.		

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"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon								
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								

K

<p>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).</p>
--

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			
Tue			
Wed			
Thur			
Fri			
Sat			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)
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

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)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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	<i>DM Hoper</i>
Date	<i>26-10-2021</i>
Capacity	

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	

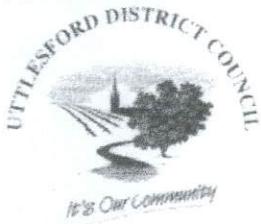
ANNEXES continued ...

- 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.

LOCAL AUTHORITY



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

Premises Details

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

THE AXE

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

Telephone 07976 796720

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

WHICH LICENSABLE ACTIVITIES AUTHORIZED BY THE LICENCE

Indoor sporting event
Performance of live music
Any playing of recorded music
The sale by retail of alcohol

WHEN THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

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

OPENING HOURS OF THE PREMISES

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

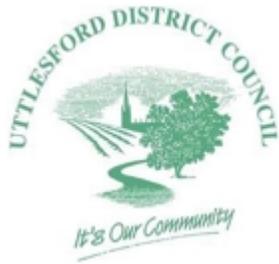
WHETHER THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

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

(REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

PUB LTD
NEW WORLD TIMBER FRAME, GRANDSDEN ROAD, CAXTON, CAMBRIDGE, CB23 3PL.





Uttlesford District Council

Council Offices London Road
Saffron Walden Essex CB11 4ER

Premises Licence

Licence No: 21/0893/LAVDPS

Licensing Act 2003

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description		
The Axe		
The Axe		
60 Ashdon Road		
Saffron Walden		
CB10 2AT		
Where the licence is time limited the dates		
Not applicable		
Licensable Activities Authorised by the Licence		
<ul style="list-style-type: none"> - Indoor Sporting Events - Performance of Live Music - Playing of Recorded Music - Sale by Retail of Alcohol 		
The times the licence authorises the carrying out of licensable activities		
Indoor Sporting Events		
Monday to Sunday	19:00	00:00
Performance of Live Music(Indoors)		
Monday to Sunday	19:00	00:00
Playing of Recorded Music(Indoors)		
Monday to Sunday	19:00	00:00
Sale by Retail of Alcohol		
Monday to Sunday	10:00	00:00

The opening hours of the premises

Monday to Sunday

10:00 00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol is supplied for consumption both on and off the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

The Axe Ltd

60 Ashdon Road, Saffron Walden, CB10 2AT

The Axe Pub Ltd

New World Timber Frame, Gransden Road, Caxton, Cambridge, CB23 3PL

Email: carlhooper55@gmail.com

Mobile: 07976 796720 CHRIS STRING

Registered number of holder, for example company number, charity number (where applicable)

08361592

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Deborah Margaret Hooper

The Axe, 60 Ashdon Road, Saffron Walden, Essex, CB10 2AT

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number: 20/2898/LAPER

Licensing Authority: Uttlesford

Annexe 1 - Mandatory Conditions

- 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-

- (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 underage drinking, antisocial behaviour, drunkenness on and off the premises, use of drugs and the protection of children from harm
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. Loitering on the premises to be actively discouraged
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. A noise management plan shall be submitted to the Licensing Authority within 28 days from the date hereof 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. Record will be made available for inspection either by any relevant responsible authority throughout the trading hours of the premises. The Premises License Holder must comply with the agreed noise management plan at all times during regulated entertainment.,The Premises Licence 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 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.,For the avoidance of doubt these requirements are sequential and if the noise management plan is efficacious then the noise limiting device will not be required. It is therefore up to the applicant to make this work.
5. All windows and external doors must be kept closed except for access and egress when regulated entertainment is taking place
6. 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

7. Staff to be deployed at the external doors and car park to ensure customers leave the premises quickly and quietly
8. Designated taxi operators to be nominated for the use of staff and customers. The companies telephone 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
9. CCTV is to be installed, maintained and operated around the premises to assist in preventing rowdiness and antisocial behaviour by customers at or leaving the premises. The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days
10. Prominent and clear signage shall be displayed close to exit doors and car park exit asking patrons to leave the premises and area quickly and quietly
11. The designated premises supervisor or his representative shall ensure that providers of music announce at least twice before the end of their act a request that patrons leave quickly and quietly
12. Conditions 2-6 above are imposed by virtue of section 177A(4) Licensing Act 2003 and therefore section 177A(1) does not apply to this licence

Annexe 4 - Plan of Premises

1. See separate attachment.

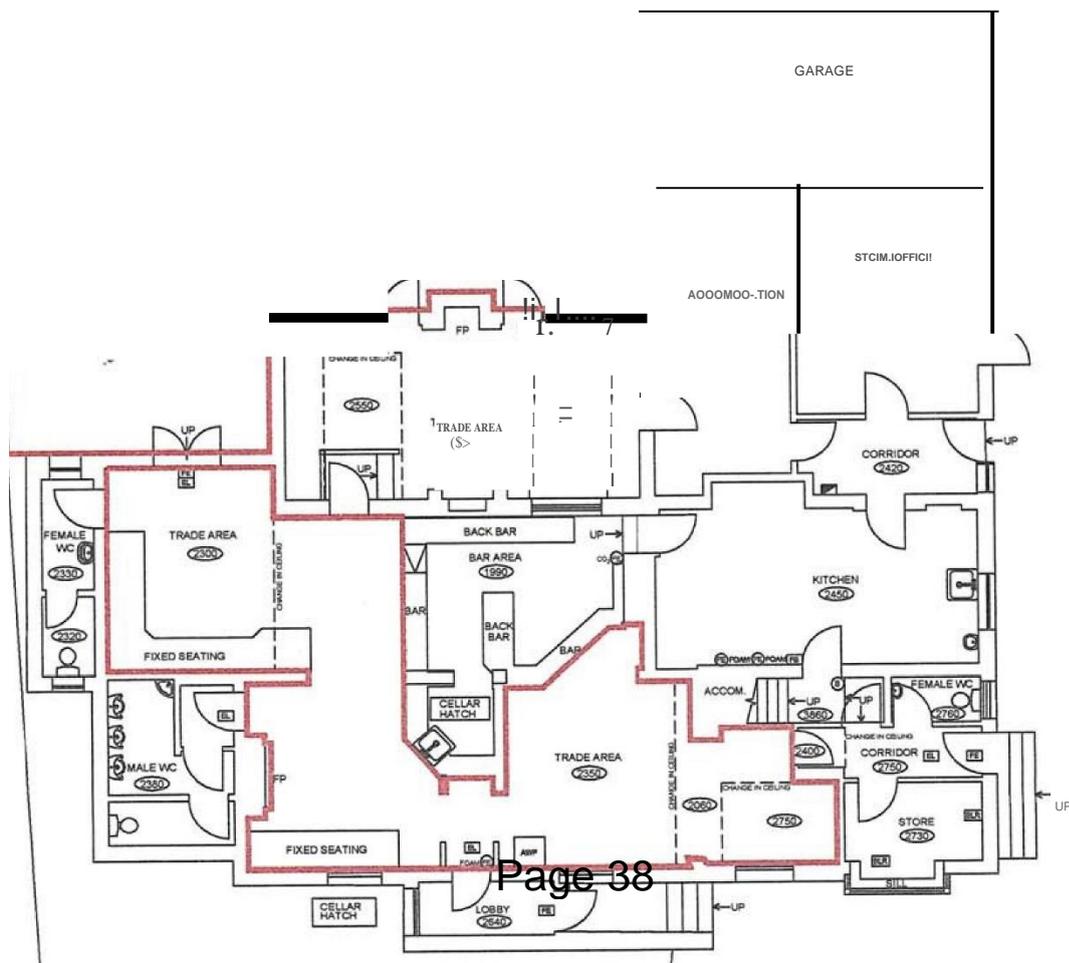


For and On Behalf Of Chief Executive

This section has been left blank.

CAR PARK

OUTSIDE DRINKING AREA



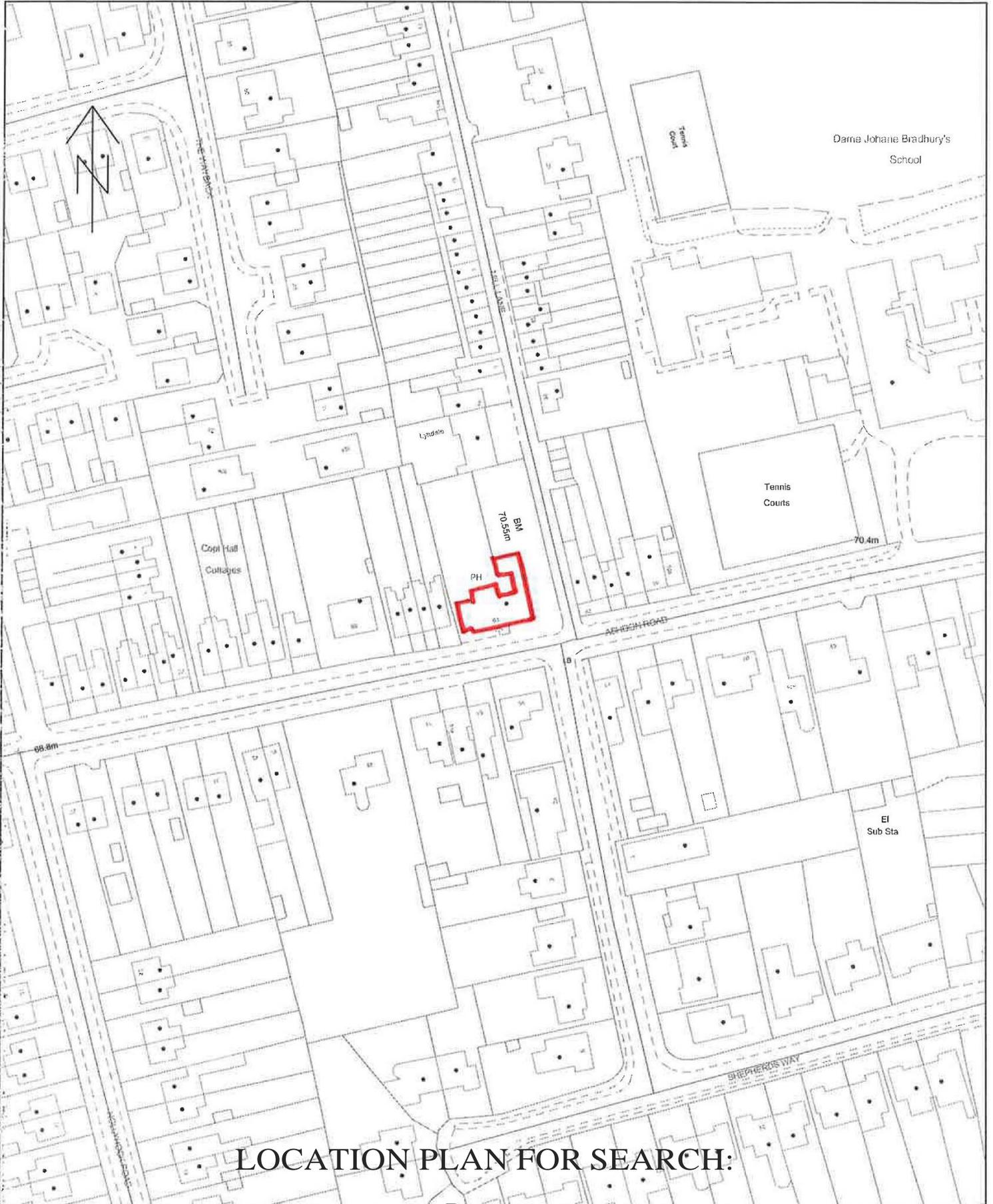
I
TICT
ITY

Uttlesford District Council- Local Land Charges

MAP REFERENCE: TL5438NE SCALE: 1:1250

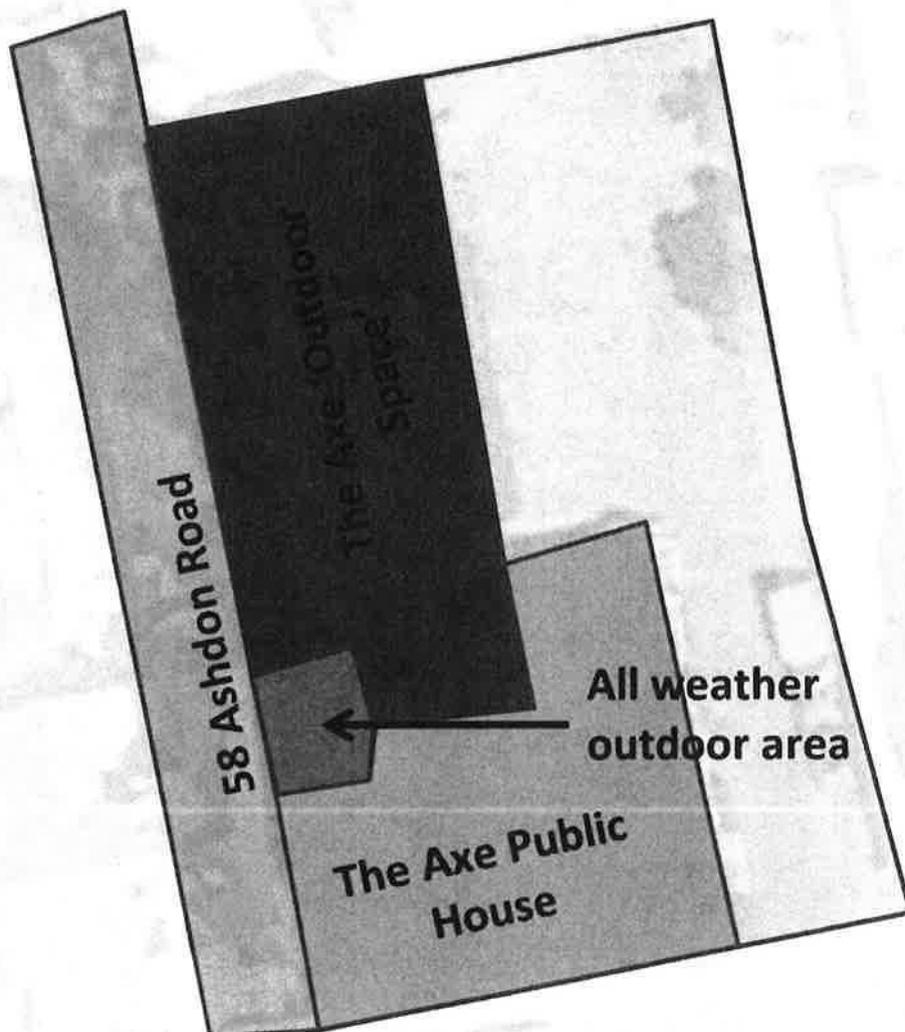
THE AXE, SJW

Reproduced from the Ordnance Survey Mapping with the permission of The Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
Uttlesford District Council. Licence No: 100018688 (2004).

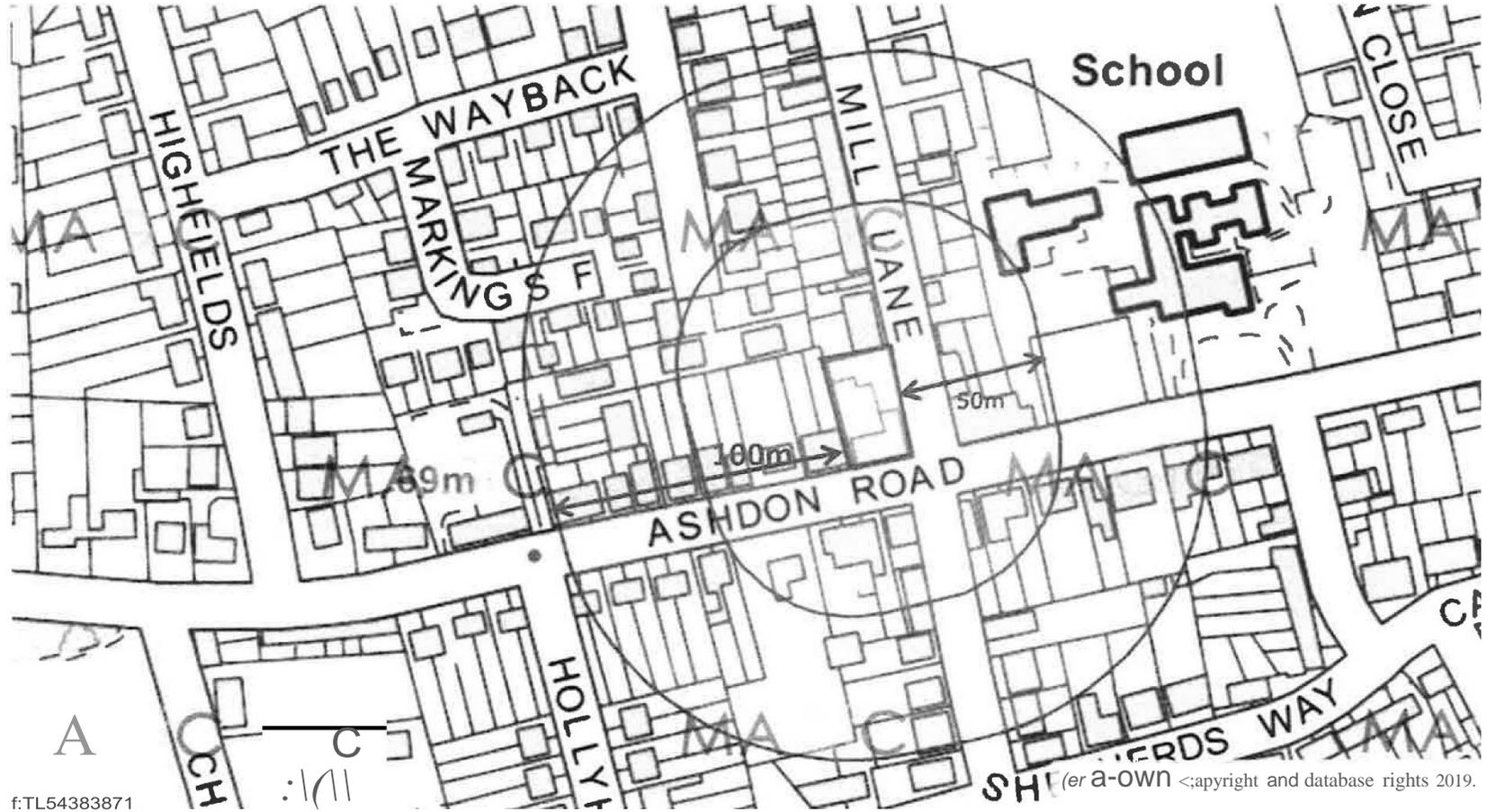


LOCATION PLAN FOR SEARCH:

Annex 1 – Proximity of The Axe Pub to 58 Ashdon Road



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



Appendix E – Representation from Statutory Consultee

Objection to application for variation to the premises licence in respect of The Axe, 60 Ashdon Road, Saffron Walden, CB10 2AT: removal of conditions 1-3 and 5 of Annexe 3. Licence No: 21/0893/LAVDPS

As Senior Environmental Health Officer (Protection) at Uttlesford District Council I am making a representation to the application because I consider there is potential for a public nuisance to occur should the application be approved.

Background

The Axe is surrounded on all sides by residential properties. The properties are not subject to noise from heavy traffic or commercial activities, and the public house as a result 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 21/0893/LAVDPS were applied on 31 October 2014 following a review of the premises licence on grounds of failure of a previous licence holder to comply with the licence conditions relating to the prevention of public nuisance. Premises licence PL0126 was later updated by The Licensing and Environmental Health Committee on 22 July 2019. However they determined that conditions 1-3 of annexe 3 shall remain in force. Condition 5 will be deleted. Condition 4 was amended to add that a noise management plan was to be produced within 28 days and to install a noise limiting device within 28 days. There was no appeal against the change of the premises conditions.

The 2014 review followed a time when activities at The Axe had caused 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 concerning activities at The Axe had been received by the Environmental Health Service from ten separate households.

The conditions were imposed to ensure the licensing objective is met for current and any future licence holder.

It is acknowledged that the level of complaints concerning the premises has reduced significantly since the current manager has been in place although this has to be seen in the context of the public house being closed for a considerable amount of time during the Covid19 pandemic lockdown.

It is accepted that since 2019 only a few complaints have been received from neighbours, primarily around alleged non-Covid19 restrictions compliance and no formal action has been taken by enforcing bodies.

Complaints received by Environmental Health since the current applicant took over on 4th June 2019 are summarised below:

28th July 2020: Complaint regarding loud music that was being played at a private function for a wake during Covid19 lockdown. Resulted in alleged loud music and party behaviour with loud shouting and screaming. Actions by Covid19 team are not recorded.

22 June 2020: Complaint of noise from sanding furniture. Advice was given by Environmental Health and no further action necessary as this was viewed as a reasonable activity.

30 May 2020: Complaint of landlady letting people in, selling drinks and no social distancing during Covid19 lockdown. Investigated by Police. Landlady informed them it was a family gathering and no further action was taken.

26 November 2019: Complaint of antisocial rowdy behaviour of customers when people are leaving from raised voices, slamming of car doors etc. Police visited and offered advice.

June 2019: Complaints of loud disco type music playing outside 14.00 to 19.00hrs, followed by noise and disturbance from patrons in the garden area, including foul language and shouting. General advice given to landlady.

Removal of conditions in Annex 3 Licence No: 21/0893/LAVDPS

Considering the specific conditions which the application seeks to remove:

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.

In addition to the removal of the above condition the applicant is wishing to extend outside drinking hours to midnight on all 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 evenings and removal is therefore not supported.

Condition 2: No regulated entertainment shall take place outdoors.

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 Event Notices (TEN's) but it does limit the number of such events to the current maximum of

6 per annum plus the TEN's. Use of the outdoor area can lead patrons using the area for extended periods and therefore removal of this condition is not supported.

Although not specifically mentioned within the existing conditions the applicant requests that background music can be played. I have no objection to this occurring internally, nor would I object to TV screens internally but would not support this externally as this will likely cause neighbours disturbance.

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

The limit of 6 music events in any 12 month period plus 20 TEN's brings the total permitted events to 26 if the full quota of TENs are served. By removing event limits in addition to TEN events, the risk of disturbance to neighbours is increased.

As no TEN's have been applied for by the applicant I am unable to determine good compliance for such events. Removal is therefore not supported

Condition 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.

I raise the query here whether the applicant is seeking a change of the current Licence No: 21/0893/LAVDPS and not referring to a previous version of the licence. Condition 5 concerned noise levels at the boundary of 58 Ashdon Road and was previously removed after the committee hearing in 2019 and supplemented by a revised condition 4 concerning the submission of a noise management plan. The applicant has not objected to this condition 4 and no noise management plan has ever been submitted. The removal of this would not be supported.

Conclusion

Relaxation of the licence controls removes the obligation of the licensee to serve TENs for events which have the potential to cause disturbance, and for which no conditions relating to public nuisance are in place. 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 control the risk of public nuisance and although the level of complaints relating to noise have been low recently due to the pandemic, 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. The absence of complaints does not justify the removal of those controls.

Complainants have previously acknowledged that the current manager is amenable to a request to lower the volume of music, however there is the risk that the current managers will be replaced at some future date by managers who are not as responsive to neighbours' complaints.

Public nuisance is given a statutory meaning in many pieces of legislation. In the context of noise, a public nuisance occurs when there the act substantially interferes with the reasonable use of neighbouring land. It is important to note that the prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. This service maintains that the above conditions are considered reasonable and intended to ensure there is no unreasonable interference in the use and enjoyment of neighbouring land. This is in keeping with the requirements of licensing guidance as the approach to public nuisance should be one of prevention.

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.

Andy Bonham

Snr Environmental Health Officer (Protection)

Uttlesford District Council

30/11/2021

Appendix F – Representations from interested parties

Objection 1

My partner and I would like to make an objection to the Application to Vary a Premises Licence lodged with yourselves for The Axe on 60 Ashdon Road CB10 2AT.

The premises licence number is 126 and the applicant is Deborah Hooper.

As residents of 18 Mill Lane, approximately a 2 minute walk from The Axe, and also as parents of young children, we have concerns about the premises being allowed to serve alcohol outside after 1120pm and for music to be allowed after 7pm. We have noted that they also request music or sports screenings be allowed outside as well, behind the pub, which directly abuts Mill Lane where we live. Not only will this cause a considerable amount of noise and disruption for local residents but it will also increase the traffic flow of our lane and Ashdon Road which already is too heavily congested for local residents driving and parking.

We strongly ask the council to consider rejecting the Applicant's request for the removal of their existing restrictions.

If you have any questions or comments about our objection, please do contact us. We can be reached by post or by phone.

Emily Bowes and Greg Gardiner

18 Mill Lane

Saffron Walden CB10 2AS



Objection 2

Hello

I would like to wholeheartedly object to the application made by the Axe in Ashdon Road, Saffron Walden, to change the conditions of their licence.

I live in Mill Lane and strongly feel that, if there is no limit to the number of music events the pub can hold, residents could regularly suffer from noise disturbance.

Also, people drinking outside after 11.20pm could increase the amount of noise that residents have to endure. Residents' gardens near the Axe back on to the pub garden, so customers chatting or music outside could be extremely problematical.

Music outside after 7pm could be a nuisance for local residents, especially those with children. In terms of traffic and parking, Ashdon road is currently very busy at the junction with Mill Lane and Shepherd's Way, so by allowing conditions to be lifted, potentially increasing numbers of customers, the traffic problem would be exacerbated. Ashdon road gets very congested, around the Axe, with parked cars causing traffic flow to cease. More cars parked in this area of Ashdon road would certainly add to the existing problem. The Axe car park does not hold many cars.

Overall, I believe that none of the conditions should be lifted, as local residents could suffer greatly in many ways if this were the case.

I sincerely hope my comments will be taken into account when a decision is made.

Thanking you,
Jane Rolfe

Objection 3

Dear Sir/Madam,

I write to strongly oppose the variations applied for by Deborah Hooper for The Axe, located at 60 Ashdon Rd, Saffron Waldon.

I reside across Mill Lane from the pub at 62 Ashdon Road. Having purchased my property in June of this year I do not have documented evidence to support my objections to the proposed changes but they would include and are not limited to the following reasons:

1. The Axe currently does not currently protect public safety, prevent crime and disorder or mitigate potential public nuisance. Allowing the proposed changes would further harm our right to relax in our own home. In my short time living next to the pub I have personally witnessed patrons fighting in the street, patrons removing the property from front gardens of nearby houses (bins, decorations, etc) and leaving cans/bottles in gardens, patrons leaving the pub to use drugs (late on Oct 1 two men used cocaine under my window), over-served patrons drive intoxicated from the property, and events going past advertised hours. Patrons while possibly not served beyond hours posted often leave the pub after-hours with little regard for the noise disturbance they cause to neighbors, often congregating for long periods of time in the area in front of the pub. Additionally, we had our front gate post destroyed in an altercation stemming from the pub shortly before we moved in resulting in an arrest and private property damage.

2. The activities of the pub are already out of character with the neighborhood, changes made should be to bring it further in line with the fact it is surrounded by family residences with working adults and children. As things are indoor music events can be heard by neighbors. Inclusive of hours beyond stated opening times. Even without having outdoor speakers, the sound is intrusive and the increased crowds create a further noise burden.

3. As mentioned in point 1, antisocial behavior is typical of the Axe, an extension of hours and increased number of 'events' will attract a greater number of people and without a means to manage crowds, or seemingly any will to, I can only imagine the number and severity of incidents would escalate. And given the decentralized location, I wonder how long it will be before a drink driving incident in which a member of the public is harmed.

4. While Deborah has stated she wants us to tell her if there are any issues, and I have heard her tell off some noisy patrons, I shouldn't need to call or visit my neighbors to ask them to modify their behavior. I also wonder if this is to reduce the number of official complaints filed as much as it is to build good faith.

5. Variations have already been rejected, as recently as 2019, for very similar plans. Perhaps coronavirus lockdowns will have given the appearance of fewer incidents at the pub, but as a close neighbor since 2018 (formerly at 31 Mil Lane) I will attest that the nature of incidents and the pub's relationship with its neighbors has not improved.

I accept there is to be some expectation of disruption when living adjacent to a pub, however the hours, activities, and behavior of patrons is not suitable to its position among residences. If anything, it should have its hours reduced and its outdoor license suspended.

Deborah herself tries to be considerate of neighbors but I fear disturbances created by activity at, and extending from, the pub are already beyond an acceptable level.

Thank you for your consideration,

Appendix F – Representations from Interested Parties

Sam Scheibel
62 Ashdon Rd
Saffron Walden
Objection 4

**Wheelwrights
23 Mill Lane
Saffron Walden
Essex CB10 2AS
UK**

13 November 2021

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

Dear Sirs,

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

We refer to the public notice of the application by The Axe Pub Ltd to remove three Annexe 3 Conditions. We live in Mill Lane (full address above) approximately 150 yards from The Axe Pub and write as Interested Parties.

The Axe Pub is located in an entirely residential area. There is no other commercial business with a quarter of a mile. On the occasions when there has been either indoor or outdoor music, it has been disturbingly noisy, even 150 yards away. It is inappropriate and entirely out of keeping with a residential area that The Axe Pub should have the Annexe 3 Conditions removed, thereby permitting unlimited music and unlimited outside drinking. The attendant noise would adversely affect at least 100 households – there are 34 houses in Mill Lane alone that are nearer than our house.

The Axe Pub enjoys the commercial advantage of being at least half a mile from pubs in Saffron Walden town centre and has also benefited from the considerable number of new houses on or adjacent to Ashdon Road and Radwinter Road, thereby increasing its potential clientele. We do not believe that the commercial viability of The Axe Pub depends on the requested removal of the Annexe 3 Conditions.

We request that the Licencing Authority rejects the entire application.

Yours faithfully,



Ian Sutherland



Janet Sutherland

Objection 5

To whom it may concern,

My name is Kate Taylor. My husband and I moved into 58 Ashdon Road in November last year. Shortly after we welcomed our first child. We chose to move to Saffron Walden for its quaint charm and wholesome feel and felt it was the kind of place we wanted to raise a family. At the time the Axe pub was closed so we were unable to see what it was like before buying. We recently learned of the application to change the licensing conditions of the Axe which is why I am writing to you today. While we understand there is no legal obligation for us to be personally informed, we would have hoped that either the Axe pub or local council would have notified us given the affect this would certainly have on us. We have no wish to harm someone's livelihood but would like our experiences as the closest neighbour to the Axe to be taken into account when deciding on whether to grant the application or not.

- Noise: we have had to buy white noise machines for each of our bedrooms and at times we still have disturbances during the night. In the warmer months we are unable to sleep with our windows open due to noise either from the pub garden or coming and going out the front. Additionally, we get disturbances during the day when I am trying to get my daughter to nap and as such we are not able to let her sleep with windows open and fresh air circulating.

- Smoking: this is a real issue for us. With a young child we want to limit her exposure to toxins such as cigarette smoke as much as possible - especially while she is developing. Often the smell of cigarette smoke is so strong we are unable to use the garden or have her bedroom windows open. Additionally, the undercover smoking section is right by our kitchen and even with windows closed the smell gets into our kitchen and dining area and we are unable to leave our windows and doors open to enjoy any nice weather and fresh air.

- Swearing: this type of language is not what we want to expose our daughter to (or be subjected to in our own garden either) so have had to limit the time we spend in our garden which is unfortunate given it was one of the big draw cards when purchasing the house.

- Litter: People regularly leave bottles on our front wall and there is often smashed glass or vomit in the street. I don't feel like this is in keeping with the charming local feel of Saffron Walden.

Some of these complaints are par for the course when living next door to a pub and as previously mentioned we have no wish to destroy someone's livelihood however, given the residential location of the Axe and our experiences already with the current restrictions, we would not be in favour of lifting the current licensing conditions. We feel increased trading hours - indoors and outdoors, outdoor entertainment and more events each year will only exacerbate the current situation.

Sincerely,

Kate Taylor

Objection 6

subject: Applications to vary a Premises Licence

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

Hi,

In relation to the above referenced application, I would like to express my concerns and objection!

The Axe Pub, unfortunately already brings with it a significant amount of noise and disruption to the residents of Ashdon Road and Mill Lane.

The pub sits in a densely populated residential area and the proposed changes to the licence would only have further detrimental impact on the local residents.

The weekend brings with it loud noise, anti social behaviour, and occasionally violence. The proposed changes unfortunately would only exacerbate this.

This pub does not have a good track record and only this weekend there was a large fight that spilled out of the pub, this will no doubt be in local police records.

The benefits are unfortunately significantly outweighed by the disruption and I strongly object to the proposal.

Regards

Resident, Mill Lane.

Objection 7

23rd November, 2021

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 26 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.

Appendix F – Representations from Interested Parties

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.

We are also disturbed on a regular 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. We also regularly hear the landlady remonstrating with the customers in the pub carpark and in Ashdon Road.

We continue to experience disturbances caused by The Axe, some of which are serious and on occasions, the Police have been called. For example, in June this year there was an incident which occurred in front of #62 and #64 Ashdon Road, where a brick pillar was demolished and capping stone from another gate pillar was used as ammunition by a customer of The Axe. We were concerned that our property could have been next. The Police were called and arrest was made.

To summarise, we do not feel that anything has changed since the last license review in 2019. The conditions in Annexe 3 have been imposed on the licence to protect us residents from excessive noise. We believe that relaxing the conditions in Annexe 3 would only make matters worse.

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 The Axe having trained door staff to discourage people from loitering outside the pub.

Yours sincerely



66 Ashdon
Road Saffron
Walden Essex
CB10 2AL

E-mail : 

Objection 8

Rachel and Samuel Burton,
64 Ashdon Road,
Saffron Walden,
CB10 2AL
22nd November 2021
Licence No. 21/0893/LAVDPS

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 are writing to put on record our strong objection to the application for variation to the premises licence noted above, specifically the removal of clauses 1, 2, 3 and 5 of Annex 3, on the grounds of Prevention of Public Nuisance and the Prevention of Crime and Disorder.

The current application submitted by the licence holder is very similar to the application made in 2019 which was rejected by the Licensing Authority.

The premises are located in a residential area, with housing on all four sides and as such it is unsuited to late night drinking in the beer garden, and outdoor music and entertainment.

Our property is located on the same side of the street as the premises, approximately 20 feet from the border of the carpark.

Although we expect and understand a certain level of additional noise from a licensed premises, we are regularly prevented from the peaceful enjoyment of our home and garden as we are disturbed by patrons arriving and leaving the premises in a discourteous manner, revving car engines, loud music from car stereos, and excessively loud foul language and drunken behaviour in the beer garden. Disturbances occur throughout open hours, and also after closing time at the premises which has disturbed our sleep on occasion.

We appreciate that there may not have been the same level of formal complaints raised in recent months as were referred to during the Licence Board hearing in 2019, but we would like to note that this is likely to be the result of the relatively short period of time the premises has been reopened following the COVID pandemic and a sign that the clauses in Annex 3 are operating as intended and are effectively reducing the anti-social impact of the premises on the local residents.

That said, we would like to state that in the short time since the premises have once again been open we have made two formal complaints to the Environmental Health Authority regarding noise nuisance, have had to call 999 during a violent incident during which our and our neighbours property was damaged, and have used the on-line crime reporting tool to report a confrontational disturbance in the street involving a large group of Axe customers.

Prevention of Public Nuisance

The application to vary condition 1 of annex 3, extending the outside drinking hours to 00:00 on a Friday, Saturday and Sunday and the application to remove condition 2 to allow outside music, entertainment and sporting events on a big screen, will further increase this disturbance.

As noted above, just prior to and since the premises reopened following COVID restrictions we have made two formal complaints to the Environmental Health Authority regarding noise nuisance

- 29/07/20 ; complaint raised due to excessive noise from shouting and loud music during a private party when the premises were closed
- 14/11/21 ; complaint raised due to excessive noise of customers leaving the premises at 00:30, revving of car engines and drunken shouting and foul language

Again, we would like to note that as the premises has been closed recently for periods of time this has reduced the need for formal complaints.

Prevention of Crime and Disorder

During the years we have lived at Number 64, we have experienced a number of serious criminal disturbances, and we have unfortunately needed to call out the police on three separate occasions

- Most seriously, in June 2021 we were the victims of criminal damage to our property during an aggressive disturbance between the licensee, customers of the premises, and an individual who started a conflict within the premises which spilled out onto the street when he was ejected by the licensee
- The individual pulled the concrete slab from the top of our gatepost and hurled it a group in the carpark of the premises, before pulling down the gate post of my neighbours property in an attempt to use the bricks as weapons
- This incident necessitated a 999 call out which the police attended and placed the individual under arrest, and he was later charged and found guilty of criminal damage
- Most recently, there was a significant disturbance on the evening of Friday 19th November around 10pm, involving a group of approx 10-12 customers who spilled out onto Ashdon Road from the Axe beer garden and proceeded to have a very loud and aggressive argument with plenty of foul language for around 20 minutes. Some of our neighbours called the police who dispatched several units to attend but unfortunately they arrived after the incident had finished and the customers had dispersed – some back into the Axe, and some towards town. We reported the incident using the on-line reporting tool that evening (Ref No: BCA-126612-21-4242-00).

And as noted in our objection to the 2019 application,

- A mass brawl in the middle of Ashdon Road in which a group of patrons who were drinking outside of the premises late at night got into an argument which erupted into violence in the middle of the street
- An incident that led to our neighbours car being run into and significantly damaged by a drunk driver leaving the premises, who had earlier engaged in an aggressive argument with pub staff and threatened them with a baseball bat (Crime Incident Number: 1416191018)

We have also been regularly witness to various drug related activities and other less serious instances.

In applying for the variation to the current Premises Licence, we see that the applicant has neglected to note any additional steps that they intend to take to promote the four licensing objectives as a result of this variation, as required in section M - we consider this to mean that no measures will be put in place by the licensee to minimise the impact on residents if these variations are granted.

In addition, we have seen no evidence of the premises fulfilling their current responsibilities under condition 8 of Annex 3, which states that staff should be deployed at external doors and the car park to ensure that customers leave the premises quickly and quietly.

This is a measure which would help to reduce the impact of the premises on the local residents.

In summary, with the current licensing conditions in place, the licensee has the framework in place 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 continue to experience.

As such, we are objecting to the removal of the conditions from Annex 3.

Kind Regards,

Rachel and Samuel Burton

Objection 9

Claire & David Vintiner
51 Ashdon Road Saffron Walden
CB10 2AQ

25th November 2021

Ref: Licence No. 21/0893/LAVDPS

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.

To Whom it may concern,

We have lived with our children at 51 Ashdon Road for over 5 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, on the grounds of Prevention of Public Nuisance and the Prevention of Crime and Disorder.

The current application submitted by the licence holder is very similar to the application made in 2019 which was rejected by the Licencing Authority. We appreciate that there may not have been the same level of formal complaints raised in recent months as were referred to during the Licence Board hearing in 2019, but we would like to note that this is likely to be the result of the relatively short period of time the premises has reopened following the COVID pandemic. Since reopening, we have certainly experienced disturbances related to the premises.

Our reasons for objecting are:

- 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 the condition to extend the outside drinking hours to 00:00 on weekends and to allow outside music,

Appendix F – Representations from Interested Parties

entertainment and sporting events on a big screen would only encourage more noise, antisocial behaviour and disturbance to our children, ourselves and other residents in close proximity to the pub.

- 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 outdoor sporting events with a big screen, and outdoor music and live entertainment. The current licence conditions protect us residents from excessive noise and are appropriate to the location of the premises. We strongly believe that they should remain as they are.
- We are particularly disturbed by patrons arriving and leaving The Axe pub in a noisy fashion. Even conversations which seem quiet reverberate around the residential neighbourhood late at night. Then there are the loud conversations and shouting, including foul language which are particularly unpleasant and unwelcome.
- 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 neighbours garden walls after pub closing.

We believe that relaxing the conditions in Annexe 3 would only make Public Nuisance and Disorder matters worse.

To summarise, the conditions in Annexe 3 have been imposed on the licence to protect us residents from excessive noise and disorder in our residential area. My family are already regularly disturbed by the activity of the pub and although we accept that the pub needs to be able to run its business, the full conditions of Annex 3 need to remain in place to protect the wellbeing of residents now and in the future.

We understand that it took residents 18 months of complaining to the UDC and considerable effort of the Environmental Health section to bring about a license review which resulted in imposing the current conditions. 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.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

Claire and David Vintiner

Objection 10

Jacque Woolley & Steve Temblett,
70 Ashdon Road,
Saffron Walden,
CB10 2AL
25th November 2021
Licence No. 21/0893/LAVDPS

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 are writing to put on record our strong objection to the application for variation to the premises licence noted above, specifically the removal of clauses 1, 2, 3 and 5 of Annex 3, on the grounds of Prevention of Public Nuisance and the Prevention of Crime and Disorder.

The current application submitted by the licence holder is very similar to the application made in 2019 which was rejected by the Licencing Authority.

The premises are located in a residential area, with housing on all four sides and as such it is unsuited to late night drinking in the beer garden, and outdoor music and entertainment.

Our property is located on the same side of the street as the premises.

Although we expect and understand a certain level of additional noise from a licenced premises, we are regularly prevented from the peaceful enjoyment of our home and garden as we are disturbed by patrons arriving and leaving the premises in a discourteous manner and loud, drunken behaviour in the beer garden. Disturbances occur throughout open hours, and also after closing time at the premises which has disturbed our sleep on occasion. Pub patrons seem to disregard the double yellow lines in front of our house and our neighbours' houses, causing a potential traffic hazard. In the last two weeks, a patron of the pub parked their vehicle on the double yellow line in front of our garage, blocking access to our garage.

We appreciate that there may not have been the same level of formal complaints raised in recent months as were referred to during the Licence Board hearing in 2019, but we would like to note that this is likely to be the result of the relatively short period of time the premises has been reopened following the COVID pandemic and a sign that the clauses in Annex 3 are operating as intended and are effectively reducing the anti-social impact of the premises on the local residents.

Prevention of Public Nuisance

The application to vary condition 1 of annex 3, extending the outside drinking hours to 00:00 on a Friday, Saturday and Sunday and the application to remove condition 2 to allow outside music, entertainment and sporting events on a big screen, will further increase this disturbance. We can only state again that this is residential area and disturbances at such a late hour impact negatively on residents.

Prevention of Crime and Disorder

In applying for the variation to the current Premises Licence, we see that the applicant has not noted any additional steps that they intend to take to promote the four licencing objectives as a result of this variation, as required in section M we consider this to mean that no measures will be put in place by the licensee to minimise the impact on residents if these variations are granted.

In addition, we have seen no evidence of the premises fulfilling their current responsibilities under condition 8 of Annex 3, which states that staff should be deployed at external doors and the car park to ensure that customers leave the premises quickly and quietly.

This is a measure which would help to reduce the impact of the premises on the local residents.

In summary, with the current licencing conditions in place, the licensee has the framework in place 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 continue to experience.

As such, we are objecting to the removal of the conditions from Annex 3.

Kind Regards,

Jacque Woolley & Steve Temblett

Objection 11

09/11/2021

To whom it may concern,

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

As residents who have lived in 55 Ashdon Road for 8 years and have experienced public disturbances associated with The Axe, 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:

Prevention of Public Nuisance and Prevention of Crime and Disorder

Condition 1 of Annex 3:

We are not in favour of allowing people to drink outside after 11:20pm. In the past we experienced situations when patrons drink outside the pub, causing disturbance including intimidating and abusive language, and violent street fights. In our opinion, relaxing this condition would only encourage more antisocial behaviour of this sort.

Conditions 2, 3 and 5 of Annex 3:

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 note with the current licensee in place (D. Hooper) things have generally improved, however in the short period of time since the pub reopened following the pandemic closure in 2020, we are still experiencing disturbance from the pub. There is still music being played at the pub; . I urge you to review the recording taken directly outside our house (24/07/2021) of music being played from inside The Axe pub as an example of excessive noise levels from music played. We did not report this or discuss with the landlady as it was felt the disturbance could be tolerated given the pub is operating under stricter licensing conditions (knowing the music would end by midnight and limited to the number of events per year).

We are also disturbed on a regular basis by noise from the front of the pub, particularly at the weekends in the evening and at closing time. There are customers that 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. We had secondary glazing fitted in 2019 to help reduce noise levels. However during the summer we require these windows to be open; on occasions where we have disturbances from The Axe we are forced to close all our windows upstairs to be able to sleep.

In addition to the noise there continues to be instances of public disorder including recently one evening in June 2021 when an inebriated patron leaving The Axe pushed over the gatepost of number 62 Ashdon Road and proceeded to hurl bricks and shout abuse at the pub. The police were called and the individual was arrested and later found guilty of criminal damage.

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 local residents and community from excessive noise and antisocial behaviour. Although under the current management things have improved and the landlady has taken greater awareness and responsibility (including food trucks in the pub car park) there have still been instances of public disorder including those described above. It took local residents 18 months of petitioning to the UDC and considerable effort of the Environmental Health section to bring about the license review in 2014. We really don't want to find ourselves in the same situation in the future.

Yours sincerely,

Louise and Robert Wilkinson

55 Ashdon Road
Saffron Walden
Essex CB10 2AL

Objection 12

Viboo Skanda-Kumar & Billie Pearson
53 Ashdon Road
Saffron Walden
CB10 2AQ

Dear Licensing Authority of UDC,

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.

My wife and I understand that an application was made by "The Axe" in October 2021 to vary the Premises Licence by removing the Conditions attached to their existing Licence.

As residents living directly opposite The Axe, we are writing to put on record our strong objection to the application for variation to the premises licence noted above, specifically the removal of clauses 1, 2, 3 and 5 of Annex 3, on the grounds of Prevention of Public Nuisance and the Prevention of Crime and Disorder. We set out our reasons below:

The current application submitted by the licence holder is very similar to the application made in 2019 which was rejected by the Licencing Authority.

We moved into our property (53 Ashdon Rd) opposite the Axe in March 2021. With the hope to start a family here. During the conveyancing process, our Solicitors brought to our attention the necessary details surrounding the pub's Licence, knowing the restrictions on the pub's licence reassured us that noise levels and opening hours were limited and we proceeded with the purchase.

When we moved in, the Pub was not open due to Covid lockdown. The Pub became operational and opened to the public a few months thereafter. Since then, we had to endure a some unfortunate incidents in the few months we have been here which I give below:

Appendix F – Representations from Interested Parties

- My wife, whilst leaving our home one evening, was verbally abused by an individual who was walking into the Pub. It was an unprovoked attack on her. My wife was quite shaken by that incident.
- On another occasion, late one night we witnessed a fight that took place directly opposite our home resulting in damage to a neighbour's property and police were called out for assistance.
- On several occasions we have heard disturbances and commotions with a lot of swearing originating from the Pub while we try to have a relaxed evening especially after a hard day's work. Our living room and the master bedroom are directly in front of the Pub Premises.

We fear that by lifting some of the restrictions this will no doubt lead to increased instances disturbance and of excessive noise.

Apart from the above, we have also heard of other instances from our neighbours where there has been disruption which have resulted in public safety being compromised. We are made to understand that a number of our neighbours will be making their own submissions to you.

We are very concerned at what has been going on even with the existing restrictions in place, but we dread to think what the inevitable end result would be, should the restrictions be removed and the Pub is granted their request as specifically detailed within the application,

- to hold more music events which is currently limited to 6 per year,
- limitation of the 11.20 pm curfew to be lifted to enable people to sit outside and smoke and drink;
- to allow background music to be played outside after 7pm.
- to have a Screen outside of the premises for sporting events.

In addition to this, having met the landlord and understanding their good intentions, we realise that these licence requests are on the property rather than the landlord. With this said, we cannot guarantee that if ever sold the next landlord will share these same intentions

When reviewing the application made by the Pub for the removal of the restrictions, we would strongly urge you to give due consideration to what we have stated above especially given that the pub is within a residential area with houses in close proximity to the pub on all four sides.

Kind Regards,

Mr Viboo Skanda-Kumar & Mrs Billie Pearson
53 Ashdon Road
Saffron Walden
CB10 2AQ

Objection 13

14a Mill Lane
Saffron Walden
CB10 2AS

29 November 2021

Dear Madam or Sir

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

I have lived near the Axe since April 2001. Prior to November 2020 I lived opposite and although I now live slightly further away outdoor music and noise would adversely affect my home.

I was involved with collection of evidence in 2019 and objected to the 2019 application within “disturbance distance”. 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.

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

Objection 14

From: penelope cummins [REDACTED]
To: licencing@uttlesford.gov.uk <licencing@uttlesford.gov.uk>
Sent: Wednesday, 10 November 2021, 11:35:29 GMT
Subject: re the axe application for licence variation

Dear Uttlesford staff and councillors

As one of the neighbours in the vicinity of the Axe pub at 60 Ashdon Rd in Saffron Walden, I am writing anxiously to object to the application submitted for licencing variations for the pub.

Although it is located on a main road, the Axe is embedded in a residential area - it is the only non-residential building between the town and Dame Bradbury's primary school. All of the neighbours within a radius of at least a block are directly affected by any loud or obtrusive activity at the pub.

I live half-way up Mill Lane, and am therefor not exposed to the immediate nuisances, but, because sound rises, any amplified sound outdoors, even within the existing 34 decibel limit, is intrusive. Even the current limit of six outdoor events each year notably diminishes my own enjoyment of my garden even in daylight hours, and I do think that the existing limit of 11.30pm on outdoor noise is already imposing a lot on the neighbours. The prospect of amplified noise occurring more often, and of the noise associated with outdoor sports screenings, is grim.

However, for people living nearer to the pub than I do, several of whom are elderly, have tiny children, or are invalids, even the existing situation is pretty intolerable (ie existing as in pre-Covid summer evenings), on the six evenings when there is amplified music and noise.

I am not at all objecting to the presence of the pub itself, which is or should be a community asset; and indeed remember fondly that when I first moved here - twenty five or more years ago - it was known to be a wholesome family pub. It was even patronised by some elderly, teetotal friends of mine, who regularly took their visiting children and grandchildren there for Sunday lunch in the garden. I dearly wish that the pub business plan might seek out and seek to replicate what was best about the pub's past rather than its less-salubrious era - which is what I gather led in the first place to the imposition of the existing restrictions.

I do understand that in the wake of the Covid-gap the licensee might argue that they need to maximise every possible opportunity for profit. But please, not at the expense of their residential neighbours.

Is it really necessary that there is any amplified noise out of doors, at any time? It would still be possible to offer accoustic music, which would more easily stay within the 34 decibel limit.

Sincerely,

Penelope Cummins

13 Mill Lane Saffron Walden CB10 2AS

Objection 15

From: Chris Newman [REDACTED]
Sent: 01 December 2021 11:27
To: uconnect <uconnect@uttlesford.gov.uk>
Subject: [External] For the attention of Karen James RE: Licence No. 21/0893/LAVDPS

RE: Licence No. 21/0893/LAVDPS

Dear Sir/Madam

We strongly object to the application to vary a premises licence for The Axe Public House at 60 Ashdon Road.

The location of the “The Axe” is such that residents in Ashdon Road and Mill Lane are already adversely affected by noise from the beer garden and disturbance from customers who spill out on to Ashton Road and Mill Lane. Several of our oldest residents live close to the rear of the Axe and find the existing noise very problematic.

Frequently there are people hanging around the garages at the bottom of Mill Lane, drinking and smoking, sometimes noisily. Sometimes this presence can feel threatening to residents returning to their homes later in the evening. Further, these Axe patrons often leave debris and litter behind them, which we have to clear up. We are sure that this problem will only be exacerbated by the extension of the hours.

The application from the Axe leaves blank the sections of the application which should detail the steps that the licensees propose to take to promote the four licensing objectives as a result of the proposed variation. It is to be assumed that they do not plan any alleviation for the problems the extension would create.

Finally, the increase of traffic along Ashdon Road, the additional requirement for car parking which would result from if the application were to be granted, would only increase problems in an area already under pressure.

In summary, we hope that the Council will reject this application.

Yours faithfully

Chris Newman and Shelagh Mackenzie

Objection 16

From: Leanne Dawson [REDACTED]
Sent: 01 December 2021 11:51
To: uconnect <uconnect@uttlesford.gov.uk>
Subject: [External] The Axe Pub

Please note that as a resident of Mill Lane of over two decades, I am objecting to the request from the Axe Pub extending their licence to entertain with yet more noise than we have already endured from the pub garden. We can already hear swearing and shouting as it stands.

We live at the top on the same side as the Pub, noise from the pub travels right up to the back of our house. Our bedroom is also at the back of the house. We can easily hear the pub which is greatly increased in the summer when we have our bedroom window open for air circulation, we are subject to unwanted disturbance which is not acceptable. Added to this, as we work, we are up early so our sleeping hours do not match that of a noisy pub taking away our peacefulness.

I look forward to hearing from you with a resolution to this most distressing issue.

Kind Regards,

Leanne and Mark Dawson
19 Mill Lane
Saffron Walden

Appendix F – Representations from Interested Parties

Objection 17

Licensing Authority
Uttlesford District Council
London Road

Saffron Walden CB11 4ER
To: Whom it may concern

28 November, 2021

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

Dear Sirs

Living at 50 Ashdon Rd for 20 years, we have witnessed several landlords, whose management of the premises have varied significantly; although living close to a pub might cause friction, it is not unreasonable to expect that such occasions will be the exception and not the norm. Unfortunately, the problems of recent years show little sign of abating under the current management, for which reason we strongly object to the proposed removal of existing Premises licence conditions. The current management have for a number of years espoused a system intended to manage activities within and outside the premises; sadly these controls have failed to be effective, resulting in frequent nuisances that spill outside the premises making life a misery for close neighbours. It would be unreasonable for a pub incapable of proactive management of current licensed activities to be allowed to expand in the very areas already causing greatest problems for their unfortunate neighbours i.e. outside activities.

Whilst closer neighbours suffer from a number of issues that meet the criteria for legitimate appeal against change of licensing ours is on the grounds of Prevention of Public Nuisance. Before and after Lockdown, the activities outside the pub's four walls have always generated loud noise and bad language, especially the larger groups. In a spirit of tolerance, we generally suffer this problem without active complaint although it does regularly blight the utility of our garden spaces during the better weather. On more extreme occasions, we contact the pub asking that the problem be addressed; in fairness, such requests are normally dealt with albeit in a reactive, rather than proactive manner. Herein lies the problem; the pub management appear to have no effective system in place to monitor what's happening outside the pub's walls, only acting after a problem has arisen and been brought to their attention. The ongoing situation might legitimately warrant a tightening of the current licence restrictions and most certainly should not merit a loosening of those already overly generous terms.

It is particularly disappointing that the pub management have made no prior effort to discuss their new intentions with neighbours, except those patrons who generally experience what happens within the walls rather than outside. I recall the previous licence review suggesting greater dialogue between the pub and its neighbours; in fact, the reverse has happened i.e. the pub have attempted to slip the application in without neighbours knowledge. Given that it is the poorly managed external activities that cause greatest suffering for the neighbours it would seem perverse were the Authority to grant permission for substantial enlargement of those offending activities.

Finally, we would like to say that we are not against the presence of the pub in this residential area, but do, not unreasonably, demand that all activities be effectively managed rather than the good intentions espoused but seldom delivered by the current management. We feel it important that the licensing board acknowledge the evidence on the ground rather than taking on trust the promises of the licensee that have been proven ineffective - the previous decision did suggest that board members living in distant locations seemed rather out of touch with the everyday reality for those innocent neighbours affected. Were the pub located in a town centre area, with significantly fewer residential neighbours, then the proposed expansion of activities might be merited; here on Ashdon Road such changes would be bound to inflame an already unacceptable situation.

Yours sincerely,

Andy & Cathy McGonegal
50 Ashdon Road
Saffron Walden
Essex CB10 2AT



Objection 18

1A Mill Lane
Saffron Walden
CB10 2AS.
28.11.2021

The Licensing Authority
Walden District Council
Council Offices
London Road
SAFFRON WALDEN.

Sirs, I wish to record my opposition to altering the conditions regarding ~~to~~ The Axe Public House, Ashdon Road, Saffron Walden, in June 2019. The Axe is in the midst of residential housing and should be a quiet neighbour.

Yours etc.
A.M. Newton