

1.

White Bear Tavern Limited - License Application Objection



To Licensing

Reply Reply All Forward

Sun 26/06/2022 17:16

You replied to this message on 20/07/2022 09:21.



Dear Sir/Madam,

We've received a copy of the license application for the following public house:

White Bear Tavern Limited
Crooked Billet,
Middle Street,
Nazeing
Essex,
EN9 2LB

Our house is directly across from the Crooked Billet and we strongly oppose the proposed application, on the following grounds:

- Being open until 11pm weekdays, 12am Friday/Saturday, 10pm Sunday, is disruptive enough** - the pub stands in a built-up, suburban area, where people now work from home at challenging hours (personally I have to get on very early morning calls with teams in Australia, India & Singapore), some neighbours are key workers and work shifts, we have a lot of children in the community - babies through to teens doing exams (my son is going in to his GCSE year... and the noise from the pub is already unbearable, keeping us up and affecting our work, school & health. Therefore is it disruptive to the community it is supposed to serve.
- It does not serve the local community.** None of our neighbours frequent the Crooked Billet at all and it is not inclusive. The only time we attempted to give the pub a try, was when our gay friends were with us for New Year's Eve (pre-pandemic) where we went across the road to the pub, and my friend immediately asked to leave as it was clear we were not welcome. During lockdown when restrictions were lifted a little, you would expect the pub to give back a little to the community. However, they firmly put up a sign that stated 'regulars only'. Given the first experience of not being welcome, we abided by the notice. This second point being, if the pub is not serving the local community and being a local, friendly, inclusive pub, then why should the local community have to only put up with the downside? Even now lockdown is over, they still have a sign-up saying regulars only or pre-booked tables - I've attached a picture. The front door of the pub is open and I can see it's not full, but the pub is about keeping people who are 'not welcome' out. This is not a community pub.
- Rowdy & dangerous behaviour.** Already we have drunk people rolling out of the pub, shouting obscene words and being generally disruptive. My son sleeps with his room over-looking the pub and regularly complains at the noise and comments coming from drunk people after closing. We've also witnessed once a man urinating on our front lawn at midnight of a weekend and people jumping in their cars, suspectedly having a few too many. What we've experienced over the years, is absolutely not indicative of a friendly, responsible landlord... therefore I would not trust them with an extended license if they cannot manage their current clientele within standard hours.
- Live/recorded music indoors has been loud enough.** When the pub has played music inside the pub over the years, it has kept us up due to the level of volume which would exceed what is acceptable at such hours. Therefore the suggestion of music outside is a non-starter next to residential houses. Just 'no'. We have to be in bed by 10pm for work and school, suggesting music until 12:30am on weekdays is just ridiculous, back to my first point on work, school & health.
- Affecting property prices.** When an establishment starts to receive complaints, these are known in the area and will affect the price and saleability of houses in the area.
- Unscrupulous tactics.** The current plans are so ridiculous, speaking with the neighbours, we understand that the landlord only wants to get a license to extend opening on the weekends and play live music then, but they have over-egged the request to get what they want. However, in a built-up area and with their lack of serving the community, there is absolutely no part of this plan that is acceptable, so we absolutely deplore the unscrupulous tactics of the pub trying to get what they want with throwing in fake bargaining chips.
- Bank Holidays & Christmas** is when we entertain friends and family in our house, garden & yurt. We do not want to be disturbed by the Crooked Billet's noise and its rowdy patrons. As mentioned, we tried to go in on a New Year's Eve previously, but were made not welcome, so this is of no benefit, only downside, to local residents.

In summary, we are strongly opposed to every point on the proposal and will happily give up time to ensure this is rejected. Living across from the pub with its current opening hours is unbearable, so anything more is totally unacceptable.

Regards,



2.

Re: White Bear Tavern Limited, Crooked Billet, Middle St, Nazeing.



To Hannah Gould

URGENT

You replied to this message on 30/06/2022 13:53.

Reply Reply All Forward

Thu 30/06/2022 13:39

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Epping Forest District Council Licensing Unit

We reside at [REDACTED] Middle Street, Nazeing EN9 [REDACTED] and wish to offer the following representation in respect of the prevention of public nuisance and the prevention of crime and disorder.

We urge you in the strongest possible terms to not allow the proposed licence application you received on 17.6.22 from White Bear Tavern Limited.

Nazeing is a quiet residential village and therefore popular with young families, the elderly and people who wish to live a quiet life and have chosen not to live in a highly populated, busy area. We live opposite The Crooked Billet pub and did extensive research prior to purchasing our home in Dec 2013. We were satisfied that the pub was very much a "village" pub, it closed at reasonable hours, did not have outside music and clientele were from Nazeing Village.

The pub has previously had live singers (singing to a backing tape), on a Fri/Sat evening inside the venue only and which has always finished promptly at midnight. The music can be heard in our house, especially in our two front bedrooms, and increases greatly in volume during the summertime when the pub opens its doors and windows.

* The playing of recorded music indoors and outdoors - Mon to Thurs. This is completely unreasonable given the pub's proximity to residential housing and the fact that local residents need to get up for work in the morning. Music outdoors on weeknights will certainly constitute a public nuisance to those who go to bed at 9.30pm to get wake up at 6pm for work.

The request to play music both indoors and outdoors on a Sunday night is again unreasonable for the same reason, it will cause a noise disturbance nuisance to local residents who wish to retire at a reasonable hour.

As well as the music more noise will be generated due to their request for extended opening hours. Obviously this extends the length of drinking time and means that people will be leaving more intoxicated. We are regularly disturbed as clientele leave the premises, often leaving loudly and stopping to talk (and argue) outside our house. We find beer bottles on our front lawn (sometimes broken).

Who will be attracted to a pub that offers longer opening times and music every night of the week? Obviously the pub is trying to attract more customers, maybe a younger crowd who will stay later and spend more money. Undoubtedly the noise level from the clientele will increase in volume and the incidents of drunken behaviour too.

When are local residents expected to sleep? If this licence application is granted we will get no peace in the evenings all week long which will be completely insufferable. I am convinced that the additional noise pollution will cause health problems for local residents as the many detrimental effects of noise pollution to both mental and physical health are now well known.

We would never have chosen to live closeby a public house which had extended opening hours and outside music.

If approved these licensing changes will be an imposition on the longstanding local community.

Yours sincerely

[REDACTED]

WHITE BEAR TAVERN LICENSE APPLICATION, CROOKED BILLET, MIDDLE ST, NAZEING.



Reply Reply All Forward

Tue 05/07/2022 08:04

URGENT

You replied to this message on 13/07/2022 15:45.



CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Epping Forest District Council Licensing Unit

Further to my previous submitted representation re the above licence application, please accept this as an addition to that.

On Saturday evening The Crooked Billet held an outside music event and the resulting noise and disruption were intolerable.

The sound levels were extremely loud and I have attached a video in which you can hear how loud the music was from inside our front door. This was very disturbing to us and could be heard through the entire house with all our windows and doors closed. This volume of sound constitutes a real **nuisance**.

Getting our grandchild to sleep was impossible, not helped by the fact that we had to close the bedroom windows on a very warm evening in order to try and reduce the noise. We had to close doors and windows in order to hear our own TV! Hence the temperature in our house was very uncomfortable. How regularly will these conditions be imposed upon us in the future?

I have also attached photos showing multiple cars parked along the road on the pavement outside the pub and some distance beyond. (In fact not all the cars parked along the pavement are shown in these photos). The pub car park was too small to accommodate the number of clientele.

The pedestrian pathway was completely obstructed causing a **nuisance** and forcing pedestrians into the road. Passing cars were forced to the middle of the road which is especially dangerous at this point as it is approaching a corner. Obviously this is a **public safety** concern to both pedestrians and motorists.

When customers left the pub they were noisy and inconsiderate. This noise was not outside the pub but along the road as they had to make their way to where their cars were parked outside residents homes. Again, this is an unacceptable **nuisance** to residents.

As there are no public transport links in Nazeing during the evening and very limited taxi options (Uber has a practically non existent service as we personally have rarely been able to book one from the village) we cannot see how this parking **nuisance** and danger can be rectified.

Further we have been reliably informed by residents of Broxbourne that The White Bear Tavern on the High Road, (The new owner of the Crooked Billet as we understand it), has a particularly bad reputation for public **disorder**.

Drunk and **disorderly** behaviour, especially when major sporting events are held, is the bane of many local Broxbourne residents' lives. Clientele urinate in public, have let off fireworks in the street, damaged nearby properties and cars and behaved in a threatening way to local residents. This is such a problem that when major sporting events are televised at The White Bear Tavern local residents make plans to be away! This certainly constitutes **nuisance** behaviour.

Is this type of **anti-social** and **criminal** behaviour what we have to look forward to in our village if the conditions of this new license application are approved?

Yours sincerely

[Redacted]
Middle Street, Nazeing, [Redacted]

** videos accompany this representation

3.

Hyde Mead



Reply Reply All Forward

Mon 04/07/2022 12:42

URGENT

You replied to this message on 13/07/2022 15:44.

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Afternoon

With regards to the recent letter received regarding application for Crooked Billet Nazeing EN92LD

This is a residential area, at the moment when functions are on its so loud you can hear the music in the garden and lounge till the function finishes.

I have tried the contact number you added onto the letter (no one ever in the office on the extension).

Please advise how do I attend the meeting submitting areas of concern.

Kind regards



Hi Hannah

I have no objection for the pub to stay open it's a nice pub and used for local residents, I do not want my email to effect the pub's license, my only objection that I emailed on was if outdoor events happened every weekend in the summer months due to noise levels.

Kind regards



4.

Notice of representation



To: Licensing

You replied to this message on 30/06/2022 12:22.

Reply Reply All Forward

Thu 30/06/2022 11:41

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

License Application: Crooked Billet, Middle Street EN9 2LD

I am writing to object to various portions of the licence application for Crooked Billet, Middle Street.

First, the hours of operation are completely unreasonable. Effectively, the pub would be open until 01:30 Friday and Saturday. It will be open until 00:30 Sunday to Thursday .

Second, the premises in question are surrounded by residential properties . Many people, and a number of families with young children, will be severely impacted by the inevitable noise that goes with late night drinking and people using the outdoors/pub garden late at night. The hours in and of themselves are unreasonable, and will also make the pub a magnet for late night drinking, making the problem even worse than it was before.

Having a pub in a residential area with sale of alcohol and the late long hours for music and dancing has an impact with loading , noise , parking and will increase and attract customers from outside the area.

I do not wish to listen to Sweet Caroline all night!!

The use of the outside area must be restricted and abandoned by a certain time, e.g, 9:00 pm, no open doors or windows, music of any kind to be kept at a level so that it **cannot** be heard outside the pub.

In conclusion, the hours requested are completely unreasonable and should be rejected outright. The pub should be allowed to be open until 11:00pm Monday - Thursday and perhaps until midnight Friday and Saturday. No extra hours for recorded music. The extended hours requested will inevitably significantly impact the many people living around the pub.

I respectfully inform you that my details (name, door number and postcode) are redacted and in line with GDPR.

Regards



To Hannah Gould

Reply Reply All Forward

Tue 05/07/2022 17:22

URGENT

You replied to this message on 13/07/2022 15:43.



CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Hannah,

Thank you for forwarding details of the amended application. However, this does not allay my concern.

The pub is in a residential area and the noise emanating from patrons, music, and DJ is just unacceptable. The TEN granted last week was an example of how the noise and the event impacted on us as the residents living behind the pub on Mayflower Close.

My husband works night shift so he needs to sleep during the day. Please see attached for your consideration and to be circulated to members.

I suggest the following additional conditions are attached to the licence:

1. Alcohol shall not be sold or supplied for consumption on the premises other than to people taking a substantial table meal from the menu and that the consumption of such alcohol is ancillary to taking table meals. This shall be served by waiter/waitress service.
2. There shall be no open containers or drinks taken outside the premises at any time except to those seated in the outside seating area.
3. Garden Hours should be restricted to 22:00.
4. A sound limiter shall be installed and maintained.
5. There shall be a written Dispersal Policy, management plan.
6. Name/contact number for the manager/person in charge in case of complaint to be supplied to the residents.
7. No more than ten (10) patrons shall be permitted in the outside area.

I would like to attend the Licensing Sub-Committee Hearing. Please forward details of the hearing once it has been confirmed.

Regards



To Hannah Gould

Reply Reply All Forward

Thu 14/07/2022 14:00

You replied to this message on 20/07/2022 09:23.



CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Hannah,

Thank you for your email.

Please redact my name, door number and second part of my postcode when appending to the Report. The applicant does not need to know where I exactly live as long as I have stated on Mayflower Close EN9.

I still oppose the application on the following basis:

- Non standard hours should be removed completely. The licensee should apply for "bank holiday, Christmas eve and boxing day" under TEN's.
- The applicant has not addressed my point about dispersal policy.
- Also no more than 15 patrons shall be permitted in the outside area.
- Garden o/s areas should be restricted to customers seated and served by waiter/waitress only.
- There are no conditions /restrictions to control the noise in the outside area. The event happened a few weeks ago which was amplified was an absolute nightmare and organisers had no respect to the neighbours the music and the

Please confirm details of the hearing as soon as possible. I will not be available during the first week of August and hope the hearing is set before or after this period.

Kind regards

** videos accompany this representation

Ms Hannah Gould
Licensing Compliance Officer
Epping Forest
District Council
hgould@eppingforestdc.gov.uk

Date 02/07/2022

Dear Ms Hannah Gould

RE: Representation opposing the License Application made by Crooked Billet,
Middle Street Nazeing Essex EN9 2LD
under the Licensing Objective 1.7 The Prevention of public Nuisance.

We the homeowners/residents namely Mrs [REDACTED] Mrs [REDACTED] and
Mr [REDACTED] of [REDACTED] Mayflower Close Nazeing Essex EN9 [REDACTED] our
house/garden is in a road directly behind the Crooked Billet, Oppose the
Application made by Crooked Billet, Middle Street Nazeing Essex EN9 2LD for
the following reasons.

The music that is being played in the garden of the Crooked Billet is substantially
interfering with the peaceful enjoyment of our home and garden, my mother Mrs
[REDACTED] is 88 years old the music was so loud it made her shake ,the
music is so intrusive its impossible to sit inside our home or in the garden and
relax my mother and I are avid readers this pleasure is impossible when the music
is being played in addition we are subjected to listening to music that isn't
necessarily our choice of music genre it's irritating and an inconvenience not
only is the music having an impact on my mother and I, its also affecting my
husband [REDACTED] he is a [REDACTED] and goes to bed early in order to
start work early when the music is playing in the garden of the Crooked Billet its
impossible for him to sleep, we moved into our property 3 and half years ago in
those 3 half years there has never been music played in the garden of the Crooked
Billet the previous owners informed us that no music was ever played in the
garden, of said pub, during their residence, one of the reasons we moved to
Nazeing village was to enjoy country walks and for the quite life this part of

Nazeing offers being predominately residential and incredibly peaceful we felt we had found our forever home since the Crooked Billet started playing music in the garden our lives have been disrupted the enjoyment we once had has been replaced with anxiety of when the next unacceptable onslaught of music will begin.

At no time since we have lived here have the council contact us or our neighbours to assess the impact having music in the garden at the Crooked Billet would have on our right to peaceful enjoyment of our homes and gardens, it would seem the council acknowledges there would be potential issues with noise as the licences stipulates that all doors and windows must remain shut when music is being played inside, and only opened for entry and exit, this indicates there has been a total disregard to the neighbours in the surrounding area who's lives have been substantially disturbed by the noise emanating from the Crooked Billet. In addition to all that I have stated above the impact on the potential devaluation of our property is causing us stress and anxiety. 'We have no objection to the playing of music inside as it's has never been a problem in the past under the above conditions set out in the licence

For your convenience I have respectfully summarised the Court of Appeal judgement set down by His Honour Carnwath LJ:

ARNWATH LJ'S RULES OF NUISANCE

Carnwath LJ, giving the leading judgment on behalf of the Court of Appeal, summarised a number of rules that applied to the law of nuisance (at para 36):

'i) There is no absolute standard; it is a question of degree whether the interference is sufficiently serious to constitute nuisance. That is to be decided by reference to all the circumstances of the case...

ii) There must be a real interference with the comfort or convenience of living, according to the standards of the average man... or in the familiar words of Knight Bruce VC:

"... not merely according to elegant or dainty modes and habits of living, but according to plain and sober and simple notions among the English people" (Walter v Selfe (1851), at page 322).

iii) The character of the neighbourhood area must be taken into account. Again in familiar 19th century language, “what would be a nuisance in Belgrave Square would not necessarily be so in Bermondsey...” (... citing Thesiger LG, *Sturges v Bridgman* (1879)).

iv) The duration of an interference is an element in assessing its actionability, but it is not a decisive factor; a temporary interference which is substantial will be an actionable nuisance...

v) Statutory authority may be a defence to an action in nuisance, only if statutory authority to commit a nuisance is express or necessarily implied. The latter will apply where a statute authorises the user of land in a way which will “inevitably” involve a nuisance, even if every reasonable precaution is taken...

vi) The public utility of the activity in question is not a defence

We fully understand that this Representation will be made available to the applicant and included in the Sub Committee’s Hearing papers which are publicly accessible documents, and any subsequent appeal court proceedings

I have attached a video recording to this email to demonstrate the noise we have had to endure.

Yours faithfully

Mrs [REDACTED]

Mrs [REDACTED]

Mr [REDACTED]

[REDACTED]
Mayflower Close
Nazeing Essex
EN9 [REDACTED]

Phone number [REDACTED]

**** videos accompany this representation**

6.

're. White Bear Tavern Limited



To Licensing



Mon 11/07/2022 19:45



You replied to this message on 20/07/2022 09:25.

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir,

I am writing on behalf of my husband, myself and an elderly neighbour who has asked me to include him in this communication.

The area around The Crooked Billet in Nazeing is a residential one with both families and the elderly as the main demographic. We are concerned that the late night noise from the performance of live music will have a detrimental effect on our quiet neighbourhood. We are already very aware when the pub has an event with loud music and a D.J.

In addition, having live music both indoors and outdoors until late night and the early hours of the morning when customers have been drinking alcohol is very likely to result in both a public nuisance and disorderly behaviour.

We ask that the Licensing Authority refuse this application.

Yours sincerely,

Western Road Nazeing EN9

Western Road Nazeing EN9

Western Road Nazeing EN9

7.

Re: Application for licence - White Bear Tavern Ltd. 17.6.22 for the Crooked Billet, Middle Street, Nazeing EN9 2LD



To Hannah Gould

Reply Reply All Forward

Wed 13/07/2022 15:44

TO DO

You replied to this message on 14/07/2022 12:24.

image001.png
12 KB

We are objecting to the above application on the following grounds:

The Crooked Billet is essentially a village public house generally serving the locality, but these proposals would dramatically alter the character of the premises and have a seriously negative impact on the surrounding area. The close proximity of houses to the front, rear and either side of the premises would create an unbearable noise nuisance to residents of a wide area of Nazeing, not just those in the immediate vicinity. We should point out that there are no trees or tall buildings to act as a buffer to the noise caused by live/recorded music emanating from the public house. The relatively small size of the public house means that live music will almost certainly be performed outside for most of the time, and the marquis would provide little or no noise reduction. According to the terms of the application we could potentially be subjected to noise from the entertainment every day of the week! As an example on the 2.7.22 there was an event held on the premises during the afternoon and early evening where live music and a raffle took place. The noise was such that it was impossible to sit out in the garden and we had to retreat indoors, close all windows to escape the din. The racket could in fact be heard as far as Shooters Drive and beyond. This leads us to question how widely the notification letters were distributed? It is our understanding that only those residents in the immediately vicinity of the Crooked Billet received them, but these proposals will effect a much wider area and greater number of residents and general public.

It seems obvious that the intention of the applicants is to transform the premises into some sort of entertainment venue attracting patrons from further afield raising issues of increased traffic, parking, as there are no public transport facilities into or out of the area during the evening.

We are also extremely concerned at the application to extend the business hours by 2.5 hours on Sundays, an extra hour Monday – Thursdays and 1.5 hours Friday and Saturdays. This would increase the likely nuisance caused by customers coming and going into the late evening and early hours creating more public disturbance to residents. With patrons leaving the public house at closing time there will be general conversation, banging of car doors and starting of engines. These hours seem exceptional long and go beyond the operating hours of the White Bear which is situated in a busy high street. We think it important to emphasize that the premises is not situated on a busy high street where there is already likely to be a lot of activity. We live in a village area where things quieten down in the evenings – the local shops are shut by 9 pm. This village is an area of beauty on the fringes of the Lee Valley Regional Park – as custodians of the natural environment it is our duty to look after it.

We assume that with the anticipated increase in customers the applicants will have ensured all the necessary fire regulations and other safety issues have been taken into consideration and potential adjustments will need to be made.

In terms of the provision of food we are unaware that food is currently available on the premises, so would be interested to know how this would be achieved in such a small space. The applicant mentions that refreshments will take place between the hours of 23.00 and 23.59 Monday - Thursday, 23.00 – 1.00 Friday – Saturday and 23.00 – 23.59 on Sunday this could also lead to further disturbance for the residents. We are really not clear what the application/applicant is requesting?

If this application is granted the residents of the surrounding area will be unable to have quiet enjoyment of their homes and gardens nor look forward to any rest and relaxation during the weekends, in particular, after a full weeks at work. It would have an adverse effect on the village and create a serious public disturbance.

We therefore urge you in the interest of the council tax residents to reject the application.

Western Road

EN9

8.

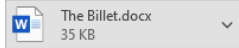
Register of Licence White Bear Tavern Limited Ref: WK/202222280



To Hannah Gould

TO DO

You replied to this message on 20/07/2022 09:26.



Reply Reply All Forward

Tue 12/07/2022 17:01

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

From: [REDACTED]
Date: 12 July 2022 at 16:26:59 BST
To: licensing@eppingforestdc.gov.uk
Subject: Register of Licence White Bear Tavern Limited Ref: WK/202222280

Dear Sir/ Madam,

Please find attached our objections as they currently stand to the proposed Register of Licence for the Crooked Billet public house, Middle Street, Nazeing by White Bear Tavern Limited Ref: WK/202222280.

I understand that the proposed licensee may be prepared to make some amendments to this application. Please keep us appraised of any further updates.

Kind regards,

[REDACTED]

Sent from my iPhone

[The prevention of public nuisance; and

Register of Licence White Bear Tavern Limited, Crooked Billet, Middle Street, Nazeing, EN9 2LD

We would like to make a representation against the above application in relation to;

The performance of live music to take place indoors and outdoors ceasing at 23.00 hrs

The playing of recorded music to take place indoors & outdoors ceasing at 23.00 hrs;
for the reasons outlined below.

We oppose the playing of live music and the playing of recorded music outside. We reside directly behind the Crooked Billet's rear garden and the pub garden is literally a few feet away and only separated by a small brook.

The noise generated by the playing of music in the pub's garden would have a detrimental impact on our health - as well as that of the other neighbours - and the enjoyment of our garden and home.

We have already been subjected to noise levels that are disproportionate and unreasonable on the occasions that the pub has previously played music in the garden, and were this licence to be granted, we would be subjected to noise nuisance all day and every day.

We have lived at our property for 13 years and have never previously had a reason to complain, under the previous licensee.

Since the pub re-opened after lockdown there have been a few events held in the pub garden with outside music or noise which have provided a number of reasons to oppose the licence allowing these events to continue.

In 2021 when the Euro's football tournament took place, the pub installed a television and bar area in the rear garden of the pub, close to our rear garden. This resulted in an increase in the volume of the noise emanating from the pub goers watching a number of the games in the garden and also an increase in swearing, some of which was heard by our young grandchildren (aged seven and four), who then told us that they did not want to stay at our house if there was a party going on opposite.

However, due to the extenuating circumstances at that particular time, which meant that people were unable to be inside pubs due to the pandemic, we understood that this was likely to be a one-off event, albeit over a few weeks and we did not make a complaint about the noise on those occasions.

After the Euros there was a further event held on 6th August 2021, where a singer performed late into the evening. Again, we did not complain as we were subsequently informed by our neighbours that this was for a wake and on the understanding it was unlikely to become a regular occurrence.

Since the passing of the previous licensee the pub has mainly been closed but we were recently notified regarding the White Bear Tavern's application for an extended alcohol and music licence.

The most recent event took place on Saturday 2nd July 2022 shortly after we received the notification. During this event the music was so loud that we were unable to sit and talk in either our rear or front garden. Additionally the music was so loud within our home, even with the windows closed. Our living room, bedroom and grand children's room are all situated at the back of the house, backing onto the pub garden and even with all of our windows closed, the noise was still unbearable and caused a disturbance during the afternoon and long into the evening.

Additionally at the event on Saturday 2nd July 2022, the compere had a microphone and ran a raffle where he used offensive language. We find this unacceptable behaviour and not what we should be subjected to whilst in our garden of our home.

Cars leaving the premises for such events after 23.00 hrs will also cause a noise nuisance late at night with our bedroom being directly behind the car park, not only for ourselves but for our neighbours in the surrounding area.

As the Billet is the only remaining pub in the village, we do not want to see the pub closed but we do not wish this to be at the expense of our health and wellbeing.

9.

Crooked Billet Licensing Application - Middle Street, Nazeing, EN9 2LD.



To Hannah Gould

You replied to this message on 14/07/2022 11:57.

Reply Reply All Forward

Thu 14/07/2022 03:01

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Hannah,

I would like to make a representation against the below application:

Register of Licence Application: White Bear Tavern Limited
Address: Crooked Billet, Middle Street, Nazeing, EN9 2LD

My main objections are regarding the following points:

The performance of live music to take place outdoors Friday to Saturday ceasing at 23.59 hrs

The playing of recorded music to take place outdoors Monday to Thursday ceasing at 23.59 hrs, Friday to Saturday ceasing at 00:30 and Sunday ceasing at 23:30.

The provision of late-night refreshments to take place outdoors Monday to Thursday ceasing at 23.59 hrs, Friday to Saturday ceasing at 1:00 and Sunday ceasing at 23:59.

The supply of alcohol for consumption off the premises Monday to Thursday ceasing at 23.59 hrs, Friday to Saturday ceasing at 1:00 and Sunday ceasing at 23:59.

I have outlined our reasons below:

We oppose the playing of live music and the playing of recorded music outside on the grounds of public nuisance. Our home is directly behind the Crooked Billet's rear garden, and the pub garden is literally a few feet away and only separated by a wooden fence, some trees, and a narrow brook.

An event was held at the Crooked Billet on Saturday 2nd July which gave us a perfect example of the potential nuisance. The PA audio system used was loud enough to vibrate through all the windows in our property, and due to the form and layout of the close we live on, the audio reverberated around the close and was amplified (reverberation gain). Studies have shown that reverberation audio gain within an urban environment can account for between a 2-7dB, (with 10dB effectively giving an apparent doubling of loudness). I walked around the entire area while the outdoor performances were taking place, and Mayflower Close seemed by far the loudest street in the whole of Nazeing. This meant that every side of our house was affected, and even the windows on the far side of the property were vibrating. In our garden the audio was loud enough that it was not possible to hold a conversation. I called Epping Forest District Council and reported the excessive noise, and the agent receiving the call was shocked at the loudness. It effectively made our garden unbearable to use, and our home provided little refuge even with double glazing and all windows shut. An individual using the microphone to run a raffle also used foul language, which was heard by my family.

Any future noise generated by the playing of music (live or pre-recorded) in the pub's garden would have a detrimental impact on our health - as well as that of the other neighbours - and the enjoyment of our garden and home.

We have lived at our property for more than 5 years and have never previously complained of noise related nuisance. As far as I understand, the changes made to the rear pub gardens to accommodate more patrons since the covid outbreak has exacerbated the noise issues. Conifer trees have been cut back, which would have provided at least a modest sound barrier to low volume sound such as conversations etc. The patrons are now able to drink and socialize very close to the perimeter of the gardens, which has brought them effectively within earshot of us and our neighbours, even when conversations are held at a normal level.

In 2021 when the Euro football tournament coincided with covid restrictions, the pub installed a television and bar area in the rear garden of the pub, close to our rear garden. This resulted in an increase in the volume of the noise emanating from the patrons watching many games in the garden and regular swearing and bad language was heard by our young children (aged 11, 8, 6 and 1). The noise from the patrons shouting and becoming excited during the matches was enough to wake our children and cause them distress.

I strongly feel that the proximity of The Crooked Billet gardens to residential properties and gardens makes it unsuitable for use by patrons and that the pub operations should be limited to indoor activities. Some village pubs are located far enough from the village residents to allow for outdoor consumption of alcohol and music to be played at reasonable levels, but I feel The Crooked Billet is far too close to many Nazeing residents for this to ever be feasible.

I understand one of the four criteria to be considered is 'The protection of children from harm' and I would like to object to the application on these grounds also for the following reasons. The language used by patrons in the gardens is also often not suitable for young ears, and the drinking often begins way before the children's bedtime. The children often walk into the house after playing in the garden and repeat the unsuitable language they have heard from the pub gardens. Having a 5 year old ask you 'what's a c*nt daddy' is about as bad as it has been in the past without numerous outdoor events and just casual summer drinking taking place. I can only imagine the conversations becoming more frequent if the license is granted with so many requests for increased outdoor activity. The other potential harm will be sleep disturbance and fear from loud noise. The shouts from the excited patrons during the Euro championship last year were loud enough to wake our children and cause them to become fearful of further sudden loud noises. For this reason I also object to the screening of football matches outdoors or any other sporting events. TV viewing should be restricted to indoors only.

I am concerned that the applicants plan to make concessions regarding the application and agree to not use the outdoor area for live events without applying for a Temporary Events Notice each time they wish to use the gardens for loud performances, and then apply for multiple TENs throughout each year. I would like my representation to stand for any future TEN licenses the pub may apply for. The garden will never be suitable for outdoor events. Considering the same PA system will likely be used for pre-recorded audio also, I feel just as strongly about the gardens being used for pre-recorded music as I do for live performances.

Cars leaving the premises for events after 23.00 will also cause a noise nuisance late at night with our bedroom windows being directly behind the car park, not only for ourselves but for our neighbours in the surrounding area.

I understand that only four licensing objectives are to be considered regarding this licensing application, but I thought as a side note it might be worth mentioning the potential disturbance to nature if any outdoor activities are allowed to take place. During the summer months our garden is visited regularly by muntjac deer, badgers, foxes, ducks, pheasants, and many other birds. These animals access our garden from the brook, as they effectively use it as a safe thoroughfare. We fear that the noise generated by outdoor activities of the pub will impact on this also. These animals begin coming to the garden before sunset during the summer, even including the nocturnal ones.

We moved to Nazeing from a busy urban area for a more peaceful life, and the recent noise from the pub has meant our children have been asking to move again.

Yours sincerely,
[REDACTED] of Mayflower Close, Nazeing.

Re: Crooked Billet Licensing Application - Middle Street, Nazeing, EN9 2LD.



To Hannah Gould
Cc Licensing

Reply Reply All Forward

Thu 14/07/2022 23:25

TO DO

You replied to this message on 20/07/2022 09:27.

Hi Hannah,

I wish for my previous representations to stand. The most recent posts on social media lead me to believe the pub will become for more of a noise nuisance if the application is granted than it has been in the past with the previous licensee.

I am happy for my representation to be presented to the applicant and I am happy to attend a hearing in person to voice my concerns also.

I understand that the relevant legislation related to my complaint would be The Live Music Act 2012 and The Legislative Reform (Entertainment Licensing) Order 2014. I understand there are a number of mechanisms for the protection of residents under this Act including:

- Upon a Review of the premises licence the Licensing Authority can determine that existing conditions on the premises licence relating to live or recorded music will apply even between 8am and 11pm.
- If the Premises Licence doesn't presently authorise live or recorded music the Licensing Authority can determine that live or recorded music at the premises can no longer be provided without permission on the Premises Licence (thus requiring a Variation) or a Temporary Event Notice, and can add new conditions to the Premises Licence.
- Other noise legislation, for example in the Environmental Protection Act 1990, will continue to apply. The Live Music Act does not allow licensed premises to cause a noise nuisance.

As there is currently no license in place, there should be room to exercise these protections for local residents due to the extreme proximity of the beer garden to the adjoining neighbours' gardens and properties. The open nature of the beer garden and lack of sound proofing will make it pretty much impossible to play live or pre-recorded music outside without causing nuisance to the neighbours.

The applicant has made it clear that the sole reason for taking on the running of The Crooked Billet will be to maximize revenue through hosting loud outdoor events running late into the night. In light of this, I think whatever mechanisms are available to protect the neighbours should be put in place at the application stage, rather than taking a 'suck it and see' approach and forcing residents to complain regularly of noise nuisance to have the license reviewed.

Yours sincerely,

Mayflower Close.



To: Licensing Section

From: Nicki Glasscock
Environmental Enforcement Officer

Date: 14 July 2022

Your ref:

Our ref: WK/202224067



**Epping Forest
District Council**

Licensing Act 2003
Crooked Billet, 38 Middle Street, Nazeing, EN9 2LD



I refer to an application for New Premises Licence made under the Licensing Act 2003 regarding the above mentioned premises that I have received.

This premises is surrounded by residential properties that all have the potential to be affected in terms of noise. Whilst the premises have been using Temporary Events they have applied for hours up until midnight and recently complaints have been received in terms of noise.

With that in mind I wish to make a representation under the Licensing objective – Prevention of Public Nuisance. The following conditions would allay my concerns to some extent although I am of the opinion that any music outside would be likely to cause a Statutory Nuisance.

- **Live music to cease at 23:00pm (inside and outside) Monday – Sunday**
- **Recorded music to cease at 23:00pm outside. Recorded music inside to end at 12 midnight Sunday – Thursday and 00:30hrs Friday & Saturday.**
- **Late night refreshment until 12 midnight Sunday – Thursday and until 00:30am Friday and Saturday.**
- **Supply of alcohol until 12 midnight Sunday – Thursday and until 00:30am Friday and Saturday**
- **Opening hours until 12 midnight Sunday to Thursday and until 00:30am Friday and Saturday.**
- **Music outside should not be at a level where it could cause nuisance or annoyance to neighbouring properties. Therefore, it is not to be audible past the boundary of the premises.**
- **Noise Limiter must be fitted to the musical amplification system set at a level determined by The Community Resilience Team so as to ensure that no noise nuisance is caused to local residents or businesses. No alteration or modification to any existing sound system(s) should be affected without prior agreement with The Community Resilience Team. No additional**

sound generating equipment shall be used on the premise without being routed through the sound limiter device.

Reason: To prevent a public nuisance from patrons affecting nearby noise sensitive premises.

If you wish to discuss any of my [comments](#) please contact me on 01992 564703.

A handwritten signature in black ink, appearing to read 'Nicki Glasscock', with a stylized, cursive script.

**Nicki Glasscock
Environmental Enforcement Officer**