

REPRESENTATIONS LIST

Application No: 056120

Application Date: 3 July 2023

Licence Type: Premises Licence WITH Alcohol

Licence No: N/A

Application Type: New Application

Premises: Azura Tapas & Cocktails
11 - 12 Miltons Yard, West Street, AXMINSTER, Devon, EX13 5FE.

Applicant: Ana Isabel Campos de Carvalho

Person making Representation: Susan Crawford

Representation Accepted: Representation has been accepted

Reason: Public Nuisance

Details: BY RECORDED DELIVERY

The Licensing Manager East Devon District Council Blackdown House
Border Road, Heathpark Industrial Estate Honiton EX14 1EJ

21 July 2023

For your kind attention

Ref: Licensing Public Notice on behalf of:

Ana Isabel Campos de Carvalho for a New Premises licence at: 11-12 Miltons Yard, West Street, Axminster WX13 5FE and known as Azura Tapas and Cocktails for the Sale of (On and OFF Licence) Monday to Sunday from 11.00 until 22.30hrs and Premises Opening Hours Monday to Sunday 11.00 am to 23 hrs

Firstly, I feel it is important for the members of the Licensing Committee to know, that, while the Premises Licence application address for Azura Tapas and Cocktails in Miltons Yard, is in the EX13 5FE postcode there is also an entrance door opening directly on to the Tesco Belle Vue walkway in the EX13 5NU postcode. This door directly faces Belle Vue flats and residents' front doors, patio gardens and front-facing bedrooms creating privacy issues. [REDACTED] residents are concerned that late-night noise and drink-related disturbance issues may result from the Tapas Bar premises late closing hours if customers are allowed to use that door.

It should also be noted that, while the Tapas Bar is requesting an OFF licence as well, there is already an existing Off Licence directly to the left of the Miltons Yard entrance.

I, and other [REDACTED] residents I have spoken to, request that the following conditions be included in the Applicants Premises licence:

- 1) that the Licensees are obliged to ensure that all customers exit the premises by the Miltons Yard entrance at all times and not via the doorway that opens on to the Belle Vue Walkway. The Belle Vue Walkway doorway should be classified as an Emergency Exit only and always be kept clear. No outside eating or drinking, tables, chairs or benches should be permitted in that public area.
- 2) that the Applicants request for their opening hours to be allowed from 11.00 am to 23.00 hours every day of the week be reduced on Sundays to 11.00 hrs to 17.00 hrs.
Sunday Trading laws were created to allow workers, the general public, and in this case, residents in the immediate neighbourhoods, a certain level of peace and quiet on a Sunday. The location of the Tapas & Cocktails Bar in the centre of this residential area, with flats and homes on two sides overlooking the premises, and additionally the residents of Belle Vue Flats on the Tesco Walkway side, means residents would have no respite from the constant daily activity, associated with the premises - customers or deliveries. We fully understand the applicants desire to introduce a new hospitality venue to Axminster, but it is also vital that local residents should have their point of view and quality of life respected as well.
- 3) that, if a Music Licence has been, or will be applied for, by the applicants, that, as the premises are in the middle of a residential area, such a Licence must include appropriate restrictions on sound levels for any recorded or live music played - inside or outside the premises. These restrictions should also include any external seating or additional dining or food service areas.

Yours faithfully

Susan Crawford, Mrs

Evidence:

Suggestion:

Application No: 056120

Premises: Azura Tapas & Cocktails
11 - 12 Miltons Yard, West Street, AXMINSTER, Devon, EX13 5FE.

Person making Representation: Michael Lowery

Representation Accepted: Representation has been accepted

Reason: Public Nuisance

Details: 20th July 2023

The Licensing Manager,
We, the undersigned, wish to express our concerns regarding the granting of an alcohol license to 11-12 Miltons Yard, Axminster.

Belle Vue flats are set in a conservation area, approximately 17 metres from the license application. All bedrooms are situated along the front of the building. The proposed Tapas bar has a side door opening directly into the area that the flats face. Would this door be for emergency only?

We also question the proposed off sales. This would encourage such drinking to take place on the way to Tesco's, this runs from the main road past our flats. We have experienced late night drunken rowdiness on a regular basis.

There is also concern that there will be light pollution and loud noise emanating from the venue and its garden, thus disturbing the change of tranquility of the neighbourhood. The bar closing at 23 hours means that vacating patrons will extend beyond this time - not everyone will leave quietly.

We also question the length of the opening hours - is it really necessary to stay open so late on Sundays?

Mary Lowery
Michael Lowery

Evidence:

Suggestion:

Person making Representation: Mary Lowery

Representation Accepted: Representation has been accepted

Reason: Public Nuisance

Details: 20th July 2023

The Licensing Manager,
We, the undersigned, wish to express our concerns regarding the granting of an alcohol license to 11-12 Miltons Yard, Axminster.

Belle Vue flats are set in a conservation area, approximately 17 metres from the license application. All bedrooms are situated along the front of the building. The proposed Tapas bar has a side door opening directly into the area that the flats face. Would this door be for emergency only?

We also question the proposed off sales. This would encourage such drinking to take place on the way to Tesco's, this runs from the main road past our flats. We have experienced late night drunken rowdiness on a regular basis.

There is also concern that there will be light pollution and loud noise emanating from the venue and its garden, thus disturbing the change of tranquility of the neighbourhood. The bar closing at 23 hours means that vacating patrons will extend beyond this time - not everyone will leave quietly.

We also question the length of the opening hours - is it really necessary to stay open so late on Sundays?

Mary Lowery
Michael Lowery

Evidence:

Suggestion:

Application No: 056120

Premises: Azura Tapas & Cocktails
11 - 12 Miltons Yard, West Street, AXMINSTER, Devon, EX13 5FE.

Person making Representation: James Carroll

Representation Accepted: Representation has been accepted

Reason: Public Nuisance

Details: Dear Sir/Madam,

I am writing with reference the application for a licence at Azura Tapas & Cocktails, 11-12 Miltons Yard, West Street, Axminster, EX13 5FE.

My details are:-
James Carroll

As a resident [REDACTED], whilst I have no objection to the tapas/cocktail bar, I STRONGLY OBJECT to this venue being open seven days a week between the hours of 11 am and 11 pm.

We live in a conservation area with a number of elderly residents and, as such, with the serving of alcohol and the extended hours, this is an open invitation for noise and disorder. Having seen criminal behaviour in the town as early as it becomes dark, to invite such possibilities down dark courtyards/alleys until 11 pm is at best foolhardy.

Yours faithfully,

James Carroll

Evidence:

Suggestion:

Application No: 056120

Premises: Azura Tapas & Cocktails
11 - 12 Miltons Yard, West Street, AXMINSTER, Devon, EX13 5FE.

Person making Representation: Patricia Whiteside

Representation Accepted: Representation has been accepted

Reason: Public Nuisance

Details: 28 July 2023.

For your kind attention

Ref: Licensing Public Notice on behalf of:

Ana Isabel Campos de Carvalho for a new Premises Licence at : 11-12 Miltons Yard, West Street, Axminster, EX13 5FE and known as Azura Tapas and Cocktails for the sale of (ON and OFF Licence) Monday to Sunday from 11.00 until 22.30hrs and Premises Opening Hours Monday to Sunday 11.00am to 23hrs.

Firstly, I feel it is important for the members of the Licensing Committee to take into account that, while the Premises Licence application address for Azura Tapas and Cocktails in Miltons Yard is in the EX13 5FE postcode an entrance door also opens directly on to the Tesco Belle Vue walkway in the EX13 5NU postcode. This door directly faces Belle Vue flats, their residents' front doors, patio gardens and bedrooms creating privacy issues.

Whilst I, [REDACTED] proposed Tapas Bar, have no objection in principle to the opening of a new hospitality business in Miltons Yard I believe this must have suitable restrictions and conditions in place to avoid disrupting [REDACTED], and other neighbourhood residents, right to a peaceful atmosphere without excessive noise from continual to-ing and fro-ing of the Bar's clientele and daily deliveries etc.

I, and my neighbours [REDACTED] Miltons Yard, will not easily forget the mayhem and appalling behaviour, huge bonfires, loud noise, general criminality and the immense amount of damage, smells and litter caused by the last occupants of Miltons Yard (finally expelled from Axminster by the Police).

I, [REDACTED] the applicant's premises, together with neighbouring residents flats whose windows are either immediately above, or to the side of Miltons Yard, would be directly affected by any late night noisy behaviour, from Tapas Bar customers using outdoor seating area or any loud music being played.

For that reason I do have serious concerns about possible late night noise, and drink related disturbance issues, which could result from the seven day week, late opening hours requested in the Tapas & Cocktail Bar's premises application. Sundays are a day off work for many people and also, traditionally, a day to relax and enjoy some peace and quiet. Closing at 11pm on Sundays is not acceptable in a closely-knit residential neighbourhood such as ours.

For the above reasons and concerning issues I, would request that the following conditions, and restrictions be included in the Applicants Premises Licence documentation:

1 that the opening hours requested by the Licensees be reduced, and only allowed from, 11.00am to 21.00 hours daily during the week and on Sundays only, from 11.00 hrs to 19.00hrs.

2 that the new Premises Licence should not be extended to an OFF Licence as there is already an existing Off Licence immediately to the left of the entrance doors to Miltons Yard. This is open from 8.00hrs to 22.00hrs every day of the week - Sunday included.

3 that the Licensees are obliged to ensure that all customers from 17.00hrs exit the premises by the Miltons Yard entrance at all times and not via the doorway that opens on to the Belle Vue Walkway. This doorway should be classified as an emergency Exit only and always be kept clear. There should be no customer seating outside that door of the Tapas Bar as it is directly across the walkway from Belle Vue residents' gates, doors and windows and would affect their privacy.

4 that, if a Music Licence has been, or will be applied for, by the applicants, that, as the premises are in the middle of a three-sided residential area, such a Licence must include appropriate restrictions on sound levels for any recorded or live music played - inside or outside the premises. These restrictions would also include any external seating or additional dining or food services.

As I mentioned at the start of my letter that are at least 15 residential properties, in and around Miltons Yard in the postcodes indicated above, which would be affected by the granting of the premises licence opening hours requested by the applicants. These properties are:

a flats and other dwellings within Miltons Yard including: in close proximity to the outdoor seating area flats Nos. 11 and 12 Miltons Yard, two first floor flats opposite, one house, one cottage and, one flat above the main entrance to the yard.

b [REDACTED] South West House - with a bedroom and living room overlooking Miltons Yard.

c a first floor flat, "Battens", accessed from West Street. It has three windows (bedroom and living room) directly overlooking Miltons Yard and would therefore be affected by the opening hours requested.

d Belle Vue flats, Belle Vue Walkway EX13 5NU. There are 6 flats facing the Tapas Bar premises, each with bedrooms, living rooms etc and access on to individual or shared patio gardens.

Application No: 056120

Premises: Azura Tapas & Cocktails

11 - 12 Miltons Yard, West Street, AXMINSTER, Devon, EX13 5FE.

I do hope your Committee will understand mine, and my neighbours,' concerns about the long opening hours, especially on Sundays, requested by the Premises Licence applicants of the Azura Tapas and Cocktails Bar together with the other points and concerns raised and expressed in my letter.

Thank you.

Yours faithfully

Patricia Whiteside, Mrs

Evidence:

Suggestion:

Person making Representation: Sarah McClymont

Representation Accepted: Representation has been accepted

Reason: Public Nuisance

Details:

Dear Sirs

RE: Licensing Public Notice on behalf of:

Ana Isabel Campos de Carvalho for a new Premises Licence at : 11-12 Miltons Yard, West Street, Axminster, EX13 5FE and known as Azura Tapas and Cocktails for the sale of (ON and OFF Licence) Monday to Sunday from 11.00 until 22.30hrs and Premises Opening Hours Monday to Sunday 11.00am to 23hrs.

Ref:056120

We [REDACTED] address and of which the rear off the property is open and in close proximity to the above Tapas Bar. Our property is a [REDACTED]

At the rear there is a fire escape that goes past [REDACTED] onto Ax News fire exit door. There is also a flat roof accessible from the fire escape stairs [REDACTED]. This area is easily accessible to anyone going around the side of the Tapas Bar to [REDACTED] which is for use by ourselves and the Fabric Shop. We have had incidences of children going on the flat roof, which is all open with only 1 fenced side by the fire escape. We have had to inform parents how dangerous this is. We are concerned that patrons of the tapas bar, especially if drunk, may go wandering up there or use the side of the building as a toilet, create a nuisance, drug abuse or fornication.

With regard to security of our property, The Fabric Shop and Ax News, at present the gates into Miltons Yard (new signage shows a name change to Maria's Vineyard) are closed during the evenings. Does the licence cover which entrance is to be used for the Tapas Bar? The other being in Belle Vue Wa kway. We are concerned that having the gates open every single evening until 23.00 or later creates a security and safe guarding issues for residents and patrons.

Will the licensee be respons ble for making sure all patrons have left the premises including the outside dining area once it has closed? We are concerned about people hanging around, especially if drunk and creating a disturbance.

We would like to see the Sunday trading hours reduced to 11.00am - 17.00, allowing for some peace over the weekend. We would also l ke to see the licensing hours for Monday to Saturday reduced from 11.00 - 22.30 to 11.00 - 21.30. Late night noise, bad behaviour and alcohol related disturbances are a concern to us being in such close proximity to the applicants premises.

Sarah McClymont

Evidence:

Suggestion:

Application No: 056120

Premises: Azura Tapas & Cocktails
11 - 12 Miltons Yard, West Street, AXMINSTER, Devon, EX13 5FE.

Person making Representation: Michael Rooks

Representation Accepted: Representation has been accepted

Reason: Public Nuisance

Details:

Dear Sirs

RE: Licensing Public Notice on behalf of:

Ana Isabel Campos de Carvalho for a new Premises Licence at : 11-12 Miltons Yard, West Street, Axminster, EX13 5FE and known as Azura Tapas and Cocktails for the sale of (ON and OFF Licence) Monday to Sunday from 11.00 until 22.30hrs and Premises Opening Hours Monday to Sunday 11.00am to 23hrs.

Ref:056120

We [REDACTED] and of which the rear off the property is open and in close proximity to the above Tapas Bar.

At the rear there is a fire escape that goes past [REDACTED] Ax News fire exit door. There is also a flat roof accessible from the fire escape stairs [REDACTED]. This area is easily accessible to anyone going around the side of the Tapas Bar to [REDACTED] which is for use by ourselves and the Fabric Shop. We have had incidences of children going on the flat roof, which is all open with only 1 fenced side by the fire escape. We have had to inform parents how dangerous this is. We are concerned that patrons of the tapas bar, especially if drunk, may go wandering up there or use the side of the building as a toilet, create a nuisance, drug abuse or fornication.

With regard to security of our property, The Fabric Shop and Ax News, at present the gates into Miltons Yard (new signage shows a name change to Maria's Vineyard) are closed during the evenings. Does the licence cover which entrance is to be used for the Tapas Bar? The other being in Belle Vue Wa kway. We are concerned that having the gates open every single evening until 23.00 or later creates a security and safe guarding issues for residents and patrons.

Will the licensee be respons ble for making sure all patrons have left the premises including the outside dining area once it has closed? We are concerned about people hanging around, especially if drunk and creating a disturbance.

We would like to see the Sunday trading hours reduced to 11.00am - 17.00, allowing for some peace over the weekend. We would also l ke to see the licensing hours for Monday to Saturday reduced from 11.00 - 22.30 to 11.00 - 21.30. Late night noise, bad behaviour and alcohol related disturbances are a concern to us being in such close proximity to the applicants premises.

Michael Rooks

Evidence:

Suggestion: