

**DAVID AND LYNNE CROSS, 5 THE SYCAMORES**

We have previously sent this email to Mr Cobb in connection with the noise nuisance from the Orange Tree Public House. Rob Scargil has sent out a letter requesting representations should be submitted by the 10th of December direct to the licensing authority so we have reissued accordingly with minor amendments addressing the issues Rob has raised.

We reside at 5 The Sycamores, which is directly across the road from the houses that back onto the Orange Tree garden. We are unable, in all honesty, to make a formal complaint against the nuisance from the pub during the Covid restrictions as it has not affected the reasonable enjoyment of our property. This is because our living room is on the rear of our property and, with the music ceasing at circa 9.30pm, it does not affect us sleeping at night in the bedroom at the front of the property. We can however confirm that at weekends, when we are in the garden, the noise from the bands playing at the pub has been disproportionately loud and is not acceptable for a residential area. We cannot imagine what it must be like living in the houses immediately adjacent to the pub garden.

We accept that in this unprecedented period businesses have to do the best they can to survive. Pre Covid the Orange Tree always appeared to have ambitions to turn into a live music venue but performances were generally intermittent and always inside where the noise levels were muted. On the odd occasions we knew there was going to be performances in the garden, such as Balstock, we generally made sure we were away. Our concern is that the changes that have been made to the pub garden are going to be permanent, post Covid, and that live music outside will become the norm. This would be totally unacceptable and would affect our enjoyment of our property as presumably the music would be allowed to continue until at least 11pm making it impossible to get to sleep in our bedroom until after this time.

As you know the Orange Tree pub was in existence prior to The Sycamores and we bought our house 39 years ago knowing a pub was there. The houses across the road were built at a later date, on part of the pub garden, and shielded us from said garden. In all the years we have been on the Sycamores the pub has operated as a local and has, in the main, been run very well by all the tenants, including Rob, and has not caused much nuisance.

There were concerns when Rob took over that he wanted to turn the Orange Tree into a music venue, with extended opening times, and a number of residents made their concerns known to the Council at that time. My understanding was that even though the extended hours were allowed, conditions were included in the licence to ensure that music was played indoors and that the building had to remain sufficiently insulated to ensure no leakage of noise. This has mainly worked, and although we have noise from people leaving the pub, to get to cars parked in the Sycamores, the nuisance was insufficient to affect the reasonable enjoyment of our property. Pre Covid we lived with the irritations and would not have made a formal complaint.

If, by using Covid as an excuse, the pub is trying to extend its ambitions to become a live music venue, and to get round the original conditions, then this will be totally unacceptable and will severely affect local residents. The Orange Tree is a small local pub, situated in residential area and has CAMRA awards. Rob's letterhead describes the Orange Tree as "[A traditional pub with locally sourced home made food and a selection of real ales, fine wines and single malt whiskies.](#)" It should be typical of a number of pubs in Hertfordshire in similar locations, with similar credentials, that are viable and thriving. What it should not be is a live music venue more akin to the type of premises you would expect to find in High Streets in larger towns and cities. One should not expect rock bands etc to be performing on live stages in a marquee in the garden of a small pub situated in a residential area. There clearly needs to be a balance between the viability of the business and the impact on

local residents adjacent to the pub. Currently the balance has swayed too far in the direction of the pub adopting a trading policy that involves intolerable nuisance to residents living immediately adjacent to the property, and if it continues post Covid, will affect even more residents. This trading policy is clearly not what was envisaged for a pub of this type and the Council needs to ensure that this policy is restricted, post Covid, to ensure that no unreasonable nuisance is caused to property owners who bought their houses many years prior to the current tenant of the Orange tree taking occupation.

Rob states that all he wants is to try and help us all work in conjunction with NHDC to find how we can operate the marquee within an acceptable way for you as neighbours living next to this wonderful 340 year old pub. The answer is he has to continue to operate as a wonderful 340 year old pub in a quiet residential area and, once Covid is over, to revert back to having a garden for outdoor drinks and meals in the summer. To operate a marquee with live music stages is not compatible with either the location or age and style of the pub and Rob has overstepped the mark with his ambitions and it is not acceptable.

[REDACTED]

[REDACTED] This email is trying to present a balanced view on behalf of all parties. We have used the Orange Tree on a number of occasions over the years, with all the various tenants, including Rob, although we could not be called regulars. We obviously also know neighbours who live directly adjacent to the pub. We want Rob to thrive in his business but only to the extent that he trades within normal parameters for a pub of its type. It should not be a live outside music centre with stages built in a marquee.

We hope the Council can ensure a fair outcome for all in this situation.

Kind regards

David & Lynne Cross  
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Baldock