

**Application for the review of a premises licence or club premises certificate 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 Julie Roberts  
*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Stellar Bar and Coffee House 56 High Street	
<b>Post town</b> Haverhill	<b>Post code (if known)</b> CB9 8AR

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Stellar Bar and Coffee House Ltd

<b>Number of premises licence or club premises certificate (if known)</b>
PL06696

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates

(please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick ✓ yes

Mr                  Mrs                  Miss                  Ms                  Other title  
(for example, Rev)

**Surname**

**First names**

Please tick ✓ yes

**I am 18 years old or over**

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address  Julie Roberts Private Sector Housing and Environmental Health West Suffolk Council Western Way Bury St Edmunds IP33 3YU
Telephone number (if any) 01284 757044
E-mail address (optional) julie.roberts@westsuffolk.gov.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm



**Please state the ground(s) for review** (please read guidance note 2)

The prevention of public nuisance.

The premises is currently subject to a Noise Abatement Notice served by the Council's Environmental Health Team on 25 May 2022 under s.80 Environmental Protection Act 1990 in respect of noise nuisance caused by loud music emanating from the premises and amounting to, in my professional opinion, a statutory noise nuisance under the Act by virtue of the music having a significant and unreasonable impact on the ordinary enjoyment of a neighbouring residential property i.e. affecting normal conversation / watching a television played at normal volume and preventing / disturbing sleep. The service of this Notice was based on direct observations of loud music emanating from the licensed premises and having a significant and unreasonable impact on the ordinary enjoyment of a neighbouring property. This Notice has been subject to an appeal and that appeal was dismissed by the Magistrates Court on 31 October 2022 and the Notice therefore upheld.

Since the service of the Notice the applicant appears to have made no attempt to comply with the Notice and complaints continue to be received. The premises remains under active investigation, breaches of the Notice have been witnessed, and further formal action to achieve compliance with the Notice to abate the nuisance is currently under consideration.

The continued operation of this venue would, in my opinion, expose nearby residents to unreasonable disturbance caused by loud music emanating from the premises.

It is unusual for Environmental Health to request a licence review, but in this circumstance, I feel it necessary as a representative of the responsible authority charged with promoting the prevention of public nuisance licencing objective under the Licensing Act 2003 to pursue this action.

**Please provide as much information as possible to support the application** (please read guidance note 3)

Complaints have been received by this team concerning noise from the premises since the venue began operation in April 2022. These complaints state that disturbance is caused mainly on Friday, Saturday and Sunday nights and according to information provided by complainants has occurred most weeks since the operation commenced, although the complainants have also stated that they actively seek to be away from the premises when the opportunity arises to avoid the disturbance.

The Designated Premises Supervisor has been contacted by this team on multiple occasions in writing advising him of the unacceptable noise levels but has apparently taken no effective action to reduce the level of disturbance.

Despite requests there is no noise management plan in place for this operation and no assessment has been made of the suitability of the structure for use as a music venue in terms of noise and vibration transmission within the building.

See also attached documents.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the premises please state what they were and when you made them**

Representations were made in November 2022 in objection to TENs relating to the late night extension of hours on dates in December 2022 / Jan 2023. These objections were upheld and the TENs rejected.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature *J Roberts*  
.....

Date 22/06/23  
.....

Capacity Senior Enforcement Officer (Private Sector Housing and Environmental Health)  
.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.