

# APPENDIX ①

Licensing Act 2003  
Sections 51 and 87



## 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 Muhammad Islam  
(Insert name of applicant)

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

### Part 1 – Premises or club premises details

Horse & Barge  
Moorhall Road  
Harefield

|                     |                              |
|---------------------|------------------------------|
| Post town Harefield | Post code (if known) UB9 6PE |
|---------------------|------------------------------|

Name of premises licence holder or club holding club premises certificate (if known)

Reilly & Blackwood LLP  
Horse and Barge  
Harefield  
UB9 6PE

Number of premises licence or club premises certificate (if known)  
LBHIL 356/05

### Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible

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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

I am 18 years old or over

Please tick ✓ yes

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<br>Muhammad Islam<br>Principal Environmental Health Officer<br>Environmental Protection Unit<br>3S/02 Civic Centre<br>High Street<br>Uxbridge UB8 1UW |
| Telephone number (if any)<br>01895 277401  |
| E-mail address (optional)  |

**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 Council has received several complaints about loud music breakout from this premises causing disturbance to local residents. Officers responding to out of hours noise complaints have witnessed statutory noise nuisance as defined in the Environmental Protection Act 1990 (EPA) on 4 separate occasions. The situation has not improved despite several communications by officers from the Environmental Protection Unit with the premises including a site meeting with the premises manager by officers from the licensing and environmental Protection unit. The premises is therefore failing to promote the licensing objective of Prevention of Public nuisance.

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

Between 12<sup>th</sup> November 2011 to 26<sup>th</sup> May 2013, the Council's out of hours Antisocial Behaviour and Investigation Team (ASBIT) received 9 complaints. Statutory noise nuisance was witnessed on 4 separate occasions.

### **Summary of the investigation**

#### **12<sup>th</sup> November 2011**

Complaint was received concerning noise from amplified music. Officers from the ASBIT visited the complainant at 22:04 hours. Loud music was clearly audible outside the complainant's premises half a mile away from Horse & Barge. Music was also audible inside complainant's premises but was not statutory noise nuisance. Officers then visited Horse & Barge and asked the manager to reduce the volume.

#### **13<sup>th</sup> November 2011**

At 00:30 hours a further complaint was received but the officers could not contact the complainant. At 01:11 hours officers were called out to the first complainant and attended at 01:25 hours. Officers witnessed loud music with heavy, repetitive bass inside the complainant's premises which in their opinion was a statutory noise nuisance (SNN) making sleep impossible.

#### **29<sup>th</sup> November 2011**

Environmental Protection Act 1990-Section 80 notice served on Reilly & Blackwood LLP, Horse & Barge, Moorhall Road, Harefield UB9 6PE by recorded delivery. Notice prepared and served by Paul Connor.

#### **9<sup>th</sup> December 2012**

##### **Statutory Nuisance- Breach of Notice**

ASBIT officers visited a complainant at 00:50 hours following a complaint. Bass beat were audible in complainant's living room and was continuous through the visit. In the officers opinion, the music was loud enough to have made sleep or relaxation in the property very difficult. Officers then visited the Horse & Barge at 00:58 hours and spoke with the manager, Mr Blackwood and advised to lower volume and bass.

#### **12<sup>th</sup> December 2012**

A formal written warning letter was prepared and sent to Mr Dominic Littlewood as the manager of the premises.

#### **29<sup>th</sup> December 2012**

ASBIT officers responded to a complaint about loud music and visited the complainant at 23:50 hours. Low level music was audible inside complainant's premises but was not loud enough to be SNN. Officers then visited Horse & Barge to speak to the organisers of the party. The party was moved from a temporary marquee into the main building.

#### **30<sup>th</sup> December 2012**

A complaint was received about loud music all night but no visit was made on this occasion.

#### **31<sup>st</sup> March 2013**

ASBIT officers visited a complainant at 23:55 hours following a complaint. Loud amplified music was slightly audible but not a SNN. Officers then visited Horse & Barge and requested bass was lowered.

#### **28<sup>th</sup> April 2013**

##### **Statutory Nuisance- Breach of Notice**

A complaint was received at 00:56 hours. Officers from ASBIT visited the complainant at 01:38 hours and witnessed strong constant bass beat in complainant's living room. The music was loud enough to be a SNN as in the opinion of the visiting officers it would have made sleep or relaxation

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in the property very difficult.

Officers then visited Horse & Barge and asked the door supervisor to reduce bass.

**4<sup>th</sup> May 2013**

A call was received from a complainant at 21:25 hours to let ASBIT officers know that there was loud music earlier on but has gone down now.

**17<sup>th</sup> May 2013**

It was decided to issue with a simple caution to deal with the breach witnessed on 28<sup>th</sup> April 2013 and a simple caution letter was sent by recorded delivery addressed to Company Secretary, Reilly & Blackwood LLP, Horse & Barge, Moorhall Road, Harefield, UB9 6PE. The letter informed that a breach of the notice issued on 29<sup>th</sup> November was witnessed and that an offence has been caused. The letter asked that if that if a simple caution was acceptable, they should contact the case officer within 7 days of receipt of the letter by phone, letter or email. To this date no formal response has been received from Horse & Barge.

**26<sup>th</sup> May 2013**

**Statutory Nuisance- Breach of Notice**

ASBIT officers visited a complainant at 01:45 hours following a complaint. Officers witnessed bass line from the pub was constant and in their opinion was at a level that would make sleep impossible. The officers then visited Horse & Barge and spoke to the manager and security and advised them that the music was a SNN must be reduced.

Copies of letters, witness statements and EPA 1990 notice attached to this application

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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

|  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|

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

Please

tick ✓ yes

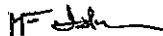
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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



Date

4/6/13

Capacity

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)**

|  |           |
|--|-----------|
| Post town  | Post Code |
| Telephone number (if any)  |           |
| If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) |           |

**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.

