MINUTES OF
LICENSING SUB-COMMITTEE

Monday, 7 March 2016
(7:00 - 7:57 pm)

Board Members Present: Cllr Josephine Channer (Chair), Cllr Faruk Choudhury and Cllr Hardial Singh Rai

27. Declaration of Members' Interests

There were no declarations of interest.

28. Application for a new a Premises Licence: Barking Park, Longbridge Road, Barking, IG11 8TA

The Council’s Licensing Officer, Maria Williams, presented a report to the Sub Committee which was regarding an application for a Premises Licence for Barking Park, Longbridge Road, Barking IG11 8TA.

The application was for one event to be held in Barking Park on 20 August 2016 during the hours of 07:00 to 21:00 to include:

- Live Music: Saturday 07:00-11:00 and 12:00 – 21:00
- Recorded Music: Saturday 07:00-11:00 and 12:00 – 21:00
- Performance of Dance: Saturday 15:00-15:30 and 16:30 – 17:00
- Sale of alcohol: Saturday 12:00-21:00

The Sub Committee were advised that during the consultation period the applicant had agreed additional conditions with the Police and that one valid representation had been received from the London Borough of Barking and Dagenham Environmental Health Noise Team. This representation was presented under public nuisance regarding noise. The Sub Committee noted that despite various correspondence being received from the applicant regarding noise risk assessments, this had not satisfied the concerns of the Environmental Health Noise Team.

Mr Andrew Martin, Environmental Health Officer, was present at the meeting and was invited by the Chair to address the Sub Committee.

Mr Martin advised the Sub Committee that since the publication of the agenda, a revised site plan had been received however this did not allay the concerns raised regarding noise nuisance. A copy of the revised site plan was circulated to the Sub Committee.

The proposed event was considered by Mr Martin to be a pop concert and was not suitable for Barking Park as the event would fall outside of the requirements of the Noise Council Code of Practice on Environmental Noise Control at concerts. It was estimated that approximately 3000 addresses would be affected by noise nuisance if the event were to go ahead.
Mr Martin continued to advise the Sub Committee that the Noise Council Code of Practice on Environmental Noise Control at concerts was in place to reach a balance between the enjoyment of those attending the event and local residents.

In response to questions, the Sub Committee were advised that previous events held in Barking Park had been subject to noise assessments.

The applicant, Ms Ajana was present was invited by the Chair to address the concerns raised. Ms Ajana introduced Mr John Michael, a sound engineer who would be providing the set up for the provision of music on the day, to the Sub Committee. Mr Michael advised the Sub Committee that the event was not intended to be a pop concert, with speakers facing the proposed dance areas only and not across the park. It was intended that the event would be no louder than a funfair.

Naomi Giwa, an additional applicant, was also present and addressed the Sub Committee advising that the event was being marketed as a cultural festival community event with a mixture of culture and music. There would be sound management present on the day and it was proposed that the event would finish at 20:00 and not 21:00 as previously stated.

There would be two stages on the day and at no point would there be two live performances taking place at the same time. It was proposed that a DJ would be on the smaller stage when the main stage had a performance taking place.

In response to questions, the Sub Committee were advised that:

- The applicants would revise the site plan if requested to by the Council;
- No performance would start before 12noon on the day, however there would be sound checks taking place during the morning;
- Residents would be informed of the event via a leaflet drop and a contact number would be left if residents wished to complain about noise on the day; and
- A separate company would be providing the bar and would check ID and only serve drinks in plastic cups. No bottles would be allowed into the park.

Mr Martin took the opportunity to ask questions of Mr Michael regarding the proposed decibel (dB) level for the event and was advised that this would be 115dB at the stage and dropping to 65dB within 200 metres, therefore not adversely effecting residential properties in the surrounding area.

Mr Martin suggested that the reduction in dB level may cause the applicants to receive complaints on the day of the event as those attending could have difficulty hearing the performances. This could result in mismanagement of sound if the applicants were under pressure by those in attendance to increase the dB level and therefore adversely effecting the residential properties in the surrounding area, in particular Longbridge Road.

The Chair invited all parties to sum up their case before retiring to consider their decision.

DECISION
The Sub Committee, having due regard for the licensing objectives, granted the licence with all conditions agreed by the Police and Environmental Health, and additional conditions, based on the applicants assurance during the meeting as follows:

a) Any event held in the park under the authority of this licence will have to have been approved by the Safety Advisory Group (SAG) held within the Local Authority. Whilst being scrutinised by the SAG the Police will be allowed to advise and comment on the impacts to the Licensing Objectives.

b) No event will be held under the authority of the premises licence unless the police have been given notice of at least 30 days.

c) The Event Organiser shall have full control over the sound amplification equipment and the volume shall be adjusted according to the reasonable requirements of the Responsible Authority for Environmental Health and to ensure that so far as is reasonably practicable the following noise control limits are met:

   i) The Music Noise Level does not exceed 65dB(A) over a fifteen minute period at a point 1m from the façade any noise sensitive premises throughout the duration of the regulated entertainment.

   ii) The Music Noise Level does not exceed 75dB over a fifteen minute period in the 63Hz and 125Hz octave frequency bands at a point 1m from the façade any noise sensitive premises throughout the duration of the regulated entertainment.

d) The Event Organiser shall ensure that all persons (including individual sound engineers) involved with the sound system are informed of the target sound control limits set out in c) above and that any reasonable instructions from the Responsible Authority for Environmental Health regarding noise levels are complied with.

e) Unrestricted access to the front of house position and backstage areas shall be allowed at all times to the Responsible Authority for Environmental Health for the purpose of sound level measurements, communications with the nominated noise consultant/sound engineer and monitoring licence conditions.

f) All complaints about noise received by the site office/event organiser shall be logged, and shall at their request be notified to the Responsible Authority for Environmental Health.

g) The Premise Licence Holder or a member of the organisers or a designated person shall be responsible for monitoring the noise level and any noise complaints received regarding the event to a programme approved by the Responsible Authority for Environmental Health.

h) All results of noise monitoring are to be made available to the Responsible Authority for Environmental Health.
i) The last act to finish their performance by 20:00

j) No stage to be placed along the Longbridge Road side of Barking Park.

k) Only one stage at a time may play live music, recorded music, or anything of a similar description to live music or recorded music. There was a right to appeal this decision within 21 days commencing on the day that notification of the decision was received.