

Licensing Authority  
Barking Town Hall  
Town Hall Square  
Barking  
IG11 7LU

Licensing Team  
Barking Town Hall  
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Reference: **LGD1/01/12/23**  
Date: 1<sup>st</sup> December 2023

Dear Sir / Madam,

**Licensing Act 2003: New Licence Application – D’Will Events Centre, Selinas Lane, Dagenham, RM8 1QH**

On behalf of the Licensing Authority, as a Responsible Authority under the Licensing Act 2003, I write to object to the application for a new premises licence, which seeks to authorise licensable activities at: **D’Will Events Centre, Selinas Lane, Dagenham, RM8 1QH.**

This objection is raised on the basis of the following licence objectives:

- **The Prevention of Crime and Disorder;**
- **The Prevention of Public Nuisance**

The application seeks the following licensable activities and times:

**The Performance of Plays, Live Music, Recorded Music, Performances of Dance, Provision of anything similar to Live Music, Recorded Music and Performances of Dance, Supply of Alcohol (for consumption ON the premises):**

Monday to Thursday: 08:00 – 01:00 hours  
Friday & Saturday: 08:00 – 05:00 hours  
Sunday: 08:00 – 03:00 hours

**Late Night Refreshment:**

Monday to Thursday: 23:00 – 01:00 hours  
Friday & Saturday: 23:00 – 05:00 hours  
Sunday: 23:00 – 03:00 hours

**Hours Premises are Open to the Public:**

Monday to Thursday: 08:00 – 01:00 hours  
Friday & Saturday: 08:00 – 05:00 hours  
Sunday: 08:00 – 03:00 hours

## The Prevention of Crime and Disorder

The application seeks extensive hours for the sale of alcohol, starting at 8am, seven days a week, finishing at 1am Monday to Thursday, 5am Friday and Saturday and 3am Sunday. The Licensing Authority has serious concerns that these extensive hours could lead to high levels of intoxication, and the potential anti-social behaviour and associated criminality this can lead to. Indeed, the Licensing Authority can see no reason why an 'events hall' would need sales of alcohol so early in the morning, and to such late terminal hours. The Council's Statement of Licensing Policy makes specific reference to this objective at paragraphs 105 – 109:

105. This Council is committed to further improving the quality of life for the people of the borough by continuing to reduce crime and the fear of crime and anti-social behaviour.
106. Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on local licensing authorities, the police, and other partner agencies, to consider crime and disorder reduction in the exercise of all their duties. The Licensing Act 2003 reinforces this duty for local authorities.
107. The promotion of the prevention of crime and disorder licensing objective places an equal shared responsibility on licence holders to promote this objective.
108. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder inside of and in the vicinity of their premises. Conditions should be targeted on deterrence and preventing crime and disorder.
109. When addressing the issue of crime and disorder, the applicant should be able to demonstrate that adequate consideration has been given to the range of factors that impact on crime and disorder. These factors may include:
  - Anti-social behaviour
  - Drunkenness and drugs misuse
  - Violent behaviour
  - The possession of weapons
  - Harassment
  - Under-age drinking
  - Theft (of personal property or alcohol)
  - Illegal working

It is the Licensing Authority's submission that this application, if granted, would do the opposite of reducing crime and reducing the fear of crime as detailed in the policy paragraph 105 listed above. The applicant has proposed some conditions in an attempt to address this licensing objective, but the four suggested conditions are in no way robust enough to address the concerns raised in relation to this, and the areas of concern mentioned in policy paragraph 109 listed above. It is the Licensing

Authority's view that the concerns raised around this objective are so severe that the measures proposed so threadbare that the application be refused in its entirety.

Although the lead on Crime and Disorder objective should correctly be provided by the Police, The Crime and Disorder Act 1998 ensures it is right and proper that other Responsible Authorities should also consider this objective when considering applications.

### **Hire of premises to third parties and 'promoted events'**

The application states the premises is intended for use as a 'hall for hire' which will involve the use of third parties hiring out the hall. Unfortunately, it is not clear from the application, or the conditions offered, how much control the applicant will retain over these events. Without appropriate re-assurances surrounding how this will operate, the Licensing Authority is unable to determine the risk associated with the potential grant of this licence application to the licensing objectives, as the operators could vary from event to event, and control measures may vary accordingly. The Council's Statement of Licensing Policy makes specific reference to this at paragraphs 120 – 122:

120. A recent growing concern has been with the hire of premises by third parties and the use of premises not normally used for the provision of licensable activities for private and / or promoted events.
121. It is advised that no premises are hired out to third parties unless a diligent and 'robust' booking procedure is put into place which establishes the identity of the proposed user and verifies and records their full contact details; the nature, timing and duration of the event that is proposed; and the arrangements.
122. It should be understood that the licensee retains responsibility for events staged in their premises and for any problems that may arise even when hired out to third parties. The licensee should always have senior staff present overseeing any external hire of the premises.

It is not clear from the application what the booking procedure is, and how many checks are going to be carried out by the applicant when the hall is hired out to third parties. With such late proposed hours, the applicant needs to provide much more re-assurance around the booking procedures and relevant checks made, as well as the measure of control the applicant will have over third party events which take place at the venue. The Licensing Authority would expect the applicant to demonstrate clear control over such events, and provide appropriate conditions to demonstrate this. This application does not provide enough such reassurances.

### **The Prevention of Public Nuisance**

The application lists extremely late hours throughout the week, until 1am Monday to Thursday, until 5am Friday and Saturday and until 3am on Sunday. Although the premises itself is sited on an industrial site, there are residential properties situated within 80 metres of the venue. There can be no doubt that the operation of a music

venue until 5am does have the potential to cause public nuisance to residents in the area. In addition, the potential public nuisance issues would not only be through potential noise outbreak from the venue, but also from disbursement of customers at the late hours sought by the applicant. The Council's Statement of Licensing Policy makes specific reference to this objective at paragraphs 156 – 159.

### **The Third Licensing Objective – The Prevention of Public Nuisance**

156. When determining licence applications this Authority is conscious of the need to strike a balance between what may be the conflicting needs of our residents and those of our business community. We must ensure our residents can peacefully enjoy their homes and environment whilst also encouraging responsible and positive investment and economic growth.
157. Therefore, this Council as Licensing Authority will not grant applications that do not promote the prevention of public nuisance licensing objective. We expect the operation of licensed premises not to unreasonably interfere with the personal comfort or amenity of immediate neighbours or the nearby community.
158. It is important to note that Public Nuisance can include low-level nuisance, perhaps affecting a few people locally, as well as larger scale nuisance affecting the whole community.
159. In determining applications when relevant representations have been received for new and varied licences, regard will be made to:
- the location of premises,
  - the type and construction of the building
  - the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, or as a result of people entering or leaving the premises or from individuals or groups of customers gathered outside (e.g., in order to smoke).

The Licensing Authority is not satisfied that the operator has given enough consideration to the potential negative impact on the public nuisance licensing objective, especially bearing in mind the late hours requested. In such a scenario, as detailed at paragraph 157 of the Council's Statement of licensing policy re-iterated above, the Council will not grant such applications.

### **Summary**

This application seeks extensive licensing hours with a wide range of licensable activities being offered. The early start and late finishes raise serious concerns under the prevention of crime and disorder and prevention of public nuisance objectives alone. The lack of a cohesive and effective range of conditions to help mitigate concerns around these late hours gives rise to further doubts about the suitability of this application at this venue. When the issue of third-party hire is taken into account as well, with the lack of clarity on vetting and controls, the Licensing Authority has severe concerns about this proposal.

The Licensing Authority has carefully considered the application to determine whether there are amendments which could be made to the application, such as a reduction of hours and / or addition of condition(s) which could be made which would alleviate the concerns raised. However, in this instance the Authority is of the view that the lack of controls on the matters raised in this objection are too great to be rectified in such a manner.

With the contents of the objection considered, on this occasion it is the Licensing Authority's view that the issues surrounding this proposal are so severe that the only recommendation for this application is that it is **refused**.

Yours Sincerely,

Lewis Dodd  
Senior Licensing Officer  
Licensing Authority, London Borough of Barking and Dagenham