

Notice of Meeting

LICENSING SUB-COMMITTEE

**Tuesday, 20 December 2022 - 7:00 pm
Council Chamber, Town Hall, Barking**

Members: Cllr Adegboyega Oluwole (Chair); Cllr Faraaz Shaukat and Cllr Sabbir Zamee

Date of publication: 12th December 2022

Fiona Taylor
Acting Chief Executive

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Please note that this meeting will be webcast via the Council's website. Members of the public wishing to attend the meeting in person can sit in the public gallery on the second floor of the Town Hall, which is not covered by the webcast cameras. To view the webcast online, click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

AGENDA

- 1. Apologies for Absence**
- 2. Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

LICENSING MATTERS

The following are to be heard under the Licensing Act 2003 in line with relevant procedure.

Licensing Policy and Statutory Guidance April 2018

Premises Licence Applications and Variations - Procedure

- | | Ward |
|--|-------------|
| 3. Licensing Act 2003 - Application for a Premises Licence: Venue 121 - 121 Broad Street, Dagenham, RM10 9HP (Pages 7 - 50) | Beam |

4. **Any other public items which the Chair decides are urgent**
5. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

Private Business

The public and press have a legal right to attend Council meetings such as the Licensing Sub-Committee, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

6. **Any other confidential or exempt items which the Chair decides are urgent**

Our Vision for Barking and Dagenham

ONE BOROUGH; ONE COMMUNITY; NO-ONE LEFT BEHIND

Our Priorities

Participation and Engagement

- To collaboratively build the foundations, platforms and networks that enable greater participation by:
 - Building capacity in and with the social sector to improve cross-sector collaboration
 - Developing opportunities to meaningfully participate across the Borough to improve individual agency and social networks
 - Facilitating democratic participation to create a more engaged, trusted and responsive democracy
- To design relational practices into the Council's activity and to focus that activity on the root causes of poverty and deprivation by:
 - Embedding our participatory principles across the Council's activity
 - Focusing our participatory activity on some of the root causes of poverty

Prevention, Independence and Resilience

- Working together with partners to deliver improved outcomes for children, families and adults
- Providing safe, innovative, strength-based and sustainable practice in all preventative and statutory services
- Every child gets the best start in life
- All children can attend and achieve in inclusive, good quality local schools
- More young people are supported to achieve success in adulthood through higher, further education and access to employment
- More children and young people in care find permanent, safe and stable homes
- All care leavers can access a good, enhanced local offer that meets their health, education, housing and employment needs
- Young people and vulnerable adults are safeguarded in the context of their families, peers, schools and communities

- Our children, young people, and their communities' benefit from a whole systems approach to tackling the impact of knife crime
- Zero tolerance to domestic abuse drives local action that tackles underlying causes, challenges perpetrators and empowers survivors
- All residents with a disability can access from birth, transition to, and in adulthood support that is seamless, personalised and enables them to thrive and contribute to their communities. Families with children who have Special Educational Needs or Disabilities (SEND) can access a good local offer in their communities that enables them independence and to live their lives to the full
- Children, young people and adults can better access social, emotional and mental wellbeing support - including loneliness reduction - in their communities
- All vulnerable adults are supported to access good quality, sustainable care that enables safety, independence, choice and control
- All vulnerable older people can access timely, purposeful integrated care in their communities that helps keep them safe and independent for longer, and in their own homes
- Effective use of public health interventions to reduce health inequalities

Inclusive Growth

- Homes: For local people and other working Londoners
- Jobs: A thriving and inclusive local economy
- Places: Aspirational and resilient places
- Environment: Becoming the green capital of the capital

Well Run Organisation

- Delivers value for money for the taxpayer
- Employs capable and values-driven staff, demonstrating excellent people management
- Enables democratic participation, works relationally and is transparent
- Puts the customer at the heart of what it does
- Is equipped and has the capability to deliver its vision

Licensing Policy and Statutory Guidance

LBBB LICENSING POLICY

<https://www.lbbd.gov.uk/sites/default/files/attachments/Licensing%20Policy%20-%202022%20to%202027.pdf>

APRIL 2018 AMENDED STATUTORY GUIDANCE – S182 OF THE LICENSING ACT 2003

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/702660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

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**Licensing and Regulatory Sub Committee
Procedure for Premises Licence Applications (and Variations)**

1. All Parties shall introduce themselves.
2. The Chair shall ask all parties to note this Procedure.
3. The Licensing Officer shall present the application.
4. Members of the Sub Committee may ask questions of clarification of the Licensing Officer.
5. Objectors to the application who have made valid representations, their representatives and/or any witnesses they wish to call, will be invited to speak. Statutory consultees (e.g. the Police, Fire Brigade etc.) will be invited to speak before any other objectors to the application. In the case of members of the public and other interested parties (for example, elected representatives acting on behalf of their constituents or interested organisations, etc.) who have made valid representations, it is desirable that they give notice of their intention to speak by 12.00 noon on the day before the Sub Committee meeting. Statutory consultees who have made valid representations are not required to register to speak at the meeting.
6. The Sub Committee Members may, through the Chair, ask questions of the objectors, their representatives and witnesses.
7. The Legal Advisor to the Sub Committee may ask questions of the objectors, their representatives or witnesses for the purpose of clarifying points for the Sub Committee.
8. The Applicant may ask questions of the objectors, their representatives and any witnesses present to support the objections, if permitted by the Chair.
9. The Applicant shall put their case for the granting of the application forward/ respond to the objections.
10. The Sub Committee Members may, through the Chair, ask questions of the Applicant, their representative and any witnesses present to support the application.
11. The Legal Advisor to the Licensing Committee may ask questions of the Applicant, their representative and any witnesses for the purpose of clarifying points for the Sub Committee.
12. The Objectors and their representatives may ask questions of the Applicant, their representative and any witnesses present to support the application, if permitted by the Chair.
13. The Objectors will sum up, if they wish (a time limit of 3 minutes shall apply).
14. The Applicant will sum up, if they wish (a time limit of 3 minutes shall apply).

15. The Sub Committee will retire to consider its decision in private; however, the Sub Committee's Legal Advisor and the Governance Officer may remain present during the deliberations. If during the deliberations, the Sub Committee have a point of clarification they wish to request from any party, the meeting must be reconvened so that the clarification can be sought in the presence of all relevant parties.
16. On returning, the Chair will ask the Sub Committee's Legal Advisor to announce the decision of the Sub Committee.

Notes

- Sub Committee Members should commit to stay for the duration of the meeting in order to ensure that the required quorum is maintained, and the business is transacted.
- While each application is considered, Sub Committee Members must be in attendance for the entire period and should not leave the room at any time without the express permission of the Chair. If required, and with the Chair's agreement, the meeting will be adjourned until all Members are ready to recommence the hearing. Any Member leaving the meeting while it is ongoing will be precluded from any further involvement in that application.
- A Sub Committee Member arriving late will not be able to take part in the consideration and decision-making process for any application to which he/she has not been in attendance for the entire period.
- The Council's Statement of Licensing Policy for Licensing Act 2003 applications requires that Members of the Sub Committee will not hear cases that relate to premises in their own Ward.

LICENSING SUB COMMITTEE

20 December 2022

Title: Licensing Act 2003 – Application for a Premises Licence: Venue 121 – 121 Broad Street, Dagenham, RM10 9HP	
Report of the Head of Regulatory Services	
Open Report	For Decision
Wards Affected: Beam	Key Decision: No
Report Author: Karen Collier, Service Manager Public Protection	Contact Details: E-mail: karen.collier@lbbd.gov.uk
Accountable Strategic Leadership Director: Fiona Taylor, Acting Chief Executive	
Summary	
<p>An application for a new premises licence has been made by Venue 121 Ltd in respect of Venue 121 at 121 Broad Street, Dagenham, RM10 9HP.</p> <p>Representations from the Council’s Licensing Authorities Responsible Authority Officer along with Environmental Protection team and the Metropolitan Police Licensing Officer have been received.</p> <p>The matter is put to the Sub-Committee for determination at a public hearing, accordingly.</p>	
Recommendation(s)	
<p>That the Sub-Committee considers this report and appendices together with any oral submissions given at the hearing.</p>	

1. Introduction and Background

1.1 The Licensing Act 2003 establishes the national licensing regime for the following licensable activities:

- The sale and supply of alcohol
- The provision of regulated entertainment; and
- The provision of late- night refreshment.

1.2 Under this regime, the Council, as the local licensing authority for its area, is responsible for licensing premises to provide any of the licensable activities under a ‘premises licence’.

1.3 When carrying out its licensing duties, a local licensing authority must have regard to:

- The Act and associated secondary regulations;

- Guidance for local licensing authorities issued by the Home Office (current version published April 2017); and
- The Authority's own Statement of Licensing Policy (current version published March 2022)

1.4 The Authority must also aim to promote the four licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

1.5 Premises licences generally continue for the life of the business or operation concerned but they may be reviewed at any time by any one of the named responsible authorities under the Act or an 'other person'.

1.6 Applications for premises licences are subject of public consultation and consultation with a range of expert 'responsible authorities' named in the Act. It is open to any responsible authority or other person to raise concerns regarding an application as representations.

1.7 If no representations are received the application is granted as sought, subject to mandatory licence conditions and conditions reflecting the management controls proposed by the applicant under the operating schedule contained in the application. Where representations are received, the application becomes subject of a conciliation process. If conciliation is successful in finding an agreed, negotiated outcome then the application may be granted subject to the agreements reached. If conciliation is unsuccessful then the application must be determined at a public hearing by the Council's Licensing Sub-Committee.

2. Matters for Consideration

2.1 On the 20 October 2022 an application for a premises licence was made by Venue 121 Ltd in respect of the premises known as Venue 121, 121 Broad Street, Dagenham, RM10 9HP.

2.2 The premises is located in a mixed commercial/residential area. There are a significant number of local residents living in very close proximity to the premises.

2.3 Copy of the application is attached as Appendix A

2.4 A Copy of plan is attached as Appendix B

2.5 A copy of the Google image of the premises is attached as Appendix C.

2.6 The applicant seeks the following licensable activities:

Live Music

Monday to Sunday 11:00hrs to 02:00hrs

Recorded Music

Monday to Sunday 11:00hrs to 02:00hrs

Late Night Refreshment

Monday to Sunday 23:00hrs to 02:00hrs

Opening Hours

Monday to Sunday 11:00hrs to 02:00hrs

2.7 The end of consultation date was extended to the 4th of December as the application had not been advertised in the newspaper within the prescribed timeline.

3. The Representations

- 3.1 A representation was received from the Council's Licensing Authority Responsible Authority Officer under the licensing objective of the Prevention of Public Nuisance and is attached as Appendix D
- 3.2 A representation was received from a responsible authority namely the Metropolitan Police Licensing Officer under the licensing objective – Prevention of Public Nuisance and Protection of Children from harm and is attached as Appendix E.
- 3.3 A representation was received from the Council's Environmental Protection Officer under the licensing objective of Prevention of Public Nuisance and is attached as Appendix F.

4. Conciliation

- 4.1 The Licensing team has been communicating with the applicant via email during the consultation period to reach to an agreement.
- 4.2 At the time of writing this report, the applicant has accepted all the conditions suggested by the Licensing Authority Responsible Authority Officer. However, he has requested if the Licensing Authority could consider the terminal hours of 23.59.
- 4.3 The Metropolitan Police Licensing Officer has agreed to the terminal hours of midnight.
- 4.4 Following several email conversations from the Environmental Protection Officer, the applicant is yet to provide the council with a noise report to indicate how the noise breakout will be controlled as it may entail sound insulation works to the building as well as other mitigation and control measures. Until this information is provided, the officer is not in a position to withdraw the representation.

5. Legal Comments

- 5.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following four licensing objectives:
 - The Prevention of Crime and Disorder;
 - Public Safety;
 - Prevention of Public Nuisance; and
 - The Protection of Children from Harm.

5.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

6. Options Open to the Sub-Committee

6.1 Having had regard to all relevant matters and taken all relevant information into account the Sub-Committee may decide to:

:

- **Option 1:** Refuse the application; or
- **Option 2:** That the application be approved, together with any conditions, restrictions or reductions in the proposed application which Members consider necessary for the promotion of the four Licensing objectives.

7. Consultation

7.1 The application has been advertised in accordance with the normal procedures. This includes a copy of a public notice being placed in a local newspaper, a similar notice displayed at the premises and information on the Council's website. Notifications have been provided to all responsible authorities and ward councillors.

7.2 Delays in complying fully with the requirements for advertisement resulted in extending the end of consultation date but these requirements are now met.

8. Legal Implications

8.1 Implications completed by Simon Scrowther, Litigation Lawyer, Corporate Legal.

8.2 The London Borough of Barking and Dagenham, as Licensing Authority under the Licensing Act 2003 and subordinate legislation, is empowered to determine applications of this nature.

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

- **Appendix A** – Copy of the Premises Licence Application
- **Appendix B** – Plan of the premises
- **Appendix C** – Google image of the premises
- **Appendix D** – Licensing authority responsible authority officer (LRAO) Representation
- **Appendix E** – Metropolitan Police Licensing Officer Representations
- **Appendix F** – Environmental Protection Officer Representations

Application for a premises licence to be granted 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/We VENUE 121 LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

121 BROAD STREET			
Post town	DAGENHAM	Postcode	RM10 9HP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 36000.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as appropriate**

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership	+	please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)
	iv other (for example a statutory corporation)		please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

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Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name VENUE 121 LTD – JAYED HUSSAIN
Address 121 BROAD STREET DAGENHAM RM10 9HP

Registered number (where applicable) 13864591
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	
1	2	2 0 2 2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>FORMER DAGENHAM WORKING MENS CLUB AND NIGHTCLUB. NEWLY RENOVATED AND UPLIFTED TO FIT IN WITH THE NEW REGENERATION OF BARKING AND DAGENHAM BOROUGH.</p> <p>THE PRIVATE FUNCTION ROOM EXTENDED TO THE MAIN HALL DOWNSTAIRS WITH AN ALCOHOL FREE BAR AND KITCHEN.</p> <p>LICENSE APPLICATION MAINLY TO BE ABLE TO PLAY MUSIC.</p> <p>COMPLETE HALL IS OURS - FIRST FLOOR DOES NOT INCLUDE ROOF SPACE</p>

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	
b) films (if ticking yes, fill in box B)	
c) indoor sporting events (if ticking yes, fill in box C)	
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	

e)	live music (if ticking yes, fill in box E)	++++
f)	recorded music (if ticking yes, fill in box F)	++++
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	++++
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
Mon				Both	
Tue					
			<u>Please give further details here</u> (please read guidance note 4)		
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	-----	-----	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue	-----	-----	
Wed	-----	-----	
Thur	-----	-----	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri	-----	-----	
Sat	-----	-----	
Sun	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	++
Day	Start	Finish		Outdoors	
Mon	11.00	2.00		<u>Please give further details here</u> (please read guidance note 4) THIS IS A VERY RARE ACTIVITY BUT ADDING INCASE SOMEONE BRINGS IN LIVE MUSIC	
Tue	11.00	2.00			
Wed	11.00	2.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	11.00	2.00			
Fri	11.00	2.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	11.00	2.00			
Sun	11.00	2.00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	++
				Outdoors	
				Both	
Day	Start	Finish			
Mon	11.00	2.00	<u>Please give further details here</u> (please read guidance note 4) MUSIC WILL USUALLY ONLY BE PLAYED DURING EVENT BOOKING TIMES USUALLY 12.30PM-5.30PM OR 5.30PM – 12.30AM		
Tue	11.00	2.00			
Wed	11.00	2.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	11.00	2.00			
Fri	11.00	2.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	11.00	2.00			
Sun	11.00	2.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 4)	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	
Mon				Outdoors	
				Both	
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	11.00	2.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	11.00	2.00			
Wed	11.00	2.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	11.00	2.00			
Fri	11.00	2.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	11.00	2.00			
Sun	11.00	2.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

Sun	11.00	2.00	
-----	-------	------	--

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

THIS IS A VENUE WHICH IN THE PAST HAS BEEN LICENSED FOR ALL KINDS OF ATCIVITIES INCLUDING NIGHTCLUBS AND EVENTS. WE ARE REDUCING THE HOURS OF THE LICENSABLE ACTIVITIES FROM PREVIOUS YEARS AND REMOVING THE SELLING OF ALCOHOL ELEMENT. WE PPREDICT MOSTLY COMMUNITY BASED USES FOR PARTIES AND CELEBRATIONS AND CORPORATE EVENTS AND CHARITY EVENTS. THE LICENSE TIMES ARE A MAXIMUM USE TIME BUT WE USUALLY TAKE BOOKINGS TILL 12AM.

b) The prevention of crime and disorder

ALCOHOL FREE VENUE

ALL ROUND CCTV AND ALARM INSTALLED – WITH FLASH LIGHT AND ALARM SYSTEM TO DETER

SECURITY APTROL ON SITE DURING EVENT TIMES

c) Public safety

ALL ROUND CCTV AND ALARM INSTALLED – WITH FLASH LIGHT AND ALARM SYSTEM TO DETER

SECURITY ON SITE DURING EVENTS

PARKING/TRAFFIC MARSHALL

d) The prevention of public nuisance

REDUCE MUSIC VOLUME LEVELS AFTER 12AM

PARKING MARSHALLS TO HELP WITH TRAFFIC MOVEMENT OR CONGESTION

DISPERSE CROWDS FROM CAR PARK SIDE WHICH WE HAVE MADE THE MAIN ENTRANCE INSTEAD OF THE STREET SIDE

e) The protection of children from harm

<p>ALL ROUND CCTV AND ALARM INSTALLED – WITH FLASH LIGHT AND ALARM SYSTEM TO DETER</p> <p>SECURITY ON SITE DURING EVENTS</p> <p>PARKING/TRAFFIC MARSHALL</p>
--

Checklist:

Please tick to indicate agreement

• I have made or enclosed payment of the fee.	++
• I have enclosed the plan of the premises.	++
• I have sent copies of this application and the plan to responsible authorities and others where applicable.	
• I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	
• I understand that I must now advertise my application.	++
<ul style="list-style-type: none"> • I understand that if I do not comply with the above requirements my application will be rejected. • [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). 	++

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.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence
--------------------	---

	<p>will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	17/10/2022
Capacity	DIRECTOR

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption

- o on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect

of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service.

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

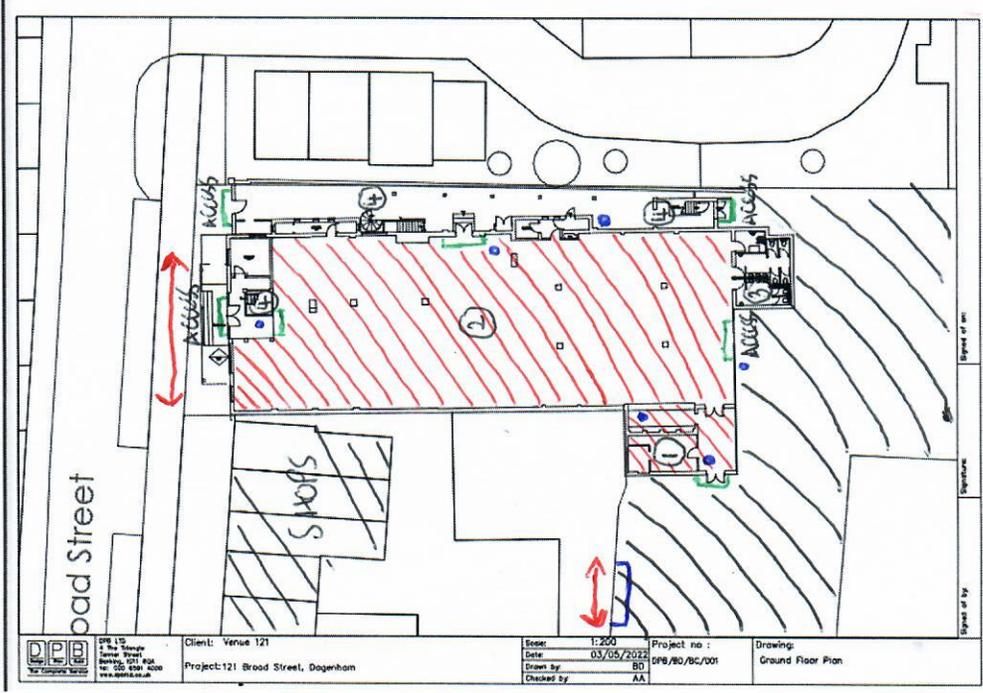
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

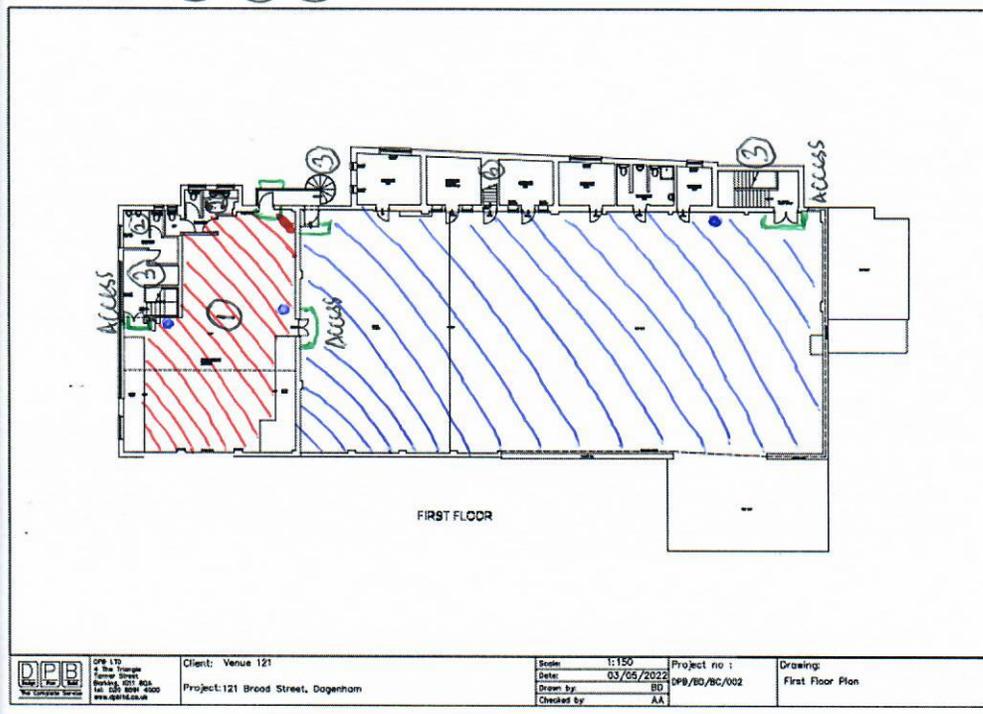
An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

PREMISES LICENSE - FLOOR PLAN - 121 BROAD STREET DAGENHAM RM10 9HP -



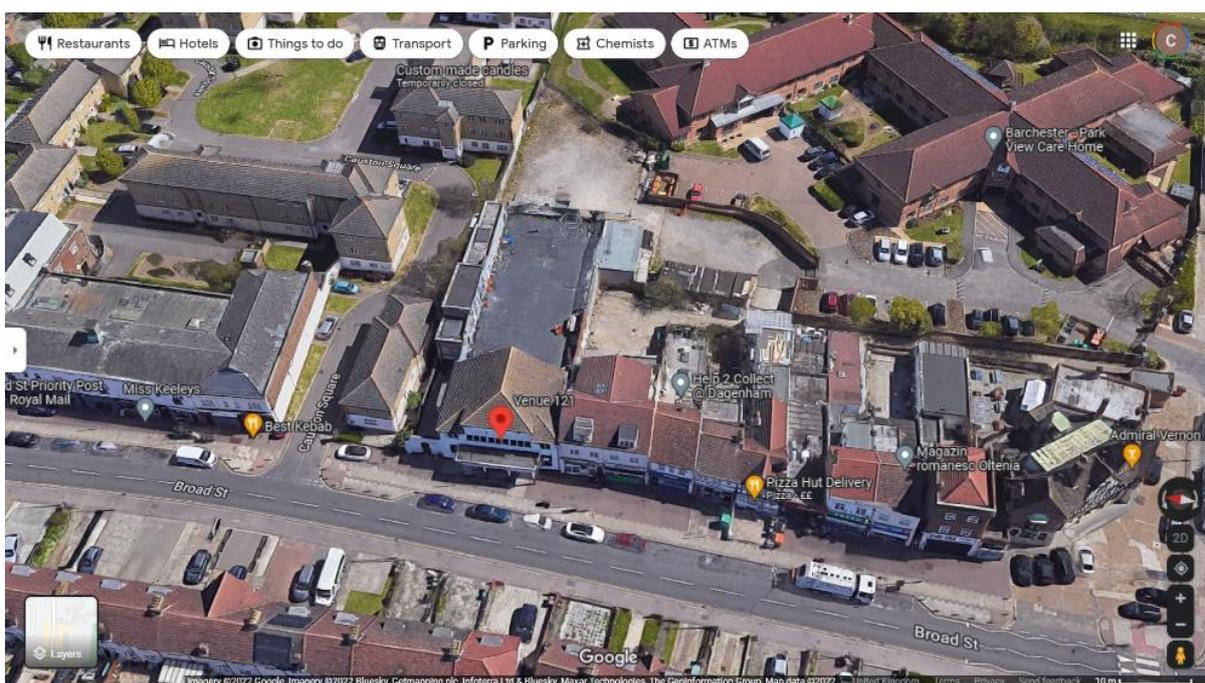
- 1st Floor
- ① - HALL SPACE
 - ② - TOILETS
 - ③ - STAIRS / HALLWAY



- GROUND FLOOR
- BAR & KITCHEN
 - HALL SPACE
 - TOILETS
 - STAIRS

- FIRE SAFETY
- FIRE EXITS / DOORS
- INTERNAL HALL SPACE (LICENSABLE ACTIVITIES)
- EXTERNAL ROOF SPACE
- CAR PARK
- ACCESS - ENTRANCES & EXITS
- ENTRANCE TO CAR PARK

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Premises Licence Application in Respect of Venue 121, 121 Broad Street Dagenham RM10 9HP – Representation

I write with regard to the application for a new premises licence made by Venue 121 Limited in respect of the trading premises known as Venue 121, 121 Broad Street Dagenham RM10 9HP.

Having considered the content of the application, which seeks consent for Live music and Recorded music between 11:00 to 02:00 and LNR between 23:00 to 02:00 seven days a week, I would wish to make a representation on behalf of the Licensing Authority under the following licensing objective:

- The prevention of public nuisance

This representation is made on the basis that the premises is located in a mixed commercial / residential area. There are a significant number of local residents living in very close proximity to the premises. Given this there is potential for the residents to be subject to nuisance, particularly from loud music and customers leaving the premises at night-time.

In my view, the potential could be reduced by imposing an earlier closing time along with implementing additional conditions. On this basis, I would like to see:

- A reduction of the terminal licensed hour sought from 02:00 to 23.00.
- CCTV recording system shall be installed, operated and maintained.
- The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises.
- The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity.
- All CCTV recordings shall be securely stored for a minimum of one calendar month.
- A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are open to the public. The staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
- Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.
- All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
- Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.
- The premises licence holder shall uphold a zero -tolerance policy in relation to illegal drugs.
- Any person entering the premises who appears to be under the influence of alcohol or illegal drugs shall in the interests of other members of the public using the premises be requested to leave the premises.
- A premises incident book shall be kept at the premises.

- This book shall be maintained and kept for a rolling period of 12 months.
- The incident book shall record all incidents which may have occurred which are relevant to the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises.
- The incident book shall be readily available for inspection by an authorised person upon reasonable request.
- All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.
- No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.
- Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority and Police.
- Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises exit.
- Between the hours of 21:00 and 07:00 no waste shall be moved or deposited outside.
- The premises frontage shall be regularly monitored to keep it clean and clear of litter.
- Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.
- Children to be required to be supervised by the accompanying adult at all times.
- A documented risk assessment of promotional or one-off 'entertainment' events shall be conducted by the management of the venue and such risk assessment shall be available upon request by an authorised officer of the Licensing Authority or a constable.
- Promotional or one-off events shall be notified to the Licensing Authority and the Police at least 14 days prior to the proposed event.
- Where the premises, or parts of the premises may be hired out by third parties or be used by events promoters, the premises licence holder must ensure that there are appropriate procedures in place that will ensure that as far as is possible, the third party is aware of the licensing conditions and has in place their own procedures which will ensure that the licensing objectives are not compromised.
- In respect of promoted events, that is, any events involving the conduct of licensable activities at the premises that are organised by persons other than the premises licence holder or those under his direct control, the premises licence holder shall ensure that a register is maintained in a bound book kept for that purpose. The register shall be kept at the premises and shall be produced by the licence holder (or his nominated deputy in his absence) to an

authorised officer of the Licensing Authority or a constable upon request. The register shall record the following:

- (i) Date and time of event and brief description of it;
 - (ii) Name of the promoter(s), that is, the person(s) responsible for organising the event;
 - (iii) Where the promoter is a company, its registered number.
 - (iv) The proper address of the promoter
 - (v) Contact telephone number for promoter
- Only SIA registered door stewards to be used.
 - The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound register kept for that purpose:
 - (i) Full name,
 - (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),
 - (iii) The time they began their duty
 - (iv) The time they completed their duty.
 - This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 31 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.
 - The premises licence holder shall ensure that all door supervisors on duty at the premises wear a current identification badge, issued by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority, in a conspicuous position to the front of their upper body.
 - Signs to be displayed with local licensed cab office numbers for customers.

If agreement is given to these additions, I would be prepared to withdraw this representation.

Samena Baloch, Licensing Authority Responsible Authority Officer

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Licensing Authority
London Borough of Barking & Dagenham
1 Clockhouse Avenue
Town Hall Square
Barking
Essex
IG11 7LU

PC Owen DUNN 3326EA
East Area Licensing Team
Romford Police Station
19 Main Road
Romford
Essex
RM1 3BJ
Telephone:
Email:
www.met.police.uk
Your ref:

22/11/2022

Subject: Application for a premises licence – Venue 121, Broad Street, Dagenham RM10 9HP

Dear Licensing Team,

On behalf of the Commissioner for Police of the Metropolis I wish to make a representation against the application for a premises licence at Venue 121, Broad Street, Dagenham, RM10 9HP

The application is made in order to obtain a premises licence for the purpose of using the following licensable activities;

Regulated Entertainment
&
Late Night Refreshment

I make these representations under the principle licensing objectives of;

- Prevention of Public Nuisance
- Protection of Children from harm

As part of my role as the Police Licensing Officer I reviewed the application submitted by the applicant Venue 121 Ltd.

At the time of writing I still am not aware as to who will be running the premises as the application and email address is specific to the venue and not individuals.

This application has asked for the licensable activities mentioned above and operating hours, to take place from 11:00am until 02:00am (late night refreshment from 23:00pm until 02:00am).

The application also states that they don't intend to host activities after 00:00am (midnight). In which case Police are confused as to why the applicant is seeking 02:00am terminal hour.

Police object to this application as it is felt this venue is not suitable to host activities until the early hour of 02:00am.

Police licensing received the application on 20/10/2022.

An email was sent to the applicant from Police Licensing highlighting the concerns in relation to the late operating hours, as there has been multiple complaints about this venue having previously caused disturbances in relation to music and noise.

Police received a reply from the applicant acknowledging the concerns and stating they have put colour CCTV in place, which didn't address the concern in relation to music and noise. They mentioned that they had put many measures in place to respect local residents but did not mention what these measures were.

A further email was sent to ask for clarification.

The response stated the venue would seek advice from Licensing as to how to reduce noise leaving the building. This is not something the Licensing department would deal with.

Applicant stated the following;

“We will NOT be reducing the hours we have applied for. And neither can we base our whole business around historical policing issues or issues caused by previous users of the site.”

Unfortunately Police WILL base their representation on historical Policing issues caused by this premises, regardless of who has taken control of the venue. This is due to the fact that previous issues provide the evidence of the disturbances caused to local residents.

Should there have been some form of soundproofing exercise conducted by the venue alongside the residents to confirm they would not be disturbed then Police may have felt more confident in this application.

However, since this application has been in the consultation period, there has been a call to Police from residents complaining about the noise on **20/11/2022 at 04:40am** (CAD 1448/20NOV22) stating the below messages;

“Blasting music drunk people shouting swearing. 4am on a Sunday morning please do something about this venue. People are on the rooftop at back and music is blasting indoors”

“Woken me and my child at 4am on a Sunday my child is unwell and this is not fair. We shouldn't have to put up with this but no one deals with them please help”

This would suggest the venue are also currently holding events which they are not permitted to do so.

This is not something which local residents should be subjected to and this call to Police was a literal call for help.

There is a concern that this would become a regular problem and complaint.

This is not the only incident which the venue has had, there have been multiple complaints over the years in relation to music and noise. There has also been an Unlicensed Music Event (UME) which previously took place at this venue. Albeit under different management, the above call to Police was only 2 days ago and therefore highlights these issues are legitimate causes for concern about the continuation of this behaviour.

This venue is not suitable to host events until 02:00am and certainly not regulated entertainment.

Police have tried to engage with the applicant, who refused to amend their hours. Unsure as to why they feel it is necessary to have regulated entertainment till such a late hours with residents living in such close proximity.

Police feel this application in its current state, will cause a detrimental effect to the licensing objective of Public Nuisance and therefore should be refused.

Police are in support of the Environmental Protection Officers representation against this application.

It would be advisable that the applicant works alongside the Environmental Protection Officer with their recommendations and in conjunction with local residents to establish if there can be some form of agreement when it comes to regulated entertainment, with some form of noise limiting and control.

Due to children being effected by the issues, previous & current, are the grounds for Police Licensing to object under the prevention of public nuisance and protection of children from harm objectives.

I object on the grounds of the above.

Regards,



3326EA

**PC Owen DUNN 3326EA
East Area Licensing Team**

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Environmental Health & Public Protection Responsible Authority Representation

To: LBBD Licensing Department

Date: 15/11/2022

From: Chris Hurst - Contract Environmental Protection Officer

Email: Chris.Hurst@lbbd.gov.uk

CC: Chris Banks - Environmental Protection Team Leader

Application: Premises License Application

Premises: Venue 121, 121 Broad St, Dagenham, RM10 9HP

Response Deadline: 04/12/2022

The application includes Regulated Entertainment (live and recorded music) Monday to Sunday from 11am until 2am and Late-Night Refreshment Monday to Sunday 23:00hrs to 02:00hrs.

The Enforcement & Operational Services Team at LBBD has informed me that there have been a high number of noise complaints related to the premises, 24 in 2021 and 18 in 2022 to date. They have indicated that complaints have also been related to amplified music being played on the first-floor external roof space area.

There are residential properties which are in close proximity to the premises and structurally adjoining flats to the south of the venue. See Google Maps photographs below.

With regard to the Licensing Act 2003 objective of the promotion of the prevention of public nuisance the application operating schedule includes the following information.

Reduce music volume levels after 12am

Parking marshals to help with traffic moving or congestion

Disperse crowds from car park side which we have made the main entrance instead of the street side

There is no other detail on how amplified music noise related to regulated entertainment will be controlled in order to achieve the LA03 public nuisance objective. Typically, if a premises operates after 23.00 an objective noise assessment should be undertaken by an experienced and qualified acoustic

consultant which demonstrates that music noise breakout from the venue, in terms of both structure borne and airborne noise will not cause any significant adverse noise impact which could result in public nuisance.

Therefore, I consider that there is evidence that the operation of the venue has caused and continues to cause noise related adverse impacts and that the application does not contain sufficient information to demonstrate that noise emissions associated with regulated entertainment will be suitably controlled to comply with the Licensing Act 2003 public nuisance objective and therefore recommend that the application is refused outright.

This department will be available if the applicant and / or their acoustic consultant wish to engage in further discussions regarding the control of noise from regulated entertainment. If appropriate mitigation measures can be undertaken, it may be possible to amend the representation to include a set of noise control conditions which could achieve the Licensing Act 2003 public nuisance objective.

Figure 1. Street View of Venue 121



Figure 2. Aerial View of Venue 121

