

London Borough of Barking & Dagenham

Environmental Health & Public Protection Responsible Authority Representation

To: LBBD Licensing Department

Date: 15/11/2022

From: Chris Hurst - Contract Environmental Protection Officer

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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

