

Environmental Health & Public Protection Responsible Authority Representation

To: LBBD Licensing Department

Date: 27/03/2023

From: Chris Hurst - Contract Environmental Protection Officer

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Application: Premises License Application

Premises: LDN Riverside LTD, Unit J, Abbey Industrial Estate, Kingsbridge Road, Barking IG11 0BP.

The application is for an Event Space / Night club with a capacity of 2000 persons, within a former industrial unit at Abbey Industrial Estate, Kingsbridge Road, Barking and includes Regulated Entertainment (live and recorded music) from 18:00hrs on Fridays to Midnight on Sundays and Late-Night Refreshment Friday to Sunday 23:00hrs to 05:00am each night.

The area is largely industrial / commercial with the closest residential properties approximately 125m to the north and 250m to the east at Westminster Gardens and 330m on Alfreds Way to the north. Figure 1 below presents at Google Aerial Map of the locality.

The premises is an industrial warehouse construction with relatively lightweight roof including lighting panels. This will offer relatively limited sound reduction performance, specifically in the low frequency region. Typical Internal levels for modern dance music are approximately 100dB(A) and 115dB(C) and therefore the construction of the building may need to be enhanced to comply with external noise guideline limits in order to achieve the Licensing Act 2003 promotion of the prevention of public nuisance objective. Figure 2 below details the internal view of the proposed event space.



Figure 1 Google Aerial Map of Proposed Premises and Environs

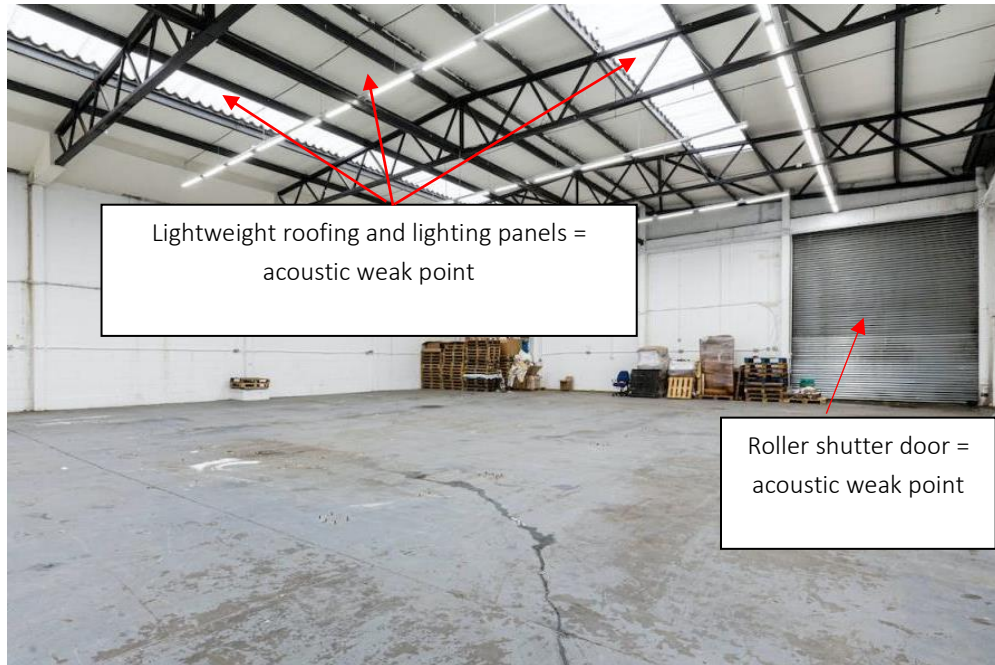


Figure 2 Internal View of Proposed Event Space

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.

(4) No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

(19)A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:

(a) the limiter must be set at a level to ensure that no noise nuisance is caused to residents.

(b) The operational panel of the noise limiter shall then be secured by key or password and access shall only be by persons authorised by the Premises Licence holder.

(c) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

(d) If deemed necessary, by an authorised officer of The London Borough of Barking & Dagenham, the noise limiting device shall be reset to a level in consultation with authorised officer of The London Borough of Barking & Dagenham, the licence holder will be available to accommodate this limiter setting within 14 days of notification

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, for this type of application, which will operate throughout the night, an objective noise assessment should be undertaken by an experienced and qualified acoustic consultant which demonstrates that music noise breakout from the venue will not cause any significant adverse noise impact which could result in public nuisance. It is likely that without further mitigation to the building structure, the proposed use as an event space / night club will not be able to operate, without either causing significant noise breakout and consequent disturbance to residents within the vicinity, or music sound levels would have to be limited to such an extent to make businesses unviable.

There are also Public Safety issues which have been raised by responsible authorities with regard to safe access and egress to and from the venue in a largely commercially area used by HGV warehouse vehicles who have 24/7 operations, inadequate links to public transport, inadequate lighting, potential access to river frontage and I would concur with these concerns and would have expected as a minimum a detailed event safety management plan and transportation plan to be submitted as part of the application in order to address these and all other safety related issues.

Responsible Authority (Environmental Health & Public Protection) Objection

Therefore, I consider that a Venue Viability Assessment Report and Noise Management Plan should be submitted as part of the premises licence application in order to provide suitable information to the responsible authority (Environmental Health & Public Protection) and the Licensing Sub Committee in order to be able to make informed decision on the application. Unless this information is forthcoming, I would therefore recommend refusal of this application.

The council at this time does not have any specific guidance on noise control from places of entertainment, however other London Authorities do provide guidance which may be useful to the applicant.

Assessment by Competent Person

The assessment of noise is a complex task requiring specialist training, experience, techniques and equipment. Consequently, noise surveys, impact assessments, mitigation design and report writing is best carried out by suitably qualified persons with appropriate knowledge, skills and experience. The Borough is not able to endorse or recommend the services of individual consultants. However, details of acoustic consultants may be obtained from:

The Institute of Acoustics

77A St Peter's Street, St Albans, Hertfordshire, AL1 3BN, UK Tel: +44(0) 1727 848195; www.ioa.org.uk

The Association of Noise Consultants

105 St Peter's Street, St Albans, Hertfordshire, AL1 3EJ, UK Tel: +44(0) 1727 896092; www.association-of-noise-consultants.co.uk

The Chartered Institute of Environmental Health

Chadwick Court, 15 Hatfields, London, SE1 8DJ

Tel: +44 (0) 207 827 6307; <http://www.cieh.org/advisoryservices.htm>