

London Borough of Barking & Dagenham

## **Environmental Health & Public Protection Responsible Authority Representation**

**To: LBBD Licensing Department**

**Date: 08/11/2023**

From: Chris Hurst - Contract Environmental Protection Officer

Email: [Chris.Hurst@lbbd.gov.uk](mailto:Chris.Hurst@lbbd.gov.uk)

CC: Ed Davies - Environmental Protection Team Leader

Application: Premises License Application

Premises: D'Will Centre (Formerly Stone Glow Candles building ), Selinas Lane, Dagenham RM8 1QH.

Response Deadline: 04/12/2023

Thank you for consulting the Environmental Protection Team on the above application. Based on the information provided with the application I make the following comments.

The application includes Live and Recorded music.

*Monday to Thursday - 08:00am to 01:00am the following morning*

*Friday and Saturday - 08:00am to 05:00am the following morning*

*Sunday - - 08:00am to 03:00am the following morning*

The area is largely commercial/industrial however there are residential dwellings at Whalebone Lane South approx. 80m to the east of the site. 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 amplified music will be in the range of 95 to 100dB(A) and 100 to 115dB(C) and therefore the construction of the building may need to be enhanced to comply with external noise guideline limits.

With regard to the Licensing Act 2003 objective of the promotion of the prevention of public nuisance the application operating schedule does not include suitable information to demonstrate how regulated entertainment will be controlled to comply with objective.

Typically, for this type of venue which proposes to operate until the early hours of the morning , 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 the businesses unviable

**Therefore, based on the application as it has been presented this department makes a representation and recommends that the application should be refused.**

If the applicant wishes to amend the operating schedule to include details on how the public nuisance objective will be complied with this department can review this information and amend our response as appropriate.

The council at this time does not have any guidance on noise control from places of entertainment but the British Beer & Pub Association provides a guide which can be downloaded at [noise \(beerandpub.com\)](http://noise.beerandpub.com) and contains some relevant information which maybe helpful to the applicant.

It is also recommended that the applicant seeks advice from a competent person regarding noise control from regulated entertainment.

### **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](http://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](http://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>