



LICENSING SUB-COMMITTEE VERTIGO LOUNGE

AGENDA

10.30 am	Wednesday 8 January 2014	Council Chamber - Town Hall
-----------------	-------------------------------------	--

Members 3: Quorum 2

COUNCILLORS:

Peter Gardner (Chairman)
Linda Van den Hende
Melvin Wallace

For information about the meeting please contact:

**Taiwo Adeoye - 01708 433079
taiwo.adeoye@haverling.gov.uk**

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENT

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 REPORT OF THE CLERK (Pages 1 - 6)

Procedure for the hearing (Licensing Act 2003) – Report attached

5 REPORT OF THE LICENSING OFFICER (Pages 7 - 100)

Application for a premises licence at Vertigo Lounge 17-19 Station Lane Hornchurch RM12 6JL made by Darren Eva under section 17 of the Licensing Act 2003 – Report attached

**Andrew Beesley
Committee Administration Manager**

LICENSING SUB-COMMITTEE

REPORT

8 January 2014

Subject Heading:

Procedure for the Hearing: Licensing Act 2003

Report Author and contact details:

Taiwo Adeoye (01708) 433079
e-mail: taiwo.adeoye@havering.gov.uk

Members are advised that, when considering application for a premises licence, the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 35, paragraphs 3 and 4:

"Where relevant representations are made, the authority must

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A members of the Licensing Committee will be excluded from hearing an application where he or she:
 - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
 - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
 - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
 - 1.2.4 has a personal interest in the application.

2. Roles of other participants:

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

3. Chairman's Briefing meeting:

- 3.1 Prior to this hearing, the Sub-Committee Chairman will have met the Legal Advisor and/or Clerk to determine whether further clarification is required of any issues contained in the application or any representation.
- 3.2 During this preliminary meeting no decision will have been made or discussion held regarding the substantive merits of the application or representations.

4. Location and facilities:

- 4.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 4.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

5. Notification of attendance:

- 5.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

6. Procedural matters:

- 6.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 6.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

Introduction of the application:

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local environmental Health Authority;
- the Local Weights and Measures Authority;
- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party that has submitted the application, certificate, notice or other matter appearing before the Sub-Committee.

At the discretion of the Sub-Committee the above order may be varied.

Cross-Examination:

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

Relevance:

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

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

7. Failure of parties to attend the hearing:

- 7.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

8. Adjournments and extension of time:

- 8.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:
- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

9. Sub-Committee's determination of the hearing:

- 9.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 9.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 9.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

10. Power to exclude people from hearing:

10.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:

- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
- that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

11. Recording of proceedings:

11.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

12. Power to vary procedure:

12.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.



Licensing Sub-Committee

Section 1 - Licensing Officer's Report

Appendix 1 - Copy of Application

Appendix 2 – Map of local area

Appendix 3 - Representations

Appendix 4 - Representations from Responsible Authority



Licensing Sub-Committee

Section 1 - Licensing Officer's Report



LICENSING SUB-COMMITTEE

REPORT

8 January 2014

Subject heading:

**Vertigo Lounge
17-19 Station Lane Hornchurch
RM12 6JL
Premises licence application
Arthur Hunt, Licensing Officer
5th floor Mercury House
x 3585**

Report author and contact details:

This application for a new premises licence is made by Darren Eva under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 4 November 2013.

Geographical description of the area and description of the building

Vertigo Lounge is located in Hornchurch's town centre. During the day this premises provides dining facilities whilst during the evening the provision of food ends and the premises becomes a bar for vertical drinking and attendant activities. Hornchurch town centre contains a mixture of commercial and residential properties.

A map of the area is attached.

Details of the application

Having stated that this is a new application, there is currently a premises licence number 9762 in existence. It was decided that rather than try to vary the current licence it would be more appropriate to make a new application. If granted, then the current licence would be surrendered.

A copy of the current licence is attached for information.

Application is for:

Films, Performances of dance, Recorded music, Provision of anything of a similar description to live music, recorded music or performances of dance,		
Day	Start	Finish
Sunday to Thursday	10:00	23:15
Friday & Saturday	10:00	01:45

Live music		
Day	Start	Finish
Sunday to Thursday	10:00	23:00
Friday	10:00	01:45
Saturday	10:00	01:15

Late night refreshment		
Day	Start	Finish
Sunday to Thursday	23:00	23:30
Friday & Saturday	23:00	02:00

Supply of alcohol		
Day	Start	Finish
Monday to Thursday	10:00	23:00
Friday & Saturday	10:00	01:30

Hours premises open to the public		
Day	Start	Finish
Sunday to Thursday	10:00	23:30
Friday to Saturday	10:00	02:00

Seasonal variations

When Sunday precedes a Bank Holiday Monday to remain open until 00:30am. To remain open on Maundy Thursday and Good Friday for 1 extra hour.

Non-standard timings

New Years Eve to the end of permitted hours the following day. To extend the sale by retail of alcohol on the following days: Where Sunday precedes a Bank Holiday Monday, Christmas Eve, Christmas Day and Boxing Day to remain open for extra hours.

It is apparent that the non-standard timings and seasonal variations duplicate each other.

Comments and observations on the application

The applicant acted in accordance with regulations 25 and 26 of *The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005* relating to the advertising of the application. The required public notice was installed in the 13 November 2013 edition of the Yellow Advertiser.

The main difference between this application and the current licence is that it seeks to increase the amount of licensable activities to be held at the premises. Also, that the sale of alcohol is to increase from 00:00 on Friday and Saturday to 01:30.

Summary

There were four representations against this application from responsible authorities, namely the Licensing Authority, Police, Planning Enforcement and Havering's Noise Specialist.

Details of representations

Valid representations may only address the following licensing objectives:

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

Interested parties' representations

There were no representations received from any interested parties.

Responsible authorities' representations

Paul Jones, on behalf of the Licensing Authority, makes a representation based on the prevention of public nuisance licensing objective.

PC Jason Rose, Havering's Police Licensing Officer has also presented a representation based on the prevention of public nuisance objective.

Planning Enforcement officer Bernie Long has submitted a representation based on the crime and disorder, and prevention of public nuisance licensing objectives.

Havering's Noise Specialist, Marc Gasson, makes representation against this application. Mr Gasson's representation is based upon the prevention of public nuisance licensing objective.

There were no representations from any other responsible authority.



Arthur Hunt
Licensing Officer



Appendix 1 - Copy of Application



* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="Vertigo/DirectLicensing"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name	<input type="text" value="Darren"/>	
* Family name	<input type="text" value="Eva"/>	
* E-mail	<input type="text" value="directlicenisng@gmail.com"/>	
Main telephone number	<input type="text" value="07930 300082"/>	Include country code.
Other telephone number	<input type="text"/>	

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 - Applying as an individual
- A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name	<input type="text" value="2"/>
* Street	<input type="text" value="East Way"/>
District	<input type="text" value="Shirley"/>
* City or town	<input type="text" value="Croydon"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="CR0 8AH"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="Tammi"/>
* Family name	<input type="text" value="Stewart"/>
* E-mail	<input type="text" value="directlicensing@gmail.com"/>
Main telephone number	<input type="text" value="07930 300082"/>
Other telephone number	<input type="text"/>

include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="Vertigo Lounge"/>
* Street	<input type="text" value="17-19 Statlon Lane"/>
District	<input type="text"/>
* City or town	<input type="text" value="Hornchurch"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="RM12 6JL"/>
* Country	<input type="text" value="United Kingdom"/>

Section 2 of 19

PREMISES DETAILS

Continued from previous page...

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="Vertigo Lounge"/>
Street	<input type="text" value="17-19 Station Lane"/>
District	<input type="text"/>
City or town	<input type="text" value="Hornchurch"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="RM12 6JL"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="07930 300082"/>
Non-domestic rateable value of premises (£)	<input type="text" value="22,250"/>

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

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

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

?

Continued from previous page...

State 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.

To be used as and when required during opening hours at the discretion of the proprietor.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

When Sunday follows a Bank holiday Monday to remain open until 00:30a.m. To remain open Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

To remain open for 1 extra hour on the morning that the clocks go forward in order to negate the effects of the change from British Summer time to Greenwich meantime

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve to the end of permitted hours to opening times the following day.

To extend the sale by retail of alcohol on the following days: Where Sunday follows a Bank holidays Monday "Christmas Eve Christmas Day, Boxing Day to remain open for an extra hours. Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Will the performance of live music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

Continued from previous page...

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:45"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:45"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:15"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the exhibition of films take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

To be used as and when required during opening hours at the discretion of the proprietor.

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

When Sunday follows a Bank holiday Monday to remain open until 00:30a.m. To remain open Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

To remain open for 1 extra hour on the morning that the clocks go forward in order to negate the effects of the change from British Summer time to Greenwich meantime.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve to the end of permitted hours to opening times the following day.

To extend the sale by retail of alcohol on the following days: Where Sunday follows a Bank holidays Monday "Christmas Eve Christmas Day, Boxing Day to remain open for an extra hours. Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

Continued from previous page...

The application is fully supported by existing customers who wish to celebrate restaurant facilities within family environment.

Since opening the management have run a uniquely successful Restaurant Bar in Hornchurch and have had not come to the notice of the police licensing team or relevant parties. The existing premises licence has a copious amount of conditions that were placed on the licence in order to reassure the authority (given the premises location) as the premises lays within Havering Council's "Special Policy Area" (SPA). The management have operated the premises licence and said current conditions since 2011, many of which are duplicated, inconsistent

Should this application for a new Premises Licence be granted the existing licensing will be surrendered

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

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

The premises is located within the St Andrews Ward in the heart of the Town Centre of Hornchurch Essex, the Town Centre is within the local authorities saturation zone.

The proposed application for a new Premises Licence seek to provide Regulated Entertainment B,E,F,G and H Live Entertainment, Music & Dancing and making Music, Performances of Dance, Recorded Music, Background Music and anything of similar description including films, the provision of late night Refreshment to the end of trading each day. The sale by retail of Alcohol ON/OFF the Premises on the following days:

Friday-Saturday-from 00:30 (as existing) to 01:30am, to remain open a further 30 minutes at the end of permitted hours for wind-down time to allow appropriate dispersal and to allow customers to use of facilities. The existing licensing activities Sunday - Thursday remain unchanged. When Sunday follows a Bank holiday Monday to remain open until 00:30a.m, to remain open

New Years Eve to the end of permitted hours to opening times the following day. To remain open for 1 extra hour on the morning that the clocks go forward to (in order to negate the effects of the change from British Summer time to Greenwich meantime.

The sale by retail of alcohol on the following days: Where Sunday follows a Bank holidays Monday "Christmas Eve Christmas Day, Boxing Day to remain open for an extra hours. Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

The application for a new premises licence seeks to propose a new business model aimed to offer an all inclusive family environment to customers considering celebrating, Birthday celebrations, Weddings, Engagements, Civil Partnerships, Christenings, Funerals, Anniversaries or Retirement type events to be held on the first floor Restaurant and the function area on the second floor. Demographics within the proposed client base includes variable which include, gender, age, ethnicity, disability etc.... the business model introduces and as such includes 18-21 years olds as diners within the first floor restaurant or where they are guests within a confirmed function on the second floor.

At all times the ground floor bar area will maintain Havering Councils' over 21 Policy and 18-21 years olds shall not occupy the ground floor bar after 19:00 hours.

The Hornchurch Town Centre regeneration scheme has amongst other things sought to 'future proof' the town center.

In light of this regeneration plan it has been necessary to review the operations within the premises and consider how these could be improved upon and 'future proofed' to the betterment of the town. This review has highlighted several areas of improvement and innovation that have necessitated a shift to a new business model.

This new business model is a reflection of societal attitudes and follows the national trends of consumers pursuing multi faceted operators that provide a food led, inclusive, community based premise. This model highlights the need for a modern and dynamic licensing landscape that delivers the flexibility to satisfy consumer demand whilst continuing to build upon and advance the licensing objectives.

Eating and drinking habits within the UK have changed dramatically over the last 30 years and continue to wrap themselves around a more 'European' format of combining the activities. Similarly the inclusion of alcohol within family meals and celebrations promotes a healthy and respectful relationship. Furthermore the operational distinctions between restaurants and bars is becoming ever more blurred and incidental with operators from both camps keen to capture trade and satisfy consumer demand.

This blurring effect is less notable within the subject premises as the layout of the building lends itself completely to the operation of compartmentalized licensable activities.

There is a single public entrance to the ground floor accessible by customers. The ground floor of the premises is an open plan lounge style café and modest bar area, seating comfortable seating for patrons. The tables/chairs arrangement of the restaurant and the function area and terrace is shown on the deposited plans.

Toilet facilities are provided for customer use on all floors including Unisex disabled toilet. A kitchen, and storeroom are additionally shown on the deposited plan attached with the application. The application further proposes regulated entertainment of background music and dancing to be used as and when required and at the discretion of the proprietor during the course of the business.

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="9 Carberry Court,"/>
Street	<input type="text" value="82, Ardleigh Green Road"/>
District	<input type="text" value="Essex"/>
City or town	<input type="text" value="Hornchurch"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="RM11 2LU"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="directlicenisng@gmail.com"/>
Telephone number	<input type="text" value="07930 300082"/>
Other telephone number	<input type="text"/>
<input type="button" value="Add another applicant"/>	

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

The premises currently operate under a Premises Licence ON/OFF the premises a granted of an existing licence circa March 2011, with premises licence obtained the following opening hours ,Sunday-Thursday from 10:00-23:00, Friday-Saturday from 12:00 - until 00:00 hours. Licensable activities include recorded music and the supply of alcohol. Opening times for the premises are: Sunday - 12:00 until 18:00 hours, Monday-Tuesday Closed, Wednesday-Thursday 12:00 until 23:00 and Friday-Saturday 12:00 until 00:00 hours.

The premises is laid out over 3 floors which include ground floor bar, first floor Restaurant and second floor function and outside terraced area.

Continued from previous page...

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:15"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:45"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:45"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:15"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

To be used as and when required during opening hours at the discretion of the proprietor.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

When Sunday follows a Bank holiday Monday to remain open until 00:30a.m. To remain open Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.
To remain open for 1 extra hour on the morning that the clocks go forward in order to negate the effects of the change from British Summer time to Greenwich meantime

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve to the end of permitted hours to opening times the following day.
To extend the sale by retail of alcohol on the following days: Where Sunday follows a Bank holidays Monday "Christmas Eve Christmas Day, Boxing Day to remain open for an extra hours. Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Continued from previous page...

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State 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.

To be used as and when required during opening hours at the discretion of the proprietor.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

When Sunday follows a Bank holiday Monday to remain open until 00:30a.m. To remain open
Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday

Continued from previous page...

Monday to remain open 1 extra hour.

To remain open for 1 extra hour on the morning that the clocks go forward in order to negate the effects of the change from British Summer time to Greenwich meantime

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve to the end of permitted hours to opening times the following day.

To extend the sale by retail of alcohol on the following days: Where Sunday follows a Bank holidays Monday "Christmas Eve Christmas Day, Boxing Day to remain open for an extra hours. Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

To be used as and when during opening hours at the discretion of the proprietor.

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

To be used as and when during opening hours at the discretion of the proprietor.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

When Sunday follows a Bank holiday Monday to remain open until 00:30a.m. To remain open Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

To remain open for 1 extra hour on the morning that the clocks go forward in order to negate the effects of the change from British Summer time to Greenwich meantime

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve to the end of permitted hours to opening times the following day.
To extend the sale by retail of alcohol on the following days: Where Sunday follows a Bank holidays Monday "Christmas Eve Christmas Day, Boxing Day to remain open for an extra hours. Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both ?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

To be used as and when required during opening hours at the discretion of the proprietor

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

When Sunday follows a Bank holiday Monday to remain open until 00:30a.m. To remain open Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

To remain open for 1 extra hour on the morning that the clocks go forward in order to negate the effects of the change

Continued from previous page...

from British Summer time to Greenwich meantime

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve to the end of permitted hours to opening times the following day.

To extend the sale by retail of alcohol on the following days: Where Sunday follows a Bank holidays Monday "Christmas Eve Christmas Day, Boxing Day to remain open for an extra hours. Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

When Sunday follows a Bank holiday Monday to remain open until 00:30a.m. To remain open Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

To remain open for 1 extra hour on the morning that the clocks go forward in order to negate the effects of the change from British Summer time to Greenwich meantime

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve to the end of permitted hours to opening times the following day.
To extend the sale by retail of alcohol on the following days: Where Sunday follows a Bank holidays Monday "Christmas Eve Christmas Day, Boxing Day to remain open for an extra hours. Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Continued from previous page...

Issuing licensing authority
(if known)

Havering Council

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

VE/1 - Direct Licensing

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

There will be no adult entertainment on the premises that will give rise to concern in respect of children.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 10:00

End 23:30

Start

End

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.

TUESDAY

Start 10:00

End 23:30

Start

End

WEDNESDAY

Start 10:00

End 23:30

Start

End

THURSDAY

Start 10:00

End 23:30

Start

End

Continued from previous page...

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

When Sunday follows a Bank holiday Monday to remain open until 00:30a.m. To remain open Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

To remain open for 1 extra hour on the morning that the clocks go forward in order to negate the effects of the change from British Summer time to Greenwich meantime

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve to the end of permitted hours to opening times the following day.

To extend the sale by retail of alcohol on the following days: Where Sunday follows a Bank holidays Monday "Christmas Eve Christmas Day, Boxing Day to remain open for an extra hours. Maundy Thursday immediately preceding Good Friday, Good Friday, Sunday immediately preceding a bank Holiday Monday to remain open 1 extra hour.

Section 18 of 19

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Following an assessment of the surrounding area has been made and the following is proposed:

Close liaison with Police.

Staff training with reference to In respect of matters including Responsible sales, licensing offence', frequent refresher training

General supervision of bar area, drug awareness.

Further conditions covering the four Licensing objectives is highlighted in the attached document "Proposed conditions".

b) The prevention of crime and disorder

The provision for CCTV is highlighted in the attached document "Proposed Conditions"

Continued from previous page...

Conditions for the provision of "crime and disorder" is highlighted in the above document

c) Public safety

The premises will be adequately fitted with emergency and illuminated signage, Portable fire fighting equipment such as extinguishers in the form of Water and CO2 /Water behind the bar, the Kitchen is equipped with heat and smoke detection and a fire blanket together with water and CO2 extinguishers.

All relevant certificates will be in place and are satisfactory.

Fire alarm fitted to BS5839 standard 24 hour monitoring smoke detection is fitted.

All Fire escapes will remain cleared at all times.

Staff training in the use of portable fire fighting equipment Emergency vehicle will be afforded access at all times.

Conditions covering the four Licensing objectives "public safety" is highlighted in the attached document "Proposed conditions".

d) The prevention of public nuisance

Customer will be encouraged not to loiter outside the premises,

Customers will be encouraged to wait inside the premises for taxi services.

Notices shall be prominently displayed at the exit requesting customers to respect the needs of local residents and leave the area quietly.

Customers smoking, will be advised to respect the needs of local residents and use the area quietly.

Links with local taxi services.

Patrons are actively encouraged to vacate the premises respectfully.

Conditions covering the four Licensing objectives "The prevention of public nuisance" is highlighted in the attached document "Proposed conditions".

e) The protection of children from harm

Age restriction policy shall be implemented see the attached "Children Policy and 18-21 Policy.

Regular staff training awareness of potential under aged customers.

In the event of children are on the premises they must be accompanied by either parents, guardian or a responsible adult until 21.00 hours (within the policy)

Conditions covering the four Licensing objectives "The protection of children from harm" is highlighted in the attached document "Proposed

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 - £100

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee.

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls, or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature.

Continued from previous page...

The costs associated with these licences will be met by Central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number of attendance at any one time.

- Capacity 5000 to 9999 - £1,000.00
- Capacity 10000 to 14999 - £2,000.00
- Capacity 15000 to 19999 - £4,000.00
- Capacity 20000 to 29999 - £8,000.00
- Capacity 30000 to 39999 - £16,000.00
- Capacity 40000 to 49999 - £24,000.00
- Capacity 50000 to 59999 - £32,000.00
- Capacity 60000 to 69999 - £40,000.00
- Capacity 70000 to 79999 - £48,000.00
- Capacity 80000 to 89999 - £56,000.00
- Capacity 90000 and over £64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Continued from previous page...

Once you're finished you need to do the following:

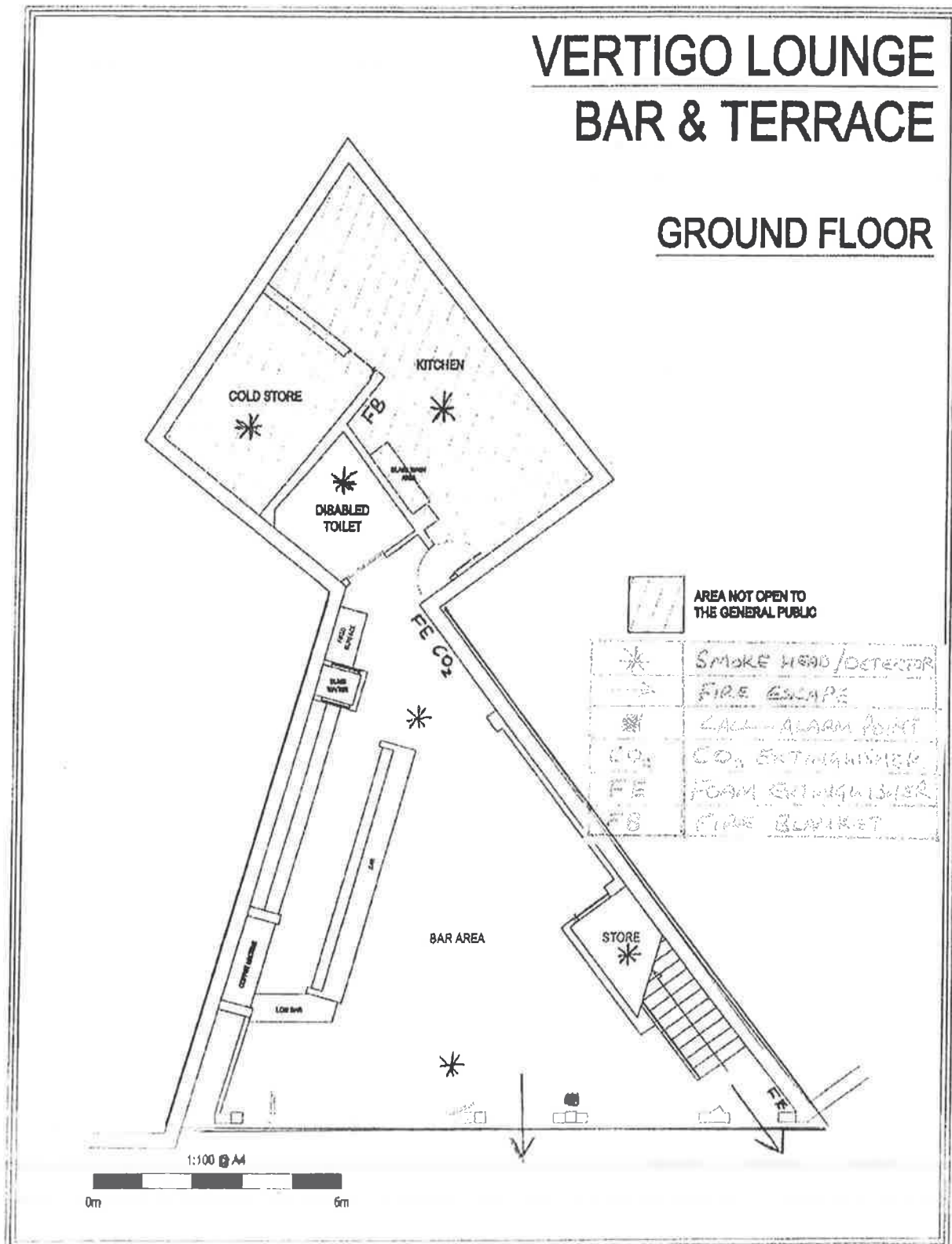
1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/havering/apply-1> to upload this file and continue with your application

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

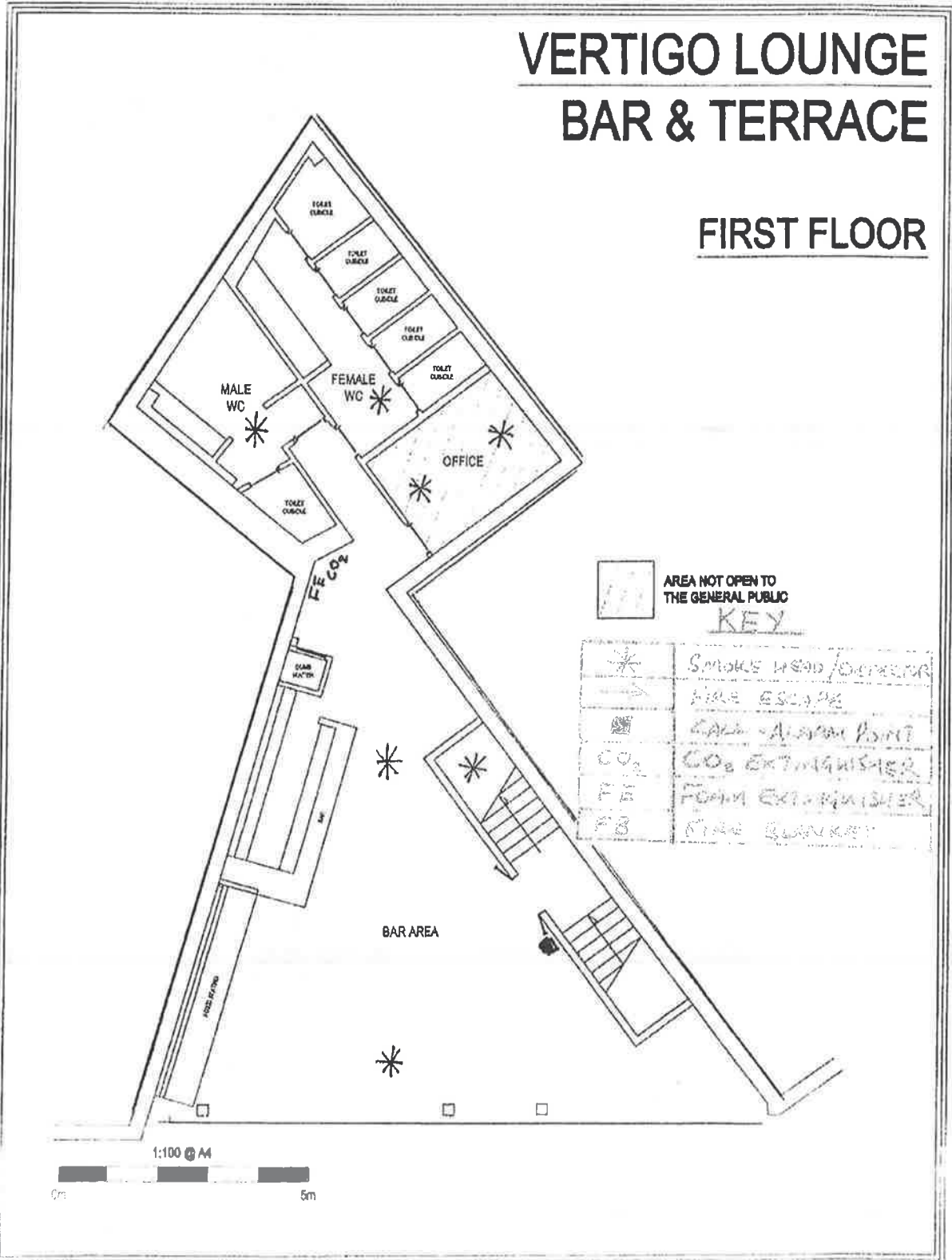
VERTIGO LOUNGE BAR & TERRACE

GROUND FLOOR



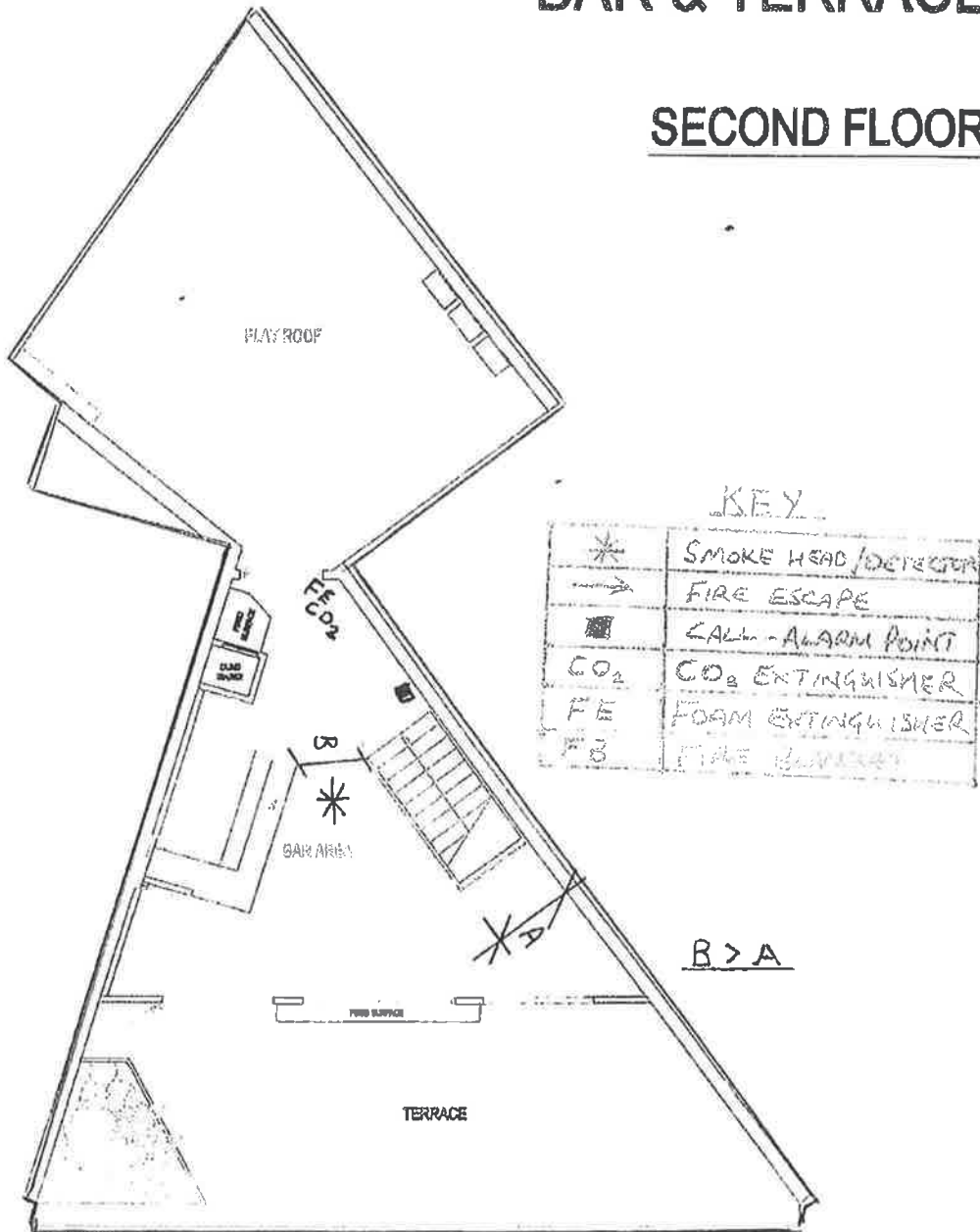
VERTIGO LOUNGE BAR & TERRACE

FIRST FLOOR



VERTIGO LOUNGE BAR & TERRACE

SECOND FLOOR



Consent of individual to being specified as premises supervisor

Vernon Eva

I

[full name of prospective premises supervisor]

of

43 Rockingham Avenue
Hornchurch
RM11 1HH
(DOB 24.02.1974)

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Designated Premises Supervisor (D.P.S)

[type of application]

by

Vernon Eva

[name of applicant]

relating to a premises licence

1

[number of existing licence, if any]

for

Vertigo Lounge
17/19 Station Lane
Hornchurch
Essex
RM12 6JL

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Vernon Eva

[name of applicant]

concerning the supply of alcohol at

Vertigo Lounge
17-19 Station Lane
Hornchurch
Essex
RM12 6JL

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

013054

[insert personal licence number, if any]

Personal licence issuing authority

London Borough of Havering

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

Vernon Eva

Date

29.10.2013

Children's Policy for Vertigo Lounge (When there may be children present)

1.1 Training and Competence

Management and their staff will have a basic awareness of Child Protection issues. This includes:

- Being alert to the possibility of child abuse and neglect,
- Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances;
- Knowing who in the organization to raise your concerns with,
- Being competent in taking the appropriate immediate or emergency action, and
- Knowing how to make a referral to Social Services and/or the Police.

1.2 Basic Principles

- 1) In any situation where there is a suspicion that there may be abuse **the welfare needs of the child must come first** (see Children Act 1989) even where there may be a conflict in interest.

Children need to be protected even when it appears that they are not aware that the physical abuse, sexual activity they are involved in or witness, or the neglect they experience, is harmful to them.

2. CHILD PROTECTION PROCEDURES TO BE FOLLOWED BY MANAGEMENT AND STAFF

2.1 Action to be taken

Local Authority Children's Social Services, the Police (and the children's charity NSPCC) are the only agencies which have a legal obligation to investigate child abuse.

If you suspect that a child under the age of eighteen years or an unborn baby is being harmed by:

- Experiencing or already has, experienced abuse or neglect; and/or is
- Likely to suffer significant harm in the future;

You **must** talk to your nominated safeguarding children person and make a referral to your local Children's Social Services and your local Police.

2.2 Who to Contact

At Any Time

Children's Social Services

01708 433222

Local Police Station

0300 123 1212

2.3 What Children's Social Services and the Police will want to know:

When you contact the Duty Officer you should provide the following details:

- Your name;
- Your address and a telephone number at which you can be contacted in case they require other information or to follow up;
- The child or young person's name, and any other details, if known (parent's name, address, school etc);
- Relevant information about the circumstances of your concerns - what you see, hear or suspect to be happening about an individual child and young person;
- Also concerns relating to activities you see, hear or suspect to be happening about the premise or linked to the premises e.g. if you suspect that a member of staff is selling alcohol to young people who are underage or you believe that children are at risk of sexual exploitation (prostitution or internet pornography). You may not have all the details about a child or young person, or the activity but you should still refer.

You will be expected to put in writing within 48 hours the information which you have given verbally (telephone or face-to-face).

Vertigo Lounge - Children's Policy

3.1 Nominated Safeguarding Children Person

Management will appoint a nominated safeguarding children person to have responsibilities in relation to safeguarding children for the premise, including:

- Oversee, monitor and arrange safeguarding children training for all staff;
- Ensure that all staff have read this Policy and know where to find further information and support;
- Ensure that an up-to-date Safeguarding Children Procedures Poster is displayed for all staff at all times (See last page of this Policy);
- Record all concerns raised by staff;
- Be the contact person for the local Children's Social Services and the Police in relation to all incidents or concerns related to the safeguarding of children on or linked to the premises.

All staff should know that they can call the local Children's Social Services and the Police if the person they suspect is senior to them in the licensed premises staff hierarchy.

SAFEGUARDING CHILDREN

These premises are licensed in accordance with Licensing Act 2003 and as such is in accordance with the national objective of safeguarding children.

This establishment has a Safeguarding Children Policy which each member of staff should consult and familiarise themselves with.

If you are concerned about the welfare of any child or suspect that a child/children are being abused in connection with your establishment
Do not keep these concerns to yourself

Discuss them with your nominated Safeguarding Children person, the local Children's Social Services and the local Police Station.

In the case of an emergency you must contact:
Children's Social Services 01708 433222
(24hr)

Local Police Station (24 hr) 0300 123 1212

Proposed Policy for 18-20 year old patrons.

Vertigo Lounge operates within a multi floor premises arranged over 3 floors, this layout is unique within the St Andrews Ward. This design allows for the concurrent existence of a ground floor bar area, 1st floor Restaurant and 2nd floor terrace and function suite.

Management accept and fully support that the Premises shall operate an over 18-21 years of age environment in accord with the Havering Council's Licensing Policy which endeavour to harmonious with licensed drinking premises in the town centre. This policy acknowledges that this universally best practice promotes the four (4) licensing objectives.

Management aspire to offer an inclusive family environment to guests visiting the 1st floor restaurant or functions held on either of the upper floors. Guests aged between 18-21 currently fall between the existing Children Policy and Operating Schedule, this Policy seeks to redress this by framing the extent and degree of anticipated acceptable usage. It is hoped that this will reinforce and further promote the licensing objectives.

1. Management reaffirm their commitment to promote the 4 licensing objectives.
2. Management consider that guests between 18-20 years old shall remain unable to occupy the premises ground floor from 19:00 hours, in Annex 2, Conditions consistent with the operating Schedule **UNLESS:-**
 - They are dining within the first floor restaurant **OR**
 - They are guests within a confirmed function on the second floor.

To avoid misinterpretation of these scenarios these are further expanded within this document below.

3. Any presence of 18-20 year old patron shall be incidental to either of the above exceptions and shall not form an undue or disproportional component to them.
4. Pre-booked functions shall be refused that are considered likely to have a significant guest base of 18-20 year olds. This shall include but not be limited to 21st Birthday Celebrations.
5. Management consider that functions include but are not limited to the following events, Birthdays, Engagements, Weddings, Civil Partnerships, Christenings, Funerals, Anniversaries or Retirement type events.
6. No event will be hosted within this policy that is based upon ticket sales either in advance or at the door whether in-house or via third party promoter.
7. The management shall ensure that the process for pre-booked functions shall seek to establish that where patrons in the target age confirm their acceptance of the premises general terms of booking there shall be no exception.

Vertigo Lounge – 18-20 Year Old
Policy

8. Function organisers shall be advised of the premises "Challenge 21 Policy" and asked to ensure that patrons are aware that they have acceptable proof of identification available which must be presented on entry.
9. All staff members shall be fully trained to ensure they are conversant with the premises "Challenge 21 Policy" which shall remain in force at all times throughout the premises.
10. 18-20 Year old patrons shall be required to remain on the first or second floors only except for allowing strict supervised entry and egress during trading hours.
11. Members of staff and SIA door staff will ensure pre-booked function which include 18-21 year old diners shall be guided to the designated areas first floor restaurant and or second floor function area.
12. At all times the ground floor bar area will maintain Havering Councils' over 21 Policy.
13. The management do seek to fully support Havering Council's Licensing Policy and licensing objectives, there area no elements within this policy which seeks' to undermine, subvert, inhibit or negate the operating schedule.

Proposed conditions-Vertigo Lounge – 17-19 Hornchurch RM12 6JL

1. The venue is to do all that is necessary and possible to ensure that the best practice standard of promoting the four licensing objectives are being met.
2. CCTV will be installed to Police satisfaction with the following conditions.
3. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
4. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. The staff member shall be able to download the images and present them immediately on request with the absolute minimum of delay when requested.
5. In addition to the requirements under condition (2) a monitor must be immediately viewable upon entering the premises showing real time footage so that patrons can clearly identify that they have been capture on CCTV as they enter the premises.
6. The CCTV Camera system and coverage thereof must cover both internal and external to the premises.
7. Person's re-entering the premises (from the smoking area) shall be searched by a registered door supervisor (SIA).
8. A register of all Registered Door Supervisors to be maintained. [This shall include name, badge number on prominent display, the employer agency (if any) and the time of starting and finishing work].
9. Sale/Supply of alcohol under the Premises Licence must be made or authorize by a person ho hold a personal licence
10. There shall be a Designated Premises Supervisor or Personal licence holder on duty on the premises at all times when the premises when opened to the public.
11. The premises shall not take part or carry out arrange or participate in any irresponsible promotions in relation to the premises. [Irresponsible promotion

means: any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children].

12. The responsible person shall ensure that;
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (1) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (iv) customers are made aware of the availability of these measures.
13. The DPS or responsible person shall ensure that alcohol is not dispensed directly by mouth of another person (other than where that other person is unable to drink without assistance of a disability).
14. The DPS or responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
15. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
16. No rubbish shall be left on the pavement outside the premises at any time.
17. An incident log shall be maintained at the premises, and made available on request to an authorised officer of the Council or the Police, recordable offences will include allegations of criminal offence and which will record the following:
 - all crimes reported to the venue
 - all ejections of patrons
 - any complaints received
 - any incidents of disorder
 - seizures of drugs or offensive weapons
 - any faults in the CCTV system or searching equipment or scanning equipment
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.
18. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection by the police or an authorised officer of the Council at all times.

19. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
20. The management shall sign up to the Pubwatch and Safe and Sound scheme which support the social drinking environment in the Town Center which is designated a Special Policy Area (SPA).
21. The management, premises licence holder, or representative shall attend Pubwatch meetings and participate in the group initiatives to promote crime and prevention.
22. A policy of zero tolerance with regards to drugs use and supply must be upheld in respect of the premises:
23. Admission shall be refused to anyone suspected of being under the influence of drugs (or alcohol);
24. Any person who is, or appears to be drunk, will be asked to leave the premises immediately;
25. All staff are given training in recognising the symptoms of drug use and supply (and drinks and drunkenness), dealing with disorder, and are instructed to be vigilant at all times and to report any concerns to a premises licensee immediately. A logbook shall be kept to record all staff training and refresher training;
26. Admission will be refused to those suspected of dealing drugs on the premises. A refusal log must be maintained;
27. If a person is suspected of dealing drugs on the premises, or any other drugs-related incident arises, the Police shall be notified immediately;
28. Staff will always request that Police collect drugs from the premises. Drugs shall never be removed from the premises by staff;
29. All drugs-related incidents must be recorded in a designated incident book which records (i) date (ii) time (iii) name of person making discovery (iv) description of the drugs found (v) name and/or description of any person suspected of possessing/dealing the drugs (vi) details of police officer contacted. This incident log must be made available to the Police upon reasonable request;

30. The toilet areas of the premises are to be checked for unusual activity regularly by a member of staff and no less frequently than 2 times each hour.
31. Notices will be displayed prominently informing customers that all toilet areas and the outside areas are checked regularly. All such notices displayed will not give the times of any visits.

Prevention of Public Nuisance

32. That an arrangement shall be established with a local mini-cab operator to provide cars for customers who will call within the premises to collect their fares and not sound their car horns in the street.
33. All patrons waiting for a minicab/taxi will be encouraged to wait within the premises.
34. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 22:00 hours and 07:00 hours. No rubbish shall be left on the pavement outside the premises at any time.
35. The Bar Terrace shall be used as a designated smoking area within the curtilage of the building.
36. Patrons on the ground floor and first floor shall be invited to smoke in the designated smoking area immediately outside the building, the designated area shall be supervised at all times by SIA door staff, patrons reentered the venue shall be researched.
37. The terrace area shall be closed 30 minutes before closing on Friday and Saturday.

Public safety

38. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by SIA door supervisors so as to ensure that there is no public nuisance or obstruction to the public highway.
39. The attending manager or designated responsible staff member of the premises shall remain on the premises until it is fully cleared of all customers.
40. The premises shall maintain at all times the fire precaution measures at the premises to including an up to date a Fire Risk Assessment which include

- I. Fire Safety Training and Evacuation Drill a policy shall be to the satisfaction of the Fire Authority.
 - II. Fire Assessment and remedial action
 - III. Fire logs Book for routine tests and servicing.
 - IV. A fire alarm system shall be installed within the premises and be maintained in working order at all times, temporary decoration shall not obstruct exits, fire safety signs or fire fighting equipment at any time.
41. Adequate facilities shall be maintained for disabled visitors and arrangements shall be in place to enable the safe evacuation of disabled visitors in the event of an emergency and that disabled visitors are made aware of these arrangements.
42. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.

Protection of Children from harm

43. The “Proof of age Policy” shall be to the satisfaction of the Police, Trading Standards and the Licensing Authority, the premises shall adhere too the Boroughs proof of age scheme at all times.
- I. The premises shall operate a proof of age scheme such as Challenge 21 acceptable forms of identification are recognized UK photo driving licence or passport
 - II. The premises shall prominently display notices advising customers of “Challenge 25” where acceptable forms of identification are recognized UK photo driving licence or passport.
 - III. The premises shall operate an “over 21 Policy” on the ground floor bar from 19:00 hours.



Appendix 2 - Copy of current Licence



Premises licence number

009762

Part 1 – Premises details

Postal address of premises

Vertigo Lounge
17-19 Station Lane Hornchurch RM12 6JL

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Recorded music, supply of alcohol

The times the licence authorises the carrying out of licensable activities

Recorded music
Sunday to Thursday – 10:00 to 23:00
Friday & Saturday – 10:00 to 00:00

Supply of alcohol
Sunday to Thursday – 12:00 to 23:00
Friday & Saturday – 12:00 to 00:00

The opening hours of the premises

Sunday to Thursday – 10:00 to 23:30
Friday & Saturday – 10:00 to 00:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On and off supplies

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Darren Allen Eva
9 Carberry Court 82 Ardleigh Green Road Hornchurch RM11 2LU
07983 808882 / darren@rswe.co.uk

1 of 11

Registered number of holder

Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Vernon Terence Eva
43 Rockingham Avenue Hornchurch RM11 1HH
07983 809882

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

13054 – London Borough of Havering

Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following: activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

2 of 11

Mandatory conditions – contd.

- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
 6. The responsible person shall ensure that –
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.
 7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
 8. If at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating schedule

1. The provision of hot food shall cease at 23:00.
2. Any drinks promotions shall be at a minimum of £2.00.
3. An over 21's policy shall be in place from 19:00.
4. The premises licence holder shall adopt an absolute and irrevocable zero tolerance of drugs and substance abuse within the premises.

3 of 11

Signed
Paul Jones, Licensing Officer

5. The premises licence holder shall retain under contract a fully qualified highly experienced environmental health officer who shall have at least 25 years' experience in various disciplines in particular in respect of Health & Safety matters with local authorities.
6. The premises licence holder shall actively promote through signage and other methods its zero tolerance drugs policy.
7. The premises licence holder shall report to the Police all instances of drug or substance abuse where detected.
8. A log of drugs transgressions shall be kept when they come to light. This log shall be made available to the authorities on request.
9. Lavatories and cubicle areas shall be designed to avoid flat surfaces and where the use of these is unavoidable such surfaces shall be covered with petroleum jelly or other oil based substances to assist in the prevention of drug and/or substance abuse.
10. A secure facility to store seized/confiscated controlled drugs shall be available previous to the hand over of the drugs to the Police.
11. Individuals who appear to be drinking excessively will not be served and staff shall be trained in recognising and acting upon such instances.
12. If the premises' CCTV system is inoperative the Police and Licensing Authority shall be informed as soon as possible.
13. The bar terrace shall be closed one hour before the premises close.
14. No customers carrying open or sealed bottles or glasses shall be admitted to the premises at any time.
15. No customers shall be permitted to take open containers of alcoholic or soft drinks from the premises.
16. The last entry times for patrons shall be thirty minutes prior to the end of licensable activity.
17. A proof of age policy shall be in force to the satisfaction of the Police, Trading Standards and Licensing Authority of Havering Council.
18. All proof of age schemes within the London Borough of Havering shall be adhered to.
19. The premises licence holder shall participate in a radio and infrastructure scheme as it exists in Hornchurch Town Centre.
20. Crime prevention notices both specific and general shall be displayed warning customers of the prevalence of crime which may target them.
21. A 'customer code of conduct' poster shall be displayed warning customers that if they act in an inappropriate manner they will be barred from the premises.
22. Any restrictions on the admission of children to the premises shall be displayed outside the premises.
23. The premises licence holder shall be a member of any suitable local schemes for licensed premises and a representative shall attend any meetings and participate in all initiatives.
24. The premises licence holder shall ensure a policy is in force for the management of large single-sex groups, i.e. hen and stag parties.
25. An incident book shall be kept in which all instances of public disorder shall be recorded.
26. Any queue management policy the premises licence holder considers necessary to implement shall be made in writing and adopted on approval of the Licensing Authority.

27. When disabled people are present adequate arrangements shall exist to enable their safe evacuation from the premises in the event of an emergency.
28. Persons restricted to wheel chairs shall be permitted to the lower floor of the premises only.
29. An air management system within the premises shall be used during opening times to counteract the insufficient ventilation caused by the closure of windows and doors which prevents noise breakout.
30. If special effects such as strobe lighting, smoke, foam, lasers, pyrotechnics, dry ice or bubbles are used full safety controls shall be in place following consultation with Havering's Environmental Health Department.
31. Gangways, exit routes and steps shall be maintained in good order with non-slippery and even surfaces. Edges of steps and stairways shall be conspicuously marked.
32. Employees shall be distributed throughout the venue on all levels on Friday and Saturday evenings in the discharge of their duties. They shall be in radio contact with each other as well as with any SIA registered door supervisors should the need arise.
33. The provision of plastic glasses and bottles shall be reviewed depending on the type of entertainment provided and the number and nature of patrons attending.
34. Regular glass and bottle collections shall be undertaken throughout the opening hours. Glassware and bottles where collected on the first or second floors shall be conveyed via the service lift serving all floors to the service support areas.
35. Only plastic glasses or bottles shall be permitted in the roof garden after 19:00.
36. A service lift shall be located within the bar service area serving all floors. The service lift in concert with table/hostess service shall eliminate the need for service staff to convey glassware or liquids to clientele via the staircase.
37. No person shall be permitted to enter or exit with any drinking vessel except for off-sales where the item must be sealed upon sale and not consumed directly in front of the premises.
38. A means of addressing patrons during operating hours which can be heard above entertainment or a means of interrupting the entertainment to make important safety announcements shall be available.
39. Door staff shall use counters at appropriate and busy times and take necessary action to ensure the maximum capacity numbers are not exceeded.
40. Smokers shall be invited to use the outside area on the terrace on the second floor.
41. SIA approved door supervisors shall manage access to the premises on Friday and Saturday evenings and other peak periods. Their duties shall include the control of occupation levels as well as those individuals who enter the premises.
42. Fire exit ways from the upper levels shall be provided by the provision of an enclosed staircase with a 60 minute fire rating opening directly at ground level.

Signed
Paul Jones, Licensing Officer

43. All floor coverings shall be secured and maintained so that they will not ruck. Mats shall be fitted into mat wells so as to be flush with the floor surface.
44. Hangings, curtains and temporary decorations shall be maintained in a flame retardant condition.
45. Upholstered seating shall be fire retardant and compliant with current fire safety regulations.
46. Curtains, hangings and temporary decorations shall not obstruct exits, fire safety signs or fire-fighting equipment.
47. Notices detailing the actions to be taken in the event of a fire or other emergency shall be prominently displayed and maintained in good condition.
48. Fire drill and emergency lighting tests shall be conducted monthly. Records of these tests shall be made available to the Licensing Authority upon request.
49. An evacuation policy shall be in place that is to the satisfaction of the Fire Authority.
50. All staff members shall be trained in the premises' evacuation policy.
51. Wall and ceiling finishes shall be fire resistant.
52. The Fire Authority shall be called to any outbreak of fire however slight.
53. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.
54. All external doors and windows shall be kept shut other than for access and egress at times likely to give rise to noise taking place.
55. External doors and windows shall be closed by 23:30 at the latest in any event.
56. Doors and windows shall be closed by 20:00 on Friday and Saturday.
57. Sufficient ventilation shall be provided so that doors and windows can be kept closed indefinitely.
58. Suitable signage at all relevant exits requesting that patrons make as little noise as possible when leaving the premises shall be displayed.
59. Patrons shall be asked not to stand around talking in the street outside the premises and asked to leave the vicinity quickly and quietly.
60. An announcement shall be made prior to closing requesting patrons' co-operation in leaving the premises and vicinity as quietly and quickly as possible.
61. A noise limiting device shall be installed, fitted and maintained if required by the Local Authority in such a manner as to control all sources of amplified music from the premises.
62. Sound levels to the ground and first floor shall be at a guideline maximum sound level of 95 Db subject to review by the relevant department.
63. Sound levels to the second floor enclosure shall be at a guideline maximum sound level of 50 Db subject to review by the relevant department.
64. Staff shall be positioned around the exit particularly at closing time to ensure noise from patrons leaving the premises is minimised.
65. Staff shall recommend that their customers attend the taxi company's base in order to negate people waiting outside for their taxis to arrive and to negate taxis waiting for their passengers to leave the premises.
66. A manager at the premises shall assess the impact of noise on neighbouring residential premises periodically throughout the evening and additionally the applicants should provide Peter Jones and Associates, 170-180 High Street, Hornchurch, the managing agents for Impatien Properties Ltd., the owner of the building at 13-15 Station Lane, a contact telephone number to which any problems experienced by the residents of that building could be reported.

67. Staff shall be instructed to leave the premises as quietly as possible, particularly at night.
68. The volume of sound used in connection with any music played shall at all times be under the control of the management.
69. The premises shall be fitted with electrically operated roller shutters to the front elevation.
70. The provision of mechanical ventilation and air conditioning systems shall not allow noise breakout from the premises or cause a nuisance by its operation.
71. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
72. Storage areas for beer kegs, bottles and other similar items shall be contained within the building itself.
73. Bottle skips and bins containing cans or bottles shall not be emptied outside after closing but shall be dealt with the next day during normal office hours.
74. The movement of bins and rubbish outside the premises shall be kept to a minimum and shall be dealt with during normal office hours.
75. The use of the external area to the frontage at the second floor shall not commence before the start of normal trading hours and shall cease 60 minutes before the cessation of the supply of alcohol.
76. No music or speech shall be relayed by external speakers to outside areas during any evening after 19:00.
77. Low levels of music at ground level provided during the day shall not be audible in the street.
78. Ventilation equipment shall be regularly cleaned and maintained to minimise the levels of odour generated by the premises.
79. All rubbish produced by the premises shall be stored securely in a designated area or in a bin with a tight fitting and lockable lid.
80. The external lighting to the bar terrace shall be in accordance with Health and Safety requirements.
81. Quiz machines, fruit machines or other types of gaming machines shall not be provided.
82. A crime prevention policy agreed by the Police and the Local Authority shall be in place.
83. No element of nudity or striptease shall be engaged at the premises in any form at any time.
84. All regulated entertainment shall be restricted to taking place indoors.
85. No regulated entertainment apart from the provision of recorded music shall take place on the second floor of the premises.
86. All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and regularly reviewed and must be available to a relevant responsible authority when called upon.

Signed
Paul Jones, Licensing Officer

87. The premises licence holder shall implement a written children's policy which must be approved in writing by the Police or Havering's Children and Young Persons services. It should include: 'Where the sale of alcohol is a licensed activity no persons under 18 shall be admitted to or allowed to remain on the premises between 21:00hrs and 06:00hrs', unless specifically covered in the children's policy.
88. All door supervisors shall enter their full details in the premises daily register at the commencement of work. This shall record their full name, home address, contact telephone number, SIA registration number and the time they commenced and concluded working. If the door supervisor was supplied by an agency details of that agency shall also be recorded including the name of the agency, the registered business address and a contact telephone number.
89. The venue shall use toughened glass and/or polycarbonate drinking vessels at all times and in all areas. Except after 22.00 the bar terrace shall be reserved for smokers and only polycarbonate drinking vessels shall be permitted on the terrace.
90. The maximum number of persons including staff and entertainers allowed on the premises at any one time shall be 260. These shall be split over three floors in accordance with LFEPA advice.
91. A premises daily register shall be kept at the premises. This register shall be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premises on each given day. The premises daily register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call, the time and date of the incident about which the call is made and any actions taken to deal with the call. The premises daily register shall be readily available for inspection by an authorised person throughout the trading hours of the premises. The premises daily register shall also record all incidents in relation to the use of any force by staff or door supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed and details of the staff members involved.
92. A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. 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. All other areas of risk identified in the operational requirement shall have coverage appropriate to the risk.

93. The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a 'system file' which should be readily available for inspection by the relevant authority:
- site plan showing position of cameras and their field of view
 - Code of Practice.
 - performance specification, e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position
 - operational requirement
 - incident log
 - maintenance records including weekly visual checks
94. To obtain a clear head and shoulders image of every person entering the premises on the CCTV system persons entering the premises should be asked to remove headwear unless worn as part of religious observance.
95. The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation and all signs as required shall be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises is open for any licensable activity.
96. The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the 'system file'. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.
97. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
98. The premises licence holder shall implement a written drugs policy. This shall detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training programme covering the issues relevant to the misuse of drugs in relation to licensed premises which shall be delivered to all staff. This policy shall be approved in writing by Havering Police. Any amendments to the policy shall be approved by the Metropolitan Police.
99. The designated premises supervisor shall attend a relevant drugs awareness course from an accredited body or local authority.

Signed

Paul Jones, Licensing Officer

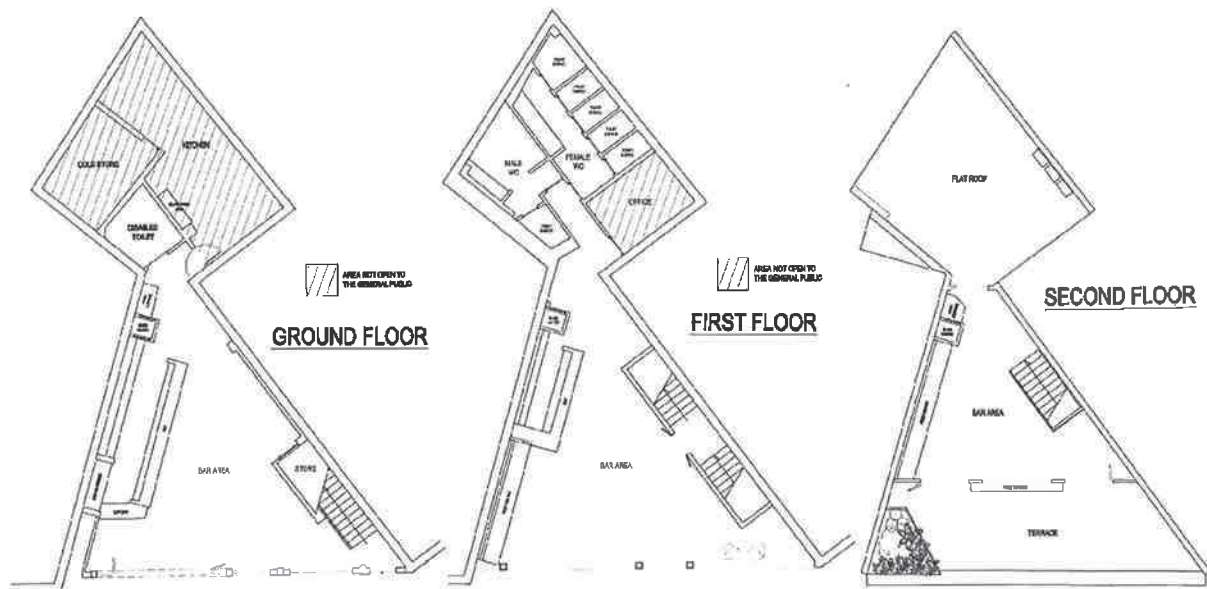
100. All staff shall be trained in dealing with persons who are incapacitated through the use of drugs or the combined effect of drugs and alcohol.
101. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
102. At least one trained first-aider shall be on duty when the public are present. A trained first aider is someone who holds a current first aid at work certificate; the training to have been approved by the HSE.
103. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
104. The premises shall be arranged to minimise the risk of noise nuisance to nearby properties.
105. Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises.
106. Staff shall be given adequate training to prevent them causing unnecessary noise when they leave the premises and prominent clear notices displayed at all points where staff leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.
107. The specification and orientation of all speakers shall be agreed with the Licensing Authority / responsible authority.
108. A proof of age scheme such as Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification card such as a driving licence or passport.
109. Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale advising customers that they may be asked to produce evidence of their age.
110. When operating drinks promotions on any day of the week a written policy shall be produced. The policy shall detail the extra measures in place to deal with departing patrons both throughout and at the end of the promotion. It shall include the policy for refusing to serve persons who are drunk. The policy shall be agreed in writing by Havering Police.
111. Premises which have a policy that includes the searching of persons shall have door supervisors of both sexes on duty at all times when required.
112. Children under 18 shall not be permitted on the premises after 19:00hrs daily until the end of licensable activities unless specified in the children's policy.
113. All door supervisors working outside the premises or whilst engaged in the dispersal of patrons at the close of business shall wear 'high visibility clothing'.
114. The premises licence holder shall sign up to the 'Safe and Sound' approved charter.
115. The premises licence holder shall implement a written queue management policy. All queuing outside the premises shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours. The policy shall be approved in writing by the Licensing Authority.

Annex 3 – Conditions attached after a hearing by the Licensing Authority – contd.

116. The premises licence holder shall implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours both residential and business and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour, crime and disorder. The policy shall be approved in writing by the Licensing Authority.
117. The licence will not come into force until the Fire Authority is satisfied with the fire safety measures that have been provided in the premises and an agreed maximum capacity limit has been stated.

Annex 4 – Premises plans

Full premises plans are held by the Licensing Authority of the London Borough of Havering. The plans reproduced below are not to scale:



11 of 11

Signed
Paul Jones, Licensing Officer

Misc. Act./009762/PJJ04070

Copyright

This page is intentionally blank.



Part B

Premises licence summary

Premises licence number

009762

Premises details

Postal address of premises

Vertigo Lounge
17-19 Station Lane Hornchurch RM12 6JL

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Recorded music, supply of alcohol

The times the licence authorises the carrying out of licensable activities

Recorded music
Sunday to Thursday – 10:00 to 23:00
Friday & Saturday – 10:00 to 00:00

Supply of alcohol
Sunday to Thursday – 12:00 to 23:00
Friday & Saturday – 12:00 to 00:00

The opening hours of the premises

Sunday to Thursday – 10:00 to 23:30
Friday & Saturday – 10:00 to 00:30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On and off supplies

Name, (registered) address of holder of premises licence

Mr Darren Allen Eva
9 Carberry Court 82 Ardleigh Green Road Hornchurch RM11 2LU

1 of 2

Signed
Paul Jones, Licensing Officer

Registered number of holder

Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Vernon Terence Eva

State whether access to the premises by children is restricted or prohibited

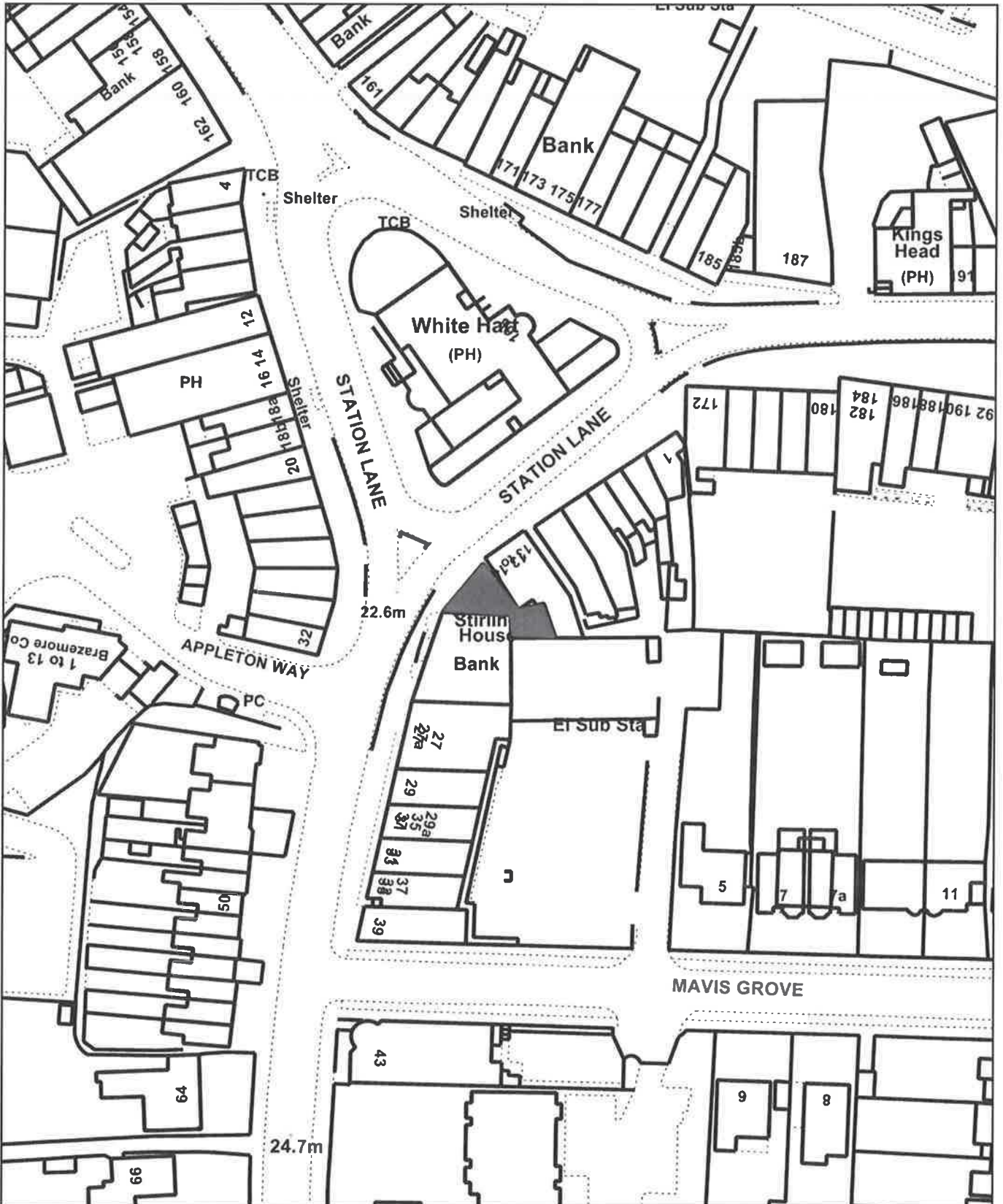
Restricted

2 of 2


copy



Appendix 3 - Map of local area



Vertigo Lounge N
↑


Scale: 1:1000
Date: 03 December 2013
Size: A4
0 5 10 15 metres


 London Borough of Havering
 Town Hall, Main Road
 Romford, RM1 3BD
 Tel: 01708 434343
 © Crown copyright and database rights 2013
 Ordnance Survey 100024327



Appendix 4 - **Representations from Responsible Authorities**



Havering
LONDON BOROUGH

Public Protection

London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

The Appropriate Licensing Officer
London Borough of Havering
Licensing Authority
Mercury House
Mercury Gardens
Romford
RM1 3SL

Telephone: 01708 432692
Fax: 01708 432554
email: paul.jones@havering.gov.uk
Textphone ♯: 01708 433175

Date: 28th November 2013

My Reference: PJJ/013276

Dear Sir

Licensing Act 2003
Vertigo Lounge 17-19 Station Lane Hornchurch RM12 6JL
Premises licence application

Further to the above I can confirm that this Licensing Authority makes representation against the application on the grounds that to grant it as applied for would not serve to prevent public nuisance.

Vertigo Lounge lies within the St Andrews ward. As such this application for a premises licence might appear to be subject to licensing policy 017 which states:

Licensing Policy 017

It is the LLA's policy to refuse applications in the St Andrews ward area for pubs and bars; late night refreshment premises offering hot food and drink to take away; off licences; and premises offering facilities for music and dancing other than applications to vary hours with regard to licensing policy 012.

The application, however, is effectively an application to vary the extant premises licence by another means as the intention is to surrender the current premises licence assuming, of course, that this application is granted. Nevertheless, licensing policy 012, to which policy 017 refers, should be considered when determining this application as it refers to the hours during which licensable activity would normally be permitted to be provided:

Contd.

Public Protection Bringing together Environmental Health & Trading Standards

O:\Flare\masters\letter1.doc \



**INVESTORS
IN PEOPLE**

Licensing Policy 012

The LLA is committed to protecting the amenity of residents and businesses in the vicinity of licensed premises. Applications for hours set out below in this policy will generally be granted subject to not being contrary to other policies in the statement of licensing policy. Applications for hours outside the hours listed will be considered on their merits.

Regulated activities will normally be permitted:

- *until 11.30 pm in residential areas*
- *until 00.30 am in mixed use areas*
- *no limits in leisure areas*

Vertigo Lounge is located in the town centre of Hornchurch. As such it resides in a mixed use area. As we can see the guidelines of policy 012 indicates that the terminal hour for the provision of licensable activity in mixed use areas should normally be permitted until 00:30. This application seeks to extend beyond that 00:30 cut-off point. The policy clarifies that applications for activities beyond these guideline terminal hours will be considered on their merits.

Merits

The application seeks to permit the provision of live music and recorded music until 01:45 at the weekend. Attendant alcohol supplies are to terminate at 01:30. Section 18(d) of the application and the additional proposed conditions document appear not to address the potential for noise nuisance which might reasonably be associated with the provision of live and recorded music after midnight in a mixed use area. The premises adjoins a series of residential flats. The absence of any reference to the potential for noise nuisance and its impact upon the amenity of these residents should be a consideration when determining whether this application should be an exception to policy 012.

Additionally, the roof terrace appears not to have been given a thorough assessment in relation to the prevention of public nuisance. Item 37 on the proposed conditions document states:

The terrace area shall be closed 30 minutes before closing on Friday and Saturday.

This will mean that during the week the roof terrace will be open until 23:30 and at weekends until 01:30. This might appear to be contrary to condition 3 of planning consent P0332.11 in relation to the outside terrace which states that the terrace shall not be used other than between the hours of 10:00 and 19:00 (without the prior written consent of the Planning Authority). At weekends this application appears to seek to exceed that limitation by six and a half hours.

While it may be argued that planning and licensing legislation are discrete Havering's licensing policy 007 addresses licensing issues in relation to planning:

Licensing Policy 007

The council encourages applicants to ensure that they have planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence.

Contd.

Public Protection Bringing together Environmental Health & Trading Standards

The current planning usage consent for this venue, P1725.10, indicates that the premises may currently operate Monday to Sunday from 10:00 to 23:00.

The Licensing Authority recognises that policy 007 "*encourages*" the appropriate planning consents to be in place before an application is made. The s.182 guidance to the Act, however, makes direct reference to planning legislation. Paragraph 13.55 states in part that *licensing committees are not bound by decisions made by a planning committee, and vice versa*. Paragraph 13.56, however, states the following:

There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

The s.182 guidance to the Licensing Act 2003 therefore indicates that where planning and licensing hours are in opposition *the earlier closing time must be observed*.

Conclusion

These are the concerns the Licensing Authority has in relation to this application. While we do not oppose the grant of the application we would urge the determination to be made having had full consideration of the guidelines of policy 012.

Yours faithfully



Paul Jones
Licensing Officer



Licensing Authority
London Borough Of Havering
Mercury House
Mercury gardens
RM1 3SL

**KD - Havering Borough
KD - Romford Police Station**

Romford Police Station
19 Main Road
Romford
RM1 3BJ
Telephone: 01708 432781
Facsimile:
Email: jason.rose@met.pnn.police.uk
www.met.police.uk

Your ref: **Vertigo Lounge**

Our ref:

02nd December 2013

Police have been served an application by Vertigo Lounge, 17-19 Station Lane, HORNCHUCH, RM12 6JL for a new premises licence under the Licensing Act 2003. We wish to make objections to this application as we believe by granting certain requests; the public nuisance objective set out in the legislation would be undermined.

Upon inspecting the application, it appears to address many potential issues by means of volunteering certain conditions. This displays an intention to uphold the 4 licensing objectives by the applicant and of course the venue. Police are also encouraged with the premises in relation to their crime statistics. Crime analysis from police indices reveal the venue is operating to a high standard with no reported crime of note within the past 12 months.

Police do however have concerns in relation to the closing time requested and the impact this will have on local residents under the **Prevention of Public Nuisance** strand. The premise in question is situated in a mixed use area, primarily enclosed by residential premises. The venue is surrounded on all sides with private premises of a residential nature.

Extending the Sale of alcohol to 0130 hours (Fri & Sat) from 0000 hours

With increased periods of alcohol sales come risks to Public Nuisance and the possible rise in crime and disorder. It is a proven fact that victims become more vulnerable and offenders become more violent when drinking in excess. Increased hours encourage customers to drink for longer. To increase the supply of alcohol time we are in danger of increasing the very issues we are trying to address.

Licensing Policy 012 states -

The LLA (Local Licensing Authority) is committed to protecting the amenity of residents and business in the vicinity of licensed premises. Regulated activities will normally be permitted until 00:30am in mixed use areas.

Police fully support and echo the LLA policy, requesting this to be enforced in this instance. To open later the venue runs the risk in attracting clientele departing from other venues. This clientele may, in some cases be heavily under the influence of alcohol. It is feared by increasing the consumption time further, more serious violent crimes may occur, not to mention noise related issues for residents upon patrons dispersing from the venue.

Extending the opening times to 0200 hours (Fri & Sat)

This again is a further request to extend past LLA Policy 012. Police are mindful that extending 1 and ½ hours beyond the policy guidance will have a negative impact on the local residents for reasons already listed under the prevention of crime and prevention of public nuisance.

Police could not support this application for suggested extensions to licensing hours on a Friday and Saturday. We believe the majority of their customer base within these hours would be those who have maximised their drinking time within Hornchurch Town Centre and would be under the influence of alcohol potentially increasing the risk of crime and disorder. The problems regularly facing ROMFORD

TOWN CENTRE because of the late licensable activity are well documented. HORNCHURCH do not appear to generate the same problems, or at least not to the same degree as ROMFORD. Police believe this is due to the hard work that has already taken place in the capping of licensable hours under the very policies mentioned above.

If indeed the sub committee accept the application in its current form, police respectfully ask that consideration be made to the following suggestion,

Last admittance time to patrons 90 minutes before closing time - Friday and Saturday nights.

Police have also noticed that "**Toughened Glassware**" does not appear on the application and would highly recommend this to be implemented under the prevention of crime and disorder.

If I can be of any further assistance in this matter please do not hesitate to contact me in the licensing office.

Yours sincerely,

Pc Jason ROSE
Licensing Officer
Havering Borough



Simon Thelwell
Projects and Regulation Manager
Mercury House, Mercury Gardens
Romford RM1 3SL

memo

From: PLANNING CONTROL SERVICE

To: Licensing Officer
Environmental Health

Please call: Bernie Long
Telephone: 01708 432684
Fax: 01708 43690
Email: victor.long@havering.gov.uk

My Reference: BL/

Your Reference:

Date: 2 December 2013

Representations re Application for a Premises Licence (Licensing Act 2003) Vertigo Lounge 17-19 Station Lane Hornchurch RM12 6JL

The London Borough of Havering's Planning Service, being a responsible authority as set out in the Licensing Act 2003, wishes to make representations against the above premises in relation to a variation to the Premises Licence.

This objection refers to the prevention of crime and disorder, the prevention of public nuisance, both of which are statutory licensing objectives.

Relevant Planning History

P1725.10 Change of use to A3/A4 Restaurant/Café and drinking establishment.
I attach the relevant Decision Notice.

I draw your attention to Condition3, (hours condition).This relates to a 2300hrs closure.

P 0332.11 Extensions to create second floor and roof garden.
I attach the relevant Decision Notice .

I draw your attention to Condition 3 , (hours condition). This relates to the use of the balcony for which it should only be used 1000-1900hrs.

I have viewed the Licensing application and can see that the current Licensing hours are in conflict with the Planning Consent. Therefore currently there is breach of planning that requires addressing. This Service has received a complaint regarding alleged breaches of planning hours.

The site is close to residential flats .If this application is granted it is believed that noise and disturbance to residents will occur The licensing act does not state that proof is required of this just that there is potential for this.

In conclusion it is my view that all variations to the Licence be dismissed as the current licensee does not appear to adhere to the Town and Country Planning Act whereby there are a number of issues to be addressed before further consideration of this variation be considered.

I draw your attention to the Havering Licensing Policy namely,
LP007 Development Planning :-The council encourages applicants to ensure that planning consent for the intended use and hours of operation or otherwise have lawful planning status before making an application for a premises licence.

LP008 Noise .

LP011 Tables ,chairs and beer gardens

LP012 Hours

LP013 Hours

LP14 Hours

LP019 Adult Entertainment

LP20 Adult Entertainment

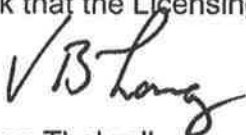
LP021 Children

I also draw your attention to the role of responsible authorities contained in the Licensing Act 2003 Guidance issued in June 2013 Paragraph 13.56 .This states that the applicant must observe the earlier closing time which is set by planning.

The Planning position is that a Planning application should be submitted requesting a variation of hours. If this is approved then then a Licensing application may follow.

I therefore ask that the Committee decline this application and that the applicant be advised of the relevance of the planning law.

I ask that the Licensing Committee consider this report as a valid representation.


PP Simon Thelwell

Projects & Regulation Manager

LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Mr D Eva
Vertigo Lounge Ltd
19 Victoria Road
Romford
Essex
RM1 2JT

APPLICANT

Mr D Eva
Vertigo Lounge Ltd
19 Victoria Road
Romford
Essex
RM1 2JT

APPLICATION NO: P1725.10

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Change of Use from A1 to A3/A4 Restaurant/cafe and drinking establishment.

Revised Plans Received 21.01.2011

Location: 17-19 Station Lane
Hornchurch

The above decision is based on the details in drawing(s):

VLRG-E-M-101
VLRG-E-M-102
VLRG-P-M-205
VLRG-P-M-211
VLRG-P-M-212

subject to compliance with the following condition(s):

Note to Applicants:

Please take the time to read the conditions stated below carefully. Some may require you to seek the Council's approval prior to works beginning on site. The approval process can take a further 8 weeks from the date of submission and you are advised to incorporate this into your timetable.

- 1 The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2** The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 3** The premises shall not be used for the purposes hereby permitted other than between the hours of 10:00 and 23:00 on Mondays to Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 4** The roof area of the building shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason:-

In the interests of the amenity of the occupiers of neighbouring dwelling, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 5** Before the use commences, the building shall be insulated in accordance with a scheme which shall previously been approved by the Local Planning authority in order to secure a reduction in the level of noise emanating from the building.

Reason:-

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and noise' 1994.

- 6** Before any works commence a scheme for any new machinery shall be submitted to the Local Planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90-10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and noise' 1994.

- 7** Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be approved in writing by the Local Planning Authority. Thereafter the equipment shall be properly maintained and operated during normal working hours.

Reason:-

To protect the amenity of nearby premises.

- 8** Before the use commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:-

To protect the amenity of occupiers of nearby premises.

- 9** Prior to the commencement of the use hereby allowed, a scheme showing the details of a CCTV system to be installed for the prevention of crime and public safety throughout the premises shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor. The scheme shall be implemented in full prior to commencement of A3/A4 use of the premises.

Reason:-

In the interest of amenity and creating safer, sustainable communities, reflecting guidance set out in policies CP17 'Design' LBH Core Strategy DPD, DC23 'Food Drink and the Evening Economy' and DC63 'Delivering Safer Places' LBH Development Control Policies DPD.

- 10** Before the uses commences a waste management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme, which shall thereafter be permanently maintained, shall include details of the method and location of refuse storage, together with arrangements for refuse disposal. All refuse shall be properly contained within the approved facility and shall not be stored or deposited elsewhere unless previously agreed in writing by the Local Planning Authority.

Reason:-

To protect the amenity of occupiers of nearby premises, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 11** Prior to the use commences, a scheme shall be submitted to and approved in writing by the Local Planning Authority for the delivery and loading of goods to site, stating the frequency of deliveries and where vehicles will park. All deliveries shall be carried out in accordance with the approved scheme.

Reason:-

To avoid obstruction to the highway.

INFORMATIVE(S)

1 **INFORMATIVE:**

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC16, DC23, DC32, DC33, DC55, DC61, DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

- 2** The applicant is advised that this permission solely relates to the change of use and not for any external works.

Dated: 28th February 2011



Patrick Keyes
Head of Regulatory Services
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site, www.planning.inspectorate.gov.uk

- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.



LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Mr D Eva
Vertigo Lounge Ltd
19 Victoria Road
Romford
Essex
RM1 2JT

APPLICANT

Mr D Eva
Vertigo Lounge Ltd
19 Victoria Road
Romford
Essex
RM1 2JT

APPLICATION NO: P0332.11

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Extensions to create second floor and roof garden. Alterations to the shopfront including bi-fold doors to the ground floor and access ramp, and render finish to first floor

Revised Plans Received 25.05.2011

Location: 17-19 Station Lane
Hornchurch

The above decision is based on the details in drawing(s):

- VLRG-E-M-201
- VLRG-E-M-203
- VLRG-P-M-201 A
- VLRG-P-M-202
- VLRG-P-M-203
- VLRG-P-M-204 A

subject to compliance with the following condition(s):

Note to Applicants:

Please take the time to read the conditions stated below carefully. Some may require you to seek the Council's approval prior to works beginning on site. The approval process can take a further 8 weeks from the date of submission and you are advised to incorporate this into your timetable.

- 1 The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

- 3 The outside roof terrace shall not be used for the purposes hereby permitted other than between the hours of 10:00 and 19:00 on Mondays to Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 4 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 5 No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

- 6 Before the use commences, the building shall be insulated in accordance with a scheme which shall previously have been approved by the Local Planning Authority in order to secure a reduction in the level of noise emanating from the building.

Reason:-

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

- 7 No amplified music, speech or film shall be played or reproduced in the roof terrace.

Reason:-

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

- 8 Before any of the development hereby permitted is commenced, full details of the screen proposed on the flank of no. 13-15 Station Lane shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

- 9 The proposed bi-fold doors shall be closed between 20:00 and 10:00 each day.

Reason:-

To protect residential amenity in accordance with Policies DC55 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

INFORMATIVE(S)

- 1 **INFORMATIVE:**

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC55, DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment)

- 1 (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.
- 2 The applicant is reminded that the conditions on P1725.10 have not yet been discharged.

Dated: 22nd July 2011



Patrick Keyes
Head of Regulatory Services
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site, www.planning.inspectorate.gov.uk

- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.



memo

From: Marc Gasson – Noise Specialist

To: Paul Jones – Licensing Officer

My Reference : MDG/013276

Date: 25th November 2013

Licensing Act 2003 – Application For A Premises Licence Vertigo Lounge 17-19 Station Lane Hornchurch Essex

I refer to the above application and would object to any extension of licensable activities beyond the current hours for the following reasons: -

1. Application is contrary to the Council's Licensing Policy 12 – hours with respect to "mixed use" areas

Under this guidance Licensing Policy 12 the LLA is committed to protecting the amenity of residents and businesses in the vicinity of licensed premises. Applications for hours set out below in this policy will generally be granted subject to not being contrary to other policies in the statement of licensing policy. Applications for hours outside the hours listed will be considered on their merits.

Regulated activities will normally be permitted:

- *until 11.30 pm in residential areas*
- *until 00.30 am in mixed use areas*
- *no limits in leisure areas*

We can see that an application to vary a premises' existing hours which is outside the policy's guidelines will be considered on its merits. An application which seeks to go beyond these guideline hours must successfully demonstrate that it should be considered an exception to licensing policy 12's guidelines. In other words, an application must provide compelling evidence to support the view that policy 12 should **not** apply to the application and that *the amenity of residents and businesses in the vicinity of the licensed premises* would not suffer adversely should the application be granted.

I trust this clarifies my position.

Marc Gasson
Noise Specialist

