

Licensing Sub-Committee

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Licensing Sub-Committee

Section 1 - Licensing Officer's report



LICENSING SUB-COMMITTEE

REPORT

29th March 2012

Subject heading:

Vertigo Lounge
17-19 Station Lane Hornchurch
RM12 6JL

Report author and contact details:

Premises licence variation
Paul Jones, Licensing Officer
5th floor Mercury House
x 2692

This application for a variation to a premises licence is made by Thornbury Solutions Ltd under section 34 of the Licensing Act 2003. The application was received by Haverling's Licensing Authority on 7th February 2012.

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 while 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

Current premises licence hours:

| Recorded music | | |
|-----------------------|--------------|---------------|
| Day | Start | Finish |
| Sunday to Thursday | 10:00 | 23:00 |
| Friday & Saturday | 10:00 | 00:00 |

| Supply of alcohol (on & off premises) | | |
|--|--------------|---------------|
| Day | Start | Finish |
| Sunday to Thursday | 12:00 | 23:00 |
| Friday & Saturday | 12:00 | 00:00 |

Variation applied for:

| Films, live music, performances of dance, anything similar to live music, recorded music or performances of dance, provision of facilities for making music, dancing or anything similar, supply of alcohol | | |
|--|--------------|---------------|
| Day | Start | Finish |
| Sunday to Thursday | 12:00 | 23:00 |
| Friday & Saturday | 12:00 | 01:00 |

| Recorded music | | |
|-----------------------|--------------|---------------|
| Day | Start | Finish |
| Sunday to Thursday | 10:00 | 23:00 |
| Friday & Saturday | 10:00 | 01:00 |

| Hours premises open to the public | | |
|--|--------------|---------------|
| Day | Start | Finish |
| Monday to Thursday | 12:00 | 23:30 |
| Friday to Saturday | 12:00 | 01:30 |
| Sunday | 12:00 | 00:00 |

The applicant has applied to vary the New Year's Eve hours for all licensable activities to the effect that licensable activity may be provided from the end of the normal licensable hours on New Year's Eve to the beginning of licensable hours on New Year's Day.

The application also seeks to vary the layout of the premises. Currently the premises plans indicate that there is a bar on the ground floor only. A second bar has been installed on the first floor and thus this application is in part to amend the licence in accordance with the extant premises layout.

Finally, the application seeks to remove and/or amend certain conditions on the current licence. The application seeks to remove 49 conditions; 45 of these conditions are from Annex 2 of the licence while the remaining 4 conditions are from Annex 3. Annex 2 contains conditions volunteered by the applicant when the original application for the licence was made while Annex 3 contains conditions imposed by the Licensing Sub-Committee previously.

The conditions seeking to be removed are as follows:

Annex 2 – 2, 6, 7, 11, 13, 15, 20, 22, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 42, 43, 44, 48, 50, 62, 66, 69, 70, 77, 78, 80, 83, 88, 89, 92, 93, 99, 100, 101, 102, 103, 104, 105, 106, 107, 111

Annex 3 – 115, 116, 137, 143

Certain conditions seek to be removed and replaced or amended. These are:

Remove condition 16 and replace with:

The last entry time for patrons shall be thirty minutes prior to the end of the licensable activity.

Remove condition 52 and replace with:

Door staff shall use counters at appropriate and busy times and take necessary action to ensure the maximum capacity numbers are not exceeded.

Remove condition 71 and replace with:

The bi-fold doors and windows at the front of the premises shall be closed by 21:00 on Fridays and Saturdays.

Remove condition 98 and replace with:

The external lighting to the roof garden shall be in accordance with Health & Safety.

Remove condition 126 and replace with:

The designated premises supervisor shall attend a relevant drugs awareness course from an accredited body or local authority.

To add the following to the end of condition 125:

Any amendments to the policy shall be approved by Havering Police.

A condition wishes to be added to the licence. This is:

Any drinks promotions shall be at a minimum of £2.00.

Further amendments to the operating schedule were received by the Licensing Authority after the applicant's negotiation with the Police. These include modifying two conditions and adding three further conditions as follows:

Remove condition 117 and replace with:

The maximum number of persons including staff and entertainers allowed at the premises shall be 260. This shall be split over 3 floors in accordance with LFEPA advice.

Remove condition 138 and replace with:

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.

Add the following conditions:

The venue shall use toughened glass and/or polycarbonate drinking vessels at all times in all areas. Except after 22:00 the roof terrace shall be reserved for smokers and only polycarbonate drinking vessels shall be permitted on the terrace.

No person is permitted to enter or exit the venue 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.

Children under 18 shall not be permitted on the premises after 19:00 daily until the end of licensable activity unless specified under the children's policy.

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 15th February 2012 edition of the Yellow Advertiser. The newspaper notice stated that the application was made under s.34 of 'The Insolvency Act 2003'. While the aforementioned regulations govern the form and content of such a notice there is no explicit requirement to identify the Act under which the application is made, although one might reasonably expect the appropriate Act to be identified in the notice.

Apart from the provision of recorded music the application seeks to provide all other licensable activities both indoors and outdoors. The premises contains an open terraced area on the roof; the assumption therefore is that regulated entertainment seeks to be provided externally here as well as inside the premises.

Summary

There were nine representations against this application from interested parties.

There were two representations against this application from responsible authorities, namely the London Fire & Emergency Planning Authority 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

Seven residents from the property adjacent to the premises signed a letter of representation against this application which was based upon the prevention of public nuisance licensing objective.

Two further residents of this same residential property submitted a representation via an agent. The agent also states that he represents the owners of the building although no evidence to support this has been provided to the Licensing Authority. This representation is also based upon the prevention of public nuisance licensing objective.

Responsible authorities' representations

Inspecting Officer David Hallam makes representation against this application on behalf of the London Fire & Emergency Planning Authority. IO Hallam's representation is based upon the public safety licensing objective.

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.

Paul Jones
Licensing Officer
London Borough of Havering

Yellow Classified

www.yellowadvertiser-today.co.uk

Selling something?
BARGAIN ADS UNDER £100
 Call 0905 624 0595

BARGAIN ADS OVER £100
 Call 01268 503 400
 Minimum charge £9.00 • 9.00am-5.00pm

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 Recruitment: 01268 503 420
 Classified: 01268 503 430
 Monday-Thursday 9.00-5.30
 Fri day 9.00-5.00
 Calls may be monitored

By post
 Yellow Advertiser
 Acorn House
 Great Oaks, Basildon,
 Essex SS14 1AH

By fax
 01268 503 418
 01268 503 419
 01268 503 455

In person
 Pop into our town centre office
 Monday-Thursday 9.00-5.30
 Friday 9.00-5.00
 Acorn House, Great Oaks
 Basildon

Public Notices

GOODS VEHICLE OPERATOR'S LICENCE
 Steven James Routke of 45 Heddingham Road, Chafford Hundred, Essex RM16 6BH is applying for a licence to use Bretts Concrete Ltd, Hainault Road, Little Heath, Romford RM6 5SS as an operating centre for 1 goods vehicle and 0 trailers. Owners or occupiers of land (including buildings) near the operating centre who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at South Eastern & Metropolitan Traffic Area, Applications Services, Hillcrest House, 386 Harehills Lane, Leeds LS9 6NF, stating their reasons within 21 days of this Notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this Notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

GOODS VEHICLE OPERATOR'S LICENCE
 D&G Cars Ltd of Recovery House, Upminster Trd Park, Warley Street, Essex RM14 3PJ is applying to change an existing licence as follows. To keep an extra 3 goods vehicles and 4 trailers at the operating centre at Recovery House, Warley Street, Upminster, Essex RM14 3PJ. Owners or occupiers of land (including buildings) near the operating centre who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds LS9 6NF, stating their reasons within 21 days of this Notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this Notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

Yellow Classified
 01268 503430

Articles for Sale

Two 2 Seater Leather Sofas, Dark Brown, 2 and a half years old
 As new
£250 each
 07787 591934

Bargain Buys

FOOTBALL PROGRAMMES WANTED
 Local collector seeks especially pre 1970 items, Finals, European, England, Spurs, Arsenal, West Ham, Chelsea etc & whole collections
01245 358660

TWO BRITAX COSY TOT CAR SEATS, excellent condition, £25 each. MAMAS & PAPAS, Zeddy and Rhubarb nursery set, two cot bumpers, £5 each. PRUG, £10. Two cot MOBBLES, £10 each. Set three PICTURES, £5. Two COT BED THROWS, £5 each. Two FLEECE BLANKETS, £5 each. HEIGHT CHART, £5. NAPPY STACKER, £5. TAP TOP COFFEE TAINS with teabags, £10. Excellent condition. Tel: 01268 503279.

SIDEBOARD WITH FLORED DRINKS COMPARTMENT, light oak finish, £60. INLAID PINE TABLE, light oak finish, £25. THREE COFFEE TABLES, one at long, two at 17in long, light oak finish, £25. STANDA-LAMP WITH SHADE, light oak finish, £35. Tel: 01702 640379.

HINARI FOOD PROCESSOR AND BLENDER, only used once or twice, bargain £15. FISHER PRICE, 51 to stand giraffe, complete with balls, £10. TRAVELCOT, complete with mattress, £10 only. MOSES BASKET, complete with stand, blue and white, suitable baby boy, £10. BUGGY BLUE WITH CAR DESIGN, complete with sun canopy, rain-cover, £10. Tel: 01702 348770.

BED, DOUBLE DIVAN, clean mattress, very good condition. £99. BED, SINGLE DIVAN, clean in mattress, very good condition. £55. SCHREIBER BED ROOM COMBINATION SET, dark wood, excellent condition. £99. TUMBLE DRYER, family size, white, clean, very good condition, possible delivery. £75. Tel: 01708 450450.

SOLID PINE CABIN SINGLE BUNK BED, ladder left-hand side, good condition, £75. Matching desk, £30. GIRLS CLOTHING, 10-13yrs, tops, trousers, jeans, t-shirts, large bag, all excellent condition, £25. GIRLS COAT, NEW, FAUX CAMEL SUEDE, fur-lined hood, never worn, only £10. Tel: 01375 381899.

ZANUSSI WASHING MACHINE, 6mths old, selling due to kitchen refit, £90. CAR TYRE, 175 x 65 x 13, VW polo steel rim, £10. FOUR INTERIOR TEAK STAINED HARDWOOD DOORS, need re-staining, glazed with fittings, collection only. £99. Tel: 01268 750631.

CAST IRON BATH, white, traditional brass shower tap, £60. WHITE CERAMIC CLOSE COUPLED TOILET, £25. Matching BIDET, £20. DOUBLE CONVECTOR RADIATOR, white £15. ADMIRAGE SHARKS WHITE OVAL UNDER HUNG SINK, white marble vanity top, £25. Tel: 01702 585300.

KINGSIZE MATTRESS, new £60. GAS COOKER, new, white and black, Beko, 500 wide x 600 high, double oven, £70. DOUBLE PINE BED, mattress, excellent condition, £80. TALL-BOY FREEZER, ideal garage, excellent condition, £60. HALF SIZE FRIDGE, £40. Tel: 07415 324868.

PUPPY IN MY POCKET, Dreamhouse, Pony in my Pocket arena, plus lots puppies and ponies, absolutely pristine. £20. DOLLS, GRACO TANDEM DC, 2 CHILDREN'S CHAIR, TWO £1.

DESKTOP PC, Compaq Intel Pentium dual CPU e2140 at 1.80 GHz, 500GB hard drive, 2 GB ram, 6 USB ports, DVD/DVD burner, Windows vista home premium, 17" flat screen, Wireless keyboard and mouse, £75. Tel: 07939 524304 (Westcliff)

BUTTERFLY TABLE TENNIS TABLE, folds up, on wheels for easy storage slight damage to corners but still good working order, £70. BLACK LEATHER-LOOK OFFICE CHAIR, reclines and swivels, ideal use as gaming chair, £20. Tel: 07756 039950.

INDESIT WASHING MACHINE, good as new, £85. NEW TWO WHEELED BIKE, stabilisers, suitable 3-4yrs, £15. SCOOTER, BARBIE, very clean, 3-4yrs, £5. NEW DOLLS HOUSE with furniture £7. TOY HOOPER, Chad Valley, £3. Tel: 01268 707894.

SMALL PULLALONG SUITCASE, immaculate condition, £80. TWO LARGE SUITCASES, travel wheels, excellent condition, £15. LINDAM STAIRGATE, £15. HAIRDRYER, DOWED, hooded, sit-under, portable if needed, good working order, £10. Tel: 01277 356505.

ARISTON GAS HOB 59 x 651cm, graphite, four cooking zones with wok burner, enamel supports, electric ignition, front panel as new, £60.00. BOSCH COOKER HOB, 59 x 51cm, brown, new, £60.00. Tel: 07823 592415.

BOYS BIKE, detachable seat, fenders, red, pristine.

CANON PIXMA MP170 PRINTER and scanner, £20. BT HOMEHUB2 ROUTER, 2nd, £10 each. DELL COMPUTER, 17in screen, speakers, keyboard and mouse, £25. Tel: 07676 123742.

UNDER WORKTOP FREEZER in white. Pick up only, £45. BABY WARDROBE in beech light wood with bottom draw very good condition, £65. Tel: 07931 422300.

CAR SEAT, Maxicosi, very good condition, £30. HIGH-CHAIR, very good condition, £15. TRAVELCOT, HAUCK, very good condition, £30. Tel: 01702 392822.

FISH TANK tank measures, 172cm deep x 181cm high x 181cm wide, tank on stand stands 45in high, bow front, built-in pump, light, heater, ornaments, gravel, £60. Tel: 07582 025256.

OUTBOARD MOTOR wanted, runner or non-runner, Mercury, Yamaha, etc, 5HP to 100HP, anything considered, may take complete boat if still attached. Tel: 01268 765086.

P4 LAPTOP, fast machine, wireless, internet ready, software loaded, DVD/CD copier, ideal Skype, ebay, facebook, includes free bag, free delivery, £100. Tel: 01268 766649.

POSTCARDS, approx 150, 1960s onwards, UK and foreign, mainly scenic views, lots Brook Bond tea cards, no complete sets. £20. Tel: 01268 261111.

LAIR in leaf, exterior, less than 30 pets, very 3 on. Tel: 01268 540140.

COM-RE, ready, Skype, £85. PORTABLE, £30. Tel: 07962.

OTBALL KIT 12-Arsenal PJs 18-1 brand new as still tagged, £25 67856410.

Additional text for OTBALL KIT: additional green tin wide x 54in brand new, fabric, £40 6819390. Perfexion box, hardly includes art guide, £99. clea ditto ROO dark £99. size co £9.

TABLE AND CHAIRS, light wood, six chairs, extending table, buyer collects, chairs need cleaning/rescovering, £25. Tel: 01708 473873.

WORK BOOTS, NEW, Doctor Martins, black, Himalayan, tan, size 9, £15 the pair. GAMEPA BUCKPACK BAG, £15. Tel: 01702 618681.

69 MARLEY BROWN LUDLOW ROOF TILES, 27 slightly chipped, also 21 roof tiles reg design 595450 £40 one the lot Tel: 07866 882506.

CURTAINS, PAIR WINE VELVET, fully lined, pinch pleats, fit 12ft wide window, length 81ins, one curtain made on bottom, £50. Tel: 01708 451564.

DISPLAY CABINET/BOOKCASE, mahogany wood, sliding glass doors, four detachable units, 5ft tall/5ft wide, £35. Tel: 01268 760443.

MENS BLACK SINGLE BREASTED LEATHER JACKET, 1970s vintage style, 42-44, excellent condition, £40.00. Tel: 01708 727671.

ROUND COME OVAL CLAW LEG TABLE £60 one, SIDEBOARD 3 DRAWVS 3 lockable doors £20 one can deliver Tel: 07950 835825.

SMALL DOG OR CAT SHELTER for sale £25 NEW RABBIT HUTCH for sale £45 will deliver free to the Basildon area Tel: 01268 473365.

BOSCH DISHWASHER free-standing 60cm wide, white excellent condition. £95 one Tel: 07930 34564.

COAL EFFECT FIRE up to 3kw black, with instructions £50. 3in silent night oven and mattress £45 Tel: 07891548391.

HI-FI GLASS TABLE, £30. TWO INDUCTION TABLE TOP HOBS, £25 each. Tel: 01268 540140.

MACHINE for sale great condition £60, Fridge Freezer great condition £30 or both for £90 Tel: 07409 740639.

NEW, SINGLE BED, mattress, modern metal frame and headboard, £40. KEEPER FIT BIKE, £20. Tel: 01702 620421.

PHILIPS STEREO AMP built-in radio, record deck, CD player, all separate, accept £60. Tel: 01268 540140.

ROCKING CHAIR, white glider, purple cushions, very good condition, ideal nursery. £40. Tel: 01702 510092.

SMALL DOG OR CAT shelter £25. New RABBIT HUTCH £45 will deliver free Basildon Area Tel: 01268 473365.

THREE PIECE SUITE, autumn colours, Drayton, very good condition. £100. Tel: 07940 203844.

WEIGHTS XQMAX Ankle/Wrist 2 pairs 0.5kg each weight. Unused £4 a pair or £5 for both pairs. Tel: 07368 691231.

BANJO, AMBASSADOR SUPREMACY CIRCA 1940, the string. £60 Tel: 07939 524304 (Westcliff)

CAR SPARES, FORD FIESTA ST 2005 ONWARDS, back set of lights, £60. front set lights, £60. Tel: 01375 677030.

ALTERNATOR FOR 2.6 LTR JAGUAR X OF S TYPE £40 Tel: 07956 97867.



NOTICE OF APPLICATION FOR VARIATION OF A PREMISES LICENCE UNDER SECTION 34 OF THE INSOLVENCY ACT 2003
 Applicant: Thornbury Solutions Limited. Premises: The Vertigo Lounge, 17-19 Station Lane, Hornchurch, RM12 6JL. The proposed variation is: the addition of licensable activities for films, live music, dancing and other entertainment; the variation of hours for all licensable activities and the opening hours; the removal and variation of various conditions. Further details can be obtained by inspecting the application at the address below. Any representations by an interested party or responsible authority regarding this application can be made to: Licensing Team, Housing & Public Protection, London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3RX, website: www.havering.gov.uk. Such representation must be received in writing by 6 March 2012 clearly stating the grounds upon which the representation is made in relation to the four objectives of the Licensing Act 2003. It is an offence to knowingly or recklessly make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for the offence is £5,000.00.

NOTICE OF APPLICATION FOR VARIATION OF A PREMISES LICENCE UNDER SECTION 34 OF THE INSOLVENCY ACT 2003
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Musical

THE PIANO MAN, 20/30 reconditioned pianos. Tuning, Removals, Rental scheme. We collect unwanted pianos. 01268 541001, 01708 343455

Pets & Livestock

ROMFORD GREYHOUND OWNERS' ASSOCIATION GREYHOUNDS FREE
 These graceful animals make excellent pets and are very good with people at home, especially children and quickly return the affection and love given to them. Excessive exercise is not required. Interested? - Telephone **01708 640895** www.rgoa.co.uk

Licensing Sub-Committee

Appendix 1 - Copy of Application

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application to Vary a Premises Licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in BLOCK capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

(1) Delete as applicable.
(2) Insert name(s) of applicant(s).

(1) ~~I~~ (2) [We]
THORNBURY SOLUTIONS LIMITED

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

Part 1 - Premises details

| | |
|--|--------------------|
| Postal address of premises or, if none, ordnance survey map reference or description VERTIGO LOUNGE 17-19 STATION LANE | |
| Post town HORNCHURCH | Post code RM12 6JL |

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

Post Town Postcode

Part 3 - Variation

Please tick Yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

| | | |
|----------------------|----------------------|----------------------|
| Day | Month | Year |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Please describe briefly the nature of the proposed variation (Please read guidance note 1)

A VARIATION TO THE LAYOUT OF THE PREMISES.

A VARIATION OF THE LICENSABLE ACTIVITIES (SEE PART 4 OF THIS APPLICATION)

A VARIATION OF THE LICENSABLE HOURS (SEE PART 4 OF THIS APPLICATION)

REMOVAL OF VARIATION CONDITIONS AS SET OUT ON THE ATTACH CONTINUATION SHEET.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- (a) plays (if ticking yes, fill in box A)
- (b) films (if ticking yes, fill in box B)
- (c) indoor sporting events (if ticking yes, fill in box C)
- (d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- (e) live music (if ticking yes, fill in box E)
- (f) recorded music (if ticking yes, fill in box F)
- (g) performances of dance (if ticking yes, fill in box G)
- (h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- (i) making music (if ticking yes, fill in box I)
- (j) dancing (if ticking yes, fill in box J)
- (k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

| Plays Standard days and timings (please read guidance note 6) | | | Will the performance of a play take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | Indoors | | |
|--|-------|--------|--|--|--|--|
| Day | Start | Finish | | Outdoors | | |
| Mon | | | Please give further details here (please read guidance note 3) | Both | | |
| Tue | | | | | | |
| Wed | | | | State any seasonal variations for performing plays (please read guidance note 4) | | |
| Thur | | | | | | |
| Fri | | | | | | |
| Sat | | | | | | |
| Sun | | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| | | | | | | |

B

| Films Standard days and timings (please read guidance note 6) | | | Will the exhibition of films take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | Indoors | | |
|--|-------|--------|--|--|---|--|
| Day | Start | Finish | | Outdoors | | |
| Mon | 1200 | 2300 | Please give further details here (please read guidance note 3) | Both | x | |
| Tue | 1200 | 2300 | | | | |
| Wed | 1200 | 2300 | | State any seasonal variations for the exhibition of films. (please read guidance note 4) The hours shall be varied such that on New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. | | |
| Thur | 1200 | 2300 | | | | |
| Fri | 1200 | 2400 | | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 0000 | 0100 | | | | |
| | 1200 | 2400 | | | | |
| Sun | 0000 | 0100 | | | | |
| | 1200 | 2300 | | | | |

C

| | | | |
|---|-------|--------|--|
| Indoor sporting events Standard days and timings (please read guidance note 6) | | | Please give further details (please read guidance note 3) |
| Day | Start | Finish | |
| Mon | | | State any seasonal variations for Indoor sporting events (please read guidance note 4) |
| Tue | | | |
| Wed | | | |
| Thur | | | Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) |
| Fri | | | |
| Sat | | | |
| Sun | | | |

D

| | | | | | | |
|---|-------|--------|---|--|----------|--|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | | Indoors | |
| | | | | | Outdoors | |
| | | | | | Both | |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | | |
| Mon | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4) | | | |
| Tue | | | | | | |
| Wed | | | | | | |
| Thur | | | Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) | | | |
| Fri | | | | | | |
| Sat | | | | | | |
| Sun | | | | | | |

E

| | | | | | |
|---|--------------|---------------|---|----------|---|
| Live music Standard days and timings (please read guidance note 6) | | | Will the performance of live music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | Indoors | |
| | | | | Outdoors | |
| | | | | Both | x |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | |
| Mon | 1200 | 2300 | | | |
| | | | | | |
| Tue | 1200 | 2300 | | | |
| | | | | | |
| Wed | 1200 | 2300 | State any seasonal variations for the performance of live music (please read guidance note 4) The hours shall be varied such that on New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. | | |
| Thur | 1200 | 2300 | | | |
| Fri | 1200 | 2400 | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 0000 | 0100 | | | |
| | 1200 | 2400 | | | |
| Sun | 0000 | 0100 | | | |
| | 1200 | 2300 | | | |

F

| | | | | | |
|---|--------------|---------------|---|----------|---|
| Recorded music Standard days and timings (please read guidance note 6) | | | Will the playing of recorded music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | Indoors | x |
| | | | | Outdoors | |
| | | | | Both | |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | |
| Mon | 1000 | 2300 | | | |
| | | | | | |
| Tue | 1000 | 2300 | | | |
| | | | | | |
| Wed | 1000 | 2300 | State any seasonal variations for the playing of recorded music (please read guidance note 4) The hours shall be varied such that on New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. | | |
| Thur | 1000 | 2300 | | | |
| Fri | 1000 | 2400 | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 0000 | 0100 | | | |
| | 1000 | 2400 | | | |
| Sun | 0000 | 0100 | | | |
| | 1000 | 2300 | | | |

G

| | | | | | | |
|--|-------|--------|--|--|----------|---|
| Performances of dance Standard days and timings (please read guidance note 6) | | | Will the performance of dance take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | | Indoors | |
| | | | | | Outdoors | |
| | | | | | Both | x |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | | |
| Mon | 1200 | 2300 | | | | |
| | | | | | | |
| Tue | 1200 | 2300 | | | | |
| | | | | | | |
| Wed | 1200 | 2300 | State any seasonal variations for the performance of dance (please read guidance note 4) | | | |
| | | | The hours shall be varied such that on New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. | | | |
| Thur | 1200 | 2300 | | | | |
| | | | | | | |
| Fri | 1200 | 2400 | Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) | | | |
| | | | | | | |
| Sat | 0000 | 0100 | | | | |
| | 1200 | 2400 | | | | |
| Sun | 0000 | 0100 | | | | |
| | 1200 | 2300 | | | | |
| | | | | | | |

H

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|---|-------|--------|---|--|----------|---|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment you will be providing | | | |
| | | | Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | | Indoors | |
| | | | | | Outdoors | |
| | | | | | Both | x |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | | |
| Mon | 1200 | 2300 | | | | |
| | | | | | | |
| Tue | 1200 | 2300 | | | | |
| | | | | | | |
| Wed | 1200 | 2300 | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) | | | |
| | | | The hours shall be varied such that on New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. | | | |
| Thur | 1200 | 2300 | | | | |
| | | | | | | |
| Fri | 1200 | 2400 | Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5) | | | |
| | | | | | | |
| Sat | 0000 | 0100 | | | | |
| | 1200 | 2400 | | | | |
| Sun | 0000 | 0100 | | | | |
| | 1200 | 2300 | | | | |
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I

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|---|-------|--------|---|--|---------|--|----------|--|------|---|
| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | Please give a description of the facilities for making music you will be providing | | | | | | | |
| | | | <table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td>x</td> </tr> </table> | | Indoors | | Outdoors | | Both | x |
| Indoors | | | | | | | | | | |
| Outdoors | | | | | | | | | | |
| Both | x | | | | | | | | | |
| | | | Will the facilities for making music be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | | | | | | | |
| Day | Start | Finish | | | | | | | | |
| Mon | 1200 | 2300 | Please give further details here (please read guidance note 3) | | | | | | | |
| | | | | | | | | | | |
| Tue | 1200 | 2300 | | | | | | | | |
| | | | | | | | | | | |
| Wed | 1200 | 2300 | State any seasonal variations for the provision of facilities for making music (please read guidance note 4) On New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. | | | | | | | |
| | | | | | | | | | | |
| Thur | 1200 | 2300 | | | | | | | | |
| | | | | | | | | | | |
| Fri | 1200 | 0000 | Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5) | | | | | | | |
| | 0000 | 0100 | | | | | | | | |
| Sat | 1200 | 0000 | | | | | | | | |
| | 0000 | 0100 | | | | | | | | |
| Sun | 1200 | 2300 | | | | | | | | |
| | | | | | | | | | | |

J

| | | | | | | | | | | |
|--|-------------------------------------|--------|--|--|---------|--|----------|-------------------------------------|------|---|
| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | <table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Both</td> <td>x</td> </tr> </table> | | Indoors | | Outdoors | <input checked="" type="checkbox"/> | Both | x |
| Indoors | | | | | | | | | | |
| Outdoors | <input checked="" type="checkbox"/> | | | | | | | | | |
| Both | x | | | | | | | | | |
| | | | Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | | | | | | | |
| | | | Please give a description of the facilities for dancing you will be providing | | | | | | | |
| Day | Start | Finish | | | | | | | | |
| Mon | 1200 | 2300 | Please give further details here (please read guidance note 3) | | | | | | | |
| | | | | | | | | | | |
| Tue | 1200 | 2300 | | | | | | | | |
| | | | | | | | | | | |
| Wed | 1200 | 2300 | State any seasonal variations for providing dancing facilities (please read guidance note 4) On New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. | | | | | | | |
| | | | | | | | | | | |
| Thur | 1200 | 2300 | | | | | | | | |
| | | | | | | | | | | |
| Fri | 1200 | 2400 | Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5) | | | | | | | |
| | | | | | | | | | | |
| Sat | 0000 | 0100 | | | | | | | | |
| | 1200 | 2400 | | | | | | | | |
| Sun | 0000 | 0100 | | | | | | | | |
| | 1200 | 2400 | | | | | | | | |

K

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|---|-------|--------|---|--|-----------------------------------|
| Provision of facilities for entertainment of a similar description to that falling within I or J | | | Please give a description of the type of entertainment facility you will be providing | | |
| Standard days and timings (please read guidance note 6) | | | Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | | Indoors <input type="checkbox"/> |
| Day | Start | Finish | | | Outdoors <input type="checkbox"/> |
| | | | | | Both <input type="checkbox"/> |
| Mon | 1200 | 2300 | Please give further details here (please read guidance note 3) | | |
| | | | | | |
| Tue | 1200 | 2300 | | | |
| | | | | | |
| Wed | 1200 | 2300 | State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4) | | |
| Thur | 1200 | 2300 | The hours shall be varied such that on New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. | | |
| Fri | 1200 | 2400 | | | |
| | | | | | |
| Sat | 0000 | 0100 | Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list. (please read guidance note 5) | | |
| | 1200 | 2400 | | | |
| Sun | 0000 | 0100 | | | |
| | 1200 | 2300 | | | |

L

| | | | | | |
|---|-------|--------|---|--|-----------------------------------|
| Late night refreshment | | | Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | | Indoors <input type="checkbox"/> |
| Standard days and timings (please read guidance note 6) | | | | | Outdoors <input type="checkbox"/> |
| Day | Start | Finish | | | Both <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 3) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | | | |

M

| | | | | | |
|--|--------------|---------------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box <input checked="" type="checkbox"/>) (please read guidance note 7) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Mon | 1200 | 2300 | The hours shall be varied such that on New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. | | |
| | | | | | |
| Tue | 1200 | 2300 | | | |
| | | | | | |
| Wed | 1200 | 2300 | | | |
| | | | | | |
| Thur | 1200 | 2300 | | | |
| | | | | | |
| Fri | 1200 | 2400 | | | |
| | | | | | |
| Sat | 0000 | 0100 | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| | 1200 | 0000 | | | |
| Sun | 0000 | 0100 | | | |
| | 1200 | 2300 | | | |

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

O

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) The hours shall be varied such that on New Years Eve the licensable hours shall be from the end of the licensable hours on New Years Eve to the beginning of the licensable hours on New Years Day. |
|---|-------|--------|--|
| Day | Start | Finish | |
| Mon | 1200 | 2330 | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) |
| Tue | 1200 | 2330 | |
| Wed | 1200 | 2330 | |
| Thur | 1200 | 2330 | |
| Fri | 1200 | 0000 | |
| Sat | 0000 | 0130 | |
| | 1200 | 0000 | |
| Sun | 0000 | 0130 | |
| | 1200 | 0000 | |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
Please see continuation sheet

Please tick yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence
The Premises Licence has not yet been issued by the Licensing Authority following a minor variation, however a copy of the licence (provided by e-mail) is enclosed.

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

(a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

Please see continuation sheet

(b) The prevention of crime and disorder

Please see continuation sheet

(c) Public safety

Please see continuation sheet

(d) The prevention of public nuisance

Please see continuation sheet

(e) The protection of children from harm

Please see continuation sheet

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

| |
|---|
| X |
| X |
| X |
| X |
| X |

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

Part 5 - Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature

[Handwritten Signature]

Date

6/2/2012

Capacity SOLICITOR FOR AND ON BEHALF OF THE APPLICANT.

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Mullis & Peake LLP
8-10 Eastern Road
Romford
Essex

Post town Essex

Post code RM1 3PJ

Telephone number (if any) 01708 784000

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

- Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
- Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
- For example 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.
- For example (but not exclusively), where the activity will occur on additional days during the summer months.
- For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- Please give timings in 24 hour clock (eg 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
- If you wish people to be able to consume alcohol on the premises please tick on. If you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
- Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
- Please list here steps you will take to promote all four licensing objectives together.
- The application form must be signed.
- An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- Where there is more than one applicant, both applicants or their respective agents must sign the application form.
- This is the address which we shall use to correspond with you about this application.

Removal of conditions 2, 6, 7, 11, 13, 15, 20, 22, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 42, 43, 44, 48, 50, 62, 66, 69, 70, 77, 78, 80, 83, 88, 89, 92, 93, 99, 100, 101, 102, 103, 104, 105, 106, 107, 111, 115, 116, 137, 143

Remove condition 16 and replace with;

The last entry time for patrons will be thirty minutes prior to the end of the licensable activity.

Remove condition 52 and replace with:

Door staff shall use counters at appropriate and busy times and take necessary action to ensure the maximum capacity numbers are not exceeded.

Remove condition 71 and replace with:

The bi-fold doors and windows at the front of the premises shall be closed by 2100 on Friday and Saturdays.

Remove condition 98 and replace with:

The external lighting to the roof garden will be in accordance with Health and Safety.

Remove condition 113 and replace with;

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 and any amendments will be likewise approved.

Remove condition 117 and replace with;

The maximum number of persons including staff and entertainers allowed at the premises shall be 260.

To add the following to the end of condition 125:

Any amendments to the policy will be approved by Havering Police.

Remove condition 126 and replace with:

The Designated Premises Supervisor shall attend a relevant drugs awareness course from an accredited body or local authority.

Remove condition 138 and replace with:

Premises which have a policy that includes the searching of persons shall have door supervisors of both sexes on duty at all times.

A new condition in the following words:

Any drinks promotion will be at a minimum of £2.00

Thornbury Solutions Ltd.

17/19 Station Lane
Hornchurch
Essex
RM12 6JL
01708 474183
Email: office@vertfgolounge.co.uk

1st March 2012

For the attention David Fern and Paul Jones

Please accept this letter as confirmation of agreement to the terms discussed and detailed in the attached letter regarding amendments to our premises licence.

Licence No. 009762

Regards

Steven Stallion

For and on behalf of
Thornbury Solutions Ltd

VERTIGO LOUNGE

Further to our meeting at 1100 hours on 28/02/2012 at the premises I would like to propose the following additional conditions to the licence.

I am in agreement with all other conditions being removed if these conditions are accepted.

- The venue shall use toughened glass and or polycarbonate drinking vessels at all times in all areas, except after 2200 hours the roof terrace shall be reserved for smokers and only polycarbonate drinking vessels will be permitted on the terrace.
- No person is permitted to enter or exit the venue 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.
- Children under 18 will not be permitted on the premises after 1900 hours daily until the end of licensable activity, unless specified under the children's policy.

AMENDMENTS from the application, (slight rewording)

Remove condition 117 and replace with

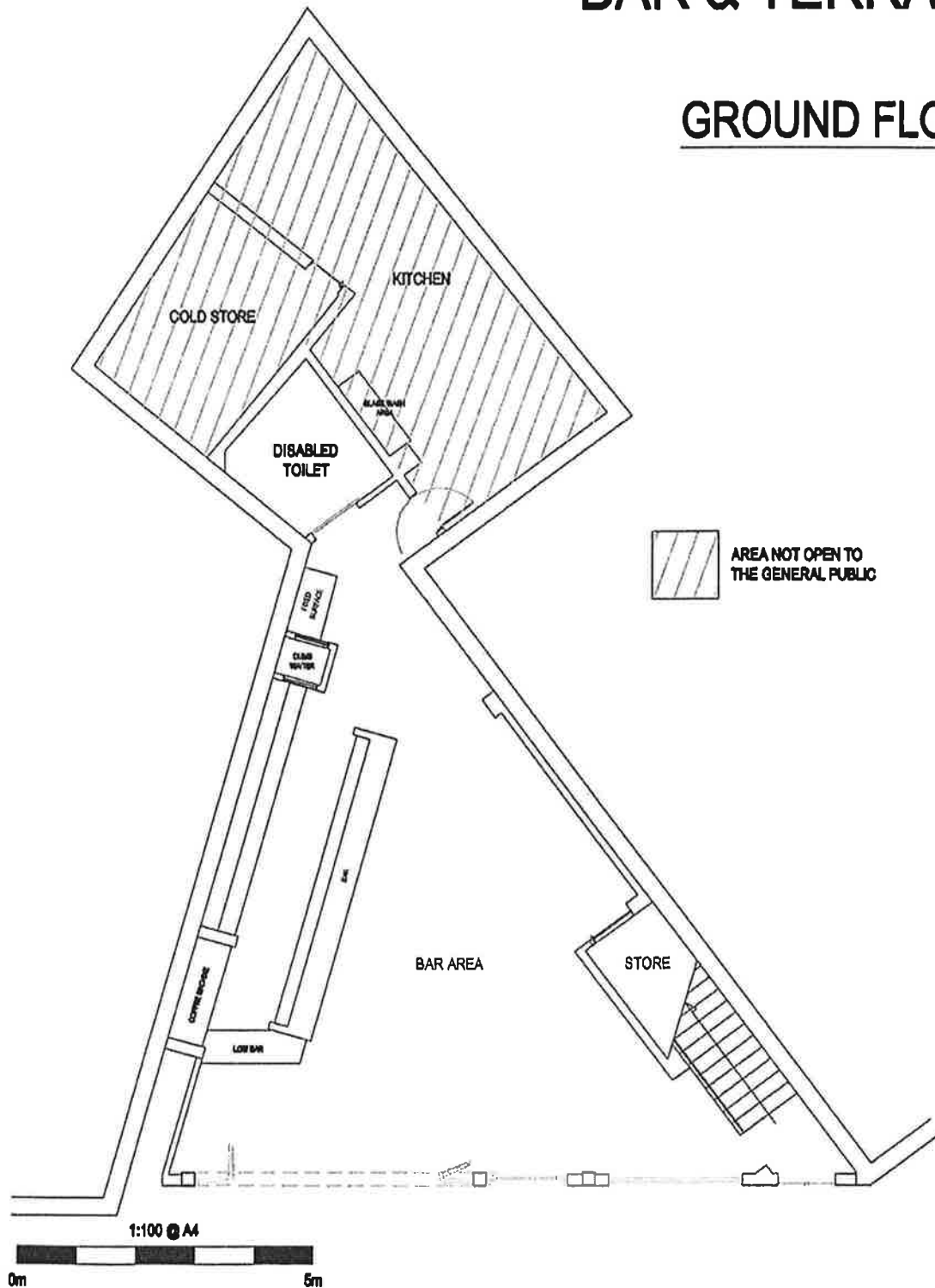
The maximum number of persons including staff and entertainers allowed at the premises shall be 260 this will be split over 3 floors in accordance with LFB advice.

Remove condition 138 and replace with

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.

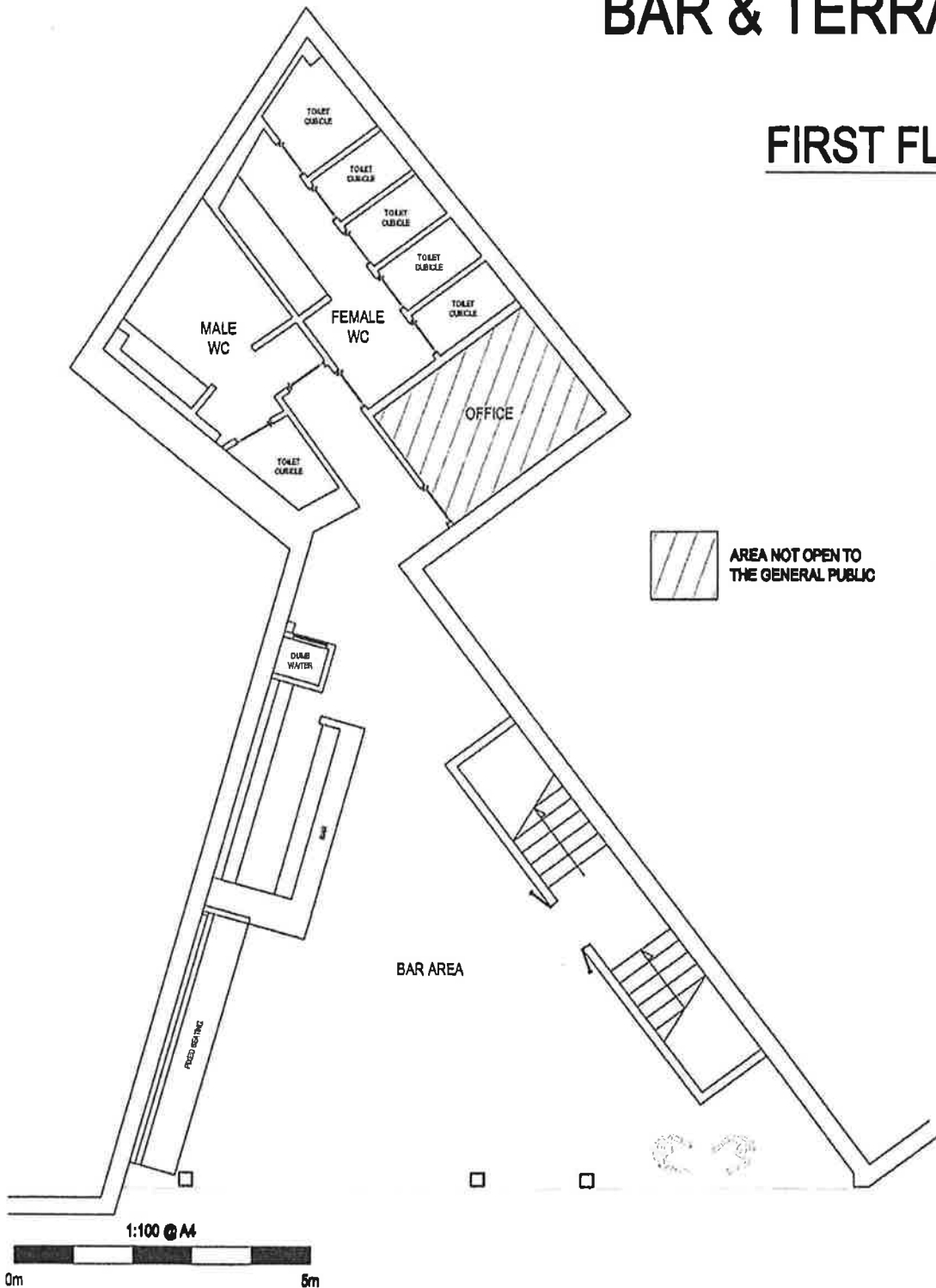
VERTIGO LOUNGE BAR & TERRACE

GROUND FLOOR



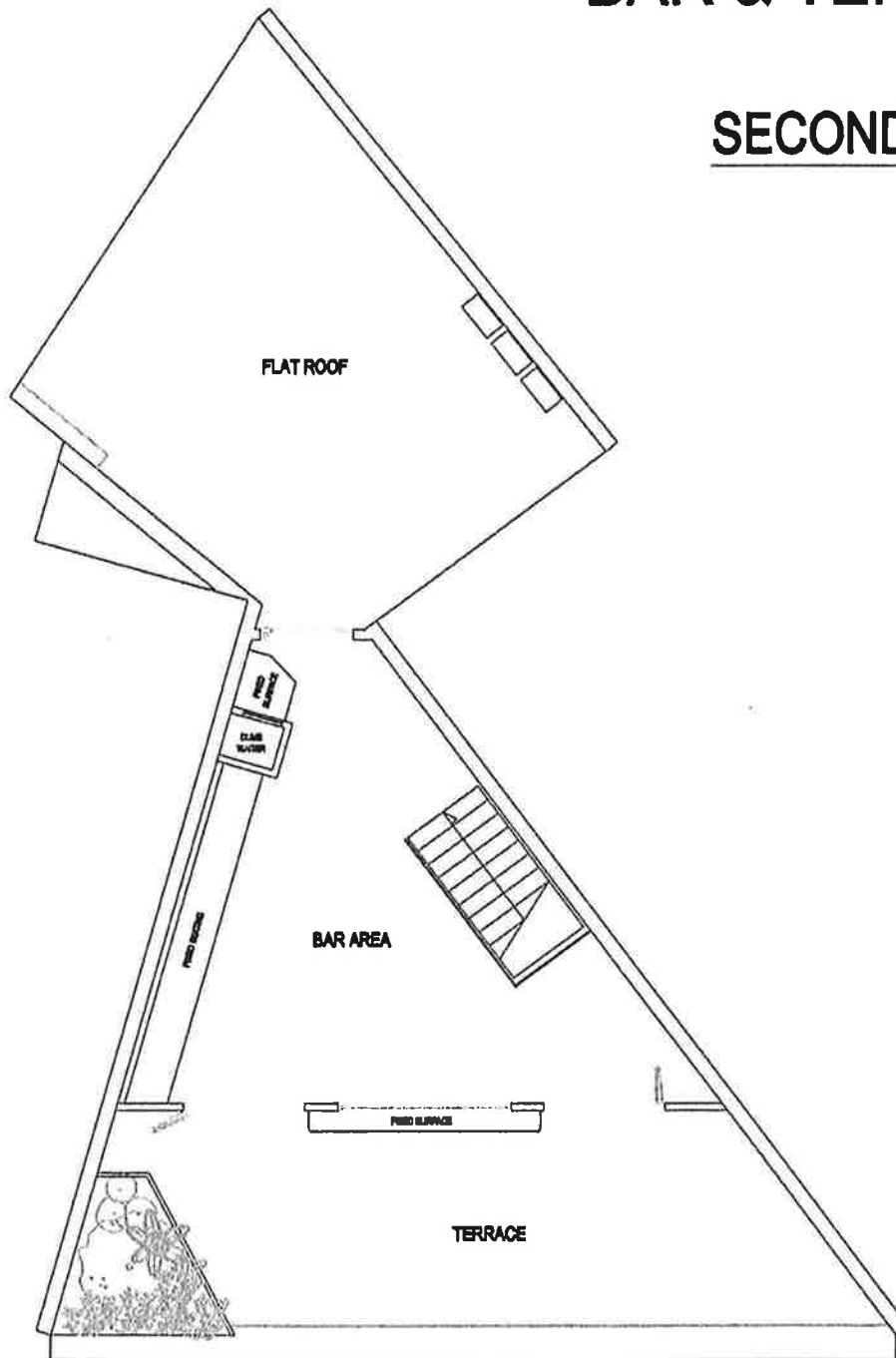
VERTIGO LOUNGE BAR & TERRACE

FIRST FLOOR



VERTIGO LOUNGE BAR & TERRACE

SECOND FLOOR



1:100 @ A4



Licensing Sub-Committee

Appendix 2 - Premises 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

Thornbury Solutions Ltd
14-18 Forest Road Loughton IG10 1DX
01708 746173 / vertigolounge@hotmail.co.uk

1 of 13

Signed *Copy*
Paul Jones, Licensing Officer

Registered number of holder

7898870

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

Mr Steven James Stallion
30 Mount Pleasant Road, Romford RM5 3YL
07947 820310

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

BREK000849 – Breckland Council

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;


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 20:00.
2. There shall be no discounting, 'happy hour' or drinks deals on offer.
3. On Friday and Saturday a strictly over 25's policy shall be in place from 19:00 onwards until the premises closes. An over 21's policy shall be in place from 19:00 for the rest of the week.
4. 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.


3 of 13

Signed 
Paul Jones, Licensing Officer

Annex 2 – Conditions consistent with the operating schedule – contd.

5. The premises licence holder shall adopt an absolute and irrevocable zero tolerance of drugs and substance abuse within the premises.
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. Alcoholic and soft drinks shall be served in plastic or toughened glasses to patrons using the roof garden.
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 22:45 Sunday to Thursday and 23:45 Friday and Saturday.
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. Customers shall be able to purchase alcoholic drinks in the legally prescribed minimum measures without the premises 'upselling'.
21. Crime prevention notices both specific and general shall be displayed warning customers of the prevalence of crime which may target them.
22. 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.
23. Any restrictions on the admission of children to the premises shall be displayed outside the premises.
24. 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.
25. 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.
26. Large single-sex groups shall be required to nominate a responsible person to liaise with staff.

27. A secure area for customers' personal belongings shall be made available.
28. An incident book shall be kept in which all instances of public disorder shall be recorded.
29. 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.
30. The fire safety measures with which the premises is provided shall be maintained in good working order and their adequacy shall be determined on a regular basis by the carrying out of a fire risk assessment as required by and in accordance with the Fire Precautions (Workplace) Regulations.
31. The electrical system including portable appliances shall be inspected and tested annually by a competent person to ensure safety.
32. Where temporary electrical equipment is to be used a suitable circuit breaker device shall be installed to cover this equipment. The circuit breaker should operate at a current not exceeding 30 MA and shall comply with BS4293. The device shall be tested six monthly and tests shall be recorded.
33. Temporary electrical wiring and distribution systems shall not be installed unless inspected by a suitably qualified electrician. Temporary electrical wiring and distribution systems shall comply with BS7871 or where applicable BS7909.
34. Temporary electrical wiring and distribution systems not installed by a suitably qualified electrician shall be inspected and certified by one before they are put to use.
35. Any gas supply system including gas appliances shall be inspected and tested by a 'GASAFE' registered gas engineer annually and a satisfactory Gas Safety Certificate shall be obtained.
36. All safety certificates and inspection reports shall be kept on site and made available for inspection by officers of relevant statutory bodies.
37. When disabled people are present adequate arrangements shall exist to enable their safe evacuation from the premises in the event of an emergency.
38. Persons restricted to wheel chairs shall be permitted to the lower floor of the premises only.
39. 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.
40. 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.
41. 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.
42. Where glazing forms part of windows, walls or partitions at or below waist height it shall be constructed of safety materials. Due consideration shall also be given to relevant safety standards and codes of practice including Building Control Approved Documents K & N, BS6399-1:1996 and BS6180:1995.

Signed 
Paul Jones, Licensing Officer

43. Where glazing forms part of a door or side panel at or below shoulder height it shall be constructed of safety materials. Due consideration shall also be given to relevant safety standards and codes of practice including Building Control Approved Documents K & N, BS6399-1:1996 and BS6180:1995.
44. All staff shall receive suitable training as to what to do in an emergency and in general safety precautions as well as the discharge of the duties of their job function. This shall form part of a formalised induction and operating procedures manual with appropriate written records and reviews. These records shall be made available for inspection to a relevant responsible authority when called upon.
45. 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.
46. 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.
47. 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.
48. Only plastic glasses or bottles shall be permitted in the roof garden after 19:00.
49. 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.
50. No person shall be allowed to leave the premises whilst in possession of any glass drinking vessel or open glass bottle whether empty or containing any beverage. Drinks for consumption outside the premises shall be served in non-glassware drinking vessels.
51. 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.
52. The premises licence holder shall when required and appropriate and at busy times employ an appropriate method for checking the number of people within the premises at peak times periodically and ensure steps are taken so that once the maximum occupancy is reached no further persons are admitted.
53. Smokers shall be invited to use the outside area on the terrace on the second floor.
54. 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.
55. 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.
56. 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.
57. Hangings, curtains and temporary decorations shall be maintained in a flame retardant condition.

58. Upholstered seating shall be fire retardant and compliant with current fire safety regulations.
59. Curtains, hangings and temporary decorations shall not obstruct exits, fire safety signs or fire-fighting equipment.
60. 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.
61. Fire drill and emergency lighting tests shall be conducted monthly. Records of these tests shall be made available to the Licensing Authority upon request.
62. All fire exits and means of escape shall be signed in accordance with BS5499.
63. An evacuation policy shall be in place that is to the satisfaction of the Fire Authority.
64. All staff members shall be trained in the premises' evacuation policy.
65. Wall and ceiling finishes shall be fire resistant.
66. Exit doors shall open outwards or shall be secured in the open position.
67. The Fire Authority shall be called to any outbreak of fire however slight.
68. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.
69. 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 or when a manager assesses the need to do so.
70. External doors and windows shall be closed by 23:30 at the latest in any event.
71. Doors and windows shall be closed by 20:00 on Friday and Saturday.
72. Sufficient ventilation shall be provided so that doors and windows can be kept closed indefinitely.
73. Suitable signage at all relevant exits requesting that patrons make as little noise as possible when leaving the premises shall be displayed.
74. Patrons shall be asked not to stand around talking in the street outside the premises and asked to leave the vicinity quickly and quietly.
75. An announcement shall be made prior to closing requesting patrons' co-operation in leaving the premises and vicinity as quietly and quickly as possible.
76. 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.
77. 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.
78. 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.
79. Staff shall be positioned around the exit particularly at closing time to ensure noise from patrons leaving the premises is minimised.
80. A specific taxi operator shall be recommended by the premises licence holder for staff and customers' use; the taxi company's base shall be approximately 100 metres from the premises.

Signed *COPY*
Paul Jones, Licensing Officer

81. 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.
82. Staff shall be instructed to leave the premises as quietly as possible, particularly at night.
83. A manager at the premises shall assess the impact of noise on neighbouring residential premises periodically throughout the evening.
84. The volume of sound used in connection with any music played shall at all times be under the control of the management.
85. The premises shall be fitted with electrically operated roller shutters to the front elevation.
86. The provision of mechanical ventilation and air conditioning systems shall not allow noise breakout from the premises or cause a nuisance by its operation.
87. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
88. Regard shall be given to BS4142 rating industrial noise affecting mixed residential and industrial areas and the Institute of Acoustics good practice guide on the control of noise from pubs and clubs.
89. The delivery of goods shall be carried out on any day apart from Sunday restricted between the hours of 09:00 to 11:00.
90. Storage areas for beer kegs, bottles and other similar items shall be contained within the building itself.
91. 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.
92. The movement of bins and rubbish outside the premises shall be kept to a minimum and shall be dealt with during normal office hours.
93. 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.
94. No music or speech shall be relayed by external speakers to outside areas during any evening after 19:00.
95. Low levels of music at ground level provided during the day shall not be audible in the street.
96. Ventilation equipment shall be regularly cleaned and maintained to minimise the levels of odour generated by the premises.
97. 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.
98. The use of external lighting shall cease at 23:00 to the roof gardens and 00:30 to the front elevation except for reasons of health and safety or security.
99. The premises shall be inclusive and child friendly until 18:00.
100. The premises licence holder shall not actively seek to draw children and young persons into the premises as customers.
101. The presence of children on the premises shall be incidental to the attendance of adults at all times.
102. A selection of 'healthy menu' options shall be made available for children to choose from.
103. Baby food or bottles shall be heated for patrons on request.

Annex 2 – Conditions consistent with the operating schedule – contd.

104. Children on the premises shall be accompanied by an adult at all times.
105. The entrance doors shall be double openers and shall be designed to afford double buggies and prams easy access and egress.
106. Baby changing facilities shall be available for baby and toddler needs.
107. Children and under 21's shall vacate the premises during Sunday to Wednesday inclusive by 18:30. Children and under 25's shall vacate the premises during Thursday to Saturday inclusive by 18:30.
108. Quiz machines, fruit machines or other types of gaming machines shall not be provided.
109. A crime prevention policy agreed by the Police and the Local Authority shall be in place.
110. No element of nudity or striptease shall be engaged at the premises in any form at any time.
111. Physical contact between staff and customers shall not be permitted.

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


112. 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.
113. The premises licence holder shall implement a written children's policy which must be approved in writing by the Police or Haverling'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.
114. 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.
115. All drinks in glass bottles shall be decanted into polycarbonate vessels at the bar servery area prior to supplying it to the customer.
116. No person shall be allowed to leave the premises whilst in the possession of any glass drinking vessel or open glass bottle whether empty or containing any beverage. Drinks for consumption outside the premises shall be served in non-glassware drinking vessels, e.g. plastic, polystyrene, waxed paper.
Note: weights and measures legislation requires the use of 'stamped glasses' where 'meter-measuring equipment' is not in use.
117. The maximum number of persons including staff and entertainers allowed at the premises shall not exceed 200, i.e. 60 on the second floor, 60 on the first floor, 80 on the ground floor.

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Signed 
Paul Jones, Licensing Officer

118. 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.
119. 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.
120. 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
121. 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.
122. 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.
123. 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.

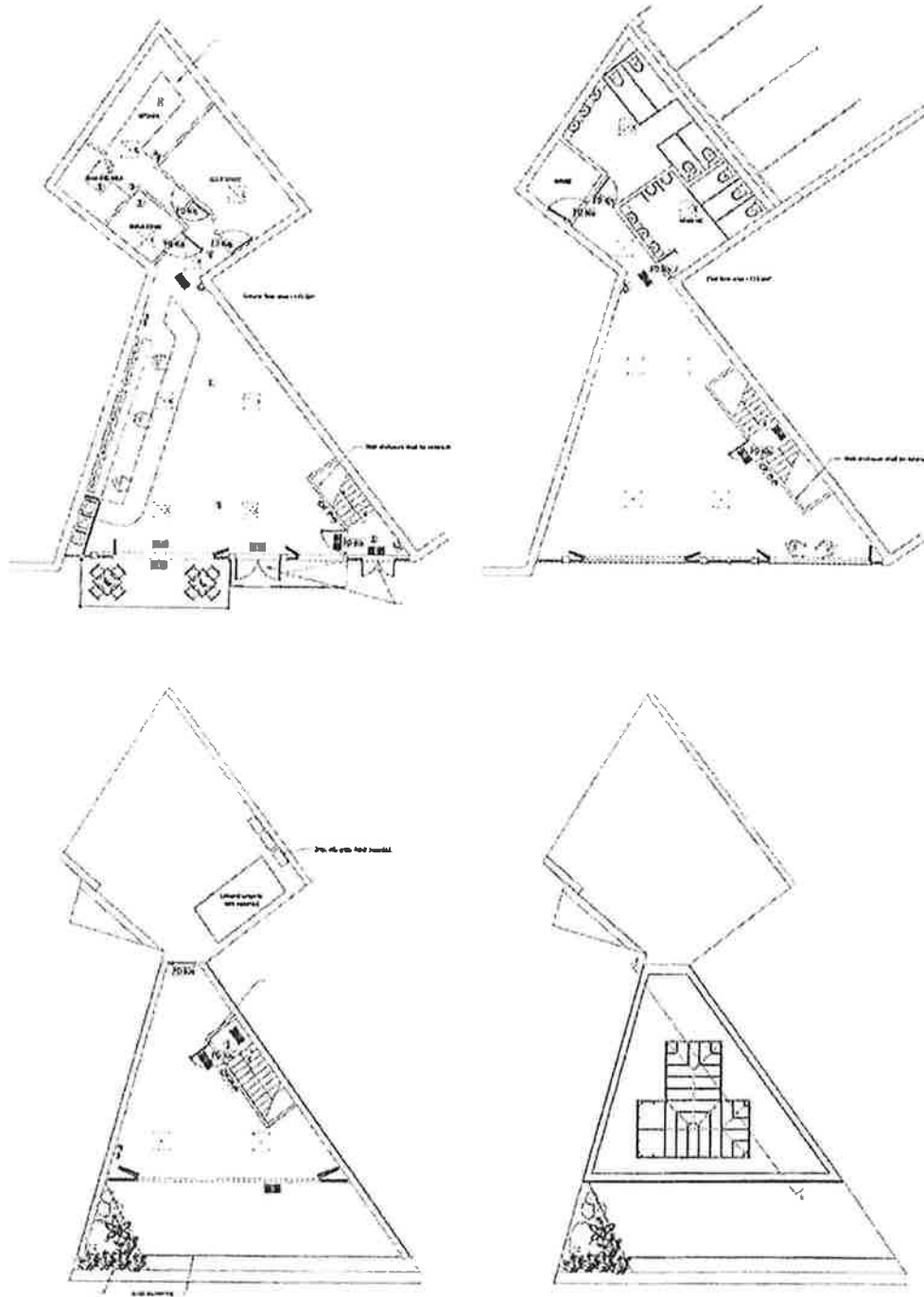
124. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
125. The premises licence holder 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.
126. The designated premises supervisor shall hold a National Certificate of Drugs Awareness qualification run by the BII or similar accredited body.
127. 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.
128. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
129. 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.
130. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
131. The premises shall be arranged to minimise the risk of noise nuisance to nearby properties.
132. Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises.
133. 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.
134. The specification and orientation of all speakers shall be agreed with the Licensing Authority / responsible authority.
135. 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.
136. 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.
137. 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.
138. Premises which have a policy that includes the searching of persons shall have door supervisors of both sexes on duty at all times.

Signed 
Paul Jones, Licensing Officer

- 139. 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'.**
- 140. The premises licence holder shall sign up to the 'Safe and Sound' approved charter.**
- 141. 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.**
- 142. 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.**
- 143. The licence will not come into force until the Fire Authority are 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:



Signed *copy*
Paul Jones, Licensing Officer



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

**Thornbury Solutions Ltd
14-18 Forest Road Loughton IG10 1DX**

Signed

Coby

Paul Jones, Licensing Officer

Registered number of holder

7898870

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

Mr Steven James Stallion

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

Restricted

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Licensing Sub-Committee

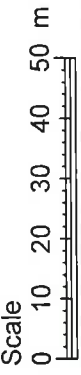
Appendix 3 - Map of Local Area



Vertigo Lounge

Map Reference: TQ5487SW
Date: 07/03/2012

Scale @ A4
1:1250



London Borough of Havering
Town Hall, Main Road
Romford, RM1 3BD
Tel: 01708 434343



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Licensing Sub-Committee

Appendix 4

Representations from
Responsible Authorities



LONDON FIRE
AND EMERGENCY
PLANNING AUTHORITY

Fire Safety Regulation: North East Area 2
169 Union Street London SE1 0LL
T 020 8555 1200 x52132
F 020 8536 5963
Minicom 020 7960 3629
www.london-fire.gov.uk

Mullis & Peake LLP
8-10 Eastern Road
Romford
Essex
RM1 3PJ

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 14 February 2012
Our Ref 15-010638

Dear Sir/Madam

LICENSING ACT 2003

Premises: Vertigo Lounge, 17-19 Station lane, Hornchurch, Essex, RM12 6JL.

With reference to the application dated 19.1.12 as shown on plan, the application has been examined and **the Fire Authority will make a representation** to the Licensing Authority.

The items that are of concern to this authority are detailed on the attached schedule.

The representation may be withdrawn if all of the matters detailed in the attached schedule are addressed to the satisfaction of the Authority. The Authority must be advised of the completion of the work at least 5 working days before the committee hearing date, so that an inspection can be arranged.

This letter is without prejudice to the powers of the Licensing Authority and to any requirements or recommendations that may be made by enforcing authorities under other legislation. It is also without prejudice to any requirements or recommendations that may be made by this Authority under the Regulatory Reform (Fire Safety) Order 2005 or the Petroleum (Consolidation) Act 1928.. All alterations should comply with the appropriate provisions of the current Building Regulations.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

for Assistant Commissioner (Fire Safety Regulation)
Fire and Community Safety Directorate
firesafetyregulationNE@london-fire.gov.uk

Encl: FS_GN_71

Reply to D Hallam



SCHEDULE

Schedule referred to in the letter reference 15-010638 under the Licensing Act 2003, issued by the London Fire and Emergency Planning Authority on 14.2.12.

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the fire authority, need to be taken in order to promote the public safety objective.

NOTE : Notwithstanding any consultation undertaken by the fire authority, **before** you make any alterations to the workplace, **you** must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.

| Licensing Objective not adequately addressed | Location and detail of matters which are considered to put people at risk in the event of a fire emergency | Steps considered necessary to promote the public safety licensing objective |
|--|---|---|
| Public Safety | The application involves an increase in the occupancy capacity to a total of 300 persons. This increase in numbers has not been justified in a risk assessment. | Provide a fire risk assessment which justifies why the increase in numbers is deemed acceptable. The assessment is to indicate the maximum capacity for each floor of the premises. |

Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of **fire and emergency planning and control**. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

For more information about how we use your personal information, see our notification entry (Z7122455) www.informationcommissioner.gov.uk or visit: www.london-fire.gov.uk



Havering
LONDON BOROUGH

Public Protection
Mercury House, Mercury Gardens
Romford RM1 3SL

memo

From: From: Marc Gasson-Noise Specialist

To: Paul Jones-Licensing Officer.

Please call: Marc Gasson
Telephone: 01708 432749
Fax: 01708 432554
email: marc.gasson@havering.gov.uk
Textphone ☎: 01708 433175

My Reference : MDG/076327

Your Reference :

Date: 5 March 2012

Licensing Act 2003-Application to Vary Premises Licence Vertigo Lounge, 17-19 Station Lane, Hornchurch, Essex.

I refer to the above application and would object to it being granted unless the following points were addressed:-

1. That all regulated entertainment detailed in the application be restricted to taking place indoors.
2. No regulated entertainment apart from Recorded music shall take place on the second floor of the premises.

I trust this clarifies my position

Marc Gasson
Noise Specialist.

Licensing Sub-Committee

Appendix 5

Representations

Miss Sarah Lazell and Mr Bradley Rust
Flat 6, 13-15 Station Lane
Hornchurch
RM12 6JL

Your ref: PJJ/011294

16 February 2012

For the attention of Paul Jones
London Borough of Havering
Mercury House
Mercury Gardens
Romford
RM1 3SL

Dear Sir

We are writing to object to the application to vary the premises licence number 009762 dated 6 February 2012 on the basis that we are an interested party to this application.

Interested party

We are an interested party because we currently reside at 13-15 Station Lane in the flats above the restaurant Due Fratelli. Our flat is number 6 and it is located on the third floor of the building. There is a window on our property which directly overlooks the glass roof of Vertigo Lounge (the **Premises**). Our balcony also faces Station Lane and is located adjacent to the terrace of the Premises. Our bedroom window, which is located at the rear of our property, directly overlooks the flat roof area at the rear of the Premises.

Also, in order to access our property we have to walk past the main entrance to the bar. This is the same access that all the residents of the other six flats use.

Current use

When the Premises were being designed, they were designed specifically for an older market. Darren Eva, one of the co-founders is quoted as saying, "The intention is to have a high quality, sophisticated venue for over 25s... Our intention is not to rack them and stack them but to provide a comfortable environment, with good, clear music where you can have a conversation". Currently, the bar operates as a lounge bar and restaurant where the only music they play is recorded background music.

Since moving into our flat in August 2011 we have noticed that its clientele have been calm and quiet and, as such, the nuisance levels from noise from the bar, nuisance from people coming and going to the bar have been kept to a minimum. This is presumably the basis on which they were granted the licence.

However, even at these levels, if we have our windows or balcony doors open, we can hear music and conversation which does interfere with our sleep. Also, if our bedroom window is open, we can hear the conversations of staff who congregate on the flat roof area during their breaks and after the bar is closed. Even now, the staff at the Premises use the flat roof for smoking and taking breaks and, in particular, at the end of the evening after the bar is closed. Even with the window closed, they are really loud. We have asked them to tone down the noise but it has had no effect. Also, if staff are smoking there it comes through our window should we leave it open.

On Wednesday, 1 February 2012, the bar had a live DJ between approximately 7pm and 11pm and you could hear everything, including when the DJ spoke and the music he played. It was necessary to close our windows and shut the door to our lounge in order to reduce the level of noise. However, it could still be heard from our bedroom. We are aware that other residents in the building were also disturbed by the noise on this particular evening.

Therefore, the current use of the Premises is already a nuisance.

We also understand that the Applicant was granted the licence on the condition that soundproofing insulation was installed between the adjoining walls of the Premises and the flats. We do not believe that this has been done.

General objections

We understand that this is an application to extend the licence such that on Fridays and Saturdays it is open until 1.30 am and that they be permitted to have some regulated entertainment such as films, live music, recorded music, dance and anything similar.

We have not seen any of the current conditions and cannot make any direct comment on those conditions that they wish to vary on the grounds that they are unworkable or conflict with other conditions.

Our objections are on the grounds of public nuisance against this licence being granted.

The proposed changes will fundamentally change the nature of the Premises from a lounge bar to a more themed bar with the introduction of live music and that will attract a different type of clientele and a greater number of clientele.

As explained above, this will increase the amount of visitors to the Premises, increase the noise output from the Premises and increase the risk of there being public disorder over a longer period as both the nature of the clientele change and the hours change. If it proposes to provide live music then there is an increased chance of people coming from other areas given the proximity of the train station and bus routes.

There is a Hogshead located very close to the Premises where the clientele are able to drink cheaply earlier in the evening and will then go to the bar afterwards, especially with the later licensing. This will mean that between certain hours there is the potential for there to be a high number of inebriated people attempting to enter the Premises. This would be the same area where we access our property.

Specific objections

Change to the layout - It is unclear from the licence application exactly how the Applicant plans to vary the layout. If the Applicant is applying to use the flat roof area at the back of the second floor of the Premises as another area for paying customers, we would strongly object. In total, seven windows from four different flats look directly onto that area. Three windows are bedroom windows and flat number 7 has four separate windows. These windows are opened on a regular basis and especially during the summer months. If the area is to be used, it would be possible to reach right in through any open window, in particular to flat number 7.

New Year's Eve variation - We object to the hours being varied so that the Premises can remain open all the way through New Year's Eve and until midday of New Year's Day. This simply will result in an enormous amount of people coming and going at all hours in different states of drunkenness until the following morning. We do not think there is any need for the Premises to remain open right the way through the night. Also we specifically object to alcohol being served through the night (see category M) as this will only increase the nuisance levels and the risk of public disorder at all times through the night.

Public nuisance - The Applicant seeks to increase the numbers to 260. An increase of people will undoubtedly increase the noise levels and potential disruption outside. The application makes no reference to the increased number of people and the consequences of:

- where the smoking facilities will be;
- how the waste from smokers will be dealt with;
- how the waste from these additional numbers will be dealt with;
- whether anything is planned to ensure that visitors to the bar do not block access; and
- what is being done to ensure that when they leave they do not congregate near the bar and thereby block access.

Films - We object to the playing of films outdoors. We assume that this licence means that it will be permitted to have TV screens outside and which will be permanently left on. As noted, our windows and balcony overlook the Premises and having external films will directly affect us and add to the noise levels and, depending on the location of the screens in relation to our windows, add to the light nuisance factor. We also object to them being able to play films at the enhanced hours as set out in the application.

Dance - Similarly we object to there being dancing outdoors. Dancing should be kept inside the bar and not permitted outside the Premises.

Categories H and K (Anything of a similar nature) - The Applicant has not provided any further details as to what they envisage and this is concerning, especially as they intend to provide it both indoors and outdoors. We specifically reserve the right to make any comment or objections once further information is provided.

Making music - Live music can be very loud in both general noise levels as well as with the use of bass and the resonance/vibrations. The Applicant wants there to be live music both indoors and outdoors. We object on the grounds that this is a significant noise nuisance. In addition, depending on the act itself, it has the potential to

attract greater numbers than either the current number of people or even the increased number that they have applied for. We also object to them being able to play music at the enhanced hours as set out in the application.

Other residents

As at the date of this letter, we have not been able to contact all of the other residents of 13-15 Station Lane but those who we have been able to contact are in agreement and have signed this letter below. As such, please consider this letter as from those residents.

Hearing

We would like to attend the actual hearing and look forward to receiving notification of that date.

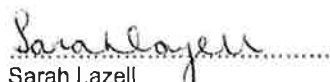
We understand that, as a business, there will sometimes need to be changes. As such, we do not want to be unreasonable. However, the combination of all of the proposed changes would lead to an increase in serious public nuisance. In order to assist you in dealing with the objections, we would like to make it clear that our main objections are:

- changes to the layout so as to use the flat roof area as a public area;
- playing of live music, especially when played on week day evenings;
- New Year's Eve variation.

We hope that you give special attention to these concerns. However, we urge you to consider all our objections set out in this letter in light of the close proximity of the flats to the bar and the potentially great impact that the combined changes could have on our day-to-day lives.


Should you have any queries regarding our concerns, please do not hesitate to contact us.

Yours sincerely



Sarah Lazell
Flat 6


Heather Shallow
Flat 7


Bradley Rust
Flat 6


Barney Barc
Flat 7


Valerie Lester
Flat 1


Hayley Fuller
Flat 4


Michael Charalambous
Flat 4

PETER JONES & ASSOC.

170-180 HIGH STREET
HORNCURCH
ESSEX. RM12 6JP

Property & Planning Consultants

Public Protection Manager,
Housing & Public Protection,
London Borough of Havering
Mercury House, Mercury Gardens
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P A Jones M.Sc. C. Eng
N P Jones MBA B.Sc. MRICS
M Garcia B.Sc. B.Arch. RIBA

e-mail: p.jones@misco.co.uk

Mobile: 0752 844 3541

Your Ref: PJJ/011294

Date: 15th February 2012

Dear Sir,

BT FAX 01708 432554

Licensing Act 2003-Premises Licence Variation Application
Vertigo Lounge, 17-19 Station Lane, Hornchurch. RM12 6JL

We act as managing agents for Impatien Properties Ltd., the owner of the building at 13-15 Station Lane which is adjacent to the above property and contains seven flats in the upper three storeys of the building. In this instance, we have also been asked by the tenants of flats No.d 1, 3 and 5 to act as their representative.

Since the above bar premises commenced trading we have received a number of complaints from the tenants occupying flats in the block. The complaints are detailed below and mainly relate to noise emanating from the premises and the air conditioning equipment located on the flat roof at the rear of the premises at second floor level as well the unauthorised use of the same flat roof as a staff amenity and storage area both during and after licensing hours.

Regrettably the effectiveness of the sound insulation and the other measures used to control the level of sound from music being played in the premises is not as good as the undertaking made when the original application was made. As a result the tenants in the four flats immediately adjacent to licensed premises are regularly disturbed by the sound of music emanating from the licensed premises. One couple who had happily occupied their flat for nearly two years surrendered occupancy of the flat two months before the end of their tenancy, at a personal cost of some £2000 because they had early start jobs and found that once the bar opened the level of noise and other disturbance mentioned later, prevented them from sleeping when they went to bed in the evening. The tenants have reported that in the run up to Christmas Time and sometimes at the weekend the music continues well after the specified closing time of 23.00 hrs. and is often played louder than normal at this time. On one particular night before Christmas, Mr Jones was compelled, following several complaints from tenants, to contact Mr Darren Eva by telephone shortly before midnight and bring to his attention the fact that music was still be played loudly in the bar. Despite the phone call the disturbance continued for some time after it was reported. According to statements from the tenants, the playing of loud music after closing hours is by no means an unusual occurrence. We also understand from recent reports from the tenants that the disturbance from noise has further increased since the practice of employing a DJ commenced at the premises.

It is now very evident after only a few months of the bar being open, that despite the prior assurance given by the proprietors and conditions imposed by the Local Authority at the time of granting the first licence, the operation at three levels of the licensed bar premises regularly causes substantial nuisance and disturbance resulting in loss of amenity to the occupiers of the adjacent residential premises by virtue of the noise emanating from the premises late in the evening when the adjacent occupiers are preparing or trying to go to sleep. It is now very apparent that the sound proofing, as installed is less effective than was anticipated when the Licence was granted and/or the music is being played at higher levels of volume than was specified!

It is also now obvious that the decision to allow and/or locate a high volume vertical drinking establishment operating at multi levels and immediately adjacent to the only of purpose built flats block of flats in the town centre was a serious error of judgement by all concerned. Fortunately, both the Licensing and Planning Authorities clearly recognised, the risk posed by the proposed bar, to the quality of amenity enjoyed by the adjacent residential occupiers and acted responsibly to protect the residents, as far as was possible, by imposing from the outset strict conditions to the Licence. The main reason that both authorities, when granting permission for the bar, attached severe restrictions to the the hours of opening of the licensed premises, such that the bar was required to close by 23.00 hrs. every day of the year without exception was to ensure that the adjacent occupiers did not suffer undue nuisance or disturbance from the bars activities. Numerous other restrictions were also specified which served for the same good reasons to limit both the range and timing of ancillary activities especially in the open terrace area at 2nd floor level.

The promoters of the bar were aware of the many and onerous restrictions imposed by both authorities before they made their investment and commenced work on fitting out the bar. It is therefore not acceptable for them to now attempt to vary those restrictions, particularly as the sound proofing and other intended controls which have been installed have proved less than adequate. It is to be hoped that the current application is not the beginning of a stream of applications to vary the original Licence, each one designed to erode away one or more of the restrictions which were all reasonably and properly imposed at the outset, in order to protect the privacy and amenities of the numerous adjacent and nearby residential occupiers. The importance of these protective measures remain as valid today as they did when the Licence was originally granted and there are no new factors which would justify relaxation of any of the condition attached to the original Licence.

We therefore ask the Licensing Authority not to permit any variation of the current licence which will further compromise either the privacy or amenity of the adjacent and nearby occupiers, this request applies especially to the current finishing time of 23.00hrs for all activities. Our clients are also particularly concerned to ensure that there be no variation in the restriction on the playing of music, films, TV or dancing outside on the roof terrace at any time of the day and that no additional activity inside the premises, not all ready covered by the original licence, be permitted. This request is made on the grounds that the adjacent occupiers have already suffered a substantial loss of amenity as a result of the current activities of the bar and any further increase in activity, particularly late at night, would only serve to aggravate the loss already experienced and would be contrary to the stated policies of both the Licensing and Planning Authorities.

Whilst writing we need to bring to the attention of the Licensing Authority, three other serious causes of nuisance, all of which relate to the unauthorised use of the low level roof at the rear of the premises. Access to this flat roof area is conveniently obtained through an emergency door at the rear of the second floor of the licensed premises.

The first cause of nuisance is constant and relates to the noise of the air conditioning plant which is located on the roof and is audible from flats No. 2, 4, 6 and 7, particular late at night when the tenants are trying to sleep. I understand from my enquiries that the equipment is in fact supposed to be switched off when the premises is closed, but often case it is not, and can be a source of disturbance and/or nuisance all night long, to those sleeping in the four bedrooms adjacent to the roof. This nuisance is damaging to the amenity of the neighbouring occupiers and the resulting disturbed sleep may in the long term cause health problems.

The second cause of nuisance to the occupants of the flats arises from the unauthorised use of the flat roof as a staff smoking and amenity area. In the warmer weather last year it was the habit of staff and others to spend their breaks either sitting at a conveniently placed table on the roof or standing around chatting and smoking. Whilst this was no doubt very pleasant for the staff it was not good for the tenants of the four flats which have bedroom and other windows facing on to the roof. Even now in the winter we understand it is not unusual, often late in the evening when the adjacent occupiers have retired to bed, for people from the bar to stand outside close to bedroom windows whilst they chat, smoke a cigarette and/or cool off! If this was not enough, an added cause of nuisance is that whilst people are on the roof and at other times, probably to increase ventilation, the emergency door giving access to the roof is left open, which makes the sound of the music emanating from the premises appear even louder. This nuisance is contrary to the privacy and damaging to the amenity of the adjacent occupiers.

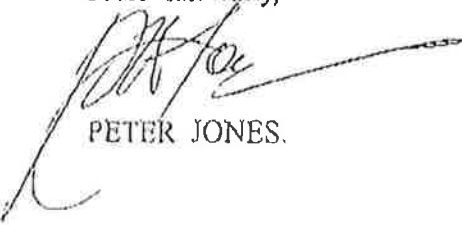
The third cause of nuisance is the practice of the using the flat roof to store surplus outdoor furniture, plant pots, ladders and the like. This practices mar the visual amenity of the occupiers of the neighbouring flats.

It is hoped that the by bringing these matters up at this time the Licensing Authority will be in a position to make it clear that the current Licence does not permit the use of the roof as an amenity and storage area and can take steps to ensure that the air conditioning is either silenced and/or the running times of the equipment is restricted at night.

This letter as previously stated is written on behalf of Impatien Properties Ltd., the freeholder of the block of flats, and also the tenants of Flats No.d 1, 3 and 5. It is our understanding that the tenants of flats No.d 4, 6 and 7 are submitting their own combined representation.

Flat No 2 is currently leased on a short hold basis to the proprietors of the bar and therefore the current occupier, who is employed by the bar, may not be expected to raise any objections to the application. However, this is not a long term arrangement, and it is reasonable to suppose that at some stage in the future the flat will be occupied by an independent tenant who will then doubtless have the same complaints and concerns as the occupiers of flats No.d 4, 6 and 7, as this flat, in common with those mentioned, is also located immediately adjacent to the subject building and has a bedroom facing on to the flat roof area referred to above.

Yours faithfully,



PETER JONES.

PETER JONES

**170-180 HIGH STREET
HORNCHURCH
ESSEX. RM12 6JL**

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e-mail: p.jones@moj.gov.uk
Our Ref: PJ/IMP
Your Ref: PJJ/011294
Date: 5th. March



Dear Sirs,

Licensing Act 2003 – Premises Variation Application

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

Further to the e-mail dated 20th. February 2012 we are pleased to enclose as requested, letters signed by the tenants of Flats No. 3 & 5. in support of our letter dated 15th. Feb. 2012.

As you are aware the tenant of Flat No.1 has already submitted a representation

Yours sincerely


PETER JONES

ENC.

Flat No 3 .
13-15 Station Lane
Hornchurch RM12 6JL

Public Protection Manager,
Housing & Public Protection,
London Borough of Havering
Mercury House, Mercury Gardens
Romford, Essex. RM1 3SL

Date: 5th. March 2012

Dear Sir,

Licensing Act 2003-Premises Licence Variation Application
Vertigo Lounge, 17-19 Station Lane, Hornchurch. RM12 6JL

I write to confirm my knowledge and support for the letter from Peter Jones & Assoc.
dated 15th. Feb.2012 objecting to proposed changes to the Licence at the above premises.

Yours faithfully,

Tenant Flat No.

3



Flat No 5.
13-15 Station Lane
Hornchurch RM12 6JL

Public Protection Manager,
Housing & Public Protection,
London Borough of Havering
Mercury House, Mercury Gardens
Romford. Essex. RM1 3SL

Date: 5th. March 2012

Dear Sir,

**Licensing Act 2003-Premises Licence Variation Application
Vertigo Lounge, 17-19 Station Lane, Hornchurch. RM12 6JL**

I write to confirm my knowledge and support for the letter from Peter Jones & Assoc.
dated 15th. Feb.2012 objecting to proposed changes to the Licence at the above premises.

Yours faithfully,



Tenant Flat No.

5.