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| Committee: Licensing Sub-Committee | Date: | Classification: UNRESTRICTED | Report No. | Agenda Item No. |
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| Report of: Colin Perrins Head of Trading Standards and Environmental Health (Commercial) Originating Officer: John Cruse Team Leader Licensing | Title: Licensing Act 2003 Application to Review the Premises Licence for The Verge, 114-118 Bethnal Green Road, London E2 6DG Ward affected: Weavers |
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1.0 Summary

Name and Address of premises: **The Verge**
114-118 Bethnal Green Road
London E2 6DG

Licence under review: **Licensing Act 2003**

- **Sale by retail of alcohol**
- **Regulated entertainment**
- **Late night refreshment**

Representations: **Local resident**
- Environmental Protection

2.0 Recommendations

2.1 That the Licensing Committee considers the application for review and then adjudicates accordingly.

LOCAL GOVERNMENT 2000 (Section 97)
LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

- Guidance Issued under Section 182 of the Licensing Act 2003
- Tower Hamlets Licensing Policy
- File

John Cruse
020 7364 5024

3.0 Review Explained

- 3.1 This is an application for a review of the premises licence for The Verge, 114-118 Bethnal Green Road, London E2 6DG. The review was triggered by a local resident.
- 3.2 The Licensing Act 2003 was described by the Government at the time as “light touch” but as Baroness Blackstone stated in the Lords at the time of the second reading (26 Nov 2002) “Local residents and businesses as well as expert bodies, will have the power to request that the licensing authority review existing licences where problems arise. Such a review could result in the modification of the licence, its suspension, or ultimately, revocation.”
- 3.3 The Department for Sport, Culture and Media Affairs has issued guidance under Section 182 of the Licensing Act 2003 in relation to reviews and that is contained in **Appendix 1**. It is available on the Government’s website, www.culture.gov.uk. It was substantially revised on the 28 June 2007.
- 3.4 Members are particularly asked to note the comments in relation Crime and Disorder. In particular the DCMS advice is that “The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted.”
- 3.5 In relation to its advice on representations in its revision of the 28 June 2007 the DCMS has also advised that “there is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations.” It has also issued revised guidance about Crime and Disorder, and the pool of conditions which might be considered in relation to any identified problems. **See Appendix 2.**
- 3.6 Members should also note the Council’s Licensing Policy in relation to Crime and Disorder, the relevant parts of which are contained in **Appendix 3**. The Pool Conditions in the Policy are the same as the Government’s.
- 3.7 The Council’s Licensing Policy in relation to Public Nuisance is contained in **Appendix 4**.
- 3.8 The DCMS has advised that in relation to reviews “It is important to recognise that the promotion of licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between those groups in a way that would undermine the benefits of co-operation. It would be good practice for authorised persons and

responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. It is expected that a failure to respond to such warnings would lead to a decision to request a review.”

- 3.9 The licensing authority itself cannot trigger a review; that can only be done by a responsible authority or an interested party (local resident or business).
- 3.10 This review was triggered by a local resident. The application for the review is contained in **Appendix 5**.
- 3.11 The review is supported by Environmental Protection. Please see **Appendix 6**.
- 3.12 An interested party or a responsible authority can trigger a review at any time, but the grounds must be relevant to the licensing objectives. The form of the application, and the advertisement of the review are the subject of regulations (The Licensing Act 2003 (Premises Licences and Club Premises Certificate) Regulations 2005). In addition, the licensing authority has to satisfy itself of certain matters in relation to the Licensing Act 2003. The team leader of licensing Mr. John Edward Cruse is the delegated officer who deals with this on behalf of the licensing authority. All the matters stated in 3.13 were considered before any representations were accepted for inclusion in this report.
- 3.13 The Licensing Act 2003 requires that the Licensing Authority satisfies itself that it should not reject the grounds for a review because:
 - The ground is not relevant to one or more of the licensing objectives
 - In the case of an application by a local resident that the application is frivolous, vexatious or repetitious.
- 3.14 The review was advertised by a blue poster, next to the premises, by the Licensing Section. This was periodically monitored by the Section to ensure it was on continuous display, and replaced as necessary. It was also advertised at Mulberry Place, 5 Clove Crescent, London E14 2BG.
- 3.15 The party that triggers the review must notify the licence holder and responsible authorities.
- 3.16 The procedure for a review can be summarised as follows:
 - A review is triggered by a responsible authority or interested party
 - Consultation is conducted for 28 full days
 - Other responsible authorities or interested parties may join in the review
 - Members conduct a hearing
 - Members make a determination

- All the parties to the review have the right of appeal to the magistrates court (i.e. the licence holder, the person who triggered the review and those who have made a representation).

4.0 The Premises

4.1 The premises licence was issued on 21st May 2007. A copy of the current licence is contained in **Appendix 7**.

4.2 The premises are shown in maps contained in **Appendix 8**.

5.0 Representations

5.1 This hearing is required by the Licensing Act 2003, because relevant representations have been made by:

- Local resident
- Environmental Protection

5.2 Only representations that relate to the following licensing objectives are relevant:

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

5.3 In the view of the interested party and the responsible authorities it is necessary to achieve the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.

6.0 Licensing Officer Comments

6.1 The Government's advice in relation to reviews is contained in **Appendix 1**. Members must consider all the evidence and then decide from the following alternatives:

- Take no further action as they do not consider it proportionate to do so
- Impose conditions (including altering existing permissions) that relate to problems which they consider have been identified and which are necessary and proportionate to ensure that the licensing objectives are met
- Suspend the licence for a period
- Revoke the licence completely

- 6.2 The licence should only be suspended or revoked if Members believe that alterations to the existing licence, including imposing new conditions does not have a reasonable prospect of ensuring that the licensing objectives are met.
- 6.3 Members should bear in mind that conditions may not be imposed for any purpose other than to meet the licensing objectives.
- 6.4 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”
- 6.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.

7.0 Legal Comments

- 7.1 The Council’s legal officer will give advice at the hearing.

8.0 Finance Comments

- 8.1 There are no financial implications in this report.

9.0 Appendices

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| Appendix 1 | Guidance issued under Section 182 by the Department for Sport, Culture and Media Affairs for reviews |
| Appendix 2 | Guidance Issued by the Department for Culture Media and Sport under Section 182 of the Licensing Act 2003 concerning Crime and Disorder |
| Appendix 3 | London Borough of Tower Hamlets Licensing Policy in relation to the prevention of Crime and Disorder |
| Appendix 4 | London Borough of Tower Hamlets Policy in relation to the prevention of Public Nuisance |
| Appendix 5 | Review Application from local resident. |
| Appendix 6 | Representation of Environmental Protection |
| Appendix 7 | Copy of the current Premises Licence |
| Appendix 8 | Maps and photos showing the premises and surrounding area |

Appendix 1

Guidance Issued by the Department for Culture Media and Sport under Section 182 of the Licensing Act 2003

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

- 11.15 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.
- 11.16 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.
- 11.17 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps: to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - to suspend the licence for a period not exceeding three months;
 - to revoke the licence.
- 11.18 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

- 11.19 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.20 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.
- 11.21 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.22 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted. Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them.

- 11.23 Where the licensing authority is conducting a review on the ground that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licensee and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any necessary steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.
- 11.24 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.
- 11.25 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected; for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for unlawful gaming and gambling; and
 - for the sale of smuggled tobacco and alcohol.
- 11.26 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the

review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered. We would also encourage liaison with the local Crime and Disorder Reduction Partnership.

- 11.27 It should be noted that it is unlawful to discriminate or to refuse service on grounds of race or by displaying racially discriminatory signs on the premises. Representations made about such activity from responsible authorities or interested parties would be relevant to the promotion of the crime prevention objective and justifiably give rise to a review.

Appendix 2

Guidance Issued by the Department for Culture Media and Sport under Section 182 of the Licensing Act 2003

Crime and Disorder Act 1998

- 1.28 All local authorities must fulfil their obligations under section 17 of the Crime and Disorder Act 1998 when carrying out their functions as licensing authorities under the 2003 Act.
- 1.29 Section 17 is aimed at giving the vital work of crime and disorder reduction a focus across the wide range of local services and putting it at the heart of local decision-making. It places a duty on certain key authorities, including local authorities and police and fire and rescue authorities to do all they reasonably can to prevent crime and disorder in their area.
- 1.30 The Government believes that licensing authorities should, as a matter of good practice, involve Crime and Disorder Reduction Partnerships (CDRPs) in decision-making in order to ensure that statements of licensing policy include effective strategies that take full account of crime and disorder implications.

Pool Conditions

Guidance Issued by the Department for Culture Media and Sport under Section 182 of the Licensing Act 2003

Annex D

Conditions relating to the prevention of crime and disorder

It should be noted in particular that it is unlawful under the 2003 Act:

- knowingly to sell or supply or attempt to sell or supply alcohol to a person who is drunk
- knowingly to allow disorderly conduct on licensed premises
- for the holder of a premises licence or a designated premises supervisor knowingly to keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported
- to allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

Conditions enforcing these arrangements are therefore unnecessary.

CORE PRINCIPLES

1. When applicants are preparing their operating schedules or club operating schedules, responsible authorities are considering applications and licensing authorities are considering applications following the receipt of relevant representations, they should consider whether the measures set out below are necessary to promote the licensing objectives.
2. Any risk assessment to identify necessary measures should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including:
 - the nature and style of the venue;
 - the activities being conducted there;
 - the location; and
 - the anticipated clientele.

Under no circumstances should licensing authorities regard these conditions as standard conditions to be automatically imposed in all cases.

- 1 Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate as conditions, they become enforceable under the law and any breach could give rise to prosecution.
- 2 Licensing authorities should carefully consider conditions to ensure that they are not only necessary but realistic, practical and achievable, so that they are capable of being met. Failure to comply with any conditions attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. It is also important that conditions which are imprecise or difficult to enforce should be avoided.
5. It should be borne in mind that club premises operate under codes of discipline to ensure the good order and behaviour of members and that conditions enforcing offences under the Act are unnecessary.

CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

Text/Radio pagers

Text and radio pagers connecting premises licence holders, designated premises supervisors, managers of premises and clubs to the local police can provide for rapid response by the police to situations of disorder which may be endangering the customers and staff on the premises.

Pagers provide two-way communication, allowing licence holders, managers, designated premises supervisors and clubs to report incidents to the police, and the police to warn those operating a large number of other premises of potential trouble-makers or individuals suspected of criminal behaviour who are about in a particular area. Pager systems can also be used by licence holders, door supervisors, managers, designated premises supervisors and clubs to warn each other of the presence in an area of such people.

The Secretary of State recommends that text or radio pagers should be considered for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These conditions may also be appropriate and necessary in other areas.

It is recommended that a condition requiring the text/radio pager links to the police should include the following requirements:

- the text/pager equipment is kept in working order at all times;
- the pager link is activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public;
- any police instructions/directions are complied with whenever given; and
- all instances of crime or disorder are reported via the text/radio pager link by the designated premises supervisor or a responsible member of staff to an agreed police contact point.

Door supervisors

Conditions relating to the provision of door supervisors and security teams may be valuable in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out individuals excluded by court bans or by the licence holder;
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside venues. Where the presence of door supervisors conducting security activities is to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, conditions may also need to deal with:
 - the number of supervisors;
 - the displaying of name badges;

- the carrying of proof of registration;
- where, and at what times, they should be stationed on the premises; and
- whether at least one female supervisor should be available (for example, if female customers are to be given body searches).

Door supervisors also have a role to play in ensuring public safety (see Part 2) and the prevention of public nuisance (see Part 4).

Bottle bans

Glass bottles may be used as weapons to inflict serious harm during incidents of disorder. A condition can prevent sales of drinks in glass bottles for consumption on the premises. This should be expressed in clear terms and include the following elements:

- no bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar;
- no customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public (note: this needs to be carefully worded where off-sales also take place); In appropriate circumstances, the condition could include exceptions, for example, as follows:
 - but bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

Bottle bans may also be a relevant necessary measure to promote public safety (see Part 2).

Plastic containers and toughened glass

Glasses containing drinks may be used as weapons and in untoughened form, can cause very serious injuries. Where necessary, consideration should therefore be given to conditions requiring the use of safer alternatives which inflict less severe injuries. Location and style of the venue and the activities carried on there are particularly important in assessing whether a condition is necessary. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of plastic containers or toughened glass may be a necessary condition during the televising of live sporting events, such as international football matches, when there may be high states of excitement and emotion fuelled by alcohol.

The use of plastic or paper drinks containers and toughened glass may also be relevant as measures necessary to promote public safety (see Part 2).

Open containers not to be taken from the premises

Drinks purchased in licensed premises or clubs may be taken from those premises for consumption elsewhere. This is lawful where premises are licensed for the sale of alcohol for consumption off the premises. However, consideration should be given to a condition preventing customers from taking alcoholic and other drinks from the premises in open containers (eg glasses and opened bottles) for example, by requiring the use of bottle bins on the premises. This may again be necessary to prevent the use of these containers as offensive weapons in surrounding streets after individuals have left the premises.

Restrictions on taking open containers from the premises may also be relevant necessary measures to prevent public nuisance (see Part 4).

CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise sitting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time.

The police should provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.

Restrictions on drinking areas

It may be necessary to restrict the areas where alcoholic drinks may be consumed in premises after they have been purchased from the bar. An example would be at a sports ground where the police consider it necessary to prevent the consumption of alcohol on the terracing during particular sports events. Conditions should not only specify these areas, but indicate the circumstances in which the ban would apply and times at which it should be enforced.

Restrictions on drinking areas may also be relevant necessary measures to prevent public nuisance (see Part 4).

Capacity limits

Capacity limits are most commonly made a condition of a licence on public safety grounds (see Part 2), but should also be considered for licensed premises or clubs where overcrowding may lead to disorder and violence. If such a condition is considered necessary, door supervisors may be needed to ensure that the numbers are appropriately controlled (see above).

Proof of age cards

It is unlawful for children under 18 to attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent these crimes, it may be necessary for certain licensed premises to require the production of "proof of age" before sales are made. The Secretary of State strongly supports the PASS accreditation system which aims to approve and accredit various proof of age schemes that are in existence. This ensures that such schemes maintain high standards, particularly in the area of integrity and security. While conditions may refer directly to PASS accredited proof of age cards, they should also allow for the production of other proof, such as photo-driving licences, student cards and passports.

Since many adults in England and Wales do not currently carry any proof of age, the wording of any condition will require careful thought. For example, many premises have adopted the "Challenge 21" or other similar initiatives. Under the "Challenge 21" initiative those premises selling or supplying alcohol require sight of evidence of age from any person appearing to be under the age of 21 and who is attempting to buy alcohol. Making this a licensing condition would ensure that most minors – even those looking older – would need to produce appropriate proof of age before making a purchase.

Proof of age may also be relevant and necessary to protect children from harm (see Part 5).

Crime prevention notices

It may be necessary at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them. Some premises may be reluctant to volunteer the display of such notices for commercial reasons. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the display of notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be necessary for notices to be displayed which advise customers not to leave bags unattended because of concerns about terrorism. Consideration could be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

Drinks promotions

Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club premises certificates in an area as this is likely to breach competition law. It is also likely to be unlawful for licensing authorities or police officers to promote voluntary arrangements of this kind as this can risk creating cartels.

However, conditions specifically designed to address irresponsible drinks promotions or discounting at individual premises may be permissible provided they are necessary for the promotion of the licensing objectives. Licensing authorities should be aware that there may often be a very fine line between responsible and irresponsible promotions. It is therefore vital that they consider these matters

objectively in the context of the licensing objectives and before pursuing any form of restrictions at all, take their own legal advice.

Signage

It may be necessary for the normal hours at which licensable activities are permitted to take place under the terms of the premises licence or club premises certificate to be displayed on or immediately outside the premises so that it is clear if breaches of these terms are taking place.

Similarly, it may be necessary for any restrictions on the admission of children to be displayed on or immediately outside the premises to deter those who might seek admission in breach of those conditions.

Large capacity venues used exclusively or primarily for the “vertical” consumption of alcohol (HVVDs)

Large capacity “vertical drinking” premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises which have exceptionally high capacities, used primarily or exclusively for the sale and consumption of alcohol, and little or no seating for patrons.

Where necessary and appropriate, conditions can be attached to licences for these premises which require adherence to:

- a prescribed capacity;
- an appropriate ratio of tables and chairs to customers based on the capacity; and
- the presence of security staff holding the appropriate SIA licence or exemption (see paragraphs 10.58-10.64) to control entry for the purpose of compliance with the capacity limit.

Appendix 3

Licensing Policy Adopted by the London Borough of Tower Hamlets

- 5.1 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.

- 5.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonable can to prevent crime and disorder in the Borough.

Appendix 4

London Borough of Tower Hamlets Policy in relation to the prevention of Public Nuisance

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy).**

While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.11).**

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy).**

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy).** In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. A premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (13.20 and Annex D).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.38).

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

Appendix 5



This form should be completed and forwarded to:

London Borough of Tower Hamlets,
Licensing Section, Mulberry Place (AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY

**Application for the review of a premises licence or club premises certificate
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.

I VINCENT FRAYSSINET (Insert name of applicant) apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

| | |
|---|----------------------|
| Postal address of premises or club premises, or if none, ordnance survey map reference or description | |
| The VERGE BETHNAL GREEN ROAD 114-118 | |
| Post town | Post code (if known) |
| LONDON | E2 6DG |

Name of premises licence holder or club holding club premises certificate (if known)

[Redacted]

Number of premises licence or club premises certificate (if known)

[Redacted]

TOWER HAMLETS
- 2 JUN 2003
LICENSING

Part 2 - Applicant details

- I am Please tick yes
- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
 - 2) a responsible authority (please complete (C) below)
 - 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname **First names**

I am 18 years old or over Please tick yes

Current postal address if different from premises address

Post Town **Postcode**

Daytime contact telephone number

E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

- I MOVED INTO FLAT 2, THE VERGE IN December 2006. Below the ENTIRE FLAT WAS AN empty unit. the Agency confirmed at the time that NOTHING WAS opening there.
- JUNE 07 - the VERGE BAR opens.
- August / September 07 - I contacted MARK, co-owner of the Bar, to let them know that the volume of music was very high and that noise from the Bar was coming through.
- Between September and december 07, on many occasions I complained, Mark came to the flat to notice the problem. In December 07, I called the noise pollution team from council. they noticed that the level of insulation was not adequate

Please provide as much information as possible to support the application (please read guidance note 2)

Nothing was improved. They fitted anti-vibration to the speakers. However with the walls AND CEILING NOT BEING INSULATED AT ALL, the problem remained.

- MARCH 08, The noise pollution team came again and Paul Smith wrote a report and advised me to Apply for licence review.

- The problem is that voices / music are coming through the whole surface of the apartment (I can hear conversations)
 - The BAR closes every night at 1 AM
 - No insulation survey or checks were conducted in the apartment I am renting.
 - The noise levels ARE UNACCEPTABLE AND Affecting.
-

What ARE the solutions:

- 1 - the BAR is obliged to INSULATE AND put in place sound proof system.
- 2 - the BAR closes much EARLIER (11 PM LATEST)

PS: E-mails AND text-messages exchanged are admissible on Request

I would also like to emphasize on the fact that the VERGE BUILDING is a Residential building. It is therefore of the most surprising that a bar with a late licence and live entertainment can open without any solid research and professional survey done in regards to noise insulation, especially with the premises situated right above.

Have you made an application for review relating to this premises before

Please tick 'yes'

If yes please state the date of that application

| Day | Month | Year |
|-----|-------|------|
| | | |

If you have made representations before relating to this premises please state what they were and when you made them

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate Please tick yes

I understand that if I do not comply with the above requirements my application will be rejected

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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

[Handwritten signature]

Date

29/05/08

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)

SAME as applicant address.

Post town

Post code

Telephone number (if any)

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

Notes for Guidance

- 1 1. The ground(s) for review must be based on one of the licensing objectives.
- 2 Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 3 The application form must be signed.
- 4 An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 5 This is the address which we shall use to correspond with you about this application.

Appendix 6

Kathy Butler

From: Paul Johnson
Sent: 23 June 2008 09:53
To: Jacqueline Randall
Cc: Kathy Butler
Subject: Verge Review - amended

Hi Jackie,

Please find amended comments and attached email correspondence regarding the Verge to which EH would like to be part of our Departments comments for the Review.

As per emails, EH will be requesting the following conditions.

No regulated entertainment
Opening hours restricted to 11pm 7 days per week till necessary works carried out re acoustic separation between commercial and residential. Only when works carried out to the satisfaction of EH and acoustic tests and report carried out by qualified person to prove that works have been carried out satisfactorily, can the premises open beyond 11pm.
Noise Limiter installed and set for inaudibility within nearest residential after necessary acoustic insulation installed

EH received complaints on 23/2/08 and 30/3/08 where on 30/3/08 EH witnessed noise disturbance within Flat above. It was determined that poor sound insulation was allowing voices and music to penetrate into above residential property and cause nuisance. No complaints since however the Officers notes stated that if this is regular occurrence, that it would constitute a statutory noise nuisance.

Email correspondence below shows that EH has attempted to deal with this matter informally and allow the Licensee to address the sound insulation issues prior to taking formal action.

Paul Johnson
Environmental Health Enforcement Officer Environmental Protection

Postal Address
Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY

Location Address
Anchorage House, 2 Clove Crescent, London, E14 2BE

Telephone : 020 7364 6617

Website : <http://www.towerhamlets.gov.uk>

-----Original Message-----

From: Paul Johnson
Sent: 02 April 2008 13:38
To: Mark Stewart
Cc: Iain Pendrigh
Subject: RE: The Verge

Dear Mark,

As I suggested within our conversation earlier in the week, my colleague and I are not going to be able to assist in identifying weak points within structure that are factors in causing noise and public nuisance to flats above. The onus lies solely with yourself and Verge owners to identify and remedy the acoustic issues by employing competent acousticians and contractors with the ability to carry out necessary works.

Our department may be able to assist in arranging access but hopefully your relationship with the affected tenant will allow you to investigate and remedy noise issue.

Please confirm further actions you will be taking to address noise issues, ie Contractor details, works planned and estimated dates for these works. Also, please

confirm in writing what proactive intermediate steps you will be taking to prevent further noise/public nuisance ie, reduction of music level and if you choose operating hours.

As per email dated 31st March and our conversation earlier this week, please treat this matter as urgent in order to prevent further complaints being received and potential enforcement action from Environmental Health.

Finally, our department would like to be present for setting sound limiter after works have been carried out.

Look forward to your response.

Regards,

Paul Johnson

-----Original Message-----

From: Mark Stewart [mailto:sparkymark74@hotmail.com]
Sent: 01 April 2008 16:50
To: Paul Johnson
Cc: Paul Smith
Subject: RE: The Verge

Hey paul

Further to our phone conversation earlier, as i said we did mount our speakers on anti vibration pads and reduced the limit on our sound system, the feedback has not been good and the problem is still very much there.

As i said we did think the weak points were the issue and did fill them (some time ago) with insulation material which it seems was not the correct material, i have spoken to my sound engineer and relayed your comments to him which he fully agrees with and has referred me to an acoustics company.

I have left a message with them to contact me asap to give us a consultation, in the meantime if your own acoustics person is available we would greatly appreciate seeing him as this issue is an absolute priority for us and the sooner delt with the better.

As you know us from when we opened i'm sure you understand our frustration with this matter as we had good faith in the Acoustic Report we carried out prior to opening, and felt secure in its report.

I'm hoping that some progress can be made on this in the next few days and will keep you updated.

Many thanks

Mark Stewart

> Subject: FW: The Verge
> Date: Mon, 31 Mar 2008 12:46:05 +0100
> From: Paul.Johnson@towerhamlets.gov.uk
> To: sparkymark74@hotmail.com
> CC: Paul.Smith@towerhamlets.gov.uk
>

> Dear Mark,
>

> As per emails below and our conversation a couple of weeks ago, EH have received complaints regarding noise nuisance emanating from your premises.
>

> There are serious structural issues within the building which to date still has not been addressed and therefore causing nuisance to residential above. An Environmental Health Technical Officer gathered further evidence last Saturday night where airborne sound from music and customers was causing a public nuisance.
>

> As per email below and our conversation 2 weeks ago, you were going to contact me to update me on the progression of works there to address these acoustic problems to which I have not received a response.

> I recommend that you reduce your operating hours and reduce the level of music within your premises until you have undertaken the necessary works to not only comply with the Environmental Protection Act re noise nuisance, your premises License and the Licensing Act re public nuisance. This matter needs to be sorted out as a matter of urgency and failure to do so will result in Environmental Health instigating a review of your premises License.

> Please contact me on the details below if you wish to discuss further and to update me on your actions/works undertaken to date.

> Regards,

> Paul Johnson

> Environmental Health Enforcement Officer Environmental Protection

> Postal Address

> Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY

> Location Address

> Anchorage House, 2 Clove Crescent, London, E14 2BE

> Telephone : 020 7364 6617

> Website : <http://www.towerhamlets.gov.uk>

> From: Paul Johnson

> Sent: 19 March 2008 09:48

> To: 'Mark Stewart'

> Subject: FW: The Verge

> Also Mark,

> In the interim period while you are carrying out works to above premises, please reduce volume of music till works have been carried out effectively.

> If EH respond to complaints over coming week and witness nuisance, our department will have no other option than to consider taking Enforcement action.

> Look forward to hearing from you early next week.

> Regards,

> Paul Johnson

> Environmental Health Enforcement Officer Environmental Protection

> Postal Address

> Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY

> Location Address

> Anchorage House, 2 Clove Crescent, London, E14 2BE

> Telephone : 020 7364 6617

> Website : <http://www.towerhamlets.gov.uk>

> From: Paul Johnson

> Sent: 18 March 2008 15:46

> To: 'Mark Stewart'

> Cc: Iain Pendrigh

> Subject: The Verge

> Dear Mark,

> As per telephone conversation today, EH has witnessed noise disturbance within one of the flats located above your premises. Loud music and voices from patrons was witnessed emanating from your premises.

>
> I understand that some insulation works have been carried out however has not fully resolved the issue.
>
> Please update me early next re the anti vibration mountings for speakers that are to be installed and to arrange EH checking sound limiter installed for inaudibility within flats above.

> Thank you in advance for your cooperation.

> Regards,

> Paul Johnson
> Environmental Health Enforcement Officer Environmental Protection
> Postal Address
> Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY

> Location Address
> Anchorage House, 2 Clove Crescent, London, E14 2BE

> Telephone : 020 7364 6617
> Website : <http://www.towerhamlets.gov.uk>

> *****
> *****

> Working Together for a Better Tower Hamlets

> Web site : <http://www.towerhamlets.gov.uk>

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> If your request relates to a Freedom of Information enquiry, please
> resend this to foi@towerhamlets.gov.uk

> *****
> *****

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Appendix 7



TOWER HAMLETS

Licence / Registration

Certificate Number

11746

(The Verge)

Unit A

114 - 116 Bethnal Green Road

London

E2 6DG

Licensable Activities authorised by the licence

The sale by retail of alcohol


The provision of regulated entertainment

The provision of late night refreshment

See the attached licence for the licence conditions

Signed by

John Cruse


Team Leader, Licensing

Date: 21st May 2007

FOR OFFICE USE

Receipt Number 179366 Fee Paid £140 Fee Req.
197\2003\LicAct certs & lics\Prem Lic\BethnalGreenRd114-116.doc

Date 12.1.07 Initial SJ

Page 1 of 11



Part A - Format of premises licence

Premises licence number

11746

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(The Verge)
Unit A
114 - 116 Bethnal Green Road

Post town

London

Post code

E2 6DG

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment
The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

- Monday to Sunday, from 11.00 hours to 01.00 hours the following day

Regulated Entertainment (Live Music, Recorded Music, Performances of Dance and Provision of Facilities for Dancing)

- Monday to Sunday, from 11.00 hours to 01.00 hours the following day

Late Night Refreshment

- Monday to Sunday, from 23.00 hours to 01.00 hours the following day

The opening hours of the premises

- Monday to Sunday, from 11.00 hours to 01.30 hours the following day

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

On supplies

Part 2

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

Mr Mark Anthony Stewart and Mr Davin Veres
Flat 5
121 Bethnal Green Road
London
E2 7DG

Tel: 07931 596 007 and **Tel:** 07961 189 716

Email: Sparkymark74@hotmail.com and **Email:** davinveres@hotmail.com

Mr Ali Ahsan
5 Somersby Gardens
Ilford
Essex
IG4 5DY

Tel: 07903 377 8767

Registered number of holder, for example company number, charity number (where applicable)

N/A

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

Mr Davin Veres
Flat 5
121 Bethnal Green Road
London
E2 7DG

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

Personal Licence Number: 10915

Issuing Authority: London Borough of Tower Hamlets

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where 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

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

Door supervisors

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority.

This does not apply to premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or

in respect of premises in relation to-
any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

Times

Supply of Alcohol

- Monday to Sunday, from 11.00 hours to 01.00 hours the following day

Regulated Entertainment (Live Music, Recorded Music, Performances of Dance and Provision of Facilities for Dancing)

- Monday to Sunday, from 11.00 hours to 01.00 hours the following day

Late Night Refreshment

- Monday to Sunday, from 23.00 hours to 01.00 hours the following day

Annex 2 - Conditions consistent with the operating Schedule

Police Conditions

1. At least one personal licence holder shall be present whilst the premise is open for business.
2. A Digital CCTV system shall be installed, and thereafter maintained and operated correctly. Recordings shall be retained for 30 days and produced upon request to the police and Licensing Authority.
3. All Door Supervisors will be SIA Registered and will display their Identification at all times whilst on duty. It will be the responsibility of the DPS to ensure Door Supervisors have their identification displayed.
4. Where searching is carried out, notices should be prominently displayed explaining that:
 - Persons entering the premises will be searched
 - Agreement to search is a condition of entry
 - If persons do not consent, entry will be refused
 - Police may be called if drugs or weapons are found
6. The Designated Premises Supervisor (DPS) will ensure all staff are trained to use and maintain an incident book to the satisfaction of police. The incident book shall be properly maintained and it shall be produced to the police and the Licensing Authority upon request. All ejections of customers are to be contemporaneously recorded in the incident book and drawn to the attention of the DPS who shall countersign the book.
7. Any drug/weapon seizures will be recorded in the incident book. The following details should be recorded:
 - Date/Time item found
 - Where found
 - Details of person finding and any witnesses
 - Description of item
 - Seal number of property bag
 - Any action taken (e.g. person detained, police called)
 - Signature of person seizing
 - Signature of DPS or Manager
 - Details of person searched (if available)
8. Any incidents of unlawful violence by, or on, customers of the premises (whether inside or immediately outside the premises) to be notified to police immediately.
9. There shall be no offers of alcoholic drinks at 2 for 1, no happy hours and no promotions by which unlimited amount of alcohol shall be sold at one price.
10. Any promotion involving discounting of alcoholic drinks or similar promotion shall be agreed by police prior to implementation.

11. The DPS shall take such reasonable steps as are necessary to ensure that intoxicating liquor purchased on the premises is not removed from the premises for consumption outside.
12. The maximum number of persons, including staff to be present in the licensed premises on each floor shall not exceed the number stated by the proper officer of the London Fire and Emergency Planning Authority.
13. Police will be made aware of any promotion event taking place at the premises. The DPS will complete a risk assessment form provided by police and will submit it the Licensing Office at Bow Road Police Station at least 14 days before the event.
14. Door Supervisors (when on duty) will use clickers to count customer in and out of the premises.

Environmental Protection Conditions

1. A noise limiter or suppressor to be installed to the sound system, with levels determined by the Environmental Health Department.
2. Licensee (s) to enforce a no-queuing policy on Friday and Saturday night. Licensee (s) will have door supervisors in place to enforce the door policy that there will be no 'one in one out' policy which encourages queuing.
3. There shall be no entry after midnight, thus also discouraging queuing. Management to be checking this on a regular basis throughout the evening and will have on hand a list of other venues in the area that may be open to them.
4. In the event there would be a queue, licensee (s) will arrange ropes and poles to be placed that would inhibit potential guests from queuing along Bethnal green road where the entrance for the residents is located.
5. No regulated entertainment to be played in the venue when windows are open (daytime). This is not to say the windows will always be open during the day.
6. Strong door policy enforced to keep under 21 year olds; licensee (s) will adopt a 'challenge 21 policy', whereby management will be asking for ID on the door and over the bar.
7. Any person(s) who appear to have had too much to drink will be refused entry or to be served.
8. Licensee (s) will discourage male only parties from entering the premises and employ experienced and diligent bar staff to promote responsible drinking within the venue. Binge drinking will be taken seriously and licensee (s) will deter from drinks promotions and happy hours etc that encourage loutish behaviour.
9. Signage will be prominently displayed reminding customers to keep noise to a minimum when leaving the premises in consideration to neighbours and also giving details of the designated cab company.

10. Signage will also be displayed in giving details to the nearest public transport links. Staff and management will also be on hand to verbally provide this information at key times such as when leaving and most important at closing times.
11. Outdoor space will be available until 9:30pm, after which time any furniture will be and safely stored, all doors/windows will be closed and customers will be asked to move indoors. No glasses or bottles to be taken outside the premises, only plastic containers.
12. Signage will be prominently displayed asking customers to keep noise to a minimum when leaving the premises as well as verbal reminders by management and door staff.
13. Signage directing customers to the safest and nearest bus, tube, train and road connections, will be readily made to customers as well as helpful and courteous staff asking if they are in need directions.
14. Dedicated licensed mini-cab is located directly opposite the premises management and door staff will co-ordinate with the mini-cab service to ensure suitable stewarding is provided
15. Information to the closest NCP parking lot will be made available by the licensee.
16. No deliveries before 9am and after 4pm, all suppliers to be made aware of this
17. DPS will be on hand to supervise all deliveries to ensure that consideration is taken into account to neighbours and other local businesses
18. All rubbish will be stored in a designated commercial waste area located at the back of the building which services all retail units. Rubbish will be placed in the designated bins in a courteous manner to neighbours.
19. An acoustic report provided and to satisfaction of Environmental Health. Items that acoustic report identifies to be dealt with. All issues that Environmental Health identifies that need addressing to be dealt with to the satisfaction of Environmental Health.

Other Conditions

1. CCTV in operation on entry point and fire exit
2. Children under 18 years old are not allowed at the premises at all times.
3. Challenge any person appearing under the age 21 for ID.

Annex 3 - Conditions attached after a hearing by the licensing authority

1. That there be no sounding of horns by the dedicated cab company used when picking up patrons from the premise.

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

12 January 2007



Part B - Premises licence summary

Premises licence number

11746

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(The Verge)
Unit A
114 - 116 Bethnal Green Road

Post town
London

Post code
E2 6DG

Telephone number
None

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment
The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

- Monday to Sunday, from 11.00 hours to 01.00 hours the following day

Regulated Entertainment (Live Music, Recorded Music, Performances of Dance and Provision of Facilities for Dancing)

- Monday to Sunday, from 11.00 hours to 01.00 hours the following day

Late Night Refreshment

- Monday to Sunday, from 23.00 hours to 01.00 hours the following day

The opening hours of the premises

- Monday to Sunday, from 11.00 hours to 01.30 hours the following day

Name, (registered) address of holder of premises licence

Mr Mark Anthony Stewart and Mr Davin Veres
Flat 5
121 Bethnal Green Road
London
E2 7DG

Mr Ali Ahsan
5 Somersby Gardens
Ilford
Essex
IG4 5DY

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

On supplies

Registered number of holder, for example company number, charity number (where applicable)

N/A

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

Mr Davin Veres

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

Children under 18 years old are not allowed at the premises at all times

Appendix 8

Map



Scale 1:1985

Map of:

Notes:

114-118 Bethnal Green Road

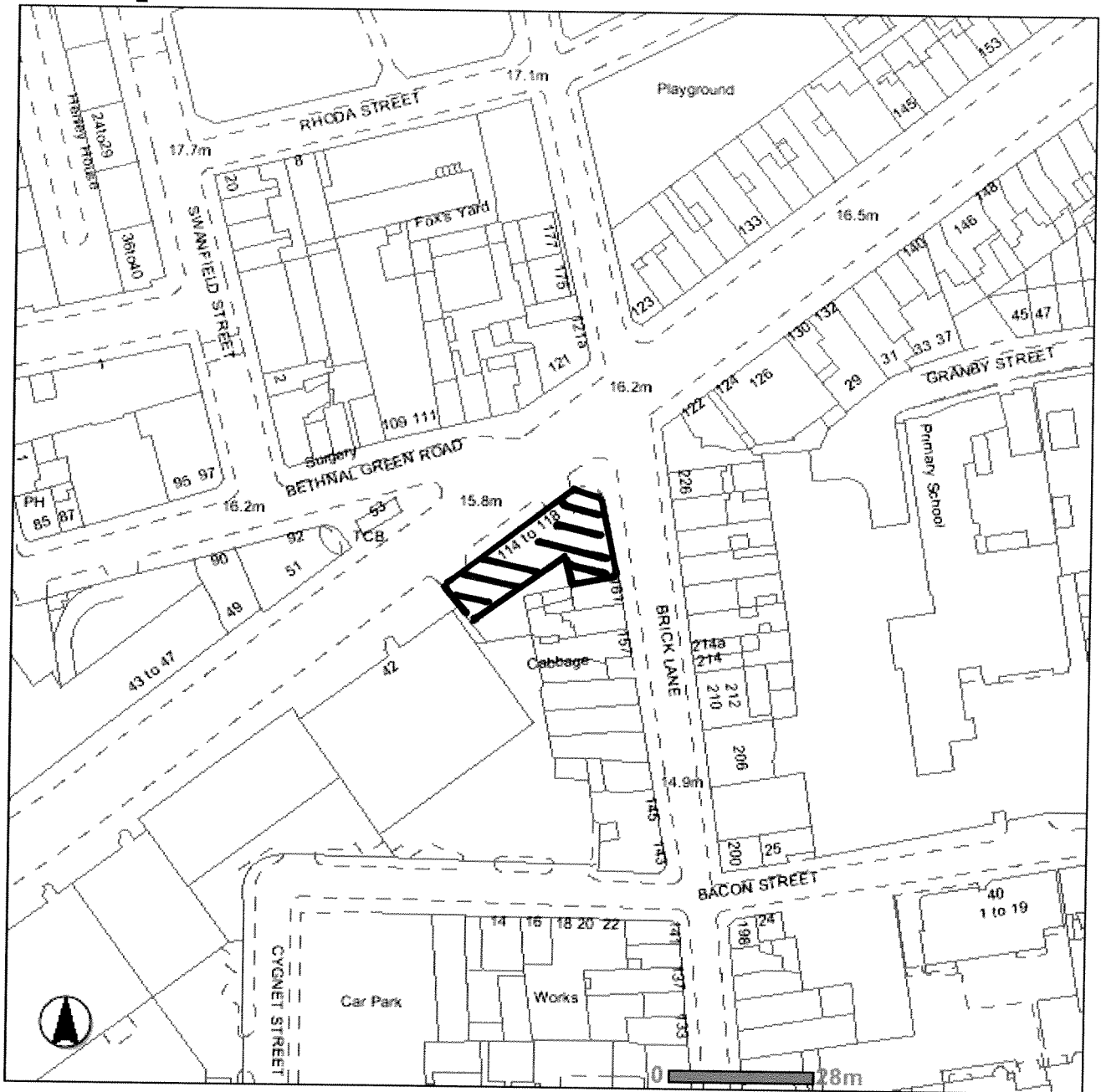
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Map



Scale 1:1228

Map of:

Notes:

114-118 Bethnal Green Road

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