

Licensing Sub-Committee

Friday 22 March 2019

10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1
2QH

Supplemental Agenda No.1

List of Contents

Item No.	Title	Page No.
7.	Licensing Act 2003: Luxford Bar, 610 Old Kent Road, London SE15 1JB	1 - 32

Contact

Andrew Weir on 020 7525 7222 or email: andrew.weir@southwark.gov.uk
Webpage: www.southwark.gov.uk

Date: 22 March 2019

Item No. 7.	Classification: Closed	Date: 22 March 2019	Meeting Name Licensing Sub-Committee
Report title:		Licensing Act 2003: Luxford Bar, 610 Old Kent Road London SE15 1JB	
Ward(s) or groups affected:		Old Kent Road	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the Licensing Sub-Committee considers whether it is appropriate to take interim steps pending the determination of an application made under Section 53A of the Licensing Act 2003 by the Chief of Police for the Metropolitan Police area for a summary review of the premises licences in respect of the premises known Luxford Bar, 610 Old Kent Road London SE15 1JB.
2. **Notes:**
 - a) Under section 53A(2) of the licensing act 2003 the Licensing Authority must consider interim steps within 48hours following the submission of an application under Section 53A of the licensing act 2003.
 - b) A copy of the full application is attached as Appendix A.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the Licensing Authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The Licensing Authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.

7. The summary review powers under sections 53A to 53C of the Act allow the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and the Licensing Authority to respond by taking interim steps quickly, where appropriate, pending a full review.

KEY ISSUES FOR CONSIDERATION

The premises licence

8. The premises in respect of the premises called the Luxford Bar, 610 Old Kent Road London SE15 1JB.
9. The premises licence was first issued on 30 December 2015 under the current premises licence holder name of Luxford Bar Limited.
10. On 5 January 2017 Luxford Bar Limited applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence. This application was rejected in March 2017 as it was not advertised in accordance with regulations.
11. On 11 November 2017 Luxford Bar Limited again applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence to extend the hours for the sale of alcohol and opening times. This was heard at a Licensing Sub Committee Hearing on 16 February 2018, at which point the variation was granted.
12. On 9 April 2018 Luxford Bar Limited applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence to extend the hours for the regulated entertainment and late night refreshment in line with the alcohol hours. This application was granted as unopposed.
13. The details of the current premises licence are as follows:
 - Opening hours:
 - Sunday to Thursday from 11:30 to 23:30
 - Friday and Saturday from 11:30 to 01:00
 - The sale by retail of alcohol (on sales only):
 - Sunday to Thursday from 11:30 to 23:00
 - Thursday and Friday from 11:30 to 00:30
 - The provision of late night refreshment (indoors):
 - Friday and Saturday from 23:00 to 00:30
 - Regulated entertainment in the form of live music and recorded music, films, Entertainment similar to live/recorded music and performances of dance (indoors):
 - Sunday to Thursday from 11:30 to 23:00
 - Thursday and Friday from 11:30 to 00:30
14. A copy of the premises licence is attached as Appendix B.

Designated premises supervisor

15. The designated premises supervisor (DPS) is Melodie Mavoungou who has been DPS since the licence was first issued.

The review application and certificate

16. On 21 March 2019 the Metropolitan Police Service applied to the licensing authority for a summary review of the premises licence issued in respect of the premises known as Luxford Bar, 610 Old Kent Road London SE15 1JB.
17. The application refers to a serious incident at 20:00h on 01 January 2019. The matter involves the suspect stabbing the male in the stomach on what is described as the dance floor inside the premises. The victim received a lacerated bowel and artery and spent several days in hospital having had an operation to repair the damage. This investigation is still ongoing.
18. A second incident refers On Sunday the 02 December 2018 where Police were called to the premises by a female claiming that she had been assaulted by her ex-partner. She alleges that she was thrown to the ground by her hair outside of club after being punched by the same suspect inside the venue. CCTV for this incident was requested by the investigating officer. The venue informed the officer that there was no coverage of the area where the incident took place. On receipt of the footage the officer noted that at precisely 10pm the footage stops, therefore the incident was not covered. The victim was informed of this, who stated that she was aware that staff at the venue had been persuaded to delete the footage.
19. On the 2 February 2019 police officers from the night time economy visited the premises and found two breaches of the premises licence and served a section 19 closure notice, the breaches are:
 - a. 289: CCTV to be kept for 31 days, the CCTV only went back to 14/01/2019
 - b. 336: A personal licence holder shall be on the premises at all times after 8pm when intoxicating liquor is being supplied. There was no personal licence holder on the premises.
20. On the 16 March 2019 officers from the night time economy team visited the premises and found the same two breaches of the premises licence. 289 and 336.
21. The Police will be giving further information orally at the hearing.
22. A copy of the application, supporting statements and certificate are attached to this report as Appendix A.

The review procedure

23. The current hearing is for the purpose of considering if interim steps are needed as a result of the Police review and information submitted pending the full review hearing that will be held on 18 April 2019.
24. The licensing sub-committee is not obliged to hear evidence from other parties at this stage of the procedure.
25. The review is currently being consulted on and is advertised at the premises for 10 days. Responsible authorities and any other persons may make representations that will then be considered at the full hearing of the licensing sub-committee.
26. Any interim steps made by the licensing sub-committee at this hearing will cease to have effect once the review has been determined.

Operating History

27. On 11 March 2016 a licensing inspection of the premises was undertaken by a licensing officer. At the time of the inspection breaches of licence conditions 336, 4A1, 347 and 309 were noted. A re-inspection of the premises was undertaken on 18 October 2016 and the premises were found to be being operated compliantly.
28. On 23 April 2016 a local resident made a complaint of loud music emanating from the premises causing a nuisance when the premises are in operation.
29. On 22 May 2016 the resident made a further complaint of loud music loud music emanating from the premises causing a nuisance when the premises are in operation.
30. On 28 January 2017 the resident made another complaint of loud music emanating from the premises causing a nuisance when the premises are in operation and an allegation that the premises were being operated outside of the operational hours permitted by the premises licence issued in respect of the premises. As a result of the complaint a visit was made to the premises on 29 January 2017. Subsequent to the visit of 29 January 2017 warning letters were sent to the licensee, DPS and premises manager as a result of the visit.
31. On 27 March 2017 a different local resident made a complaint of loud music emanating from the premises causing a nuisance when the premises are in operation.
32. On 18 June 2018 a complaint of public nuisance My complaint concerns the noise coming from those who attended an event at Luxford Bar & Kitchen, on Sunday 10th June 2018. Which alleged that the noise began at around 11:15 consisting of loud obnoxious females and males screaming on the top of their voices of which extremely disgusting language could be heard at some points. I phoned Luxford at 11:20 and asked that a member of staff attend Green Hundred road to move those who had congregated downstairs outside my window and was told someone would come down and move them on. This then continued until about 11:45 when they all got in their cars and decided to leave. The noise not only woke me up from my sleep but also prevented me from going back to sleep. This isn't a one off either, it occurs almost every Sunday as they hold an event at Luxford which is extremely popular and heavily attended. My other complaint also relates to the number of people that drive to this event and take up resident parking, of a bank holiday and New Year's Eve being the worst. It's got the point that I can't go out of a Sunday evening or I have to walk out of fear that I won't be able to find a parking space in the resident parking, along Green Hundred road or Bird in Bush road.
33. On 11 October 2018 another resident made a complaint of public nuisance regarding in particular on Sunday nights, when the resident alleges that patrons of this establishment regularly make large amounts of noise while arriving and leaving, for some time after it is closed. There is also regularly much illegal parking along footpaths and dangerous driving associated with the same patrons. It is regular and very disturbing to residents as it tends to take place directly under the windows of blocks of flats, as well as in their carparks, as well as dangerous traffic-wise. The venue appears to have no interest whatsoever in mediating what goes on outside the premises.
34. Details of night-time licensing inspections and visits to the premises are attached as appendix C.
35. A list of all Temporary Event Notices submitted in respect of the premises is attached in appendix D.

The local area

36. A map of the local area is attached at Appendix E.

Southwark Council statement of licensing policy

37. Council assembly approved Southwark's statement of licensing policy 2016-20 on 25 November 2015. The policy came into effect on 1st January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:

- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
- Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
- Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
- Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
- Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
- Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
- Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
- Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.

Resource implications

38. There is no fee associated with this type of application.

Consultation

39. The premises licence holder has been informed of the application for review and of the details of the interim hearing.

Community impact statement

40. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

41. The sub-committee is asked to consider interim steps following an application to review the premises licence under Section 53A of the licensing act 2003.

42. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

43. The licensing authority must hold a hearing to consider interim steps within 48 hours of receiving an application for review of a premises licence where.

- The application is properly made in accordance with Section 53A of the Act.
- The licensing authority has considered the ground(s) of review to be relevant to the licensing objective for prevention of crime and disorder.

44. The four licensing objectives are:

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

45. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:

- Modify the conditions of the licence by altering, omitting or adding any condition
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the premises licence

46. The steps will remain in place until the review application is determined at a full hearing of the licensing sub-committee.

47. The authority may decide to take no action if it finds no interim steps are appropriate to promote the licensing objectives.

48. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

49. It is of particular importance that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

50. Where the authority takes interim steps on an application for review it must notify the determination and reasons why for making it to:

- The holder of the licence
- The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

51. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that

- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
- Members of the authority are free to ask any question of any party or other person appearing at the hearing.
- The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
- The committee shall disregard any information given by a party which is not relevant:
 - To the particular application before the committee
 - To the licensing objectives.
- The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

52. This matter relates to the review of the premises licence under section 53A of the Licensing Act 2003.

Council's multiple roles and the role of the licensing sub-committee

53. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
54. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
55. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.

56. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
57. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
58. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
59. Under the Human Rights Act 1998. The sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
60. There is no right of appeal to a magistrates' court against the licensing authority's decision regarding the setting of interim steps at this Stage.

Guidance

61. Members are required to have regard to the Home Office revised guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance and Governance

62. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

REASONS FOR LATENESS

63. The reasons for lateness are that when an application for an expedited summary review is received from the police under section 53a of the Licensing Act 2003 the council's licensing authority has a statutory duty hold a hearing within 48 hours from receipt of the application to consider interim steps that may be placed on the premises licence until such time as the application can be fully determined.

REASONS FOR URGENCY

64. The Council has a statutory duty under section 53a to hold an interim hearing within 48 hours of receipt of a summary review.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office Revised Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	C/O Southwark Licensing, Community Safety & Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX	Mrs Kirty Read Tel:02075255748

APPENDICES

Name	Title
Appendix A	Copy of review application
Appendix B	Copy of the premises licences
Appendix C	Licensing visits
Appendix D	Temporary event notices
Appendix E	Map

AUDIT TRAIL

Lead Officer	Ian Smith, Strategic Director of Environment and Leisure	
Report Author	David Franklin, Team Leader Licensing	
Version	Final	
Dated	22 March 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	22 March 2019	



**METROPOLITAN
POLICE**

TOTAL POLICING

Form for Applying for a Summary Licence Review

Application for the review of a premises licence under section 53A of the Licensing Act 2003
(premises associated with serious crime, serious disorder or both)

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 the 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.

Insert name and address of relevant licensing authority and its reference number:

Name: **London Borough of Southwark**

Address:

160 Tooley Street

Post town: **London**

Post code: **SE1**

Ref. No.:

I **PC Ian Clements (Licensing Officer)**

on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details

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

Luxford Bar 610 Old kent Road

Post town: **London**

Post code:
(if known)

SE15 1JB

2. Premises licence details

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

Luxfor Bar Limited

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

862951

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm:



4. Details of association of the above premises with serious crime, serious disorder or both (Please read guidance note 2)

PROTECTIVE MARKING

On 1st January 2019 at approximately 2am Police were called to the venue to reports of a male having been stabbed. On arrival the victim was found outside of the premises with a single stab wound to the abdomen. Further investigation of the incident and CCTV footage shows what appears to be the suspect stabbing the male in the stomach on what is described as the dance floor inside the premises. The victim received a lacerated bowel and artery and spent several days in hospital having had an operation to repair the damage. This investigation is still ongoing.

The decision was taken that due to the premises operating in line with the conditions of the premises licence, a stepped approach under the licensing act was the most appropriate at the time.

A meeting was held with the premises licence holder and the DPS, we discussed that it would be proportionate and appropriate for additional control measures for the promotion of the prevention of crime and disorder. These included a condition relating to the search of patrons on entry and the addition of an ID scan system. The premises licence holder made an undertaking that these would be in place immediately and would await further correspondence from us before submitting a minor variation to get the conditions added to the licence.

On Sunday the 2nd December 2018 Police were called to the premises by a female claiming that she had been assaulted by her ex-partner. She claimed that she was thrown to the ground by her hair outside of club after being punched by the same suspect inside the venue.

CCTV was requested by the investigating officer between the hours of 9pm and 10.30 pm. On request the officer was informed that there was no coverage of the area where the incident took place. A request was made for other cameras that might show the incident as they left the premises after 10pm.

On receipt of the footage the officer noted that at precisely 10pm the footage stops, therefore the incident was not covered.

The victim was informed of this, she stated that she was aware that staff at the venue had been persuaded to delete the footage.

I have no evidence to support this and ask the committee to consider its weigh when making their decision.

At 22:54 on the 2nd February 2019 officers from the night time economy visited the premises and found two breaches of the premises licence.

289: CCTV to be kept for 31 days **(CCTV only went back to 14/01/2019)**

336: A personal licence holder shall be on the premises at all times after 8pm when intoxicating liquor is being supplied. **(No personal licence holder on the premises)**

At 22:30 on the 16th March 2019 officers from the night time economy team visited the premises and found two breaches of the premises licence.

289: CCTV to be kept for 31 days **(Only 22 Days)**

336: A personal licence holder shall be on the premises at all times after 8pm when intoxicating liquor is being supplied. **(No personal licence holder on the premises)**

On both occasions Police spoke to the same manager on duty at the time. On the first occasion the manager was warned and made aware of the requirement to have a personal licence holder and was issued with a Section 19 Closure Notice.

Please see Statement and closure notice from PC O'Mahoney.

There will be further verbal information provided to the licensing sub committee to support my application.

=====

I ask the committee to consider that there has been a serious crime committed inside this premises where a victim was stabbed, whilst measures have been discussed to counter the possibility of further incidents it would appear the premises is still being poorly managed and has been operating in breach of the premises licence with defective CCTV and no personal licence holder on the premises.

In support of the prevention of crime and disorder licensing objective I ask the committee to suspend the premises licence as an interim measure pending a full review hearing.

PROTECTIVE MARKING

Signature of applicant			
Signature:		Date:	21st March 2019
Capacity:	Police Licensing Officer		
Contact details for matters concerning this application			
Surname:	Clements	First Names:	Ian
Address:			
Southwark Police Station, 323 Borough High Street			
Post town:	London	Post code:	SE1 1JL
Tel. No.:	02072326756	Email:	SouthwarkLicensing@met.police.uk

Notes for guidance

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.
Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
 - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
 - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.
Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001

Date of the Closure Notice: 02/02/19 Time Served: 22:54

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: PC Maria O'Mahoney 2321AS

Signature: 

Name (if applicable) and address of the affected premises:
Luxford Bar
610 Old Kent Road SE15 1JB

Alleged unauthorised use of the premises (section 19 (6)(a))

The officer serving this notice is satisfied that the above premises are being, or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of the premises. The specific details of the alleged use are:

289 - That all CCTV be kept for 31 days
336 - A personal licence holder dealt premises after 2000 hours

Grounds upon which the person serving the Notice was satisfied of the existence of such unauthorised use:

289 - CCTV only goes back to 14/1/19
336 - Manager unable to produce a personal licence

Steps that may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring (section 19 (6) (c))

CCTV to be updated so footage is kept 31 day
Personal Licence holder to be on premises after 2000 hours

Third party consideration (section 19.4)

Are there any other persons occupying the premises who need to be informed of this notice?

Yes/No (details) No

If yes they must be issued with a copy of this form

Effect of section 20, Application for closure order.

A failure to take remedial action to prevent further or continued unauthorised use may lead to an application being made to a Magistrates court for a closure order under section 21 Criminal Justice and Police Act 2001.

The Person (if applicable) on whom the closure notice has been served:

Name Selina OSET

Signature 

Date 02/02/19

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of: PC Maria O'MAHONEY 2321AS

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: [Redacted] Date: 17/03/2019

I am a Police Constable and I am part of the Night Time Economy Team (NTE), a partnership team and as part of my patrol duties, I visit licensed premises on the borough, with the objective of compliance with licensing conditions of venues. The venues are visited to ensure people enjoy the Night Time Economy in the borough in a safe environment.

On Saturday the 16th March 2019 I was on duty in full uniform in the company of PS DEMPSTER 216AS and PC ANDREWS 2764AS we were on patrol in an unmarked police vehicle. At approximately 22:20 hours we part parked up outside LUXFORD BAR 610 OLD KENT ROAD SE15 1JB as I wanted to conduct a follow up visit.

I had previously visited the venue on the 2nd February 2019 and found a number of the premises licence conditions had been breached. I had issued a Closure Notice - Section 19 Criminal Justice and Police Act 2001 along with Explanatory Notes to [Redacted] who was in charge at the time of my visit along with [Redacted] date of birth the [Redacted]. The Section 19 Closure notice was issued for the following breaches

289 - That all CCTV footage be kept for a period of 31 days and shall be made immediately available to officers of the police and the council on request. The CCTV was only being held for a total of 20 days.

336 - A personal licence holder will be on the premises at all times after 20:00 when intoxicating liquor is being offered for sale.

At the time of my inspection there was no Personal Licence holder on the premises. [Redacted] claimed she had done a course but had not applied for the Personal Licence.

I explained to [Redacted] that the CCTV needed to be updated to hold footage for 31 days as per the terms of the Premises Licence and that there needed to be a Personal Licence holder on the premises at all times after 20:00 hours and failure to do so could result in a prosecution.

On entering the venue I could see [Redacted] sitting behind the bar. There was about 8 to 10 customers and I could see [Redacted] to the right as I walked through the bar area. I have then seem Ms OSEI go into the kitchen. I asked [Redacted] if she now had Personal Licence and she said "No". She also told me that none of the staff working there

Witness Signature: [Redacted]

Signature Witnessed by Signature:

Continuation of Statement of:

had a Person Licence. The only person who had a Personal Licence was the DPS [redacted] and she had gone to the cash and carry. I asked [redacted] if she could show me the CCTV as I needed to check that this was now saving footage for 31 days. [redacted]

[redacted] said she did not know how to work the CCTV and went into the kitchen and got [redacted]

[redacted] said that [redacted] should be back from the shops but in the meantime she would show me the CCTV. We viewed the CCTV and it had not been updated and was still only saving footage for 20 days. I pointed out to [redacted] that they were still breaching the Premises Licence. She said that an engineer had been out but was unable to provide a receipt or paperwork for the repair.

We went back into the bar area and continued to wait for [redacted]. After 20 minutes [redacted] got [redacted] on the phone and asked that I speak to her. I explained to Melodie that I was conducting a follow up visit to ensure that the previous breaches had been addressed and have found that yet again there is no Personal Licence holder in the premises and that the CCTV is still only holding footage for 20 days. I then told Melodie due to the fact that she had continued to operate and sell alcohol whilst in breach of the Premises Licence I would be reporting her with a view of a prosecution.

Witness Signature:

[redacted signature area]

Signature Witnessed by Signature:.....

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

862951

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Luxford Bar Limited 610 Old Kent Road London SE15 1JB	
Ordnance survey map reference (if applicable), 177797534459	
Post town London	Post code SE15 1JB
Telephone number [REDACTED]	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Films - Indoors Live Music - Indoors Recorded Music - Indoors Entertainment Similar to live/recorded music / dance - Indoors Sale by retail of alcohol to be consumed on premises Performance of Dance - Indoors Late Night Refreshment - Indoors

The opening hours of the premises
For any non standard timings see Annex 2
Monday 11:30 - 23:30
Tuesday 11:30 - 23:30

Wednesday	11:30 - 23:30
Thursday	11:30 - 23:30
Friday	11:30 - 01:00
Saturday	11:30 - 01:00
Sunday	11:30 - 23:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
 Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Films - Indoors

Monday	11:30 - 23:00
Tuesday	11:30 - 23:00
Wednesday	11:30 - 23:00
Thursday	11:30 - 23:00
Friday	11:30 - 00:30
Saturday	11:30 - 00:30
Sunday	11:30 - 23:00

Live Music - Indoors

Monday	11:30 - 23:00
Tuesday	11:30 - 23:00
Wednesday	11:30 - 23:00
Thursday	11:30 - 23:00
Friday	11:30 - 00:30
Saturday	11:30 - 00:30
Sunday	11:30 - 23:00

Recorded Music - Indoors

Monday	11:30 - 23:00
Tuesday	11:30 - 23:00
Wednesday	11:30 - 23:00
Thursday	11:30 - 23:00
Friday	11:30 - 00:30
Saturday	11:30 - 00:30
Sunday	11:30 - 23:00

Entertainment Similar to live/recorded music / dance - Indoors

Monday	11:30 - 23:00
Tuesday	11:30 - 23:00
Wednesday	11:30 - 23:00
Thursday	11:30 - 23:00
Friday	11:30 - 00:30
Saturday	11:30 - 00:30
Sunday	11:30 - 23:00

Sale by retail of alcohol to be consumed on premises

Monday	11:30 - 23:00
Tuesday	11:30 - 23:00
Wednesday	11:30 - 23:00
Thursday	11:30 - 23:00
Friday	11:30 - 00:30
Saturday	11:30 - 00:30
Sunday	11:30 - 23:00

Performance of Dance - Indoors

Monday	11:30 - 23:00
Tuesday	11:30 - 23:00
Wednesday	11:30 - 23:00
Thursday	11:30 - 23:00
Friday	11:30 - 00:30
Saturday	11:30 - 00:30
Sunday	11:30 - 23:00

Late Night Refreshment - Indoors

Friday	23:00 - 00:30
Saturday	23:00 - 00:30

Part 2

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

Luxford Bar Limited

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

09368415

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

Melodie Mavoungou

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

Licence No. [REDACTED]

Authority [REDACTED]

Licence Issue date 09/05/2018

[REDACTED]
Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 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.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

102 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

485 (1) The responsible person must 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 -

(a) games or other activities which require or encourage, or are designed to require, 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 in a manner which carries a significant risk of undermining a licensing objective;

(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 in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster 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; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 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: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

115 This licence allows for the premises for the provision of late night refreshment for non standard timings stated below on the following days: Bank holiday Sundays late night refreshment to cease at 00:30.

288 That a CCTV system be installed at the premises, be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises and an overview of all licensed areas and the outside pavement area.

289 That all CCTV footage be kept for a period of 31 days and shall be made immediately available to officers of the police and the council on request.

340 That all staff shall be trained in their responsibilities under the Licensing Act 2003. Records shall be kept pertaining to such training will be updated every 6 months and shall be made immediately available to officers of the police and the council upon request.

342 That customers shall use no outside area after 22:00hrs other than those who temporarily leave the premises to smoke a cigarette. No more than 4 people shall be permitted to smoke in any outside area at any one time. Customers who temporarily leave the premises to smoke a cigarette shall not be permitted to take drinks from the premises with them whilst those customers smoke.

336 A personal licence holder will be on the premises at all times after 20:00 when intoxicating liquor is being offered for sale.

311 That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents

343 A Police Event Risk Assessment Form must be submitted to Southwark Police Licensing Unit 14 days in advance of any event at the premises when the premises will be in operation under the Licensing Act 2003 if a DJ or MC is performing at the premises and the event is promoted in some form by either the venue or an outside promoter, and whether entry to the event is free, by invitation only, through pay on the door, by ticket or any combination thereof.

4AG That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card.

4AB That all staff involved in the sale of alcohol shall attend a recognised training scheme which will include training in the challenge 25 policy. They must obtain a certificate of competence. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

4AC That challenge 25 signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that a Challenge 25 policy applies and proof of age may be required.

4AI That a register of refused sales of alcohol which is clearly marked with details of the premises and name

of the licence holder shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on the request of the Council's authorised officers or the Police.

344 That any person under the age of 16 must be accompanied on the premises at all times by a parent, guardian or other responsible adult. Any person who appears to be under the age of 16, who is not accompanied by a parent, guardian or other responsible adult and who cannot provide valid photographic identification to prove that they are over the age of 16 will not be permitted on the premises. Valid forms of photographic identification are composed of a passport, driving licence, Proof of Age Standards Scheme (PASS) accredited card or a UK Armed Forces identification card.

347 That a secure amnesty box shall be installed at the premises to store any items confiscated and non returnable from customers by staff at the premises.

309 That a sound limiter (or similar device) shall be installed at the premises. All amplification / PA equipment used at the premises must be routed to the sound limiter. The sound limiter shall be calibrated so that amplified sound using the sound limiter circuit does not cause statutory nuisance.

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

840 That two SIA registered door supervisors will be on duty from 21:00 hours on any day that the premises are due to be open after 23:30 hours. They will be employed until the end of business and all patrons have vacated the premises. They will be engaged to monitor admissions and re-admissions to the premises, provide security and protection for staff and customers, screen entrants to the premises, manage conflict and assist with the dispersal of patrons from the premises. The security guards will also be trained and deployed to prevent entry to the premises of any person who appears to be under the age of 18 and who cannot provide valid photographic identification proving that they are at least 18 years old, unless they are accompanied by a responsible adult.

841 That persons under the age of 18 will only be permitted in the 'mezzanine level' of the premises and only until 22:00 hours. All children on the premises must be accompanied by a responsible adult.

842 That prominent signage stating "That persons under the age of 18 will only be permitted in the 'mezzanine level' of the premises and only until 22:00 hours. All children on the premises must be accompanied by a responsible adult." shall be displayed so as to be visible on entering the premises.

843 That on New Year's Eve licensable activities are permitted until 03:30 hours and the premises may be open until 04:00 hours. On Sundays immediately preceding a bank holiday the opening hours and hours permitted for the supply of alcohol hours shall be as ordinarily permitted on Friday & Saturday.

Annex 4 - Plans - Attached

Licence No. 862951
Plan No. B3-00121-101A
B3-00121-106
Plan Date July 2015

adate	desc	adtext
21/01/2017	19:50 NTE Visit	Visited venue at 19:50pm on Saturday, 21st January, 2017, to check public notice. No notice displayed. Manager not present. Spoke to her by phone. She claims a notice is displayed. I advised her to check when she is next at the restaurant.
29/01/2017	00.15 NTE Visit	I visited the venue at 00.15am on Sunday, 29th January, 2017, with Matt Bourne (Trading Standards). The licence allows for the playing of live and recorded music until midnight on Friday and Saturday. Closing time is half past midnight. When I visited the venue I could see through the front windows that they had a DJ, who was apparently working a music deck. I couldn't hear any music until I was within a few feet of the front door. Once inside I could hear music being played above the level of what I would regard as background music. When I asked one of the bar staff for the manager I had to stand close to him to hear what he was saying. The DPS, [REDACTED] wasn't present. I spoke to the person in charge at the time, Miss [REDACTED] I showed her a copy of the premises licence for the venue, pointed out the times allowed for the playing of music, and directed her to have the music turned off. Shortly after the music was turned off I saw that the DJ was no longer at the music deck. 31/ 1/2017 14:38 MQ3
03/02/2017	19:43 NTE Visit	Delivered warning letters and spoke with Ms [REDACTED] about the consequences of operating beyond permitted hours. Also brought to her attention the flyer advertising the event that ended beyond current permitted hours. Ms [REDACTED] stated that it was advertised like that to try and attract more customers. She stated that the event begins at 17:00hrs so isn't expecting people to expect the venue to stay open and that they would be closing on time.
03/02/2017	23:29 NTE Visit	No sign of public notices displayed.
05/02/2017	00:12 NTE Visit	Visited venue at 00:12, Sunday, 5th February, 2017, with Farhad Choudhry (Health and Safety). No music being played and no customers at the bar. Staff in process of closing down and cleaning up. 9/ 2/2017 9:54 MQ3
24/02/2017	00:40 NTE Visit	24/ 2/2017 00:40 FRCA At 00:40hrs Ken Andrews and I went to Luxford Bar and we parked our car outside the premises, we seen approximately thirty plus people inside it was very busy inside. There were no sign of anyone leaving, I called NTE police PC Mark Lynch answered I advised him to visit with us and he said he would arrive within 10 minutes, he also checked the TENS and there were no TENS for Luxford Bar that weekend and he said that they are just open past their hours. We waited in our car at 00:55hrs we seen lots of people now leaving the premises and there were people hanging outside shouting and also seen some cars parked on both sides of the road. The Door staff was trying to get people out, he probably seen us which is why they were now getting people out. The customers were just loitering outside laughing loudly. It was now 1:00hrs and I could still see some people inside and can also see staff cleaning up now. The staff from the premises were not moving away their customers some of the customers were fighting outside, we were not sure if it was real fighting or just play fighting. We went inside at 1:10hrs [REDACTED] she immediately started to argue with us and the Police she said that she closed on time, she said that it was not her problem customers were outside loitering. She also said that she was getting too many visits, I advised her if she had closed on time there would not be a reason for us to visit her at 1:10am in the morning. She then said she wasn't serving drinks, and that customers were just drinking up, she continued to argue with us, I asked her where her door staff was and why he was not moving people on. She said that he had left and whose going to pay him overtime to stay he finishes at 1am. I advised her that if she had closed on time meaning at 00:30hrs not 1:10hrs then her door staff could have managed to get everyone out and moved them on. I advised her that the reason why she keeps getting visits is because of the noise complaints we have received and the fact they keep opening past their hours, we then left with the Police.

24/02/2017	19:05 NTE Visit	24/ 2/2017 19:05 FRCI visited Luxford Bar with Ken Andrews Friday night 24th February 2017, I initially visited at the start of the shift at 19:10hrs they had the poster displayed and it was eye level this time it was by the left window. I spoke to [REDACTED] the manager she said that Alex visited her today and hand delivered a letter she also complained that there was too many visits by licensing to her premises and she was not happy. I explained to her that she had put in her variation and that she needed to display the poster correctly and the poster would need to have the correct date which is today's date. The poster had 26th January and as it was hidden behind a bin it could not be seen by members of the public so I have been advised to inform her to put today's date. She said that she had already emailed Wesley and Alex about this and she is appealing this decision and nobody explained to her where the poster should be displayed. She also said that she emailed Wesley two days ago with a photo of the poster and he was happy, so she said why should she advertise again. I also advised her to ensure she closes on time as we have had complaints that the premises is open past its opening hours. And they are advertising later than what their opening hours were. And if she was not happy with visits by licensing officers she could complain to the manager of licensing we then left.
12/03/2017	00:50 NTE Visit	On Sunday, 12th March, 2017, at 00.45am, I was working with Adam Burchett (Bankside Team) and PC Mark Lynch (NTE Police). On Fridays and Saturdays the sale of alcohol and the provision of licensed entertainment should cease at midnight. Closing time is 00.30am. The venue is situated at the corner of Old Kent Road and Peckham Park Road. At 00.45am we were driving along the Old Kent Road. As we drove past the venue I could see through their window that there was a group of people sat at a table in the restaurant part of the venue. We turned back and went to their front entrance in Peckham Park Road. Through the window I could see that the people in the restaurant area had gone, but there was a group of people in the bar area of the venue. Although the front door was locked, SIA door staff were on duty and they let us in. This was at 00.50am. Once inside I could see that there were approximately 12 males seated at tables in the bar area. Some of them had drinks they were drinking. The manager, Miss [REDACTED], was present. When I asked where the DPS was, she stated that she had already left. I showed Miss [REDACTED] a copy of the premises licence and pointed out that the sale of alcohol ends at midnight and that closing time is 00.30am. The venue should be empty of customers by that time. Miss [REDACTED] stated that the venue was closed and that her customers were drinking up. She didn't think that she had broken the conditions of the licence. I couldn't get her to understand that she had. Miss [REDACTED] made no effort to get the males to leave the restaurant. However, the door staff had been listening to what I had said and they began directing the males to leave. I checked the CCTV to see that it was working. I left a note with Miss [REDACTED] stating that I required CCTV footage for the period 23.45pm 11th March to 00.50am 12th March. When I left the venue the males, apart from one, had congregated outside the front door. The door staff were making no effort to move them on. The single male that wasn't with the others came up to my colleagues and me and said, "Ask me why I'm angry." We ignored him. Matters now in hand to further investigate the matter with a view to a 14/ 3/2017 17:02 MQ3 prosecution.
18/03/2017	00:40 NTE Visit	18/ 3/2017 00:40 FRC call empty inside staff cleaning up closing. No Customers.
18/03/2017	00:40 NTE Visit	18/ 3/2017 00:40 FRC call empty appears closing, cleaning up inside. No Customers.
18/03/2017	22:35 NTE Visit	18/ 3/2017 22:35 FRC open and busy
19/03/2017	1:20 NTE Visit	19/ 3/2017 1:20 FRC closed
25/03/2017	00:22 NTE Visit	25/ 3/2017 00:22 FRC very busy inside, a birthday party going on seen balloons etc. Premises full of people inside no sign of closing yet. Police arrived in two cars PC Mark Lynch parked with us down the road, and PC Stu Wythe parked right opposite the venue in the police car. The manageress Ms [REDACTED] seen this and she started to get people out suddenly the security man started to get everyone out of the premises. By the time we went to the premises it was closed on time.

08/04/2017	00:20 NTE Visit	Monitored premises for several minutes. 2 patrons inside appear to be finishing drinks and food. Staff cleaning. No music noise evident, no patrons o/s.
08/04/2017	00:40 NTE Visit	Premises appears closed, staff cleaning up, floors being mopped.
09/04/2017	00:30 NTE Visit	9/ 4/2017 00:30 FRC closing up cleaning inside, no customers seen. Police called Stu Wythe wanted to come out with us as he has no other officers tonight he is on his own arranged to meet up later.
16/04/2017	1:48 NTE Visit	16/ 4/2017 1:48 FRC closed.
28/10/2017	00:45 NTE Visit	00:45 on 28/10/2017 JMT & COT met with NTET police PC Maria O'Mahoney, SGT Keith Dempster and another officer at Luxford bar – 610 Old Kent Road, SE15 1JB – Had arranged to meet police here at this time earlier in the evening. Whilst Clarissa and I were waiting for the police noticed a [REDACTED] male walk up to the door of the premises and it was locked. He banged on the door and was let in at 00:38. Once police arrived SGT DEMPSTER banged on the door and a male came to the door but would not open it. Eventually a female came to the door and opened it. Keith explained why we were there and asked why the premises was still open. I hid myself and asked for the female's name. She told me her name was Miss [REDACTED] and confirmed that she was in charge. When I asked why the premises was not closed she said it was and the people left in the premises were her family and friends and they were just waiting for her to close and they were going somewhere else. Noted that there was about 10-12 people in the premises sitting and standing around none of them had drinks. There were 2 males at the bar and one had a bottle of beer. When I challenged her about this she said that she had not charged him for the drink she had given it to him. She said she was just finishing cashing up. She had a roll of money in her hands which she showed me. I asked if she had done the z read on the till yet and she said yes. I asked to look at it and the final z read was done at 00:28. Warned her that the premises should be closed to patrons at 00:30. She insisted she was closed and that the people were staff and some family and friends. Left the premises at 01:00.
13/01/2018	NTE Visit	Visit with Police. Spoke to Manager Selina [REDACTED] says that they are aware that their TEN had been refused and that they would be closing at 00:30.
03/03/2018	23:15 NTE Visit	3/ 3/2018 23:15 FRC carried out a full licensing inspection of Luxford Bar met [REDACTED] and [REDACTED] manager. They did not receive the new licence yet, I checked all the conditions they had CCTV working check one month prior on CCTV kept recordings for 31 days. Has challenge 25 posters near door and bar area. Seen two SIA door staff on the doors working and checking people in. Have refusal book, have personal licence holders. They are also offering E-Shisha seen approx 5-6 on tables with a price list for flavours, no fumes or odour. I took photos as I have not come across e-shisha before. Mr [REDACTED] said it's just bubble pipe from water no burning. Need to refer to Trading Standards. Licensing all compliant.
05/05/2018	00:20 NTE Visit	5/ 5/2018 00:20 FRC open, approx 8 cars parked on double yellow lines on the road. Nobody outside the premises all quiet.
29/07/2018	1:20 NTE Visit	29/ 7/2018 1:20 FRC call quiet closed.
09/03/2019	00:20 NTE Visit	Drove past premises observed that it was operating but no special event appeared to be on.

APPENDIX D

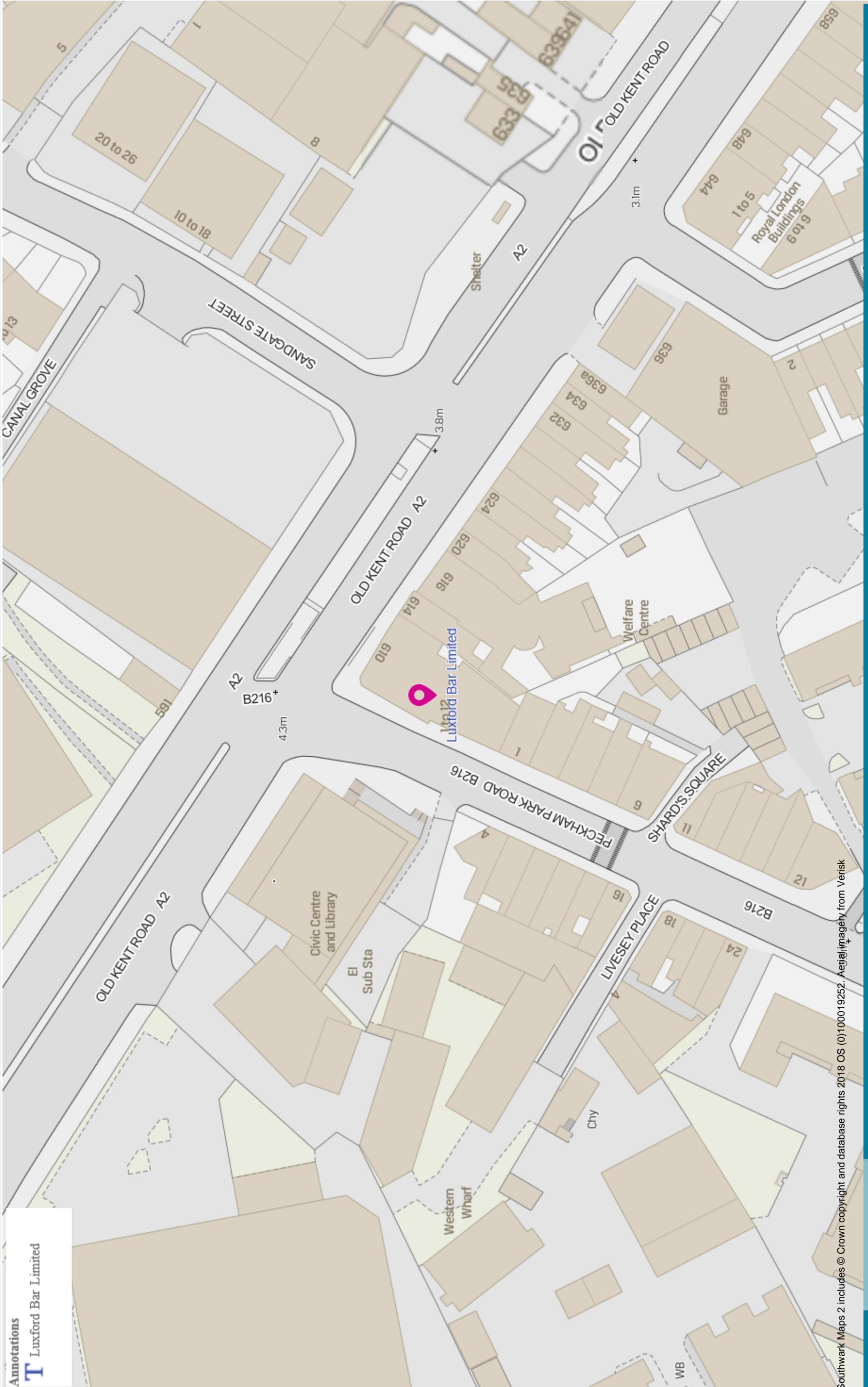
Received date	refno	Start date	end_date	times	max no people	sale of alcohol	reg. ent	LNR	late ten	police_obj	ept_obj	desc1
04/08/2016	855073	13/08/2016	14/08/2016	12:00 - 02:30	200	Yes	No	No	Yes	No	Yes	Counter notice
30/08/2016	855478	10/09/2016	11/09/2016	20:00 - 03:30	150	Yes	Yes	No	Yes	No	Yes	Counter notice
19/09/2016	855689	08/10/2016	09/10/2016	21:00- 02:00	200	Yes	Yes	No	No	No	Yes	Rep on Tens counter notice not issued
26/10/2016	856298	19/11/2016	20/11/2016	21:00- 02:00	100	Yes	Yes	No	No	No	No	
02/11/2016	856463	18/11/2016	20/11/2016	21:00 on 18 Nov - 02:00 on 20 Nov	100	Yes	No	No	No	No	No	
08/12/2016	857110	31/12/2016	01/01/2017	21:00--04:00	200	Yes	Yes	No	No	No	Yes	
23/12/2016	857310	07/01/2017	08/01/2017	21:00--02:00	200	Yes	Yes	No	No	No	No	
26/06/2017	859349	15/07/2017	16/07/2017	21:00 - 02:00	200	Yes	No	No	No	No	No	withdrawn
30/06/2017	859412	15/07/2017	16/07/2017	21:00 - 02:00	200	Yes	Yes	No	No	No	No	
27/11/2017	861404	15/12/2017	16/12/2017	21:00 - 02:00	300	Yes	Yes	No	No	No	No	
13/12/2017	861643	23/12/2017	24/12/2017	21:00 - 01:30	300	Yes	Yes	No	Yes	No	No	
14/12/2017	861649	31/12/2017	01/01/2018	21:00-04:00	300	Yes	Yes	No	No	No	No	
08/01/2018	861780	13/01/2018	14/01/2018	09:00-01:30	300	Yes	Yes	No	No	No	No	
20/02/2018	862354	10/03/2018	11/03/2018	20:00-02:00	250	Yes	Yes	No	No	No	No	
15/03/2018	862632	01/04/2018	02/04/2018	21:00 - 00:30	200	Yes	Yes	No	No	No	No	
19/03/2018	862652	28/04/2018	29/04/2018	19:00 - 02:00	200	Yes	Yes	No	No	No	No	
19/03/2018	862653	06/05/2018	07/05/2018	21:00 - 00:30	200	Yes	Yes	No	No	No	No	
26/03/2018	862774	12/05/2018	13/05/2018	19:00 - 02:00	200	Yes	Yes	No	No	No	No	
10/05/2018	863236	26/05/2018	28/05/2018	19:00 - 02:00 (26 & 27) 21:00 - 00:30 (27 & 28)	200	Yes	Yes	No	No	No	No	
13/06/2018	863654	30/06/2018	01/07/2018	19:00 - 02:00	200	Yes	Yes	No	No	No	No	

12/09/2018	864814	29/09/2018	30/09/2018	20:00-02:30	250	Yes	Yes	No	No	No	No	
12/10/2018	865303	27/10/2018	28/10/2018	20:00-02:30	250	Yes	Yes	No	No	No	No	
27/11/2018	866039	22/12/2018	23/12/2018	20:00 - 03:00	300	Yes	Yes	No	No	No	No	
13/12/2018	866259	26/12/2018	27/12/2018	20:00-01:00	300	Yes	Yes	No	No	No	No	Counter notice - limits
13/12/2018	866275	30/12/2018	30/12/2018	00:01 - 03:00	300	Yes	Yes	No	No	No	No	
22/01/2019	866570	10/03/2019	10/03/2019	00:01- 02:00	300	Yes	Yes	No	No	No	No	
16/03/2019	867340	26/05/2019	26/05/2019	00:01- 03:00	250	Yes	Yes	No	No	No	No	
16/03/2019	867343	05/05/2019	05/05/2019	00:01- 03:00	250	Yes	Yes	No	No	No	No	
16/03/2019	867344	21/04/2019	21/04/2019	00:01- 03:00	250	Yes	Yes	No	No	No	No	

LUXFORD BAR, 610, OLD KENT ROAD, SE15 1JB



Annotations
Luxford Bar Limited



Southwark Maps 2 includes © Crown copyright and database rights 2018 OS (0)100019252. Aerial imagery from Verisk

20 m

Scale = 1 : 661.500

31-Jan-2018



LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2018-19

NOTE: Original held by Constitutional Team; all amendments/queries to Andrew Weir - Tel: 020 7525 7222

Name	No of copies	Name	No of copies
Members		Officers	
Councillor Renata Hamvas (Chair)	1	Debra Allday, legal team	1
Councillor Eliza Mann	1	David Franklin, licensing team	1
Councillor Adele Morris	1	Andrew Weir (spares)	2
Councillor Dora Dixon-Fyle MBE (reserve)	By email	Total printed copies:	7
		Dated: 22 March 2019	