

Licensing Sub-Committee

Friday 16 February 2018
10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Lorraine Lauder MBE
Councillor Kath Whittam

Reserves

Councillor Sunny Lambe

INFORMATION FOR MEMBERS OF THE PUBLIC

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Contact

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 6 February 2018



Licensing Sub-Committee

Friday 16 February 2018
10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: LUXFORD BAR LIMITED, 610 OLD KENT ROAD, LONDON, SE15 1JB	1 - 82
	ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.	

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 6 February 2018

Item No. 5.	Classification: Open	Date: 16 February 2018	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Luxford Bar Limited, 610 Old Kent Road, London, SE15 1JB	
Ward(s) or groups affected:		Livesey	
From:		Strategic Director of Environment and Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Luxford Bar Limited to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as: Luxford Bar Limited, 610 Old Kent Road, London SE15 1JB.
2. Notes:
 - The application seeks to vary the premises licence held under the Licensing Act 2003 in respect of the premises known as: Luxford Bar Limited, 610 Old Kent Road, London, SE15 1JB, under section 34 of the Act. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to representations submitted by responsible authorities and / or other persons and is therefore referred to the sub-committee for determination.
 - Paragraphs 8 to 14 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix B. A map showing the location of the premises is attached as Appendix F.
 - Paragraphs 16 to 22 of this report deal with the representations submitted in respect of the application. Copies of the representations and related correspondence are attached in appendix C.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a new licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.

4. Within Southwark, this council wholly administers the licensing responsibility. 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.
5. 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.
6. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The current premises licence

7. The current premises licence (a copy of the existing premises licence is attached as Appendix A) in respect of the premises known as Luxford Bar Limited, 610 Old Kent Road, London SE15 1JB was issued on 30 December 2015 and allows the following licensable activities:
 - Films, live music, recorded music, entertainment similar to live & recorded music and the sale of alcohol to be consumed on the premises, recorded music:
 - Sunday to Thursday between 11:30 and 22:30
 - Friday and Saturday between 11:30 and 00:00 (midnight)
 - Opening hours:
 - Sunday to Thursday between 11:30 and 23:00
 - Friday and Saturday between 11:30 and 00:30 the following day.

The variation application

8. On 9 November 2017 Luxford Bar Limited applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence issued in respect of the premises known as Luxford Bar Limited, 610 Old Kent Road, London SE15 1JB.
9. The application is summarised as follows:

- To amend the hours permitted for the sale of alcohol to:
 - Sunday to Thursday between 12:00 and 23:30
 - Friday and Saturday between 12:00 and 01:00 the following day.
 - To amend the opening hours of the premises to:
 - Sunday to Thursday between 12:00 and 00:00 (midnight)
 - Friday and Saturday between 12:00 and 01:30 the following day
 - To allow children into the building until 23:00 provided that the children are seated away from the bar in the upstairs area of the restaurant and supervised by an adult at all times.
 - To remove condition 345
 - To change the name of the premises to 'Luxford', and to operate as a premises.
10. Following consultation between the business partners involved in the operation of the business, the applicant requested to amend the application on 7 December 2017 and provided an amended application form on 22 December 2017. The final summary of the amended variation application (and the variation to be considered) is as follows:
- To amend the hours permitted for films, live music, recorded music, entertainment similar to live and recorded music and the sale of alcohol to be consumed on the premises, recorded music:
 - Sunday to Thursday between 12:00 and 23:30
 - Friday and Saturday between 12:00 and 01:00 the following day
 - To amend the opening hours of the premises to:
 - Sunday to Thursday between 12:00 and 00:00 (midnight)
 - Friday and Saturday between 12:00 and 01:30 the following day
 - To allow for the following non standard timings:
 - New Year's Eve licensable activities cease at 03:30 and the premises close at 04:00
 - Sundays immediately preceding a bank holiday licensable activities cease at 01:00 and the premises close at 01:30.
 - To amend condition 345 to read: *"That no persons under the age of 18 will be permitted on the premises after 22:00 hours. Between 20:00 and 22:00 any persons under 18 at the premises must be accompanied by a responsible adult and will only be permitted in the designated family area of the premises away from the bar."*
 - To remove condition 346 and amend condition 341, to read: *"That two SIA registered door supervisors will be on duty when the premises are in operation. They will be employed at all times after 23:00 on Fridays & Saturdays, when live or recorded music is being provided, until the end of business and all*

patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict and the dispersal of all customers. The security guards will also be trained and deployed to prevent entry, when applicable, 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."

11. There is to be no change of the operation of the premises to that of a restaurant only.
12. The application form provides the applicant's operating schedule. Parts B, E, F, H, J, K, L and M of the operating schedule set out the proposed licensable activities, operating hours and operational control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should an amended premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be included in the licence.
13. Copies of the original variation application, amended application and related correspondence are attached to this report as Appendix B.
14. The responsible authorities were informed of the above amendments to the application.

Designated premises supervisor

15. The designated premises supervisor (DPS) under the existing premises licence is Melodie Mavoungou.

Representations from responsible authorities

16. Representations have been submitted by this council's trading standards service, this council's director of public health, the Metropolitan Police Service, this council's licensing responsible authority and this council's environmental protection team.
17. The trading standard's representation notes that condition 345 was a condition that was agreed to between trading standards and the licensee when the current licence was applied for, and that trading standards have concerns that children would be left unsupervised and out of parental sight. Trading standards object to the removal of condition 345. Trading standards have not provided any comments in regards to the amendments made to the application.
18. The director of public health's representation notes that the premises are located within "*a hotspot for alcohol related theft and alcohol related call outs*" and also that the premises are located in a residential area. The representation contends that residents are likely to be disturbed by noise and anti-social behaviour subsequent to the operation of the premises during the proposed extended hours of operation. The representation also notes that the closing time recommended for licensed venues in residential areas, in this council's statement of licensing policy is 23:00. The representation recommends that the application be rejected. The director of public health has not provided any comments in regards to the amendments made to the application, however it should be noted that the terminal hours applied for have not changed, and that the application now also seeks to include non standard timings in the licence.

19. The Metropolitan Police Service's representation notes that the premises are located in a residential area and that the extended operational hours applied for fall outside those recommended, for licensed premises in residential areas, in this council's statement of licensing policy. The representation notes that the licensee seeks to change the operation of the business from that of a bar to that of a restaurant and suggests a condition consistent with this change that should be imposed on any licence issued subsequent to the application. The Metropolitan Police Service have not provided any comments in regards to the amendments made to the application, however it should be noted that the terminal hours applied for have not changed, that the application now also seeks to include non standard timings in the licence, and that the application no longer seeks to change the operation of the premises from that of a bar to a restaurant.
20. The licensing responsible authority's representation notes that the premises are situated in a residential area and that the closing time recommended for licensed venues in residential areas, in this council's Statement of Licensing Policy, is 23:00. The representation contends that the proposed extended hours of operation are likely to impact residents living nearby and notes that the applicant has not offered any further control measures to mitigate this. The representation states that the licensing unit has received complaints in regards to the operation of the premises and that licensing officers have witnessed the premises being operated in breach of the conditions of the premises licence issued in respect of the premises. The licensing responsible authority recommends that the application is refused. The licensing responsible authority's has not provided any comments in regards to the amendments made to the application, however it should be noted that the terminal hours applied for have not changed, that the application now also seeks to include non standard timings in the licence, and that the application no longer seeks to change the operation of the premises from that of a bar to a restaurant.
21. The environmental protection team's representation notes that the premises are situated in a residential area and that the closing time recommended for licensed venues in residential areas, in this council's statement of licensing policy, is 23:00. The representation contends that the proposed extension of operating hours will lead to additional disturbance and public nuisance. The representation also notes that a number of noise complaints, from a variety of residents, have been made in regards to the operation of the premises. The representation recommends that the application be refused. The environmental protection team has acknowledged the amendments made to the application.
22. Copies of the representations submitted by responsible authorities, and related correspondence, are attached as Appendix C.

Conciliation

23. The applicant was sent copies of the representations and was advised to directly contact the responsible authorities. The applicant has provided a reply to the environmental protection team's representation. A copy of the reply is attached in Appendix C. At the time of the writing of this report all of the representations submitted remain outstanding and must therefore be considered by the licensing sub-committee.

Operating history

24. The current premises licence in respect of the premises was issued in 30 December 2015.

25. 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.
26. On 23 April 2016 a local resident (to be referred to as resident 1) made a complaint of loud music emanating from the premises causing a nuisance when the premises are in operation. As a result of the complaint visits were made to the premises on 6 and 8 May 2016. Details of the visits are in Appendix D.
27. On 22 May 2016 resident 1 made a further complaint of loud music loud music emanating from the premises causing a nuisance when the premises are in operation.
28. On 28 January 2017 resident 1 made a further 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, designated premises supervisor (DPS) and premises manager as a result of the visit. Copies of the warning letters are attached as part of the representation submitted by the licensing responsible authority. Details of the visit are in Appendix D.
29. 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. As a result of the complaint a visit was made to the premises on 8, 9 and 16 April 2017. Details of the visits are in Appendix D.
30. Details of night-time licensing inspections to the premises are attached as Appendix D.
31. A list of all temporary event notices submitted in respect of the premises is attached in Appendix E.

Map

32. A map of the area is attached to this report as appendix F. The premises are identified at the centre of the map. The following premises are in the area shown by the map:

Mingles Restaurant, 1 Peckham Park Road, London SE15 6TR licensed for:

- Sale of alcohol to be consumed on the premises & recorded music:
 - Sunday to Thursday from 10:00 to 22:30
 - Friday and Saturday from 10:00 to 23:30.
- Late night refreshment:
 - Friday and Saturday from 23:00 to 23:30.

Classic News, 17 Peckham Park Road, London SE15 6TR licensed for:

- Sale of alcohol to be consumed off the premises:
 - Monday to Sunday from 08:00 to 23:30.

M & N Off-Licence, 20 Peckham Park Road, London SE15 6TW licensed for:

- Sale of alcohol to be consumed off the premises:
 - Monday to Sunday from 08:00 to 01:00 the following day.

B & M Stores, 593-613 Old Kent Road, SE15 1LA licensed for:

- Sale of alcohol to be consumed off the premises:
 - Monday to Sunday from 08:00 to 22:00.

- **Mama Leah's, 660 Old Kent Road, London SE15 1JF** licensed for:

- Sale of alcohol to be consumed on the premises and recorded music:
 - Sunday to Thursday from 12:00 to 22:30
 - Friday and Saturday from 12:00 to 01:00 the following day.
- Late night refreshment:
 - Friday and Saturday from 23:00 to 01:00.
- Live music:
 - Friday and Saturday from 23:00 to 01:00.

- **Lickin' Fingers, 626b Old Kent Road, London SE15 1JB** licensed for:

- Sale of alcohol to be consumed on the premises:
 - Sunday to Thursday from 10:00 to 23:00
 - Friday and Saturday from 10:00 to 23:30.
- Sale of alcohol to be consumed off the premises:
 - Sunday to Thursday from 10:00 to 23:30
 - Friday and Saturday from 10:00 to 00:30 the following day.
- Recorded music
 - Sunday to Thursday from 10:00 to 23:30
 - Friday and Saturday from 10:00 to 00:00 (midnight).
- Live music
 - Friday and Saturday from 23:00 to 00:00.

Southwark council statement of licensing policy

33. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 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.
34. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
35. The premises fall within a residential area. The statement of licensing policy recommends the following closing times in respect of the types of premises stated:
- Restaurants and cafes:
 - 23:00 daily.
 - Public houses, wine bars or other drinking establishments:
 - 23:00 daily.

- Night clubs (with 'sui generis' planning classification):
 - Not considered appropriate for residential areas.

Resource implications

36. A fee of £190.00 being the statutory fee payable for premises within non-domestic rateable value band B has been paid by the applicant company in respect of this application.

Consultation

37. Consultation has been carried out in respect of this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and a similar notice exhibited at the premises for a period of 28 consecutive days. When the application was amended a new notice was displayed at the premises and the consultation period extended for a further 28 days.

Community impact statement

38. 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

39. The sub-committee is asked to determine the variation application for a premises licence under section 34 of the Licensing Act 2003.
40. The principles which sub-committee members must apply are set out below.

Principles for making the determination

41. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
42. The general principle is that applications for variation must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
43. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an other party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
44. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- Add to, omit, and/or alter the conditions of the licence, or
 - Reject the whole or part of the application for variation.

Conditions

45. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
46. The four licensing objectives are:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
47. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
48. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
49. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced three new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional two conditions came into force: age verification policy and smaller measures for alcoholic drinks.
50. Members are also referred to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

51. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

Hearing procedures

52. 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 and 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.
53. This matter relates to the determination of an application to vary a premises licence under section 34 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

54. 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.
55. 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.
56. 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.
57. 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.

58. 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.
59. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
60. 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.
61. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

62. 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

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office Guidance to the Act Secondary Regulations Southwark statement of licensing policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Mrs Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Copy of the existing premises licence
Appendix B	Copies of the original variation application, the amended variation application and related correspondence
Appendix C	Copies of the representations submitted by the responsible authorities and related correspondence
Appendix D	Details of night time visits to the premises
Appendix E	List of temporary event notices submitted in respect of the premises
Appendix F	Map

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Social Regeneration	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	5 February 2018	
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		6 February 2018

Licensing Act 2003

Premises Licence



Environmental Health & Trading Standards
Licensing Unit
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

850044

Part 1 - Premises details

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

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Films - Indoors Live Music - Indoors Recorded Music – Indoors Entertainment similar to live / recorded music - indoors Sale by retail of alcohol to be consumed on premises

The opening hours of the premises
For any non standard timings see Annex 2
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

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 - 22:30
Tuesday	11:30 - 22:30
Wednesday	11:30 - 22:30
Thursday	11:30 - 22:30
Friday	11:30 - 00:00
Saturday	11:30 - 00:00
Sunday	11:30 - 22:30

Live Music - Indoors

Monday	11:30 - 22:30
Tuesday	11:30 - 22:30
Wednesday	11:30 - 22:30
Thursday	11:30 - 22:30
Friday	11:30 - 00:00
Saturday	11:30 - 00:00
Sunday	11:30 - 22:30

Recorded Music - Indoors

Monday	11:30 - 22:30
Tuesday	11:30 - 22:30
Wednesday	11:30 - 22:30
Thursday	11:30 - 22:30
Friday	11:30 - 00:00
Saturday	11:30 - 00:00
Sunday	11:30 - 22:30

Entertainment similar to live / recorded music - indoors

Monday	11:30 - 22:30
Tuesday	11:30 - 22:30
Wednesday	11:30 - 22:30
Thursday	11:30 - 22:30
Friday	11:30 - 00:00
Saturday	11:30 - 00:00
Sunday	11:30 - 22:30

Sale by retail of alcohol to be consumed on premises

Monday	11:30 - 22:30
Tuesday	11:30 - 22:30
Wednesday	11:30 - 22:30
Thursday	11:30 - 22:30
Friday	11:30 - 00:00
Saturday	11:30 - 00:00
Sunday	11:30 - 22:30

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

Luxford Bar Limited

Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Melodie Mavoungou

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.:

Authority:

Licence Issue date: 30/12/2015

Head of Regulatory Services
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

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.

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.

341 That two SIA registered door supervisors will be on duty when the premises are in operation. They will be employed at all times after 20:00 until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict and the dispersal of all customers.

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 ²¹ 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.

345 That no persons under the age of 18 will be permitted on the premises after 20:00 hours.

346 That two SIA registered security guards will be on duty at the premises from 20:00 hours until the close of business each day. In addition to any other duties, 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.

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

22
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.

Licence No. 850044

Plan No. B3-00121-101A
B3-00121-106

Plan Date July 2015

09/11/2017

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 921930

Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	Luxford Bar Limited
Premises licence number	850044

Non-domestic rateable value of premises in order to see your rateable value click here (opens in new window)

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

Address Line 1	610 Old Kent Road
Address Line 2	London
Town	United Kingdom
County	
Post code	SE15 1JB
Ordnance survey map reference	
Description of the location	
Telephone number	

Please select the capacity in which you are applying to convert your existing licence

Daytime contact telephone number	██████████
Email address	████████████████████
Postal Address if different from premises address	
Town / City	
Postcode	

Do you want the premises licence to have effect as soon as possible?

Please tick	Yes
-------------	-----

If not from what date do you want the variation to take effect?

(DD/MM/YYYY)	
--------------	--

Please describe briefly the nature of the proposed variation (see guidance note 2)

	<p>1. Luxford would like to change its opening hours to the following: Sundays- Thursdays: 12:00- 00:00 Fridays- Saturdays: 12:00- 01:30</p> <p>2.Luxford would like to change the vary the sale of alcohol to be from: Mondays- Thursdays: 12:00- 11:30 Fridays- Saturdays: 12:00-01:00</p> <p>3. Luxford seeks to change the business name to 'Luxford' and to change its operations to that of a restaurants that sells alcohol and no longer be a bar.</p> <p>4. Luxford seek's to allow children into the building until 23:00 hours, however they are to be seated away from the bar and in the upstairs area of the restaurant and supervised by an adult at all times. Therefore removing condition 345.</p>
--	--

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

Please select number from range	Less than 5000
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time. Please state the number expected to attend	

What licensable activities do you intend to carry on from the premises?

	(Please see sections 1 and 14 of the Licensing Act 2003 and schedule 1 and 2 to the Licensing Act 2003)
--	---

Provision of regulated entertainment

	b) films
	e) live music
	f) recorded music
	h) anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment

--	--

Supply of alcohol

	j) Supply of alcohol
--	----------------------

Will the exhibition of films take place indoors or outdoors or both? (Please read guidance note 3)

	Indoors
--	---------

Please give further details here (Please read guidance note 4)

	music videos, advertisement and anything alike.
--	---

Standard days and timings for Films (Please read guidance note 7)

Day	Start	Finish
Mon	12:00	00:00
Tues	12:00	00:00
Wed	12:00	00:00
Thur	12:00	00:00
Fri	12:00	01:30
Sat	12:00	01:30
Sun	12:00	00:00

State any seasonal variations for the exhibition of films (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed. (Please read guidance note 6)

--	--

Will the performance of live music take place indoors or outdoors or both? (Please read guidance note 3)

	Indoors
--	---------

Please give further details here (Please read guidance note 4)

	live music amplified or un-amplified by solo performer or band
--	--

Standard days and timings for Live Music (Please read guidance note 7)

Day	Start	Finish
Mon	12:00	23:30
Tues	12:00	23:30
Wed	12:00	23:30
Thur	12:00	23:30
Fri	12:00	01:30
Sat	12:00	01:30
Sun	12:00	23:30

State any seasonal variations for the performance of live music (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed. (Please read guidance note 6)

--	--

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 3)

	Indoors
--	---------

Please give further details here (Please read guidance note 4)

	live music amplified or un-amplified by solo performer or band
--	--

Standard days and timings for Recorded Music (Please read guidance note 7)

Day	Start	Finish
Mon	12:00	23:30
Tues	12:00	23:30
Wed	12:00	23:30
Thur	12:00	23:30
Fri	12:00	01:00
Sat	12:00	01:00
Sun	12:00	23:30

State any seasonal variations for playing recorded music (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 6)

--	--

Please give a description of the type of entertainment you will be providing

	live music amplified or un-amplified by solo performer or band.
--	---

Will the entertainment take place indoors or outdoors or both? (Please read guidance note 3)

	Indoors
--	---------

Please give further details here (Please read guidance note 4)

	live music amplified or un-amplified by solo performer or band.
--	---

Standard days and timings for Anything of a similiar description to that falling within (e), (f) or (g) (Please read guidance note 7)

Day	Start	Finish
Mon	12:00	23:30
Tues	12:00	23:30
Wed	12:00	23:30
Thur	12:00	23:30
Fri	12:00	01:00
Sat	12:00	01:00
Sun	12:00	23:30

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. (Please read guidance note 6)

--	--

Will the supply of alcohol be for consumption (Please read guidance note 8)

	On the premises
--	-----------------

Standard days and timings for Supply of alcohol (Please read guidance note 7)

Day	Start	Finish
Mon	12:00	23:30
Tues	12:00	23:30
Wed	12:00	23:30
Thur	12:00	23:30
Fri	12:00	01:00
Sat	12:00	01:00
Sun	12:00	23:30

State any seasonal variations for the supply of alcohol (Please read guidance 5)

--	--

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 6)

--	--

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please read guidance note 9)

	The sale of alcohol
--	---------------------

Hours premises are open to the public (standard timings Please read guidance note 7)

Day	Start	Finish
Mon	12:00	00:00
Tues	12:00	00:00
Wed	12:00	00:00
Thur	12:00	00:00
Fri	12:00	01:30
Sat	12:00	01:30
Sun	12:00	00:00

State any seasonal variations (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 6)

--	--

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

	345- removed
--	--------------

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 10)

	<p>1. Staff training - all staff will undergo training on the sale of alcohol, challenge 25, refusals of sales and prevention of under age sales.</p> <p>2. The premises will maintain a CCTV system. All recording will be keep for a minimum of 31 days.</p>
--	--

b) the prevention of crime and disorder

	<p>1. That a CCTV system be installed at the premises and 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 including outside pavement area.</p> <p>2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.</p>
--	--

c) public safety

	<p>1. We will ensure that a good working CCTV system will be installed at the premises and will be continually recording the premises at all times. The CCTV System will be capable of capturing a clear facial image of every person who enters the premises and an overview of all licensed areas including the outside pavement area. Additionally, all our CCTV footage will be kept for a period of 31 days and if requested, be made immediately available to officers of the police and the council.</p> <p>3.All staff will be trained on Challenge 25 policy in their responsibilities under the licensing act 2003 and training records will be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.</p> <p>4. There will be two SIA registered door supervisors. They will be employed after 20:00 until the end of business and will monitor that all patrons have vacated the premises, they will be engaged to monitor admission and re-admissions to the premises, security, protection, and dealing with conflict and the dispersal of all customers.</p>
--	--

d) the prevention of public nuisance

	<p>1. There will be suitable notices displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.</p> <p>2. We will have a noise limiter installed in the premises to control the music.</p> <p>3. A public sign advising customers to leave the restaurant quietly will be displayed at the exit of the premises.</p>
--	--

	4. Customers will not use the outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette and there will be no more than four people at one any time. No drinks will be taken outside whilst smoking.
--	--

e) the protection of children from harm

	<p>1. The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Proof of Age London (PAL) card.</p> <p>2. All staff involved in the sale of alcohol shall attend be trained. This training shall include training in the agecheck 'Challenge 25' policy. 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.</p> <p>3. Agecheck or '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 an agecheck 'Challenge 25' policy applies and proof of age may be required.</p> <p>4. A register of refused sales of alcohol and if applicable, cigarette sales which is clearly marked with details of the premises, address and name of 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 request by the Council's authorised officers or the Police.</p>
--	---

If the plan of the premises are varying please upload a plan of the premises,

Upload proposed plans	
Upload existing plans	

Checklist

	I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected.
--	---

I agree to the above statement

	I agree
PaymentDescription	■
AuthCode	■■■■■
LicenceReference	■■■■■■■■■■
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If completing on behalf of the applicant, please state in what capacity.

Full name	Melodie Mavoungou
Date (DD/MM/YYYY)	09/11/2017
Capacity	Designated Premises Supervisor

Where the premises licence is jointly held, please enter the 2nd applicants name (the current premises licence holder) or 2nd solicitor or other authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state i

Full name	
Date (DD/MM/YYYY)	
Capacity	

Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 14)

Contact name and address for correspondence	Melodie Mavoungou [Redacted]
Telephone No.	[Redacted]
If you prefer us to correspond with you by e-mail, your email address (optional)	

Please tick to indicate agreement

<input type="checkbox"/>	I am a company or limited liability partnership
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I agree to the above statement

<input checked="" type="checkbox"/>	Yes
-------------------------------------	-----

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

From: Comply
Sent: Friday, December 22, 2017 2:45 PM
To: McArthur, Wesley
Subject: Re: Luxford - application to vary premises license

Hi Wesley,

Please find the amended application to vary the premises license for Luxford Bar.

Melodie Mavoungou

25
The amended variation application - to be considered by the LSC

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Luxford Bar Limited

(Insert name(s) of applicant)

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

Premises licence number

850044

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
610 Old Kent Road

Post town

London

Postcode

SE15 1JB

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

Post town

Postcode

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

1. To amend condition 345 to read: "That no persons under the age of 18 will be permitted on the premises after 22:00 hours. Between 20:00 and 22:00 any persons under 18 at the premises must be accompanied by a responsible adult and will only be permitted in the designated family area of the premises away from the bar."
2. To extend the finish time permitted for licensable activities by an half an hour daily and to extend closing times by one hour every day.
3. To allow for the following non standard timings:
 - NYE licensable activities cease at 03:30 and the premises close at 04:00
 - Sundays immediately preceding a bank holiday licensable activities cease at 01:00 and the premises close at 01:30
4. To remove condition 346 and amend condition 341, to read: "That two SIA registered door supervisors will be on duty when the premises are in operation. They will be employed at all times after 23:00 on Fridays & Saturdays, when live or recorded music is being provided, until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict and the dispersal of all customers. The security guards will also be trained and deployed to prevent entry, when applicable, 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."

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

--

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

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

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) Music videos, advertisement and anything a like.		
Mon	12:00	23:30			
Tue	12:00	23:30	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed	12:00	23:30			
Thur	12:00	23:30	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7) New Year Eve's: 12:00 - 03:30 Sundays immediately preceding a bank holiday: 12:00 - 01:00		
Fri	12:00	01:00			
Sat	12:00	01:00			
Sun	12:00	23:30			

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12:00	23:30	<u>Please give further details here</u> (please read guidance note 5) Live music amplified or un-amplified by solo performer or band		
Tue	12:00	23:30			
Wed	12:00	23:30	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	12:00	23:30			
Fri	12:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	12:00	01:00	New Year Eve's: 12:00 - 03:30 Sundays immediately preceding a bank holiday: 12:00 - 01:00		
Sun	12:00	23:30			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	12:00	23:30			
Tue	12:00	23:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed	12:00	23:30			
Thur	12:00	23:00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	12:00	01:00			
			New Year Eve's: 12:00 - 03:30 Sundays immediately preceding a bank holiday: 12:00 - 01:00		
Sat	12:00	01:00			
Sun	12:00	23:30			

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	12:00	23:30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	12:00	23:30	<u>Please give further details here</u> (please read guidance note 5)		
Wed	12:00	23:30			
Thur	12:00	23:30	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri	12:00	23:30			
Sat	12:00	01:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun	12:00	23:30			
			New Year Eve's: 12:00 - 03:30 Sundays immediately preceding a bank holiday: 12:00 - 01:00		

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	12:00	23:30	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue	12:00	23:30			
Wed	12:00	23:30			
Thur	12:00	23:30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) New Year Eve's: 12:00 - 03:30 Sundays immediately preceding a bank holiday: 12:00 - 01:00		
Fri	12:00	01:00			
Sat	12:00	01:00			
Sun	12:00	23:30			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>None</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	12:00	00:00	
Tue	12:00	00:00	
Wed	12:00	00:00	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) New Year Eve's: 12:00 - 04:00 Sundays immediately preceding a bank holiday: 12:00 - 01:30
Thur	12:00	00:00	
Fri	12:00	01:30	
Sat	12:00	01:30	
Sun	12:00	00:00	

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

Amend condition 345

Remove condition 346

Amend condition 341

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

N/A

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

As per existing licence except for the changes outlined in this application

b) The prevention of crime and disorder

As per existing licence except for the changes outlined in this application

c) Public safety

As per existing licence except for the changes outlined in this application

d) The prevention of public nuisance

As per existing licence except for the changes outlined in this application

e) The protection of children from harm

As per existing licence except for the changes outlined in this application

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	22/12/17
Capacity	Designated premises supervisor

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)



Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
			

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community

- premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

From: [McArthur, Wesley](#)
To: [Tear, Jayne](#); [Masini, Bill](#); [Fox, Roy](#); "[Ian.Clements@met.pnn.police.uk](#)"; [Sharpe, Carolyn](#); [Planning.Enquiries](#); "[firesafetyregulationSE@london-fire.gov.uk](#)"; [Regen, OHS](#); "[alcohol@homeoffice.gsi.gov.uk](#)"
Subject: Application to vary a premises licence - Luxford Bar, 610 Old Kent Road, London, SE15 1JB (our ref: 860958)
Date: 04 January 2018 19:28:53
Attachments: [Luxford \(860958\) - amended application.pdf](#)

Dear Responsible Authorities,

Please note that the applicant in regards to the above application requested that the application be deferred to facilitate amendments to the application.

A copy of the amended application is attached.

The application is now summarised as follows:

1. To amend condition 345 to read: "That no persons under the age of 18 will be permitted on the premises after 22:00 hours. Between 20:00 and 22:00 any persons under 18 at the premises must be accompanied by a responsible adult and will only be permitted in the designated family area of the premises away from the bar."
2. To extend the finish time permitted for licensable activities by an half an hour daily and to extend closing times by one hour every day.
3. To allow for the following non standard timings:
 - NYE licensable activities cease at 03:30 and the premises close at 04:00
 - Sundays immediately preceding a bank holiday licensable activities cease at 01:00 and the premises close at 01:30
4. To remove condition 346 and amend condition 341, to read: "That two SIA registered door supervisors will be on duty when the premises are in operation. They will be employed at all times after 23:00 on Fridays & Saturdays, when live or recorded music is being provided, until the end of business and all patrons have vacated the premises they will be engaged to monitor admission and re-admissions to the premises, security, protection, screening and dealing with conflict and the dispersal of all customers. The security guards will also be trained and deployed to prevent entry, when applicable, 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.

Consultation has recommenced. The last date that representations can be submitted in regards to the application is now 19 January 2018.

If you have already submitted a representation in regards to the application please advise whether you wish it to remain as submitted or whether you have any additional comments.

Regards,

Wesley McArthur

Principal Enforcement Officer

London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Fax: 020 7525 5705

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

<http://www.southwark.gov.uk/business/licences/entertainment-and-alcohol-licences/women-s-safety>

From: [Regen, Licensing](#)
To: [Tahir, Sarah](#)
Cc: [McArthur, Wesley](#)
Subject: FW: Application to vary Premises Licence - Luxford Bar 610 Old Kent Road SE15 1JB
Date: 08 December 2017 08:14:02
Attachments: [image001.png](#)

From: Masini, Bill
Sent: Thursday, December 07, 2017 11:29 PM
To: Regen, Licensing
Cc: Tear, Jayne
Subject: Application to vary Premises Licence - Luxford Bar 610 Old Kent Road SE15 1JB

As a Responsible Authority under The Licensing Act, Trading Standards are in receipt of an application to vary the Premises Licence for Luxford Bar 610 Old Kent Road SE15 1JB and respond accordingly under the Licensing Objective of the Protection of Children from Harm.

In the application there is the desire to remove condition 345 – “No persons under the age of 18 will be permitted on the premises after 20.00 hours.” The application states “ Luxford seek to allow children into the building until 23:00, however they are to be seated away from the bar and in the upstairs area of the restaurant and supervised by an adult at all times. Therefore removing condition 345.

It is relevant to state in the original application for the premises licence in November 2015, the applicant failed to address the “protection of children from harm” licensing objective having made meaningless statements such as “Limited hours of when children may be present”, “Sufficient amount of staff to protect children” and “Children to be accompanied by responsible **staff**” [emphasis added]. This was conciliated whereby the applicant agreed to what became condition 345 when a licence was granted. Now the Premises Licence seeks the removal of this condition.

Trading Standards find it difficult to see how the proposed condition of children being seated in the upstairs area and supervised by an adult at all times up to 23:00 hours will be implemented. One has to wonder why an adult would choose to sit with a child in this area until 23.00 hours away from other adults enjoying themselves elsewhere in this licensed premise rather than simply be in a domestic environment.

Trading Standards have concerns this proposed condition would not be adhered to with children left unsupervised and out of parental sight and therefore objects to the removal of condition 345.

Bill Masini - Trading Standards Officer

Southwark Council Trading Standards | Environment & Social Regeneration
3rd Floor Hub 1, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 2629 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages www.southwark.gov.uk/TradingStandards

Need clear practical consumer advice? Visit Consumer Direct at www.direct.gov.uk/consumer

From: [Regen, Licensing](#)
To: [McArthur, Wesley](#)
Subject: FW: Consultation - Major Variation, Luxford Bar
Date: 07 December 2017 13:20:47

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Thursday, December 07, 2017 1:09 PM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: Consultation - Major Variation, Luxford Bar

To whom it may concern:

Re: Luxford Bar, 610 Old Kent Road, London SE15 1JB

On behalf of the Director of Health and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

This representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

The applicant requests to vary their current license to permit the sale of alcohol on the premises between 12:00-23:30 on Mondays to Thursdays and 12:00-01:00 on Fridays and Saturdays.

This premises is located within an area that is monitored for alcohol-related harms. As can be seen from the below images, this premises is located within a hot-spot for alcohol related theft and alcohol-related ambulance call outs:

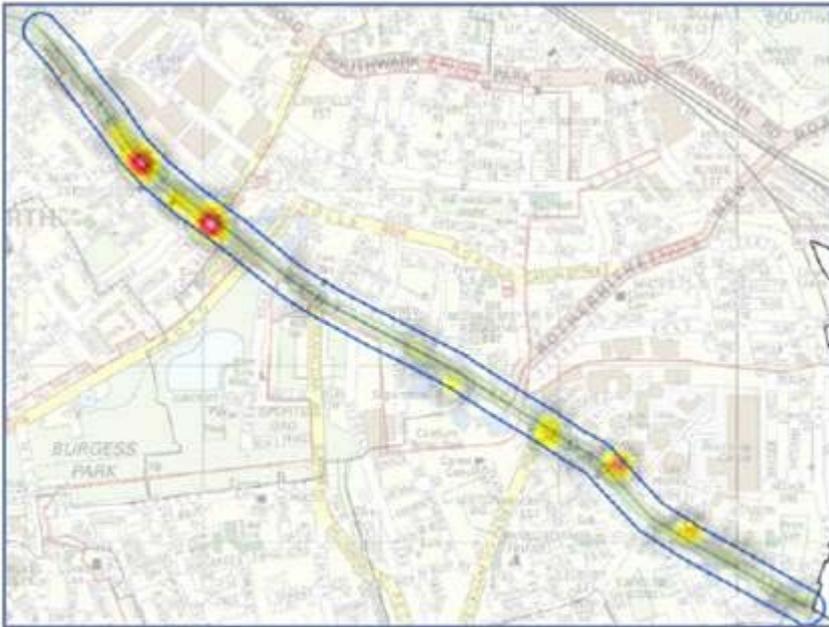


Figure 22 - Old Kent Road CIZ theft

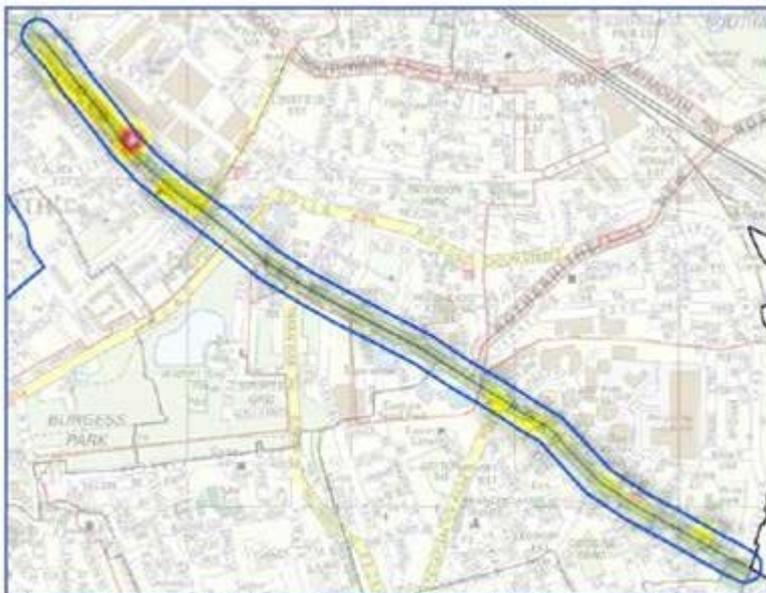


Figure 24 - Old Kent Road CIP LAS pick-ups (data only accurate to postcode level)

Additionally this premises is located within a residential area with residents living above the premises. Local residents are likely to be disturbed by noise and anti-social behaviour associated with the extended operating hours of the premises and dispersal from the premises. Such disturbances, including reduced sleep and elevated stress levels place their health at considerable risk.

Further, this premises is located in a residential area and Southwark's Statement of Licensing Policy recommends a close time for all licensed venues in residential areas of 23:00.

Therefore I reject this application in full.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,

Carolyn Sharpe

on behalf of Professor Kevin Fenton, Director of Health and Wellbeing (incorporating the role of Director of Public Health)

Carolyn Sharpe | carolyn.sharpe@southwark.gov.uk | 02075250025 | 07927563567

Public Health Policy Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH

From: Jerrom, Charlie

Sent: 10 November 2017 09:45

To: Alcohol@homeoffice.gsi.gov.uk ; Sharpe, Carolyn; Chowdhury, Farhad; Chudasama, Sailesh; DIP Team; Farrington, Ian; FireSafetyRegulationSE@london-fire.gov.uk ; Graham White; Ifepa; Masini, Bill; Planning.Enquiries; Public Health Licensing; Reg Env Protection; Richards-Vassell, Thomas; Qau Safeguarding; safer; [REDACTED] Tear, Jayne; West Team diary

Subject: Consultation - Major Variation, Luxford Bar

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

From: lan.Clements@met.pnn.police.uk [mailto:lan.Clements@met.pnn.police.uk]

Sent: Thursday, December 07, 2017 1:25 PM

To: Regen, Licensing; Tear, Jayne

Subject: Emailing: Luxford Bar variation

Please find attached letter of representation in regard to the above variation application.

Kind Regards

Ian Clements PC 362 MD
Police Licensing Officer
Southwark Police Station
323 Borough High Street SE1 1JL
T 0207 232 6756
M 07974 836 444
lan.clements@met.pnn.police.uk



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD21/3068/17

Date: 7th December 2017

Dear Sir/Madam

Re:- Luxford Bar 610 Old Kent Road SE15 1JB

Police are in possession of an application from the above for a variation to their current licence 850044.

The application seeks to increase the hours for licensable activities and opening hours. It also makes reference to a change of business from a bar to a restaurant, and the removal of condition 345 relating to children on the premises.

The premises already has a fairly generous licence for one that sits directly below a residential block and is in a residential area as defined by Southwark's licensing policy.

The current hours were agreed following conciliation on another recent variation application in January 2017.

I take into consideration the apparent change of business from a bar to a restaurant and note that restaurants are less likely to have a negative impact on crime and disorder. However, the hours applied for sit considerably outside of those hours recommended by the policy. The application does not offer any additional control measures above those already on the premises licence. It is therefore likely that it could have a negative impact on the licensing objectives, it is for this reason that I object to this variation.

If the licensing sub committee is minded to consider the application for additional hours, Police would recommend that conditions restricting the operation to a restaurant are included in the operating schedule.

The following wording is recommended as a control measure, if accepted Police would be ok with the removal of condition 345. At this stage we are not in a position to agree to the additional hours as per the application.

1. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person as an ancillary to his meal.

The applicant should also have a look at condition 346 & 347 as they do not appear to be constant with the change of business.

Yours Sincerely

PC Ian Clements 362MD
Southwark Police Licensing Unit
Tel: 0207 232 6756

MEMO: Licensing Unit

To Licensing Unit **Date** 7 December 2017

Copies

From Jayne Tear **Telephone** 020 7525 0396 **Fax**

Email jayne.tear@southwark.gov.uk

Subject Re: Luxford Bar, 610 Old Kent Road, London, SE15 1JB

Application to vary the premises licence

I write with regards to the above application to vary the premises licence under the Licensing Act 2003 submitted by Luxford Bar Limited, which seeks the following changes to the licensable activities:

- To extend films on Sunday through to Thursday from 22:30 to 00:00 and on Friday and Saturday from 00:00 to 01:30 the following day. To also remove half hour from the start times on each day
- To extend live music on Sunday through to Thursday from 22:30 to 23:30 and on Friday and Saturday from 00:00 to 01:30 the following day. To also remove half hour from the start times on each day
- To extend recorded music and anything similar to live/recorded music and performance of dance (indoors) on Sunday through to Thursday from 22:30 to 23:30 and on Friday and Saturday from 00:00 to 01:00 the following day. To also remove half hour from the start times on each day
- To extend the supply of alcohol (to be consumed on the premises) on Sunday through to Thursday from 22:30 to 23:30 and on Friday and Saturday from 00:00 to 01:00 the following day. To also remove half hour from the start times on each day.
- To extend the opening times on Sunday through to Thursday from 23:00 to 00:00 and on Friday and Saturday from 00:30 to 01:30 the following day. To also remove half hour from the start times on each day

The conditions ask to be removed or amended are as follows:

Remove condition 345 which states:

'That no persons under the age of 18 will be permitted on the premises after 20:00 hours'

To be replaced with the following condition:

'That children shall be allowed into the building until 23:00, however they are to be seated away from the bar and in the upstairs area of the restaurant and supervised by an adult at all times'

My representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy 2016 – 2020

This premises is situated within a **residential area** and under the Southwark Statement of Licensing Policy the closing times **appropriate for public houses, wine bars or other drinking establishments and restaurants and cafes is 23:00 hours daily**. Night clubs (with sui generis planning classification) are not considered appropriate for this area.

This premises licence already has generous hours granted on Friday and Saturday, which fall outside of that which is deemed appropriate in a residential area, within the licensing policy.

I object to the granting of the extended hours for all activities and opening times asked for as the operation of the premises and of people leaving the premises even later at night could impact upon local residents living nearby and in the surrounding streets. The management would have no control of patrons that have left the premises and the possible impact of any rowdy and anti-social behaviour or crime and disorder, nor have they offered any further control measures to address this.

The applicant has stated within the application that "*Luxford seeks to change the business name to 'Luxford' and to change its operations to that of a restaurant that sells alcohol and no longer be a bar*", yet the existing licence does not allow for late night refreshment and this has not been requested within this application. Which means that during the extended times asked for 'no hot food or drink can be supplied'.

Furthermore the licensing unit have also received complaints regarding the premises operating past the hours granted on the existing licence and licensing officers have witnessed breaches of the licensed conditions. The Licensee, DPS and duty manager have received warning letters regarding this. I attach copies of those warning letters to this representation.

I therefore recommend that the application is refused and may submit further information supporting this representation at a later stage.

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority

Mr A. Lisowski,
Licensing Enforcement Officer,
Environment and Housing Department,
alexander.lisowski @southwark.gov.uk

Tel: 020 7525 7531

Date: 02 February 2017

[REDACTED]

Dear Mr Jolayem-Jacobs,

Breach of Licensing Conditions at Luxford Bar, 610 Old Kent Road, London, SE15 1JB.

I am writing to you in your capacity as the one of the directors of Luxford Bar Limited, the premises licence holder for the Luxford Bar, 610 Old Kent Road, London, SE15 1JB. In that capacity you are responsible for ensuring that the conditions on the premises licence for the Luxford Bar are adhered to.

Page 2 of the licence shows that the times allowed for the playing of live music and recorded music at the Bar, on Saturdays, are 11.30am to midnight.

On Sunday, 29th January, 2017, at 00.15am, I visited the bar. As I came near to the front door I could hear the sound of music coming from the bar. Once inside the sound of the music was louder. I saw that there was a DJ using a music system to play recorded music. I went to the bar to ask to see whoever was in charge. Because of the volume of the music I had to lean close to hear the barman speak.

I subsequently spoke to [REDACTED] who told me she was the manageress for the night. I showed her the copy of the licence that I had with me and pointed out the offence of playing recorded music beyond the hours allowed by the premises licence. Miss Osei made no effort to turn off the music. I directed her to turn it off.

This letter is a formal warning that you have allowed a breach of the premises licence conditions, for the Bar, to occur. This is an offence under The Licensing Act, 2003. This letter is a formal warning that you have committed that offence. A copy of this letter will be kept in my department's records. If further offences occur at the Bar, it will be taken into consideration when deciding how to deal with any further offences.

A warning letter has also been sent to [REDACTED] and Ms Mavoungou, the designated premises supervisor.

If you don't already do so, I recommend making photocopies of the premises licence available to your staff so that, if you are not present, they know the times that licensable activities are allowed at the Bar.

Yours sincerely,

Mr A. Lisowski,
Licensing Enforcement Officer,
The London Borough of Southwark.

Mr A. Lisowski,
Licensing Enforcement Officer,
Environment and Housing Department.
alexander.lisowski @southwark.gov.uk

Tel: 020 7525 7531

Date: 02 February 2017

Dear Ms Akinyosoye,

Breach of Licensing Conditions at Luxford Bar, 610 Old Kent Road, London, SE15 1JB.

I am writing to you in your capacity as the one of the directors of Luxford Bar Limited, the premises licence holder for the Luxford Bar, 610 Old Kent Road, London, SE15 1JB. In that capacity you are responsible for ensuring that the conditions on the premises licence for the Luxford Bar are adhered to.

Page 2 of the licence shows that the times allowed for the playing of live music and recorded music at the Bar, on Saturdays, are 11.30am to midnight.

On Sunday, 29th January, 2017, at 00.15am, I visited the bar. As I came near to the front door I could hear the sound of music coming from the bar. Once inside the sound of the music was louder. I saw that there was a DJ using a music system to play recorded music. I went to the bar to ask to see whoever was in charge. Because of the volume of the music I had to lean close to hear the barman speak.

I subsequently spoke to [REDACTED] who told me she was the manageress for the night. I showed her the copy of the licence that I had with me and pointed out the offence of playing recorded music beyond the hours allowed by the premises licence. Miss Osei made no effort to turn off the music. I directed her to turn it off.

This letter is a formal warning that you have allowed a breach of the premises licence conditions, for the Bar, to occur. This is an offence under The Licensing Act, 2003. This letter is a formal warning that you have committed that offence. A copy of this letter will be kept in my department's records. If further offences occur at the Bar, it will be taken into consideration when deciding how to deal with any further offences.

A warning letter has also been sent to [REDACTED] and Ms Mavoungou, the designated premises supervisor.

If you don't already do so, I recommend making photocopies of the premises licence available to your staff so that, if you are not present, they know the times that licensable activities are allowed at the Bar.

Yours sincerely,

Mr A. Lisowski,
Licensing Enforcement Officer,
The London Borough of Southwark.

If you don't already do so, I recommend making photocopies of the premises licence available to your staff so that, if you are not present, they know the times that licensable activities are allowed at the Bar.

Yours sincerely,

Mr A. Lisowski,
Licensing Enforcement Officer,
The London Borough of Southwark.

Mr A. Lisowski,
Licensing Enforcement Officer,
Environment and Housing Department.
alexander.lisowski @southwark.gov.uk

Tel: 020 7525 7531

Date: 24 March 2017

Dear [REDACTED]

Requirement to Produce CCTV Footage.

I am writing to you in your capacity as the manager for the Luxford Bar, 610 Old Kent Road, London, SE15 1JB.

Condition 288 of the premises licence for the Luxford Bar states, "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."

Condition 289 states, "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."

I am an officer of the Council as mentioned in Condition 289.

I am investigating suspected breaches of the premises licence contrary to The Licensing Act, 2003. These suspected breaches occurred on Saturday, 25th February, 2017, and on Sunday, 12th March, 2017. Council licensing officers visited the Bar on both those occasions. As part of this investigation I require copies of CCTV footage from all of the Bar's cameras for the following times:

1. 23.45pm on Friday, 24th February, 2017, to 01.30am on Saturday, 25th February, 2017, inclusive.
2. 23.45pm on Friday, 11th March, 2017, to 01.30am, Saturday, 12th March, 2017, inclusive.

I require this footage in a format that I can view on my computer terminal at work. I require this footage by 17.00pm on Monday, 3rd April, 2017. Inform me once it is ready and I will arrange for it to be collected from your Bar.

I have also sent this request to Ms Melodie Mavoungou, the designated premises supervisor for the Bar. I leave it to yourselves to sort out who is going to produce the CCTV footage.

Yours sincerely,

Mr A. Lisowski,
Licensing Enforcement Officer,
The London Borough of Southwark.

Mr A. Lisowski,
Licensing Enforcement Officer,
Environment and Housing Department.
alexander.lisowski @southwark.gov.uk

Tel: 020 7525 7531

Date: 24 March 2017

Ms Melodie Mavounghou

Dear Ms Mavounghou,

Requirement to Produce CCTV Footage.

I am writing to you in your capacity as the designated premises supervisor for the Luxford Bar, 610 Old Kent Road, London, SE15 1JB.

Condition 288 of the premises licence for the Luxford Bar states, "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."

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I require this footage in a format that I can view on my computer terminal at work. I require this footage by 17.00pm on Monday, 3rd April, 2017. Inform me once it is ready and I will arrange for it to be collected from your Bar.

I have also sent this request to [REDACTED] the manager of the Bar. I leave it to yourselves to sort out who is going to produce the CCTV footage.

Yours sincerely,

Mr A. Lisowski,
Licensing Enforcement Officer,
The London Borough of Southwark.

From: [Regen, Licensing](#)
To: [McArthur, Wesley](#)
Subject: FW: Luxford Bar, 610 Old Kent Road, SE15
Date: 07 December 2017 15:59:15
Attachments: [Luxford Bar 610 Old Kent Road SE15.msg](#)

From: Fox, Roy
Sent: Thursday, December 07, 2017 3:54 PM
To: Regen, Licensing; 'Ian.Clements@met.pnn.police.uk'
Cc: [REDACTED]
Subject: Luxford Bar, 610 Old Kent Road, SE15

Dear Sir/Madam

Re: Application to vary a premises licence, dated 09/11/2017; Melodie Mavoungou - Luxford Bar, 610 Old Kent Road, SE15 1JB, licence number 850044.

This representation is made by the Environmental Protection Team on behalf of the Environmental Health Responsible Authority and relates to the Licensing Objective, 'the prevention of public nuisance'. In respect of those parts of the application that seek to extend the hours of licensable activities, we would recommend that the application is refused. The grounds for recommending refusal are presented below.

- The extended times that have been applied for in the application fall outside of those contained within the Southwark Statement of Licencing Policy 2016-2020 for this area, which is categorised as a residential area. This policy indicates that the closing times of restaurants and of public houses, wine bars and other drinking establishments should be 23:00 hours daily. Further, it states that night clubs are not considered appropriate for this area. The current premises licence already has some allowance for extended hours incorporated. It is considered likely that a further extension of hours, if approved, will lead to additional disturbance and public nuisance.
- Planning permission, reference 05/AP/1232, granted on 10/10/2005, restricts the A1, A3 & A4 uses of the ground floor and basement of the building (in which the Luxford Bar operates) to the hours of 07:00 to 23:30 on any day. The Home Office Revised Guidance issued under section 182 of the Licensing Act 2003, March 2015, states in section 13.58 that when terminal hours have been set within a planning condition, then the earlier closing time should be observed (relative to a licence application).
- In the time period that the Luxford Bar has been operating there have a number of complaints of noise nuisance. Some were in the early part of the year and contributed to the refusal to extend licensed hours in February/March 2017 following an earlier application for variation. Since that time, I am aware of additional complaints of loud noise affecting local residents being made in April, July and September 2017. These have been from a variety of residents and not a single aggrieved person. Note also that the complaint in July arose during an evening for which a Temporary Event Notice was in place, and for which I had sent an email with firm advice on controlling noise levels so as not to cause a nuisance or disturbance to local residents (copy attached). The noise that night required the intervention of Noise & Nuisance Team officers to get the bass level reduced in volume.
- The application indicates a move away from a bar to a restaurant focus, but the premises

will still have a bar and will still play live and amplified music, and to a later time if granted, which are the cause of the public nuisance arising from the premises in the past.

- Although not strictly a licensing issue, but reflective of the management regime of the premises, a fixed penalty notice for fly tipped rubbish was issued on Luxford bar in August 2017.

In conclusion, based on the reasons given above, I would confirm my objection to the extension of hours requested in the application and recommend its refusal.

Regards,

Roy Fox
Principal Environmental Protection Officer

Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 |
PO Box 64529 | London | SE1P 5LX

020 7525 2458

www.southwark.gov.uk



From: [Fox, Roy](#)
To: [Regen, Licensing](#)
Cc: [REDACTED] Ian.Clements@met.pnn.police.uk; [McArthur, Wesley](#)
Subject: Luxford Bar, 610 Old Kent Road, SE15
Date: 19 January 2018 12:47:26
Attachments: [Luxford Bar 610 Old Kent Road SE15.msg](#)

Dear Sir/Madam

Re: Application to vary a premises licence - Luxford Bar, 610 Old Kent Road, London, SE15 1JB (ref: 860958), Application Date 22/12/2017

An earlier application to vary the existing premises licence was received in November 2017 and a representation was made by the Environmental Protection Team on 07/12/2017 recommending that the variation be refused on the basis that there would be an increased likelihood for public nuisance to arise. The grounds for that recommendation are equally relevant to this application and are reproduced below:

- The extended times that have been applied for in the application fall outside of those contained within the Southwark Statement of Licencing Policy 2016-2020 for this area, which is categorised as a residential area. This policy indicates that the closing times of restaurants and of public houses, wine bars and other drinking establishments should be 23:00 hours daily. Further, it states that night clubs are not considered appropriate for this area. The current premises licence already has some allowance for extended hours incorporated. It is considered likely that a further extension of hours, if approved, will lead to additional disturbance and public nuisance.
- Planning permission, reference 05/AP/1232, granted on 10/10/2005, restricts the A1, A3 & A4 uses of the ground floor and basement of the building (in which the Luxford Bar operates) to the hours of 07:00 to 23:30 on any day. The Home Office Revised Guidance issued under section 182 of the Licensing Act 2003, March 2015, states in section 13.58 that when terminal hours have been set within a planning condition, then the earlier closing time should be observed (relative to a licence application).
- In the time period that the Luxford Bar has been operating there have a number of complaints of noise nuisance. Some were in the early part of the year and contributed to the refusal to extend licensed hours in February/March 2017 following an earlier application for variation. Since that time, I am aware of additional complaints of loud noise affecting local residents being made in April, July and September 2017. These have been from a variety of residents and not a single aggrieved person. Note also that the complaint in July arose during an evening for which a Temporary Event Notice was in place, and for which I had sent an email with firm advice on controlling noise levels so as not to cause a nuisance or disturbance to local residents (copy attached). The noise that night required the intervention of Noise & Nuisance Team officers to get the bass level reduced in volume.
- The application indicates a move away from a bar to a restaurant focus, but the premises will still have a bar and will still play live and amplified music, and to a later time if granted, which are the cause of the public nuisance arising from the premises in the past.
- Although not strictly a licensing issue, but reflective of the management regime of the premises, a fixed penalty notice for fly tipped rubbish was issued on Luxford bar in August 2017.

Similarly to the conclusion made on 07/12/2017, the points reproduced above demonstrate that there is a realistic increased likelihood for public nuisance to arise from the extended hours applied for and, consequently, I would confirm my objection to the extension of hours requested in the application and recommend its refusal.

Regards,

Roy Fox
Principal Environmental Protection Officer

Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 |
PO Box 64529 | London | SE1P 5LX

020 7525 2458

www.southwark.gov.uk



From: Fox, Roy
Sent: Monday, July 03, 2017 5:53 PM
To: [REDACTED]
Subject: Luxford Bar, 610 Old Kent Road, SE15

Dear Miss Mavoungou

Re: Temporary Event Notice (TEN) for 15th July 2017 to 02:00 on 16th July 2017 - Luxford Bar, 610 Old Kent Road, SE15

I am in receipt of the above TEN made in replacement of the recent previous TEN that you withdrew. There have been some issues earlier this year with regulated entertainment at the bar resulting in noise complaints, although these were not associated with a TEN. Consequently, I do not propose to object to this event, but I would recommend that you take notice of the following firm advice and take robust actions to ensure that the event does not lead to complaints of noise or disturbance.

- The volume and bass levels of any licensed entertainment shall be kept at a level that is not audible outside the premises. This will entail keeping a continued check on the DJ to ensure that the sound output is not excessive or increased during the evening.
- Relevant openings in the buildings fabric (windows/doors/vents) must remain closed or be appropriately boarded up or sealed during licensed entertainment, except for the access or egress of patrons.
- Make hourly checks for audible noise outside the premises and at the nearest or most exposed residence to ensure compliance with the licensing objective regarding the prevention of public nuisance remains effective for the duration of the event.
- Licensed entertainment shall cease at 01.30hrs. to permit patrons to disperse slowly towards the terminal hour.
- Patrons shall not be permitted to take drinks outside or to gather outside the premises to smoke and socialise in significant numbers for extended periods of time. There must be no more than 10 persons outside the premises at any one time during the event, in order to smoke, for example.
- Place signs on the exit doors reminding patrons to leave quietly and have respect for nearby residents.
- The event must be closed and all persons have left the premises by 02:00 hours.
- Have both male and female SIA qualified security staff at a ratio of 1:50 persons on site.
- There should be no entry permitted after 00:00 hours.
- There must be no more than 200 persons on/in the premises in total (including staff) at any one time during the event.

Kindly note that if a complaint is received from a member of the public regarding public or statutory nuisance this will adversely affect future TENS in Southwark for both yourself as the applicant and for this premises.

Please acknowledge receipt of this email and confirm your understanding and agreement with the advice I have given.

Regards,

Roy Fox
Principal Environmental Protection Officer

Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | PO
Box 64529 | London | SE1P 5LX

020 7525 2458

www.southwark.gov.uk

From: [Luxford Bar 610 Old Kent London](#)
To: [Fox, Roy; McArthur, Wesley](#)
Subject: Luxford Bar Licensing.
Date: 29 January 2018 13:36:35

Hi Roy Fox. On the 8th of December we responded to your objection as per the Licensing protocol. But we noticed you didn't respond and wanted to understand why. We are informed that mediation can take place between us, the license operators and yourself, to address issues and bring matters to a benefiting end. However you did not respond to our message. You've since contested our license again using the same reasons and we would like to reopen dialogue to see if we can reach an agreement before the licensing committee meeting.

Please see below.

Opening Hours request:

The times we have requested is in no shape or form outlandish in comparison to the hours that have been granted to other premises in the the same ward as ourselves. Having carefully compared similar businesses in the area, who operate as we do. All also with residential above them, with credible history of complaints and public nuisance issues. We feel the times we have asked for is comparable to our local competitors and will therefore allow us to remain effective and operational.

I have attached 4 other licenses granted by the licensing team in support of our application. One being Afrikiko Bar (859997), a premise who despite multiple public nuisances (one of many incidents which led to the demise of a patron) was recently granted an 01:00 license in September 06 2017. Afrikiko is also within the same catchment as Luxford bar, yet is not held to the same conditions.

Mama Leah (849051) Equally 30 seconds away from Luxford bar, under residential, was granted a 01:30 License.

We have more evidence of this to tender to support our case for a licensing hearing.

In relation to noise and disturbances.

We do not shy away from past and how ineffective we have been with management of noise omitting from Luxford bar. However, the last notable incident of noise with Luxford bar was in July, as stated in your objection statement. We have no recollection or evidence from the licensing team to support any complaint in September 2017. As mentioned by a previous visiting Licensing Officer, a nuisance is significant if it can be verified by such officer. We have not had any visit or issues with noise since July 2017. With the help of supporting and visiting Licensing Officers, we have been able to address and deduce noise spillage and nuisances. We have also maintained our own personal noise disturbance line, where neighbours can call us to express any concerns. We also make it a priority to notify neighbours of TENs and extensions.

Fly Tipping

Pertaining to the issue of "Fly Tipping", a member of staff with lack of

judgement, placed our bins in the wrong place. Since the incident we have further retrained staff, and have created a new regime. In no shape or form is the incident reflective of the progressive management style of those who make Luxford Bar great.

Closing

With it being Winter most of our patrons are leaving home later in the evening for food and drinks and as such we are left with a thin margin to generate sales. We have no intention of being a night club or operating as one. We merely, wish to give patrons a longer lasting experience. We are seeking 60 more minutes not 180 minutes. We have supporting evidence from locals in the area, who have expressed a later opening for Luxford Bar. We will work closely with our neighbours to further continue on the path we have been on since July 2017. Approval of this variation, will also assist us in reducing cost of TENs.

Regards Melodie Mav

Date	Time	Officer	Notes
11/03/2016	23:05	Wesley McArthur	<p>Full inspection of the premises with Sarah Newman. We initially spoke to a woman who identified herself as [REDACTED] and who stated that she was the GM. LK then handed us over to a woman who identified herself as [REDACTED] (SO) and who stated that she was the operations manager. Breaches of the following conditions were noted, 336, 4A1, 347 and 309. The last pest control log recommended a cleaning of the bar and kitchen area. The F/R/A was dated 3 December 2015 and various remedial works (rated from low to high priority) were identified as being required. The action plan in the F/R/A summarised all the works required. I told SO that the works should be undertaken ASAP starting with the highest priority works first. There was no H&S R/A. I advised that one is legally required as there are more than 5 people employed at the premises. (15 people are employed at the premises). Aside from the breaches (which appeared to be as a result of genuine misunderstanding re' 336 and 309), the premises seems well run and the staff seem very competent.</p>
06/05/2016	21:16	Richard Kalu	<p>Visit to premises with Sue Hunter as a result of a resident complaint in relation to the premises operating past their licensable hours. When we entered the premises noted that there was a DJ setting up music was being played at background level. We identified ourselves and the duty manager as well as the DPS identified themselves to us. Discussed compliant and I was given assurances that they do not trade or operate past their hours. Conversation largely directed to the DPS of the premises a Melodie Mavoungou [REDACTED]. Melodie and duty manager advised me that they are slightly new in respect of running licensed premises and requested some advice in regards to their licence conditions. They have requested a licensing induction that I have agreed to undertake with both next week. I have however gone through the licence and conditions and hours of operation defined on their licence and carried out an inspection in regards to the licence ATOV CCTV compliant X1 female SIA member of staff all in operation and compliant. They were not familiar with the 696 requirements and I have given them advice in regards to promoted events and why it is essential that they inform the police. There were some limited training records and I have requested that this be updated immediately. Challenge 25 was in operation. For two operators who have themselves described themselves as new to licensing they were very methodical in respect of their records. Manager was extremely proficient in the use of the CCTV and they have asked if I could come back to the premises and carry out a in depth licensing induction with them both to explain the full licensing process in regards to enforcement submission of TEN's and the 696 process. Whilst I did go through their licence and conditions and hours of operation I believe that the premises does require a full licensing induction (signed). CCTV was checked in line with the resident complaint that the premises was trading past their hours. CCTV showed that the premises was closed and what had in fact happened was that staff were playing music within the premises when they were cleaning up. I have advised both the manager and DPS that the licensable hours are strict in respect of operation of</p>

			activities detailed on the licence and these needed to be adhered to. Follow up action. Licensing induction to be completed with DPS and duty manager of premises.
08/05/2016	01:40	Farhad Chowdhury	Closed all shut no activity
08/10/2016	00:55	Farhad Chowdhury	Seen 5 people smoking outside still open very busy inside.
08/10/2016	02:05	Farhad Chowdhury	Premises open lots of people still inside nobody outside.
18/10/2016	20:47	Richard Kalu	Visit to premises with Farhad Chowdhury. Full re - visit completed at the premises following warning letter sent 24 March 2016. Premises found to be compliant and no breaches were found at the premises ATOV.
21/01/2017	19:50	Alexander Lisowski	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	Alexander Lisowski	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, Melodie Mavougou, wasn't present. I spoke to the person in charge at the time, [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.
03/02/2017	19:43	Mark Orton	Delivered warning letters and spoke with [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 Osei 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	Mark Orton	No sign of public notices displayed.
05/02/2017	00:12	Alexander Lisowski	Visited avenue at 00:12, Sunday, 5th February, 2017, with Farhad Choudhury (Health and Safety). No music being played and no customers at the bar. Staff in process of closing down and cleaning up.

24/02/2017	00:40	Farhad Chowdhury	<p>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 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 met [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.</p>
24/02/2017	19:05	Farhad Chowdhury	<p>I 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 todays 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 todays 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 then what their opening hours were. And if she was not happy with visits by licensing officers she could complain to the manager of licensing Mr David Franklin we then left.</p>

12/03/2017	00:50	Alexander Lisowski	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 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 were approximately 12 males seated at tables in the bar area. Some of them had drinks they were drinking. The manager, [REDACTED], was present. When I asked where the DPS was, she stated that she had already left. I showed [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. [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. [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 [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 prosecution.
18/03/2017	00:40	Farhad Chowdhury	All empty inside staff cleaning up closing. No Customers.
18/03/2017	00:40	Farhad Chowdhury	All empty appears closing, cleaning up inside. No Customers.
18/03/2017	22:35	Farhad Chowdhury	Open and busy
19/03/2017	01:20	Farhad Chowdhury	Closed
25/03/2017	00:22	Farhad Chowdhury	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 [REDACTED] seen this and she started to get people out suddenly the security man started to get everyone out of the premies. By the time we went to the premises it was closed on time.

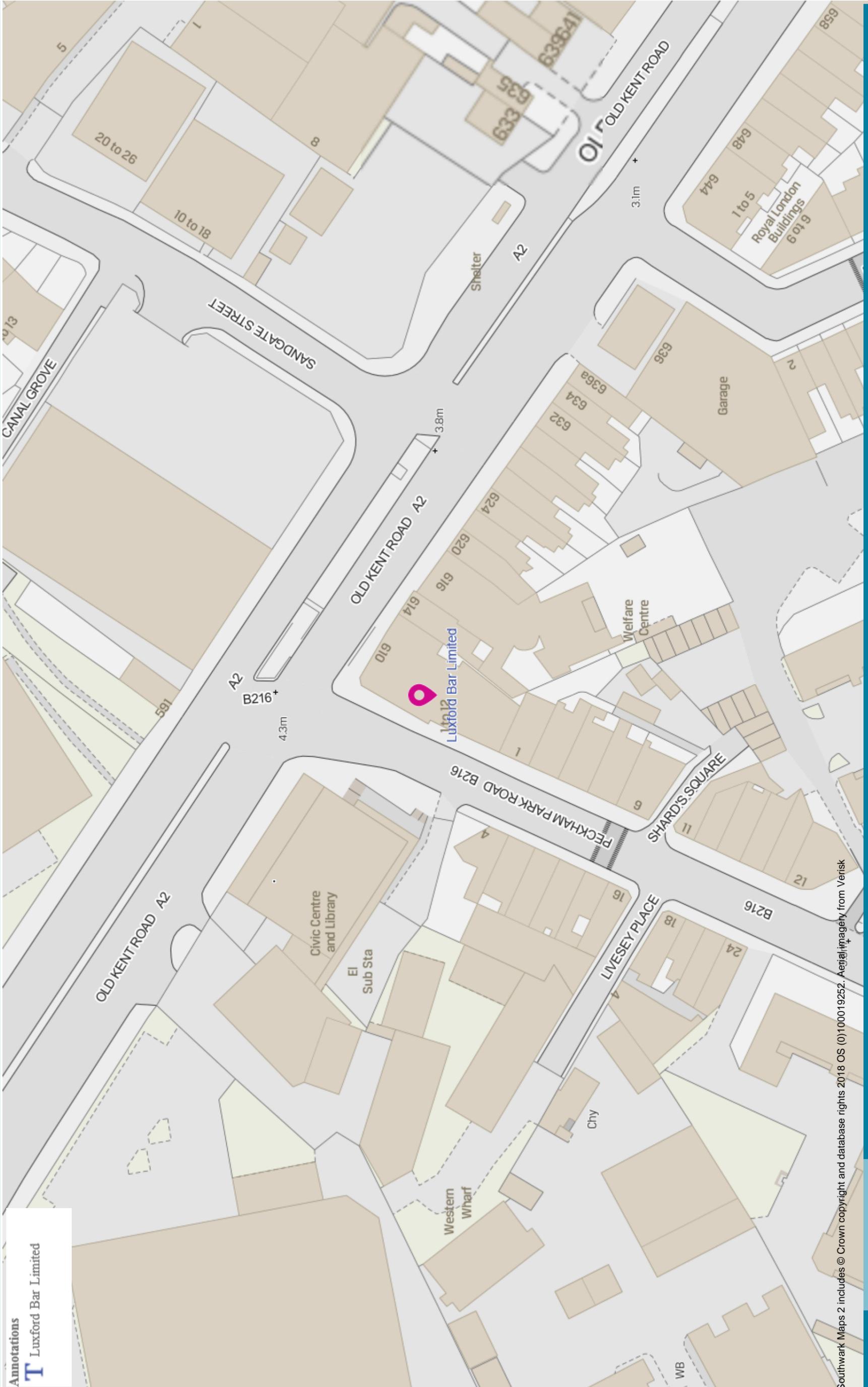
08/04/2017	00:20	Mark Orton	Monitored premises for several minutes. 2 patrons inside appear to be finishing drinks and food. Staff cleaning. No music noise evident, no patrons o/s.
08/04/2017	00:40	Mark Orton	Premises appears closed, staff cleaning up, floors being mopped.
09/04/2017	00:30	Farhad Chowdhury	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	01:48	Farhad Chowdhury	Closed.
28/10/2017	00:45	Jayne Tear	JMT & COT met with NTET police PC Maria O'Mahoney, SGT Keith Dempster and another officer at Luxford bar – 610Old 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 id myself and asked for the females 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 where 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 role 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 they people were staff and some family and friends. Left the premises at 01:00.
13/01/2018	NTE Visit	Andrew Heron	Visit with Police. Spoke to Manager [REDACTED] - says that they are aware that their TEN had been refused and that they would be closing at 00:30.

Start date	End date	Times	Max number of people	Alcohol?	Entertainment?	Late refreshment?	Late TEN?	MPS objection?	EPT objection?	Counter notice?
31/12/2015	06/01/2016	12:00 - 23:00	200	Yes	No	No	No	No	No	
13/08/2016	14/08/2016	12:00 - 02:30	200	Yes	No	No	Yes	No	Yes	Yes - late TEN
10/09/2016	11/09/2016	20:00 - 03:30	150	Yes	Yes	No	Yes	No	Yes	Yes - late TEN
08/10/2016	09/10/2016	21:00 - 02:00	200	Yes	Yes	No	No	No	Yes	No - LSC decision
18/11/2016	20/11/2016	21:00 - 02:00	100	Yes	No	No	No	No	No	
19/11/2016	20/11/2016	21:00 - 02:00	100	Yes	Yes	No	No	No	No	
31/12/2016	01/01/2017	21:00 - 04:00	200	Yes	Yes	No	No	No	No	
07/01/2017	08/01/2017	21:00 - 02:00	200	Yes	Yes	No	No	No	No	
15/07/2017	16/07/2017	21:00 - 02:00	200	Yes	Yes	No	No	No	No	
15/12/2017	16/12/2017	21:00 - 02:00	300	Yes	Yes	No	No	No	No	
23/12/2017	24/12/2017	21:00 - 01:30	300	Yes	Yes	No	Yes	No	No	
31/12/2017	01/01/2018	21:00 - 04:00	300	Yes	Yes	No	No	No	No	
13/01/2018	14/01/2018	09:00 - 01:30	300	Yes	Yes	No	No	No	No	

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



Annotations
Luxford Bar Limited



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20 m

Scale = 1 : 661.500

31-Jan-2018



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