

Licensing Sub-Committee

Thursday 18 April 2019

10.00 am

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

Membership

Councillor Lorraine Lauder MBE
Councillor Margy Newens
Councillor Sandra Rhule

Reserves

Councillor Sunny Lambe

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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: 9 April 2019



Licensing Sub-Committee

Thursday 18 April 2019
10.00 am

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

Order of Business

Item No.	Title	Page No.
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PART A - OPEN BUSINESS

1. ELECTION OF CHAIR

To elect a chair for this sub-committee.

2. APOLOGIES

To receive any apologies for absence.

3. CONFIRMATION OF VOTING MEMBERS

A representative of each political group will confirm the voting members of the committee.

4. 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.

5. 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.

6. LICENSING ACT 2003: LUXFORD BAR, 610 OLD KENT ROAD LONDON SE15 1JB 1 - 91

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: 9 April 2019

Item No. 6.	Classification: Open	Date: 18 April 2019	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Luxford Bar, 610 Old Kent Road, London SE15 1JB	
Ward(s) or groups affected:		Old Kent Road	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made under Section 53C of the Licensing Act 2003 by the chief of police for the metropolitan police area for the review of the premises licence in respect of the premises known as Luxford Bar, 610 Old Kent Road, London SE15 1JB.
2. Notes:
 - a) The grounds for the review are stated in this report. A copy of the premises licence review application is attached as Appendix A and further information as Appendix B.
 - b) A copy of the current premises licence issued in respect of the premises is attached to this report as Appendix C.
 - c) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.

6. In carrying out its licensing functions, a licensing authority must also have regard to
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The summary review powers under sections 53A to 53C of the Act allow the police to trigger the review of a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both).

KEY ISSUES FOR CONSIDERATION

The premises licence

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

- Regulated entertainment in the form of live music and recorded music, films, Entertainment similar to live/recorded music and performances of dance (indoors):
 - Sunday to Thursday from 11:30 to 23:00
 - Thursday and Friday from 11:30 to 00:30.

14. A copy of the premises licence is attached as Appendix C.

Designated premises supervisor

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

The review application and certificate

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

22. On 31 March 2019 a police officer of the rank of inspector served a closure notice under section 76 of the Anti-social Behaviour, Crime and Policing Act 2014, this notice closes the premises to all persons, unless exemptions are specified, for a period of 24 hours, the notice can be extended for a further 24 hours by a police officer of the rank of superintendent.
23. On 2 April 2019 the police obtained a closure order from the Magistrates Courts under Section 80 of the Anti-social Behaviour, Crime and Policing Act 2014 for a period of three months.
24. The information provided to the court in open session provides further evidence submitted by the police in support of their application. A copy of the closure order and information is included as Appendix B.

Representations from the premises licence holder

25. At the time of writing no further representations have been submitted from the premises licence holder for the full review.
26. Representations and further evidence from the premises licence holder submitted in regard to interim steps are submitted as Appendix D.

Representations from responsible authorities

27. At the time of writing no representations have been submitted by Responsible authorities. Representations from responsible authorities can be received anytime up to 24 hours before the review application on 18 April 2019.

Representations from other persons

28. At the time of writing no representations have been submitted by other persons. Representations from other persons can be received anytime up to 24 hours before the review application on 18 April 2019.

Interim steps

29. A hearing to decide if it was appropriate to impose interim steps pursuant to s.53A Licensing Act 2003 was held on 22 March 2018.
30. The licensing sub-committee decided to suspend the premises licence until the review application has been determined.
31. On 22 March 2019 the DPS Melodie Mavoungou submitted representations on the behalf of the premises licence holder. Two separate emails were also received from both directors of Luxford Bar Limited giving Melodie Mavoungou the authority to speak on behalf of the company.
32. The representations stated that the evidence given by the police was inaccurate information, an inaccurate depiction of incidents and that a personal license holder being on grounds on the mentioned dates.
33. On 26 March 2019 the licensing sub-committee considered the representation under Section 53B Licensing Act 2003 and the Police evidence and decided to lift the

suspension of the premises licence and impose the alternative interim steps to add operating conditions.

34. On 28 March 2019 a further representation was received from the premises licence holder to the conditions imposed as steps to promote the licensing objectives.
35. On 1 April 2019 licensing sub-Committee considered the further representations under Section 53B Licensing Act 2003 and decided to further modify steps imposed by adjusting three of the operating conditions, the final interim steps are:
 - i. That the suspension of the premises licence is withdrawn.
 - ii. That an ID scanning system of a specification to the reasonable satisfaction of the Police shall be installed and maintained at the premises. The system should be capable of sharing information about banned customers with other venues, identify the hologram on ID, read both passports and ID cards and be able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21:00 when the premises are in operation and will be used to record the details of all persons entering (and re-entering) the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document.
 - iii. That at all times the premises are in operation under the premises licence there will be a minimum of 5-people to include: the owner(s), directors, senior managers and personal licence holders trained to a satisfactory standard able to operate the ID scan system and CCTV and able to retrieve data from the system on request of police, council or other authorised officers.
 - iv. That from 21:00 hours at least two SIA registered door supervisors will be provided with, and will use, electronic search wands. The electronic search wands shall be used at all times that the premises are open in respect of the search of all persons who wish to enter and re-enter the premises. This includes all DJ's and associated staff and their equipment.
 - v. That a refusals register is maintained in respect of the ID scan. This register will be immediately available for inspection on the request of police, council or authorised officers.
 - vi. That all staff will be trained in the use and maintenance of both the CCTV and ID scanner. 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.
 - vii. That condition 343 of the premises licence ("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") shall be suspended.
 - viii. That there will be no externally promoted events.

36. Representations and further evidence from the premises licence holder submitted in regard to interim steps are submitted as Appendix D.
37. The three notices of decision are attached as Appendix E.

Operating History

38. 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.
39. On 23 April 2016 a local resident made a complaint of loud music emanating from the premises causing a nuisance when the premises are in operation.
40. On 22 May 2016 the resident made a further complaint of loud music loud music emanating from the premises causing a nuisance when the premises are in operation.
41. As a result of the incident on 22 May 2016, on 21 October 2016 the DPS Ms Mavoungou and Luxford Bar attended Camberwell Green Magistrates' Court and pleaded guilty to the breach of an Abatement Notice contrary to Section 80(4) Environmental Protection Act 1990. Ms Mavoungou received a 12 month conditional discharge and Luxford Bar received a £600 fine and ordered to pay costs of £400 and a victim surcharge of £60.
42. On 28 January 2017 the resident made another complaint of loud music emanating from the premises causing a nuisance when the premises were in operation and an allegation that the premises were being operated outside of the operational hours permitted by the premises licence issued in respect of the premises. As a result of the complaint a visit was made to the premises on 29 January 2017. Subsequent to the visit of 29 January 2017 warning letters were sent to the licensee, DPS and premises manager as a result of the visit.
43. 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.
44. On 18 June 2018 a complaint of public nuisance was received concerning noise coming from the patrons of Luxford Bar. The complainant advised that on Sunday 10 June 2018 loud obnoxious females and males could be heard screaming on the top of their voices of which extremely disgusting language could be heard at 23:15. The complainant phoned the premises at 23:20 and asked that a member of staff attend Green Hundred Road to move their patrons who had congregated outside the complainant's window. The noise continued until about 23:45 when they all got in their cars and decided to leave. The noise woke the complainant up from their sleep but also prevented them from going back to sleep. The complainant commented that this occurred every Sunday as Luxford Bar hold an event every Sunday that is extremely popular and heavily attended. They advised that patrons drive to the event and take up resident parking; a bank holidays and New Year's Eve being even worse. The complainant also alleged that they could no longer go out on Sunday evenings as they were never able to find a parking space nearby.

45. On 11 October 2018 another resident made a complaint of public nuisance regarding in particular on Sunday nights. The resident alleged that patrons of Luxford Bar regularly made large amounts of noise when arriving and leaving and for some time after the premises close. Patrons also regularly parking illegally along footpaths and drive in a dangerous fashion. The noise was very disturbing to residents as it was alleged, takes place directly under the windows of blocks of flats, as well as in their carparks, as well as dangerous traffic-wise. The venue appears to have no interest whatsoever in mediating what goes on outside the premises.
46. Details of night-time licensing inspections and visits to the premises are attached as Appendix F.
47. A list of all temporary event notices submitted in respect of the premises is attached in Appendix G.

The local area

48. A map of the local area is attached at Appendix H.

Southwark Council statement of licensing policy

49. Council assembly approved Southwark's statement of licensing policy 2016-20 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.
50. 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.

Resource implications

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

Consultation

52. There is no public consultation for an interim hearing.
53. The premises licence holder has been informed of the application for review and of the details of the interim hearing.

Community impact statement

54. 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

55. The sub-committee is asked to determine, under Section 53C of the Licensing Act 2003, following an application, made under Section 53A of the same act, for a review of premises licence.
56. The sub-committee is asked to consider interim steps following an application to review the premises licence under Section 53A of the licensing act 2003.
57. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

58. The licensing authority must hold a hearing to consider interim steps within 48 hours of receiving an application for review of a premises licence where:
- The application is properly made in accordance with Section 53C of the Act.
 - The licensing authority has considered the ground(s) of review to be relevant to the licensing objective for prevention of crime and disorder.
59. The four licensing objectives are:
- The prevention of crime and disorder.
 - The protection of public safety.
 - The prevention of nuisance.
 - The protection of children from harm.

60. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:
- Modify the conditions of the licence by altering, omitting or adding any condition.
 - Exclude a licensable activity from the scope of the licence.
 - Remove the designated premises supervisor.
 - Revoke the premises licence.
61. For the purpose of determining a relevant representation under section 53 of the Act a “relevant representation” means representations which:
- Are relevant to one or more of the licensing objectives
 - Are made by the holder of the premises licence, a responsible authority or an other person within the prescribed period
 - Have not been withdrawn
 - If made by an other person (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.
62. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.
63. The authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.
64. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
65. It is of particular importance that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.
66. With regard to the interim steps, the licensing authority has the same considerations as with the determination of the review under Section 53C, with the exception of revocation, where the alternative is the suspension of the licence. The steps will remain in place until the determination of the review application or the determination of any appeal of it.
67. The authority may decide to take no action is if it finds no interim steps are appropriate to promote the licensing objectives.
68. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
69. It is of particular importance that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the

promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

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

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

Hearing procedures

71. 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
 - To the licensing objectives.
- The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

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

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

73. 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.
74. 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.
75. 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.
76. 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.
77. 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.
78. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
79. 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.
80. There is no right of appeal to a magistrates' court against the licensing authority's decision regarding the setting of interim steps at this stage.

Guidance

81. Members are required to have regard to the Home Office 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.

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	C/O Southwark Licensing, Community Safety & Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX	Mrs Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Copy of review application and supporting documentation
Appendix B	Copy of closure order and application supporting documentation
Appendix C	Copy of the existing premises licences
Appendix D	Representation from the premises and supporting evidence
Appendix E	Notices of decision pertaining to the interim steps
Appendix F	Council night time economy team licensing visits
Appendix G	Temporary event notices
Appendix H	Map of local area

AUDIT TRAIL

Lead Officer	Strategic Director of Environment and Leisure	
Report Author	David Franklin, Team Leader Licensing	
Version	Final	
Dated	8 April 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	8 April 2019	

PROTECTIVE MARKING

Form 693


**METROPOLITAN
POLICE**
TOTAL POLICING
Form for Applying for a Summary Licence Review
Application for the review of a premises licence under section 53A of the Licensing Act 2003
 (premises associated with serious crime, serious disorder or both)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

Use additional sheets if necessary.

Insert name and address of relevant licensing authority and its reference number:
Name: London Borough of Southwark

Address:
160 Tooley Street
Post town: London

Post code: SE1

Ref. No.:
I PC Ian Clements (Licensing Officer)
on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.
1. Premises details
Postal address of premises or club premises, or if none, ordnance survey map reference or description:
Luxford Bar 610 Old kent Road
Post town: London

Post code:
 (if known)

SE15 1JB
2. Premises licence details
Name of premises licence holder or club holding club premises certificate (if known):
Luxfor Bar Limited
Number of premises licence or club premises certificate (if known):
862951
3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

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

Please tick the box to confirm:

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

PROTECTIVE MARKING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

=====

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

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

PROTECTIVE MARKING

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

Notes for guidance

- A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

 - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
 - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
- Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Retention Period: 7 years

MP 146/12

CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001

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

Authority issuing Notice: Metropolitan Police Service

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

Signature: 

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

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

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

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

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

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

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

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

Third party consideration (section 19.4)

Are there any other persons occupying the premises who need to be informed of this notice?
Yes/No (details) No

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

Effect of section 20, Application for closure order.

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

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

Name Selina OSET

Signature 

Date 02/02/19

WITNESS STATEMENT

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

URN

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Statement of: PC Maria O'MAHONEY 2321AS

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

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

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

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

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

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

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

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

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

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

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

Witness Signature: [Redacted]

Signature Witnessed by Signature:

Continuation of Statement of:

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

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

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

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

Witness Signature:

[redacted signature area]

Signature Witnessed by Signature:.....

IN THE CAMBERWELL GREEN MAGISTRATES COURT

IN THE MATTER OF THE ANTI SOCIAL BEHAVIOUR CRIME AND POLICING
ACT 2014

B E T W E E N :

THE COMMISSIONER OF POLICE
OF THE METROPOLIS

Applicant

and

LUXFORD BAR

Respondent

HEARSAY NOTICE SERVED PURSUANT TO S.2
CIVIL EVIDENCE ACT 1995 AND PARAGRAPH 3
MAGISTRATES' COURT (HEARSAY EVIDENCE IN
CIVIL PROCEEDINGS) RULES 1999

1. **TAKE NOTICE** that this Hearsay Notice is served in relation to proceedings before the Magistrates' Court brought against you by the Applicant under the Anti-Social Behaviour, Crime and Policing Act 2014.
2. It is the intention of the Applicant to adduce hearsay evidence at the substantive hearing of this application for a closure order.
3. Such hearsay evidence is as follows: -
 - (a). Evidence contained in the witness statement of DI Luke Williams dated 29 March 2019 a copy of which has been served upon you

- (b). Evidence contained in the witness statements of Ken Dale, PC Simon Fronda, DC Gordon McCracken and PC Mahoney, a copy of which has been served upon you.
4. The Applicant believes that it is disproportionate in this case to call Ken Dale, PC Simon Fronda, DC Gordon McCracken and PC Mahoney to give oral evidence and to do so would not be an efficient use of police and public resources. DI Williams can give oral evidence on the information provided by other officers in their statements.

Dated: 29 March 2019

IN THE CAMBERWELL GREEN MAGISTRATES' COURT

IN THE MATTER OF AN APPLICATION FOR A CLOSURE ORDER PURSUANT TO SECTION 80 ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

UPON hearing the application, which commenced at 12:25hrs on 2nd April 2019, and

UPON hearing representations on behalf of the Luxford Bar by [REDACTED] and [REDACTED], and

UPON the court being satisfied that the test set out in section 80(5)(a)(c) Anti-Social Behaviour, Crime and Policing act 2014 is met:

IT IS ORDERED THAT:

ACCESS IS PROHIBITED TO THE PREMISES KNOWN AS LUXFORD BAR, 610 OLD KENT ROAD, LONDON, SE15 IJB

- a. By all persons
- b. At all times
- c. In all circumstances

FOR A PERIOD OF 3 MONTHS EXPIRING ON 1ST JULY 2019 AT 13:00HRS

Saving as expressly identified below:

- (a) [REDACTED]
- (b) [REDACTED]
- (c) Between 08:00hrs and 18:00 hrs between 2nd April 2019 and 1st May 2019 only

- i. [REDACTED]
- ii. [REDACTED]
- iii. [REDACTED]
- iv. [REDACTED]
- v. [REDACTED]
- vi. [REDACTED]
- vii. [REDACTED]
- viii. [REDACTED]
- ix. [REDACTED]
- x. [REDACTED]
- xi. [REDACTED]
- xii. [REDACTED]

Signed: [REDACTED]

Dated:

2.4.19

IN THE CAMBERWELL GREEN MAGISTRATES COURT

**IN THE MATTER OF AN APPLICATION FOR A CLOSURE ORDER
PURSUANT TO THE ANTI-SOCIAL, CRIME AND POLICING ACT 2014**

OPEN APPLICATION

(a) For a Closure Order

(b) To withhold material on the grounds of Public Interest Immunity [‘PII’]

On behalf of the Commissioner of Police of the Metropolis

I. INTRODUCTION

1. This is an application by the Commissioner of Police of the Metropolis [‘MPS’] for a closure order pursuant to section 80 Anti-social Behaviour, Crime and Policing Act 2014 [‘ASCPA 2014’] in respect of premises known as the Luxford Bar, 610 Old Kent Road, London, SE15 1JB [‘the premises’]. The premises benefit from a premises licence issued by Southwark Council as licensing authority under the Licensing Act 2003.
2. The application relies substantially on material, the disclosure of which would be injurious to the public interest. Accordingly, the further and related claim for public interest immunity is made.

II. BACKGROUND

3. The relevant history of involvement of the MPS with the Luxford Bar is set out in the witness statement of Detective Inspector Luke Williams.

CLOSURE ORDER

Anti-Social Behaviour, Crime and Policing Act 2014

4. Section 80 ABCPA 2014 provides as follows:

80 Power of court to make closure orders

- (1) *Whenever a closure notice is issued an application must be made to a magistrates' court for a closure order (unless the notice has been cancelled under [section 78](#)).*
- (2) *An application for a closure order must be made—*
 - (a) *by a constable, if the closure notice was issued by a police officer;*
 - (b) *by the authority that issued the closure notice, if the notice was issued by a local authority.*
- (3) *The application must be heard by the magistrates' court not later than 48 hours after service of the closure notice.*
- (4) *In calculating when the period of 48 hours ends, Christmas Day is to be disregarded.*
- (5) *The court may make a closure order if it is satisfied—*
 - (a) *that a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises, or*
 - (b) *that the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public, or*
 - (c) *that there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises,*
and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.
- (6) *A closure order is an order prohibiting access to the premises for a period specified in the order. The period may not exceed 3 months.*
- (7) *A closure order may prohibit access—*

(a) by all persons, or by all persons except those specified, or by all persons except those of a specified description;

(b) at all times, or at all times except those specified;

(c) in all circumstances, or in all circumstances except those specified.

(8) A closure order—

(a) may be made in respect of the whole or any part of the premises;

(b) may include provision about access to a part of the building or structure of which the premises form part.

(9) The court must notify the relevant licensing authority if it makes a closure order in relation to premises in respect of which a premises licence is in force.

ECHR

5. Article 1 of the 1st Protocol to the European Convention on Human Rights provides as follows:

Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of the State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure payment of taxes or other contributions or penalties.

6. Licences are capable of falling within the concept of possession for the purposes of Article 1, 1st Protocol, European Convention on Human Rights: *Tre Traktor v Sweden* (1991) 13 EHRR 309. That case concerned the revocation of a restaurant licence because the licensee was no longer considered suitable to hold such a licence. There had been no deprivation of possessions within the meaning of article 1, because ‘*although it could no longer operate Le Cardinal as a restaurant business, [the applicant] kept some economic interests represented by the leasing of the premises and the property assets*

contained therein.' There was accordingly no deprivation of property in terms of Article 1 of the Protocol. The revocation, though, did represent a measure of control over the licence, and so the second paragraph of Article 1 was engaged. The revocation was lawful because it struck a fair balance between the demands of the general interest of the community and the requirements of the protection of the individual's fundamental rights.

III. APPLICATION FOR PUBLIC INTEREST IMMUNITY: OPEN

7. The material to which this application relates has been described in his open witness statement by DI Williams as: 'intelligence around gang activity in the premises'.
8. Public interest immunity may be claimed in civil and criminal proceedings. It is the only means by which the court is able to establish whether relevant material, the disclosure of which is believed by the police would cause serious harm to the public interest, should be disclosed: Secretary of State for Foreign and Commonwealth Affairs v Assistant Deputy Coroner for Inner North London [2013] EWHC 1786 (Admin): §45.
9. The normal staged process for such applications requires the court to seek open submissions from interested persons on the issues raised by the claim for public interest immunity and then to proceed to a closed, ex parte, hearing: *ibid.*, §46.
10. The principles of non-disclosure on the grounds of public interest immunity were summarised by the Divisional Court in R (Mohamed) v Foreign Secretary (No 2) [2009] 1 WLR 2653, §34, as follows:
 - (i) Is there a public interest in bringing the material for which PII is claimed into the public domain?
 - (ii) Will disclosure bring about a real risk of serious harm to an important public interest, and if so, which interest? A court may have to inspect the material to decide whether the PII claim should be upheld: Conway v Rimmer [1968] AC 910, HL, pp981G, 988G, 995F-996B.

- (iii) If yes, can the real risk of serious harm be protected by other methods or more limited disclosure, for example by disclosing part of a document or summarising/‘gisting’ a document: R v Chief Constable of the West Midlands Police, ex parte Wiley [1995] 1 AC 274, pp288, 306.
- (iv) If the alternatives are insufficient, where does the balance of the public interest lie? This is a decision for the court.

11. The application should proceed in private.

Is there a public interest in bringing the material for which PII is claimed into the public domain?

12. If the court concludes the material is relevant to the case, there is a public interest in bringing the material into the public domain. The court may conclude the material is irrelevant.

13. In the present case, it is the MPS position that the material is directly relevant to the case.

Will disclosure bring about a real risk of serious harm to an important public interest, and if so, which interest?

14. It will be submitted to the court in closed session that disclosure of the material would bring about a real risk of serious harm to an important public interest.

15. The categories of information to which the application relates are:

- material revealing, either directly or indirectly, techniques and methods relied upon by a police officer in the course of a criminal investigation;
- material whose disclosure might facilitate the commission of other offences or hinder the prevention and detection of crime.

16. No further information about the basis for the claim can be disclosed in this open application. To do so would defeat the purpose of seeking to uphold the public interest in non-disclosure of the material.

If yes, can the real risk of serious harm be protected by other methods or more limited disclosure, for example by disclosing part of a document or summarising/ 'gisting' a document?

17. The fullest disclosure without infringing the public interest has already been carried out. There is no public interest in further disclosure.

IV. SUBMISSIONS

18. The MPS submits that on the material properly before it, the court must conclude that the test set out in section 80(5)(c) ABCPA 17 is met.

Sarah Le Fevre
Three Raymond Buildings

29th March 2019

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Luke Williams**..... URN:

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Detective Inspector**

This statement (consisting of: **3**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: **30/3/19**

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Detective Inspector within the Metropolitan Police Service (MPS). I have responsibility for gang crime and proactivity in the London Boroughs of Lambeth and Southwark (Central South). Part of my role is to lead the Basic Command Unit (BCU) response to serious violence and gang criminality. This involves a number of tactics including proactive covert policing, proactive overt policing, reactive investigation and the use of civil legislation to reduce the likelihood of serious harm or death.

Violence within Central South BCU

It is important to understand the current violence position within the BCU. The table below highlights the firearm and knife crime issues faced:

Offence Type	Central South (offences)	MPS-wide (offences)	Contribution of Central South to MPS total
Lethal Barrelled Firearm Discharges	79	388	20%
Total Knife Crime	1,348	14,739	9%
Knife Injury Victim <25	212	1,762	12%

Sixteen murders have occurred within Central South in the past 12 months.

*Data correct as of 29th March 2019

Background

An application for a summary licence review was issued on the 21st March 2019 by PC Ian Clements, Southwark Licensing officer. The matter was heard by the Licensing Sub-Committee (LSC) on 22nd March 2019 without notice to the premises. At the hearing, the MPS sought to rely on confidential material, the disclosure of which to anybody but the LSC would have resulted in significant harm to the public interest. The LSC were provided with this information and were informed it could not be disclosed to the premises licence holder. The LSC suspended the premises licence with immediate effect pending a full review hearing.

I am informed the Committee's legal advisor raised the concern that they had relied on the confidential evidence and therefore it may be unfair to the licence holder if at the next hearing, they were unable to examine or challenge a substantial portion of the evidence against them. The MPS were asked to attend the next hearing with the relevant authorities to deal with the issues of confidential material.

Signature: Signature witnessed by:

Continuation of Statement of **Luke Williams**

After the hearing, the premises made contact with the LSC and advised that they wished to make representations against the LSC decision. The matter was listed on 26th March 2019.

At this hearing the MPS sought to rely on the same confidential material. An application for the material to be heard in closed session was made. The premises licence holder was informed that there was intelligence around gang activity in the premises and that would be the substance of the submissions made to the Committee.

The LSC decided to lift the interim suspension. They refused to move into closed session to consider the confidential evidence and on the basis of the open evidence, they considered that the licence suspension should be lifted and imposed the following conditions by way of interim steps:

1. ID scan for all persons (including staff) entering/re-entering the premises
2. Refusal register to be maintained
3. Staff training on CCTV and ID scan with records retained for inspection
4. Metal detection wand search on entry/re-entry
5. Externally promoted events prohibited

The matter is listed for further hearing on 18th April 2019. On 28th March 2019, the MPS received notification that the premises licence holder has submitted further representations against the interim steps and seek to amend the wording of the conditions to allow them to have families with children inside until 10pm without the need for searching and ID scan. This matter has been listed on 1st April 2019.

Open information in relation to the premises

Violence

I am informed of the following incidents:

On Sunday the 2nd December 2018 Police were called to the premises by a female claiming that she had been assaulted by her ex-partner. She claimed that she was thrown to the ground by her hair outside of club after being punched by the same suspect inside the venue. CCTV was requested by the investigating officer between the hours of 9pm and 10.30pm. On request the officer was informed that there was no coverage of the area where the incident took place. A request was made for other cameras that might show the incident as they left the premises after 10pm. On receipt of the footage the officer noted that at precisely 10pm the footage stops, therefore the incident was not covered. The victim was informed of this and stated she was aware that staff at the venue had been persuaded to delete the footage. There is no evidence beyond the victim's account to support this.

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

Licence Breaches

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

- 1) CCTV to be kept for 31 days (CCTV only went back to 14/01/2019)

Signature:  Signature witnessed by:

Continuation of Statement of **Luke Williams**

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

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

- 1) CCTV to be kept for 31 days (Only 22 Days)
- 2) A personal licence holder shall be on the premises at all times after 8pm when intoxicating liquor is being supplied. (No personal licence holder on the premises)

Closed information in relation to the premises

I am aware of information which cannot be documented here. This information causes me significant concern and leads me to believe these proceedings are absolutely necessary in order to prevent serious harm or death occurring and to keep the public safe.

Further considerations

The MPS seek to exclude members of the public from the venue. There is no application to exclude the business owner or those managing the business from the premises. A period of three months is sought in order to break the habitual behaviour of attendance of concerning groups. I believe any lesser period would not achieve the same outcome.

Summary

The MPS remain extremely concerned about the premises and seek a closure order in light of the serious nature of the intelligence that is available. The LSC did not hear all the evidence in relation to the premises and therefore lifted the interim suspension on the premises.

Signature: 

Signature witnessed by:

Witness contact details

Home address:
..... Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): **DS 229362 Luke WILLIAMS**..... Station: **XB**.....

Time and place statement taken:

WITNESS STATEMENT

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

URN [] [] [] []

Statement of: PC Maria O'MAHONEY 2321AS

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

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

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

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

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

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

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

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

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

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

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

Witness Signature: []

Signature Witnessed by Signature: []

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Simon Fronda PC2252AS URN:

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Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Officer 192311

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

Signature:  Date: 27th March 2019

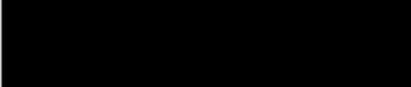
Tick if witness evidence is visually recorded (supply witness details on rear)

This statement is made in connection with Luxford Bar, a licenced premises at 610 Old Kent Road, SE15, and detailing evidence of violence and disorder and licence breaches for the venue.

I am a police officer based at Walworth Police Station, attached to the Gangs team that covers Southwark and Lambeth Boroughs, this statement will detail my research on the above named premises, utilising the Metropolitan Police Crime Investigation System (CRIS), 999 Call system (CAD) and details from our Licencing Team. My research will only include recent information, to ensure it is relevant.

Below are incidents I have found linked to the Luxford Bar in SE15.

- 1) On Sunday the 2nd December 2018 Police were called to the premises by a female claiming that she had been assaulted by her ex-partner. She claimed that she was thrown to the ground by her hair outside of club after being punched by the same suspect inside the venue. CCTV was requested by the investigating officer between the hours of 9pm and 10.30 pm. On request the officer was informed that there was no coverage of the area where the incident took place. A request was made for other cameras that might show the incident as they left the premises after 10pm. On receipt of the footage the officer noted that at precisely 10pm the footage stops, therefore the incident was not covered. Victim suggested staff were told to delete the footage, but no evidence was found to support this. (CRIS 3036780/18 and CAD 7471/02DEC18)
- 2) On 1st January 2019 at approximately 2am Police were called to the venue to reports of a male having been stabbed. On arrival the victim was found outside of the premises with a single stab wound to the abdomen. Further investigation of the incident and CCTV footage shows what appears to be the suspect stabbing the male in the stomach on what is described as the dance floor inside the premises. The victim received a lacerated bowel and artery and spent several days in hospital having had an operation to repair the damage. This investigation is still ongoing. (CRIS 3000033/19 and CAD1249/01JAN19)

Signature:  Signature witnessed by:

Continuation of Statement of

- 3) At 22:54 on the 2nd February 2019 officers from the night time economy visited the premises and found two breaches of the premises licence.
 289: CCTV to be kept for 31 days (CCTV only went back to 14/01/2019)
 336: A personal licence holder shall be on the premises at all times after 8pm when intoxicating liquor is being supplied. (No personal licence holder on the premises)

- 4) At 22:30 on the 16th March 2019 officers from the night time economy team visited the premises and found two breaches of the premises licence.
 289: CCTV to be kept for 31 days (Only 22 Days)
 336: A personal licence holder shall be on the premises at all times after 8pm when intoxicating liquor is being supplied. (No personal licence holder on the premises)
 (Both visits carried out by PC O'Mahoney)

All of the items above have been used in recent licencing processes so are part of public record and suitable for disclosure.

I have obtained a copy of the Licence in respect of the premises, exhibit SJF/1 and a copy of the Licencing Sub-Committee Decision from 26th March 2019, exhibit SJF/2

Also included is a statement from Southwark Council, Ken Dale supporting this application.

Signature:  Signature witnessed by:



**METROPOLITAN
POLICE**

TOTAL POLICING

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
PART 4, CHAPTER 3**

CLOSURE NOTICE

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

Having reasonable grounds to be satisfied that:

(a) the use of these premises has resulted, or (if the Notice is not issued) is likely soon to result, in nuisance to members of the public, or

(b) that there has been, or (if the Notice is not issued) is likely soon to be disorder near those premises associated with the use of those premises, and

(c) that the Closure Notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring; and

(d) all appropriate persons / bodies have been consulted; and

(e) reasonable efforts have been made to inform people who live on the premises (habitually or not), and any person who has control of, or responsibility for, the premises or who has an interest in them, that the Notice is going to be issued.

I, D/Supt Lyons, Metropolitan Police, hereby authorise the issue of this **Closure Notice** under Part 4, Chapter 3, Section 76 of the Anti-Social Behaviour, Crime and Policing Act 2014, in respect of the Premises specified above.

Name: Det/Supt Lyons.

Signed: 

Dated: 29/3/19

The effect of this Closure Notice is that:

accessing this Premises is hereby **PROHIBITED** for any persons other than those who habitually reside in the Premises or the owner of the Premises, or those specified below, for a period of up to 48 hours starting at 13:00 hours, on 31st March 2019 and ending at 12:59 hours, on 2nd April 2019 – subject to the following exceptions:

- Those employed by the premises

An application for a Closure Order will be made under Part 4, Chapter 3, section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014 for the closure of the Premises specified above.

To be heard at Camberwell Magistrates Court on 2nd April 2019 at 10:00 hours, when evidence for the issue of a Closure Order will be considered.

A Closure Order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014, would have the effect of closing the premises to all persons for a specified period (not exceeding three months).

A person who without reasonable excuse remains on or enters premises in contravention of a closure notice commits an offence under section 86 of the Anti-social Behaviour, Crime and Policing Act 2014, liable on summary conviction to a maximum of three months' imprisonment and / or an unlimited fine.

A person who without reasonable excuse remains on or enters premises in contravention of a closure order commits an offence under section 86 of the Anti-social Behaviour, Crime and Policing Act 2014, liable on summary conviction to imprisonment not exceeding 51 weeks and / or an unlimited fine.

Advice relating to this Notice and housing and legal matters generally can be obtained from any firm of solicitors or from the Citizens' Advice Bureau (Tel. 0344 499 4134). With this notice is a list of additional local service providers who may be able to assist with further advice.

Licensed Premises - if this Notice relates to licensed premises and a Closure Order is successfully obtained at magistrates' court in relation to the premises, then the relevant licensing authority will be informed, who will then instigate a review of the premises license - section 167 of the Licensing Act 2003, refers.

Not Disclosable

WITNESS STATEMENT

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

URN	01	MD		
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Statement of: Gordon McCracken

Age if under 18: over 18

(if over 18 insert 'over 18')

Occupation: PC

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: (witness) Date: 31/03/2019

This statement refers to my notifying the licence holder of the Luxford Bar & Kitchen 610 Old Kent Road SE15 1JB of the Metropolitans police intention to submit a closure order on the premise on Sunday the 31st of March 2019 (in accordance with Part 4, Chapter 3, Section 76 of the Anti-Social Behaviour, Crimen and Policing Act 2014) on Saturday the 30th of March 2019.

The primary location mentioned in this statement is the Luxford Bar & Kitchen 610 Old Kent Road SE15 1JB. The luxford bar was a rectangular shaped venue approximately 15/20m in length and about 6/10m in width. The luxford bar was accessed via two glass doors located on Peckham Park Road SE15. The bar was located directly opposite the entrance and seating booths and tables were located to the left and right of the entrance. The toilets were located in the basement and were located at the far end of the left of the venue when stood at the entrance.

Mentioned in this statement is DC Cowell who at the time of writing was a colleague of mine who assisted me during the course of my duties on Saturday the 30th of March 2019.

On Saturday the 30th of March 2019 I was on duty in plain clothes at Walworth Police Station 12-28 Manor Place SE17 3BB. In relation to ongoing legal issues I was made aware that it was the intention of the Metropolitan police to issue a closure order in respect of the Luxford Bar 610 Old Kent Road SE15. I drafted a letter addressed to the Luxford Bar 610 Old Kent Road SE15 1JB which also contained contact details for a Met representative. The letter read as below:

To whom it may concern:

Signature: Signature witnessed by:

Continuation of
Statement of

Gordon McCracken

I am writing to inform you that that the Metropolitan police force will be submitting a formal closure order in accordance with Part 4, Chapter 3, Section 76 of the Anti-Social Behaviour, Crimen and Policing Act 2014 on your premise **Luxford Bar & Kitchen 610 Old Kent Road SE15 1JB** tomorrow, **Sunday the 31st of March 2019**. The purpose of this letter is to provide advanced warning of our intention to apply a closure order tomorrow so that you and your organization have sufficient time to make the appropriate arrangements for the closure.

Kind regards,

PC McCracken

I sealed this letter in an envelope and addressed it to Luxford Bar 610 Old Kent Road SE15 1JB. I later wrote "FOR URGENT ATTENTION" on the front of the envelope.

Between 15:30hrs-16:30hrs DC Cowell and I attended the **Luxford Bar & Kitchen 610 Old Kent Road SE15 1JB**. As I approached the venue I noticed that the lights of the venue were off and when I tried to enter the premise the front doors were locked. DC Cowell and I knocked on the venue loudly a number of times and looked in the windows of the venue which give full sight into the venue to see any worker or staff member. No staff member was present and the venue was locked. I then contacted 0207 635 7083 which was the number listed for the Luxford Bar & Kitchen on the internet: there was no answer. I also contacted a number listed on the outside of the Luxfor Bar & Kitchen for deliveries but there was no answer. I then posted the letter addressed to the Luxfor Bar through the letter box on the outside door. DC Cowell and I then returned to Walworth police station.

At 16:21hrs I received a phone call from [REDACTED] to my work phone and the person calling identified herself as [REDACTED] who was a representative of the Luxford Bar. I explained that I was from the Metropolitan police force and needed to speak with the licence holder of the premise. [REDACTED] informed me that she would find that person and contact me back. A few minutes later [REDACTED] called me back and informed me that she was the licence holder, I then informed her of the Metropolitan police's intention to enforce a closure notice on the premise on Sunday the 31st of March 2019. I also explained that the full information would be provided on the closure notice itself but that the closure notice can be enforced between 24-48 hours depending on

Signature: [REDACTED] Signature witnessed by:

Continuation of
Statement of

Gordon McCracken

whether an inspector or superintendent authorises it. I also explained that a hearing would take place at the magistrates court within 48 hours of the closure notice being imposed. It was explained that the details of this hearing would be on the notice. After explaining these points [REDACTED] was keen to find the reasons behind the closure but I stated the matter would be subject to a full legal discussion in court which was the appropriate forum to discuss such matters. The conversation was then terminated.

I had BWV in operation which captured my attempts to access the Luxford Bar and Kitchen SE15 on the 30th of March 2019 which I exhibit as GFM/30032019/1.

Signature

[REDACTED SIGNATURE]

Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Kenneth Dale URN:

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Age if under 18 (if over 18 insert 'over 18') Occupation: ASB Management Officer

This statement (consisting of: ... 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 27th March 2019

Tick if witness evidence is visually recorded (supply witness details on rear)

My name is Kenneth Dale and I am employed by the London Borough Southwark as an Anti Social Behaviour Management Officer within the Southwark Anti Social Behaviour Unit. I have been employed by the London Borough Southwark since January 1998 and I have been in my current role since January 2005. The Southwark Anti Social Behaviour Unit was established in 2000 to deal with and resolve significant anti social behaviour and sub criminal behaviour in partnership with the Metropolitan Police Service. My duties within this role also include the consultation of closure orders under the Anti Social Behaviour, Crime and Policing Act 2014. I make this statement in support of a closure notice and closure order application for the commercial address of Luxford Bar and Kitchen, 610 Old Kent Road, SE15 1JB.

Upon meeting with Detective Inspector Williams of the Metropolitan Police Service on Wednesday 27th March 2019 and from information provided to me, I can confirm that I, on behalf of Southwark Council do support the process of service of a closure notice and pursuance of a closure order to the Magistrates Court on the grounds of public safety and prevention of disorder from the premises of Luxford Bar and Restaurant, 610 Old Kent Road, SE15 1JB. 

Signature:  Signature witnessed by:

Witness contact details

Home address:
 Postcode:
 Home telephone number Work telephone number
 Mobile/pager number Email address:
 Preferred means of contact:
 Male / Female (delete as applicable) Date and place of birth:
 Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
 Signature of parent/guardian/appropriate adult: Print name:
 Address and telephone number if different from above:

Statement taken by (print name): Station:

Time and place statement taken:

Licensing Act 2003 Premises Licence



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

Premises licence number

862951

Part 1 - Premises details

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

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

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

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

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

The times the licence authorises the carrying out of licensable activities

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

Films - Indoors

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

Live Music - Indoors

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

Recorded Music - Indoors

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

Entertainment Similar to live/recorded music / dance - Indoors

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

Sale by retail of alcohol to be consumed on premises

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

Performance of Dance - Indoors

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

Late Night Refreshment - Indoors

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

Part 2

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

Luxford Bar Limited

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

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

09368415

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

Melodie Mavoungou

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

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

Licence No. [REDACTED]

Authority [REDACTED]

Licence Issue date 09/05/2018

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

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

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

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

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

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

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

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

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

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

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

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

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

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

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

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

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

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

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

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

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

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

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

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

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

Annex 2 - Conditions consistent with the operating Schedule

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Annex 4 - Plans - Attached

Licence No. 862951

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

Plan Date July 2015

From: Comply [m [REDACTED]]
Sent: Friday, March 22, 2019 4:26 PM
To: Franklin, David
Cc: Regen, Licensing; McArthur, Wesley; Lux Info
Subject: Re: Expedited review: Luxford Bar Limited, 610 Old Kent Road, London, SE15 1JB (our ref: L1U 867404)

Hi David,

Thank you for your email.

I have expressed permission from the director to put in a representation on their behalf.

The grounds of my representation are:

- Inaccurate information and depiction of incidents, which I can evidence.
- Proof and evidence of a personal license holder being on grounds on the mentioned dates.

Kind regards,

Melodie Mavoungou

From: Comply [mailto:████████████████████]
Sent: Thursday, March 28, 2019 3:42 PM
To: Franklin, David
Cc: McArthur, Wesley; Rebecca Akinyosoye; Seyi Jacobs; MK LUX
Subject: Re: Licensing Act 2003 - Interim steps Luxford Bar

Hi David,

I would like to put in a representation on behalf of Luxford Bar.

Again I have permission from the Directors of the company, Rebecca Akinyosoye & Seyi Jacobs (both have been CC'd into this email).

Kind regards,

Melodie.

On 28 Mar 2019, at 13:28, Franklin, David <David.Franklin@SOUTHWARK.GOV.UK> wrote:

Dear Melodie,

The steps need to be taken as they are written, I can see that you are concerned that the steps may have a detrimental affect on your business and may wish to offer alternative wording.

I would remind you that, as stated at the end of the notice of decision, there is no appeal to the interim steps, however the premises licence holder may only make further representations if there has been a material change in circumstances since the authority made its determination and a hearing to consider the representation will be held within 48 hours (not including non-working days) of receipt of the representation.

Please let us know if you wish to make representation on behalf of the premises licence holders, I have tentatively booked another hearing for Monday but I would need you to confirm this afternoon if you want to make representation to keep this date.

You may wish to use your comments on the interim steps as the basis of the representation and perhaps offer alternative wording that you would like members to consider.

I think you are wise to seek specialist legal help, especially for the full hearing, however I did think that Michael presented your case well.

Kind regards

David

David Franklin
Team Leader Licensing
Regulatory Services

<image001.png>Womens Safety Charter

<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>

From: Comply [mailto: [REDACTED]]
Sent: Wednesday, March 27, 2019 2:23 PM
To: Franklin, David
Cc: McArthur, Wesley
Subject: Re: Licensing Act 2003 - Interim steps Luxford Bar

Hi David,

Thank you for your use of discretion and direction yesterday. We are excited about the suspension being lifted. However, we are somewhat perplexed as to what to do next. As some of the steps taken to promote the interim steps imposed are equally as detrimental to our operation as a ban. Steps taken on allegations and words which till date have not been evidenced by the police. We feel strongly that as a bar & restaurant some of these constraints are and will serve to equally do what the alcohol ban did, which is... kill the business.

Steps

The first issue is the ID scanners, to be used at all times after 20:00 when the premises are in operation and will be used to record the details of all persons entering (and re-entering) the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document.

Issues

This is an issue because we are firstly a restaurant frequented by families. We also have an under 18 entry allowance of 22:00. How do we now subject families to ID Scanning of themselves and their offsprings.

Steps

That at all times the premises are in operation under the premises licence all members of staff will be trained to a satisfactory standard able to operate the ID scan system and CCTV and able to retrieve data from the system on request of police, council or other authorised officers.

Issues

We cannot possibly train all our staff on the ID Scanner or CCTV, as our CCTV comes with a password, that prevents staff from manipulating images and recordings and even seeing blindspots, which they can reveal to others, thus creating more complications. Should staff also possess password to the CCTV or ID Scanner. It would impact the business' theft policy. Theft of money, materials and resources. This is also the same with the ID Scanner. ***We can however train management and Supervisors and they will be available at each shift.***

Steps

That at least two SIA registered door supervisors will be provided with, and will use, electronic search wands. The electronic search wands shall be used at all times that the premises are open in respect of the search of all persons who wish to enter and re-enter the premises. This includes all DJ's and associated staff and their equipment

Issues

Does this suggest that we have to 2 guards every single day we are open from 12pm or 4pm in the afternoon or is this in relations to our 8pm Licensing agreement on Friday and Saturdays?

Steps

Condition 343 and No externally Promoted Events.

Issues

As a bar & restaurant in the most remote location ever, with the least footfall. We rely strongly on external promotions to get people to our bar & restaurant. As a result of the afore, Condition 343 - is a major blow to our business and our business module. We have a weekly games evening on Sundays that runs from 6pm - 11pm, where we set out games like connect 4, Jenga, Cluedo, Cards, and all family board games. This has literally kept us afloat for the past year. We also host a Karaoke Evening and many other similar evenings. Our inability to promote this will result in our closure immediately.

Conclusion -

We are considering appealing the interim steps made by the tribunal yesterday and wanted to get more clarity from yourself. Whilst we are awaiting quotes from Lawyers who are part of the institute or licensing.

These measures will seriously suffer the business' reputation. It will even cause patrons to rethink visiting the venue with such steps in place.

On 26 Mar 2019, at 21:43, Franklin, David <David.Franklin@SOUTHWARK.GOV.UK> wrote:

Dear Melodie,

As the representative for the premises licence holders please find attached two notices of decision(NoD).

The first is the amended NoD for the hearing on 22 March 2019.

The second is the NoD from today 26 March 2019, please forward this to the premises licence holders and all managers at the premises. You will need to read the additional conditions carefully and ensure when you open that these conditions, along with the conditions on the premises licence, are fully complied with at all times you are providing licensable activities.

If you have any queries regarding the NoD please contact us.

Regards

David

David Franklin
Team Leader Licensing
Regulatory Services

Sales By Product (Daily Sales)

Show data from  Custom

23 Mar 2019 11:00 PM - 24 Mar 2019 12:00 AM

Name	Description	Barcode	Order Code	Brand	Qty	Sales Inc. Tax	Discount	Net Sales Inc. Tax	Net Sales Exc. Tax	Cost Price Exc. Tax	Total Margin	Total Margin %
Apple Juice	Apple Juice				2	£6.00	£0.00	£6.00	£5.00	£0.00	£5.00	100.00%
Coke	Coke				10	£25.00	£0.00	£25.00	£20.80	£0.00	£20.80	100.00%
Jug of Juice	Jug of Juice				2	£16.00	£0.00	£16.00	£13.34	£0.00	£13.34	100.00%
Pineapple Juice	Pineapple Juice				1	£3.00	£0.00	£3.00	£2.50	£0.00	£2.50	100.00%
Red Bull	Red Bull				4	£14.00	£0.00	£14.00	£14.00	£0.00	£14.00	100.00%
Ting	Ting				1	£3.00	£0.00	£3.00	£2.50	£0.00	£2.50	100.00%
Tonic Water	Tonic Water				1	£2.50	£0.00	£2.50	£2.08	£0.00	£2.08	100.00%
					21	£69.50	£0.00	£69.50	£60.22	£0.00	£60.22	100.00%

Sales By Product (Daily Sales)

Show data from  Custom

23 Mar 2019 09:00 PM - 23 Mar 2019 10:00 PM

Name	Description	Barcode	Order Code	Brand	Qty	Sales Inc. Tax	Discount	Net Sales Inc. Tax	Net Sales Exc. Tax	Cost Price Exc. Tax	Total Margin	Total Margin %
Mac and Cheese Bites	Mac and Cheese Bites				1	£6.00	£0.00	£6.00	£6.00	£0.00	£6.00	100.00%
BBQ	BBQ				5	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Cajun heat	Cajun heat				2	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Chicken Strips	Chicken Strips				2	£14.00	£0.00	£14.00	£14.00	£5.96	£8.04	57.43%
Coke	Coke				1	£2.50	£0.00	£2.50	£2.08	£0.00	£2.08	100.00%
Diet Coke	Diet Coke				4	£10.00	£0.00	£10.00	£8.33	£0.00	£8.33	100.00%
Fries	Fries				4	£14.00	£0.00	£14.00	£14.00	£0.92	£13.08	93.43%
Guinness Beef oxtail pepper pot	Guinness Beef oxtail pepper pot				3	£30.00	£0.00	£30.00	£24.99	£0.00	£24.99	100.00%
Jerk it!	Jerk it!				1	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Jug of Juice	Jug of Juice				3	£24.00	£0.00	£24.00	£20.01	£0.00	£20.01	100.00%
Lemonade	Lemonade				1	£2.50	£0.00	£2.50	£2.08	£0.00	£2.08	100.00%
Lux Wings	Lux Wings				7	£42.00	£0.00	£42.00	£42.00	£0.00	£42.00	100.00%
Persuasion	Persuasion				2	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Sautéed King prawns	Sautéed King prawns				4	£32.00	£0.00	£32.00	£32.00	£0.00	£32.00	100.00%

Sweet Potato Fries	Sweet Potato Fries				1	£4.00	£0.00	£4.00	£4.00	£4.00	£2.26	£1.74	43.50%
Ting	Ting				1	£3.00	£0.00	£3.00	£2.50	£0.00	£0.00	£2.50	100.00%
					42	£184.00	£0.00	£184.00	£171.99	£9.14	£162.85	94.69%	

Sales By Product (Daily Sales)

Show data from  Custom

23 Mar 2019 10:00 PM - 23 Mar 2019 11:00 PM

Name	Description	Barcode	Order Code	Brand	Qty	Sales Inc. Tax	Discount	Net Sales Inc. Tax	Net Sales Exc. Tax	Cost Price Exc. Tax	Total Margin	Total Margin %
Mac and Cheese Bites	Mac and Cheese Bites				1	£6.00	£0.00	£6.00	£6.00	£0.00	£6.00	100.00%
BBQ	BBQ				4	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Cajun heat	Cajun heat				7	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Chicken Burger	Chicken Burger				4	£37.00	£0.00	£37.00	£37.00	£8.72	£28.28	76.43%
Chicken Strips	Chicken Strips				2	£14.00	£0.00	£14.00	£14.00	£5.96	£8.04	57.43%
Coke	Coke				10	£25.00	£0.00	£25.00	£20.81	£0.00	£20.81	100.00%
Diet Coke	Diet Coke				1	£2.50	£0.00	£2.50	£2.08	£0.00	£2.08	100.00%
French Kiss	French Kiss				7	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Fries	Fries				5	£17.50	£0.00	£17.50	£17.50	£1.15	£16.35	93.43%
Garden Party	Garden Party				2	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Guinness Beef oxtail pepper pot	Guinness Beef oxtail pepper pot				1	£10.00	£0.00	£10.00	£8.33	£0.00	£8.33	100.00%
Jerk it!	Jerk it!				2	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Jug of Juice	Jug of Juice				6	£48.00	£0.00	£48.00	£40.01	£0.00	£40.01	100.00%
Lemonade	Lemonade				7	£17.50	£0.00	£17.50	£14.58	£0.00	£14.58	100.00%

Lux Wings	Lux Wings	13	£78.00	£0.00	£78.00	£78.00	£0.00	£78.00	£78.00	100.00%
Mac and Cheese	Mac and Cheese	5	£30.00	£0.00	£30.00	£25.00	£0.00	£25.00	£25.00	100.00%
No Glaze	No Glaze	1	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Persuasian	Persuasian	1	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
Plantain	Plantain	6	£24.00	£0.00	£24.00	£24.00	£0.00	£24.00	£24.00	100.00%
Red Bull	Red Bull	2	£7.00	£0.00	£7.00	£7.00	£0.00	£7.00	£7.00	100.00%
Red Bull Can	Red Bull Can	2	£10.00	£0.00	£10.00	£8.33	£0.00	£8.33	£8.33	100.00%
Sautéed King prawns	Sautéed King prawns	10	£80.00	£0.00	£80.00	£80.00	£0.00	£80.00	£80.00	100.00%
Service Charge		2	£17.91	£0.00	£17.91	£17.91	£0.00	£17.91	£17.91	100.00%
Special request		4	£25.00	£0.00	£25.00	£25.00	£0.00	£25.00	£25.00	100.00%
Sweet Potato Fries	Sweet Potato Fries	3	£12.00	£0.00	£12.00	£12.00	£6.78	£5.22	£5.22	43.50%
Ting	Ting	8	£24.00	£0.00	£24.00	£20.00	£0.00	£20.00	£20.00	100.00%
Tonic Water	Tonic Water	1	£2.50	£0.00	£2.50	£2.08	£0.00	£2.08	£2.08	100.00%
		117	£487.91	£0.00	£487.91	£459.63	£22.61	£437.02	£437.02	95.08%

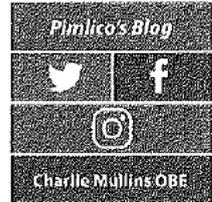


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**A INVOICE DETAILS**

Work carried out by: [REDACTED]	Invoice number: [REDACTED]
Job Ticket Number: [REDACTED]	Date: 13-Feb-2019
Customer: Luxford Bar Ltd	Invoice type:
Customer address: 610 Old Kent Road London	L/Lord address:
Post code: SE15 1JB	L/L post code:
<input type="checkbox"/> Send to landlord	Email: [REDACTED]
<input checked="" type="checkbox"/> Use customer address	
<input checked="" type="checkbox"/> Send By Post	

B WORK DESCRIPTION - TO BE COMPLETED FULLY & ACCURATELY

Work description:
 Flooding in basement.
 Traced system to interceptor.
 Rodded trap clear.
 Drained down.
 Cleared up flood water.
 Tested
 to show running.
 Blockage caused by scale /wipes.

Materials used:
 [REDACTED]

Recommendations:
 Full clean as previously recommended.
 Can't guarantee against blockages due to lack of maintenance.
 Problem may come
 back until service work is carried out.

We are unable to fully guarantee this work. See Recommendations.
 Warning notice issued in accordance with gas and safety regulations.

C TIMES WORKED AND BREAKDOWN OF CHARGES

Date	Eng	Start	Finish	£ Hr Rate	£ Fixed Price
13-Feb-2019	[REDACTED]	18:05	19:05	£150.00	£0.00

Customer Signature:

[REDACTED SIGNATURE]

 Customer not present

Labour:	£150.00
Materials:	£0.00
Material Collection:	£0.00
Sub Total:	£150.00
VAT @ 20.00 %:	£30.00
Total Cost:	£180.00
Deposit Paid:	£0.00
Balance:	£180.00

Payment Details:

 Chip & Pin
 No charge

 Cash
 Unpaid

 Account
 Virtual Terminal
 Collected by other

Invoice

Unit E7, Barwell Business Park, Leatherhead Road, Chessington, KT9 2NY

VAT No. 854 0599 06

Tel: 0844 884 1180 Fax: 0844 884 1181

E-mail: enquiries@aspect.co.uk Web: aspect.co.uk

Luxford Bard
610 Old Kent Road
SE15 1JB

Invoice No.	[REDACTED]
Invoice/Tax Date	21/07/2018
Job No.	[REDACTED]
Account No.	[REDACTED]

Re: Rochele Holder,, Luxford Bard

Order Reference

: Drainage internal works carried out and completed.

Payment of £186.00 received on 27/07/2018 with thanks

Amount Outstanding: £0.00

Work Requested:

** To be charged at £155 + VAT for the first hour then £90 + VAT for every 30 minutes there after if needed **

Please attend site to inspect and rectify issue with blocked drain on site at the property. Customer will be able to show you where it is.

Please ring in transit

Visits:	Date	Engineer	On Site	Off Site	Hrs @ Std Rate	Hrs @ Rate 2	Hrs @ Rate 3
	21/07/18	[REDACTED]	22:45	23:45	00:00	00:00	01:00

Engineer Comments

Date: 21/07/2018

Attend site investigating block drain.

In the basement the manhole it was blocked and it was flooded.

I found the IC I use the plunge and clear the blockeg.

I found a lot of whips and rads in to the drains.

I suck up the water in to the basement and I left safe and tidy

) completed

Customer Signature

Name: Holda

Signature: [REDACTED]

Position:

Date: 21/07/2018

Invoice Breakdown

Total Labour for 579907

Total Parts/Material Collection/Price Work for 579907

Net Amount

£155.00

£0.00

Tax Amount

£31.00

£0.00

Please make all cheques payable to Aspect Maintenance Services Ltd and send to the address above.

For BACS Payments please pay into: Aspect Maintenance Services Ltd
Sort Code : 40-03-21 Account No: 42030969

No credit available for non account customers

Non Payment could result In Legal Action

Net Value.	£155.00
VAT Value.	£31.00
Total Value.	£186.00

Fully Accredited





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VAT reg no: 792 2617 20

**A INVOICE DETAILS**

Work carried out by: [REDACTED]	Invoice number: [REDACTED]
Job Ticket Number: [REDACTED]	Date: 20-Jul-2018
Customer: Luxford Bar Ltd	Invoice type:
Customer address: 610 Old Kent Road London	L/Lord address:
Post code: SE15 1JB	L/L post code:
<input type="checkbox"/> Send to landlord	Email: [REDACTED]
<input checked="" type="checkbox"/> Use customer address	
<input checked="" type="checkbox"/> Send By Post	

B WORK DESCRIPTION - TO BE COMPLETED FULLY & ACCURATELY

Work description:
Called to property for internal drain blocked. Upon arrival have found basement office flooded with raw sewage backing up from internal drain. Main interceptor drain 3.5m deep and fully charged have managed to plunge clear using 6" head. Once level dropped have managed to hose down drain line slightly. Internal of chamber its clear the side walls are crumbling away and potentially causing blockage. Have found heavy amount of baby wipes in the line also. Drain very sensitive and prone to blocking.
Wet vac used to clear surface water as best as possible in office.

Materials used:
[REDACTED]

Recommendations:
No guarantee on blockages cleared. Letters to be sent out to all flats above stating not too use baby/bathroom wipes as causing major problems in bar as well as loss of earnings. If problems pursuit then cost of callouts should be charged out equally to owners/tenants of flats or in full by landlord.
Full clean and survey required £1800 plus vat

- We are unable to fully guarantee this work. See Recommendations.
 Warning notice issued in accordance with gas and safety regulations.

C TIMES WORKED AND BREAKDOWN OF CHARGES

Date	Eng	Start	Finish	£ Hr Rate	£ Fixed Price
20-Jul-2018	[REDACTED]	19:40	20:40	£220.00	£0.00

Customer Signature:

[REDACTED SIGNATURE]

 Customer not present

Labour:	£220.00
Materials:	£0.00
Material Collection:	£0.00
Sub Total:	£220.00
VAT @ 20.00 %:	£44.00
Total Cost:	£264.00
Deposit Paid:	£0.00
Balance:	£264.00

Payment Details: Chip & Pin Cash Account Collected by other
 No charge Unpaid Virtual Terminal

Do not make payment unless the work is completely satisfactory & the following are correct:



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VAT reg no: 792 2417 70

**A INVOICE DETAILS**

Work carried out by: [REDACTED]	Invoice number: [REDACTED]
Job Ticket Number: [REDACTED]	Date: 16-Jul-2018
Customer: Luxford Bar Ltd	Invoice type: [REDACTED]
Customer address: 610 Old Kent Road London	L/Lord address: [REDACTED]
Post code: SE15 1JB	L/L post code: [REDACTED]
<input type="checkbox"/> Send to landlord	Email: [REDACTED]
<input checked="" type="checkbox"/> Use customer address	
<input checked="" type="checkbox"/> Send By Post	

B WORK DESCRIPTION - TO BE COMPLETED FULLY & ACCURATELY

Work description:
Arrived onsite to find interceptor blocked . Rod dead main interceptor to clear blockage , Squigeed up office to clear water from blood as it was flooded .

Materials used:
None

Recommendations:
Rat trap needs fitting in main line upstream from 6 inch interceptor
4 meter deep manhole . Confined spaced equipment will be needed to fit .

- We are unable to fully guarantee this work. See Recommendations.
 Warning notice issued in accordance with gas and safety regulations.

C TIMES WORKED AND BREAKDOWN OF CHARGES

Date	From	Start	Finish	£ Hr Rate	£ Fixed Price
16-Jul-2018	[REDACTED]	16:45	17:40	£150.00	£0.00

Customer Signature:

 Customer not present

Labour:	£150.00
Materials:	£0.00
Material Collection:	£0.00
Sub Total:	£150.00
VAT @ 20.0 %:	£30.00
Total Cost:	£180.00
Deposit Paid:	£0.00
Balance:	£180.00

Payment Details: Chip & Pin Cash Account Collected by other
 No charge Unpaid Virtual Terminal

Do not make payment unless the work is completely satisfactory & the following are correct:

- Times and Hours worked (Times can be verified by vehicle tracking systems).
- Labour has a full breakdown (see Rates Schedules): - <http://www.pimlicoplumbers.com/charges>
- Material costs (shown) & Material collection charges approved (see Company Policy): <http://www.pimlicoplumbers.com/legal/terms-and-conditions>
- We are happy to provide the highest standards of mobile phone usage. If you are dissatisfied in any way please contact us & your concern will be dealt with.
- Section C has been filled in fully and accurately.



INVOICE

INVOICE NUMBER: #06728
 CONTACT NAME : Elizabeth
 CONTACT NUMBER: 02076357083
 CONTACT EMAIL: Accounts@luxford.co.uk
 COMPANY NAME : Luxford Bar
 COMPANY WEBSITE : luxfordbar.co.uk
 DATE: 4/2/19

SERVICES RENDERED	AMOUNT
CCTV DIAGNOSIS	£30
CCTV REPAIR	£70

ACCOUNT DETAILS

If you wish to pay via BACS transfer, the account details are as follows:

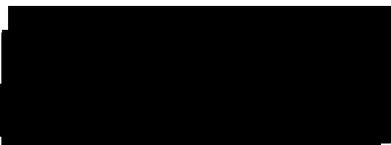
DAN TEWO
 IT SERVICES
 [REDACTED]

DEPOSIT
£0

TOTAL
£100

DAN TEWO
IT SERVICES

THANK YOU



INVOICE

Invoice Date: 14/02/19

Invoice Number: [REDACTED]

CUSTOMER DETAILS

LUXFORD BAR
610 Old Kent Road
London
SE15 1JB

BUSINESS DETAILS

JAH ELECTRICAL
[REDACTED]
[REDACTED]
[REDACTED]



Please see the bank details below where payment should be made.

FAULT FINDING

DESCRIPTION	QTY	UNIT COST	AMOUNT
Labour 14th Feb 2019	1	£250.00	£250.00
Total Amount			£250.00

Bank Details.

- [REDACTED]
- [REDACTED]

Your Account > Your Orders > Order Details

Order Details

Ordered on 20 March 2019 Order # 206-9387073-9179567

INVOICE

Delivery Address

Michael
 [Redacted]
 [Redacted]
 [Redacted]
 United Kingdom

Payment Method

2004
 [Redacted]

Order Summary

Item(s) Subtotal:	£141.65
Postage & Packing:	£10.79
Total Before VAT:	£152.44
VAT:	£30.49
Total:	£182.93
Grand Total:	£182.93

Transactions

Delivered Thursday



WD Purple 3.5" SATA 6GB/s 6TB S400rpm HDD
 Sold by: Sayer
 £169.98
 Condition: New
 Buy it again

- Track package
- Return or replace items
- Problem with order
- Share gift receipt
- Leave seller feedback
- Hide Order

amazon.co.uk

Step by Department Buy Again Warehouse Deals Today's Deals Gift Cards & Top Up Sell

Amazon.co.uk Today's Deals Warehouse Deals Outlet Subscribe & Save Vouchers Amazon Family Amazon Prime Amazon Party Prime Video Prime Student Mobile Apps Amazon Pickup Locations Amazon Assistant

with Alexa Voice Remote

Your Account Prime Lists

Get product support Write a product review Hide Order

Your Orders

ORDER PLACED 24 October 2018 TOTAL £79.99 DISPATCH TO Michael

ORDER # 204-4365523-2695715 Order Details Invoice

Delivered 25 Oct 2018
 Parcel was left in mail room



WD 2 TB Surveillance Hard Drive
 Sold by: Amazon EU S.A.U.L.
 Return window closed on 24 Nov 2018
 £79.99

- Get product support
- Write a product review
- Hide Order



INVOICE

INVOICE NUMBER: # [REDACTED]
 CONTACT NAME: [REDACTED]
 CONTACT NUMBER: [REDACTED]
 CONTACT EMAIL: [REDACTED]
 COMPANY NAME : Luxford Bar
 COMPANY WEBSITE : luxfordbar.co.uk
 DATE: 20/3/19

SERVICES RENDERED
CCTV DIAGNOSIS
HARDDRIVE REPLACEMENT

AMOUNT
£70
£70

ACCOUNT DETAILS
If you wish to pay via BACS transfer, the account details are as follows:
[REDACTED]

DEPOSIT
£0

TOTAL
£140



DAN TEWO
IT SERVICES



THANK YOU



INVOICE

INVOICE NUMBER: [REDACTED]
 CONTACT NAME: [REDACTED]
 CONTACT NUMBER: [REDACTED]
 CONTACT EMAIL: [REDACTED]
 COMPANY NAME : Luxford Bar
 COMPANY WEBSITE : luxfordbar.co.uk
 DATE: 20/3/19

SERVICES RENDERED
CCTV DIAGNOSIS
HARDDRIVE REPLACEMENT

AMOUNT
£70
£70

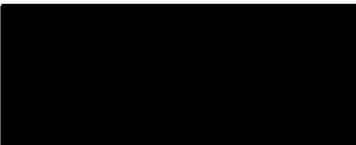
ACCOUNT DETAILS
If you wish to pay via BACS transfer, the account details are as follows:
[REDACTED]

DEPOSIT
£0

TOTAL
£140

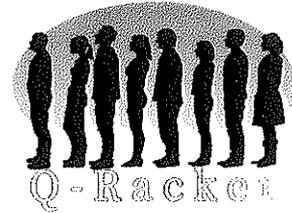


DAN TEWO
IT SERVICES



THANK YOU

Q - Racker Ltd
 Ryan House
 18-19 Aviation Way
 Southend on Sea
 Essex
 SS2 6UN
 Tel : [REDACTED]
 Email [REDACTED]
 VAT R [REDACTED]



PROFORMA

Page 1

Luxford Bar
 610 Old Kent Road
 London
 SE15 1JB

Proforma No	[REDACTED]
Proforma Date	04/01/2019
Order No	
Account Ref	[REDACTED]

This is not a V.A.T Invoice

Qty Ordered	Product Code	Description	Unit Price	Net Amount
1.00	IDSCANCOUNTLITE	ID Scanner Countertop, Lite	990.00	990.00
1.00	IDMONTHLICLITE	Monthly Licence Fee ID Scanner Lite	100.00	100.00
1.00	S1	ID SCANNER TO COLLECTED BY THE CUSTOMER	0.00	0.00

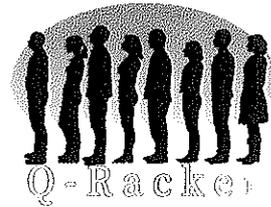
Deliver To :
 Luxford Bar
 610 Old Kent Road

 London

 SE15 1JB

Total Net Amount	£	1,090.00
Carriage	£	0.00
Total VAT Amount	£	218.00
Order Total	£	1,308.00

Q - Racker Ltd
 Ryan House
 18-19 Aviation Way
 Southend on Sea
 Essex
 SS2 6UN
 Tel: [REDACTED]
 Email: [REDACTED]
 VAT Re [REDACTED]



INVOICE

Page 1

Luxford Bar
 610 Old Kent Road
 London
 SE15 1JB

Invoice No	[REDACTED]
Invoice Date	17/01/2019
Order No	
Account Ref	[REDACTED]

Quantity	Description	Unit Price	Disc Amt	Net Amt	VAT %	VAT
1.00	Monthly Licence Fee ID Scanner Countertop Lite	100.00	0.00	100.00	20.00	20.00

Deliver To :
 Luxford Bar
 610 Old Kent Road

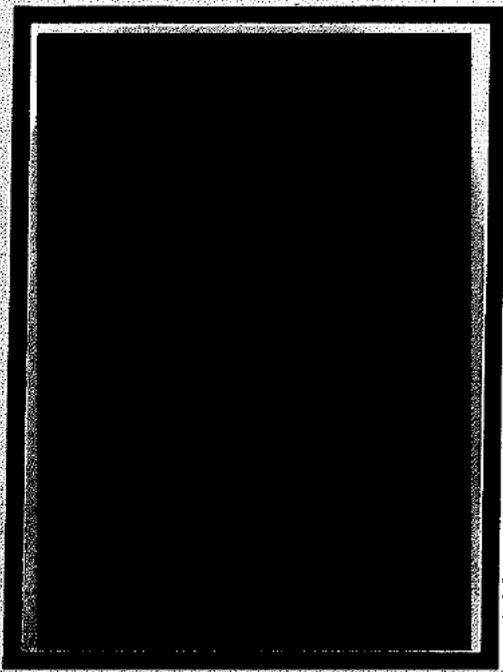
 London

 SE15 1JB

Total Discount	£	0.00
Total Net Amount	£	100.00
Carriage Net	£	0.00
Total Tax Amount	£	20.00
Invoice Total	£	120.00

Payment is due **29/01/2019**

Licence Number: [REDACTED]
Licence Expires: [REDACTED]



Licensing Act 2003 Personal Licence [Part 1]

[REDACTED]
[REDACTED]

London

SE16 [REDACTED]



Highfield

Qualifications®

Highfield Qualifications

Certifies that



has successfully passed an assessment in

HABC Level 2 Award for Personal Licence Holders (QCF)

Qualification number 

Date of award 05 July 2017

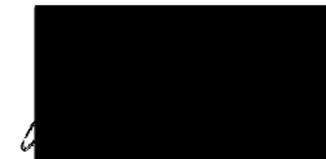
Certificate number 



Course Director

Hurak Education Services

Training Organisation



Jason Sprenger - Chief Executive
Highfield Qualifications



THE QUEEN'S AWARDS
FOR ENTERPRISE
2016



Regulated by
Ofqual

For more information see <http://www.ofqual.gov.uk>



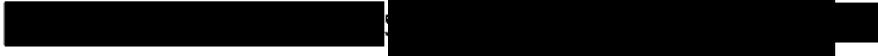
Criminal Record And Barring Service Ltd Background Check Report

This Document is Strictly Private and Confidential

Applicant Personal Details

Name: 

Date of Birth: 

Current Address: 

Report Created: 25/03/2019 14:57:36

Reports Requested

1. Cover Page
2. Basic Disclosure Service Report

BASIC DISCLOSURE REPORT

This Document is Strictly Private and Confidential

This is not a certificate issued by Disclosure and Barring Service, it is a representative of information issued by Disclosure and Barring Service.

Request Details

Application No: [REDACTED]
Date of Issue: 23/03/2019 06:30:05

Applicant Personal Details

Name: [REDACTED]
Date of Birth: 13/05/1987

All basic disclosure certificates are issued under section 112 of the police act 1997. A certificate either contains information about every conviction of an applicant or it states that there is no such conviction.

Report Summary

CONVICTIONS

✓ None Recorded

Criminal Record And Barring Service Ltd Background Check Report

This Document is Strictly Private and Confidential

Agreement Disclaimer

The Results contained in this report are provided subject to our terms and conditions which the Customer accepted when signing up for these Services.

The content of this report is private and confidential, it is for the Customer's exclusive use and is not to be relied on by or made available to any other party without the Customer's prior written consent.

This report is not intended to be a comprehensive review of all potentially relevant legal issues relating to the employment of the relevant Authorised User and the content of this report is provided for general assistance in the recruitment process. It is not intended to amount to advice on which the Customer should rely and nothing herein shall relieve the Customer from the Customer's responsibilities as an employer including without limitation the Customer's obligation to perform right to work checks.

The information contained in this report is obtained from third party suppliers. The content of the report is reliant on the accuracy of the data inputted into the Services and as such we make no representations, warranties or guarantees, whether express or implied, that the content on our report is accurate, complete or up-to-date.

We express no views or opinions in relation to the content of the report and should the Customer require further analysis of the contents we advise that the Customer instruct appropriately qualified advisors.

To the extent that this report contains a DBS check for a relevant Authorised User the Customer should note that the DBS is not responsible for accuracy of police records, or records of those who are unsuitable to work with children and/or adults. If the relevant Authorised User is aware of any inaccuracy in the information contained in the report, he or she should contact the DBS immediately, in order to prevent an inappropriate decision being made on their suitability.

Where the Customer has requested a DVLA Check, the DVLA Driver Record Information contained in the report is only disclosed to the specific Customer requesting it. The Customer is the authorised recipient of this information as detailed in the DVLA Driver Record Information Consent Form.



AMENDED

NOTICE OF DECISION

LICENSING SUB-COMMITTEE- 22 MARCH 2019

LICENSING ACT 2003: SECTION 53A: LUXFORD BAR, 610 OLD KENT ROAD, LONDON SE151JB

1. Decision

That the premises licence to Luxford Bar, 610 Old Kent Road, London SE15 1JB be suspended with immediate effect as interim steps to promote the licensing objectives pending the determination of the review application at the full hearing, to be held on 18 April 2019.

2. Reasons

This was a hearing to consider if it is appropriate to take interim steps to promote the licensing objectives upon receipt of an application by the Metropolitan Police for an expedited summary review of the premises.

The police advised that on 21 March 2019 the Metropolitan Police Service applied to the licensing authority for a summary review of the premises licence issued in respect of the premises known as 610 Old Kent Road, London SE15 1JB after a Superintendent for the Metropolitan Police Service certified that in his opinion the premises are associated with serious crime or serious disorder or both.

On 2 December 2018 Police attended the premises in response to a female claiming she had been assaulted by her ex-partner. She claimed that she was thrown to the ground by her hair outside of club after being punched by the same suspect inside the venue. CCTV was requested but Police were informed that there was no coverage of the area where the incident took place. The external CCTV footage "stopped" at the time the victim and her ex-partner left the premises. The victim later advised police that staff at the premises had been persuaded to delete the footage.

On 1 January 2019 Police were attended the premises following a male being stabbed in the abdomen resulting in a lacerated bowel and artery. This incident is still the subject of police investigation.

A stepped approach in working with the premises has failed and further breaches of the premises licence have been witnessed. On 2 February 2019 officers from the Night Time Economy Team visited the premises and found two breaches of the premises licence, namely condition 289 (CCTV to be kept for 31 days) and condition 336 (A personal licence holder shall be on the premises at all times after 8pm when intoxicating liquor is being supplied).

On 16 March 2019 officers from the Night Time Economy Team visited the premises and found two breaches of the premises licence, namely, condition 289 (CCTV to be kept for 31 days) and



condition 336 (That a personal licence holder shall be on the premises at all times after 8pm when intoxicating liquor is being supplied).

On both occasions the same manager was on duty at the premises and warned of the need to rectify the breaches and served a s.19 Closure Notice was served.

There is also a history of non-compliance at the premises.

The Licensing Sub-Committee then went into a closed session and heard confidential information from the police.

The licensing sub-committee were satisfied that there has been serious crime committed inside this premises where a victim was stabbed. Whilst measures have been discussed to counter the possibility of further incidents the premises is continues to be poorly managed and operating in breach of the premises licence with defective CCTV and no personal licence holder on the premises.

The licensing sub-committee having read and heard all the evidence. before them were satisfied that the interim steps set out above were appropriate and proportionate in order to promote the licensing objectives

3. Appeal rights

There is no right of appeal to a Magistrates' Court against the licensing authority's decision at this stage.

The premises licence holder may make representation against any interim steps imposed and a hearing to consider the representation will be held within 48 hours of receipt of the representation.

The holder of the premises licence may only make further representations if there has been a material change in circumstances since the authority made its determination

Any representation should be in writing and cannot be received outside of normal office hours.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 22 March 2019



NOTICE OF DECISION

LICENSING SUB-COMMITTEE - 26 MARCH 2019

LICENSING ACT 2003: SECTION 53A: LUXFORD BAR, 610 OLD KENT ROAD, LONDON SE151JB

1. Decision

That the interim steps imposed on 22 March 2019 in respect of the premises licence to Luxford Bar, 610 Old Kent Road, London SE15 1JB are not appropriate for the promotion of the licensing objectives and those steps are modified pending the determination of the review application at the full hearing, to be held on 18 April 2019 as follows:

- i. That the suspension of the premises licence is withdrawn.
- ii. That an ID scanning system of a specification to the reasonable satisfaction of the Police shall be installed and maintained at the premises. The system should be capable of sharing information about banned customers with other venues, identify the hologram on ID, read both passports and ID cards and be able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 20:00 when the premises are in operation and will be used to record the details of all persons entering (and re-entering) the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document.
- iii. That at all times the premises are in operation under the premises licence all members of staff will be trained to a satisfactory standard able to operate the ID scan system and CCTV and able to retrieve data from the system on request of police, council or other authorised officers.
- iv. That at least two SIA registered door supervisors will be provided with, and will use, electronic search wands. The electronic search wands shall be used at all times that the premises are open in respect of the search of all persons who wish to enter and re-enter the premises. This includes all DJ's and associated staff and their equipment
- v. That a refusals register is maintained in respect of the ID scan. This register will be immediately available for inspection on the request of police, council or authorised officers.
- vi. That all staff will be trained in the use and maintenance of both the CCTV and ID scanner. 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.
- vi. Condition 343 of the premises licence (*"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"*) is suspended.
- vii. That there will be no externally promoted events.

LICENSING SUB-COMMITTEE- 26 MARCH 2019



2. Reasons

This was a hearing to consider whether or not the interim steps imposed on 22 March 2019 in respect of the premises licence to Luxford Bar, 610 Old Kent Road, London SE15 1JB remain appropriate for the promotion of the licensing objectives.

The Licensing Sub-Committee heard from the premises who advised that the information relied on by the Licensing Sub-Committee on 22 March 2019 was inaccurate and that proof was available to provide an accurate account of the incidents relied on by the police. After the incident in January 2019 when someone was stabbed, the premises installed an ID scanner. No variation of the premises licence was made as the premises were waiting for further recommendations from the police. Additional personal licensees were available and in employment, so that there would be no further breaches of condition 100 of the premises licence. Regarding the CCTV, there had been flooding in the premises, which wiped the CCTV hard drive. This had been rectified virtually immediately. The premises were willing to work with the police to uphold all of the licensing objectives.

It was accepted that the premises had been trading on Friday 22 March and Saturday 23 March, but assured the sub-committee that no alcohol was sold nor did any licensable activities take place. The premises operated strictly on the advice a Southwark licensing officer provided.

The Licensing Sub-Committee was advised that expedited review process had been instigated after a Superintendent for the Metropolitan Police Service certified that the premises are associated with serious crime or serious disorder or both. Two incidents of serious crime and/or serious disorder had occurred in December 2018 and January 2019. Despite these very serious incidents, further breaches of the licence had been witnessed in February and March 2019; these breaches opened the risk of further serious incidents of crime and disorder occurring. The police also referred to the police attendance at the premises on Saturday 23 March 2019. It was suggested that the premises was open to the public and alcohol was consumed regardless of the expedited hearing the previous day and was very cavalier attitude. The police argued that the premises were not taking the review process seriously and they had no confidence in the management of the premises.

The police then made an application for confidential material to be considered by the Licensing Sub-Committee in a closed session, claiming that the premises were associated with gang members. This the premises categorically denied. The members of the sub-committee considered this application carefully. At its highest, the police's application was based on incidents that had occurred 2-3 months previously and no evidence had been presented to suggest a potential reoccurrence. It was therefore decided that it was not in the public interest to hear evidence in a closed session as there was no proposed controls that could ensure that the premises would have a fair hearing (of the confidential material).

Having heard evidence from the premises, the Licensing Sub-Committee questioned what a suspension of the premises licence would achieve. Ultimately, the premises could operate and provided licensable activities until 23:00 hours by virtue of the Live Music Act 2012. Alcohol could be consumed if patrons "brought a bottle" and purchased it elsewhere. By their own admission, the premises were operating on Friday and Saturday.



The police evidence was that the premises was open to the public (when they attended on the Saturday), yet despite police knowledge of the suspension of the licence and knowledge of allegations of gang activity, allowed the premises to continue to operate.

The licensing sub-committee having read and heard all the evidence before were satisfied that the interim steps to suspend the licence should be withdrawn and that it is more appropriate and proportionate to promote the licensing objectives to modify the interim steps, as detailed above.

3. Appeal rights

There is no right of appeal to a Magistrates' Court against the licensing authority's decision at this stage.

The premises licence holder may make representation against any interim steps imposed and a hearing to consider the representation will be held within 48 hours of receipt of the representation.

The holder of the premises licence may only make further representations if there has been a material change in circumstances since the authority made its determination

Any representation should be in writing and cannot be received outside of normal office hours.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 26 March 2019



NOTICE OF DECISION

LICENSING SUB-COMMITTEE - 1 APRIL 2019

LICENSING ACT 2003: SECTION 53A: LUXFORD BAR, 610 OLD KENT ROAD, LONDON SE151JB

1. Decision

That the interim steps imposed on 26 March 2019 in respect of the premises licence to Luxford Bar, 610 Old Kent Road, London SE15 1JB are not appropriate for the promotion of the licensing objectives and those steps are modified pending the determination of the review application at the full hearing, to be held on 18 April 2019 as follows:

- ii. That an ID scanning system of a specification to the reasonable satisfaction of the Police shall be installed and maintained at the premises. The system should be capable of sharing information about banned customers with other venues, identify the hologram on ID, read both passports and ID cards and be able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21:00 when the premises are in operation and will be used to record the details of all persons entering (and re-entering) the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document.
- iii. That at all times the premises are in operation under the premises licence there will be a minimum of 5-people to include: the owner(s), directors, senior managers and personal licence holders trained to a satisfactory standard able to operate the ID scan system and CCTV and able to retrieve data from the system on request of police, council or other authorised officers.
- iv. That from 21:00 hours at least two SIA registered door supervisors will be provided with, and will use, electronic search wands. The electronic search wands shall be used at all times that the premises are open in respect of the search of all persons who wish to enter and re-enter the premises. This includes all DJ's and associated staff and their equipment.

2. Reasons

This was a hearing to consider whether or not the interim steps imposed on 26 March 2019 in respect of the premises licence to Luxford Bar, 610 Old Kent Road, London SE15 1JB remain appropriate for the promotion of the licensing objectives.

The Licensing Sub-Committee heard from the representative from the Metropolitan Police Service who submitted that there had been no material change in circumstances as provided for in s.53(B)(9) that allowed for the premises to make further representations under s.53(B)(6) of the Licensing Act 2003. The premises contended that the measures put in place on 26 March were excessive, they has cancelled 2 events that and there had been a reputational loss furthermore there that in turn had caused significant financial loss, making it the business economically unviable.



On this preliminary point the Licensing Sub-Committee determined there had been a change of circumstances in that the premises did not know the precise wording of the modified conditions, until they had received the Notice of Decision furthermore, the premises would not have known the impact the decision (of 26 March) would have had on the premises until the modified conditions were in place. The premises were therefore permitted to make further representations against the interim steps.

The premises emphasized that the interim steps that had been imposed were as detrimental to the business as the suspension was:

- ii. ID Scanners - The premises was primarily a restaurant and secondly, a bar. As a restaurant, the premise is frequented by families. It would not be possible to ID scan those under 18 years of age.
- iii. CCTV/ID Scanner – It would not be possible to train all the staff of Luxford Bar as the devices come with password(s) that prevent staff manipulating images and recordings. If all staff (for example, including cleaning staff) possessed the password(s), the integrity of the systems would be undermined.
- iv. SIA registered door supervisors - It was repeated that the premises was a restaurant. The use of SIA door staff, carrying out the wand checks again throughout the day was excessive and repels proposed patrons. The premises sought a SIA door supervisors when the premises became more of a bar, attracting a more mature clientele and also, limited to Fridays and Saturdays.
- v. The premises were unclear of the ID scanner refusals register and how they could ensure the details provided by those refused entry were correct.
- vi. The premises was also unclear about having no externally promoted events in particular, the impact this condition had on Lux Nights, karaoke nights and private parties such as christenings, baby showers etc.

Licensing Sub-Committee then heard from the representative for the Metropolitan Police Service who reminded the members of the sub-committee that the measures put in place on 26 March were interim steps, pending the full review on 18 April 2019. The expedited application was made against serious incidents of knife crime and continual breaches in the premises licence. Certain concessions were made by the police with regard to under 10-year olds and the SIA door supervisors. The police impressed upon the Licensing Sub-Committee the importance of retaining the condition regarding no externally promoted events.

The Licensing Sub-Committee were of the view that there was good reason to amend the conditions of imposed on 26 March for the promotion of the licensing objectives. Concerning the ID scanner refusals book. The Licensing Sub-Committee was of the view that this was an important condition to retain for the benefit of the premise. The premises would have the refusal registered on the ID scanner system itself, and also, in the refusals book, which would provide a back up of date, time name/address and description of an individual. This could assist the police in apprehending a suspect.

The Licensing Sub-Committee were not agreeable to withdraw the condition regarding externally promoted events and believe the premises misunderstood the purpose of this condition. It was not the committee's intention to prohibit all events run by the premises, such as the games nights, private parties, christening, baby showers and the like. The sub-committee wishes to clarify the condition that there is no externally promoted event if a DJ or MC performs at the premises to a recorded backing track and the event is facilitated,



promoted and managed by external DJs, MCs or some other external promoted. Experience has shown these kinds of events attract a clientele where the risk of crime and/or disorder is heightened. As a result, these externally promoted events remain prohibited.

The Licensing Sub-Committee were satisfied that these modified interim steps are more appropriate and proportionate to promote the licensing objectives to modify the interim steps, as detailed above.

3. Appeal rights

There is no right of appeal to a Magistrates' Court against the licensing authority's decision at this stage.

The premises licence holder may make representation against any interim steps imposed and a hearing to consider the representation will be held within 48 hours of receipt of the representation.

The holder of the premises licence may only make further representations if there has been a material change in circumstances since the authority made its determination

Any representation should be in writing and cannot be received outside of normal office hours.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 1 April 2019

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

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

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

Temporary Ent Notices - Luxford Bar

APPENDIX G

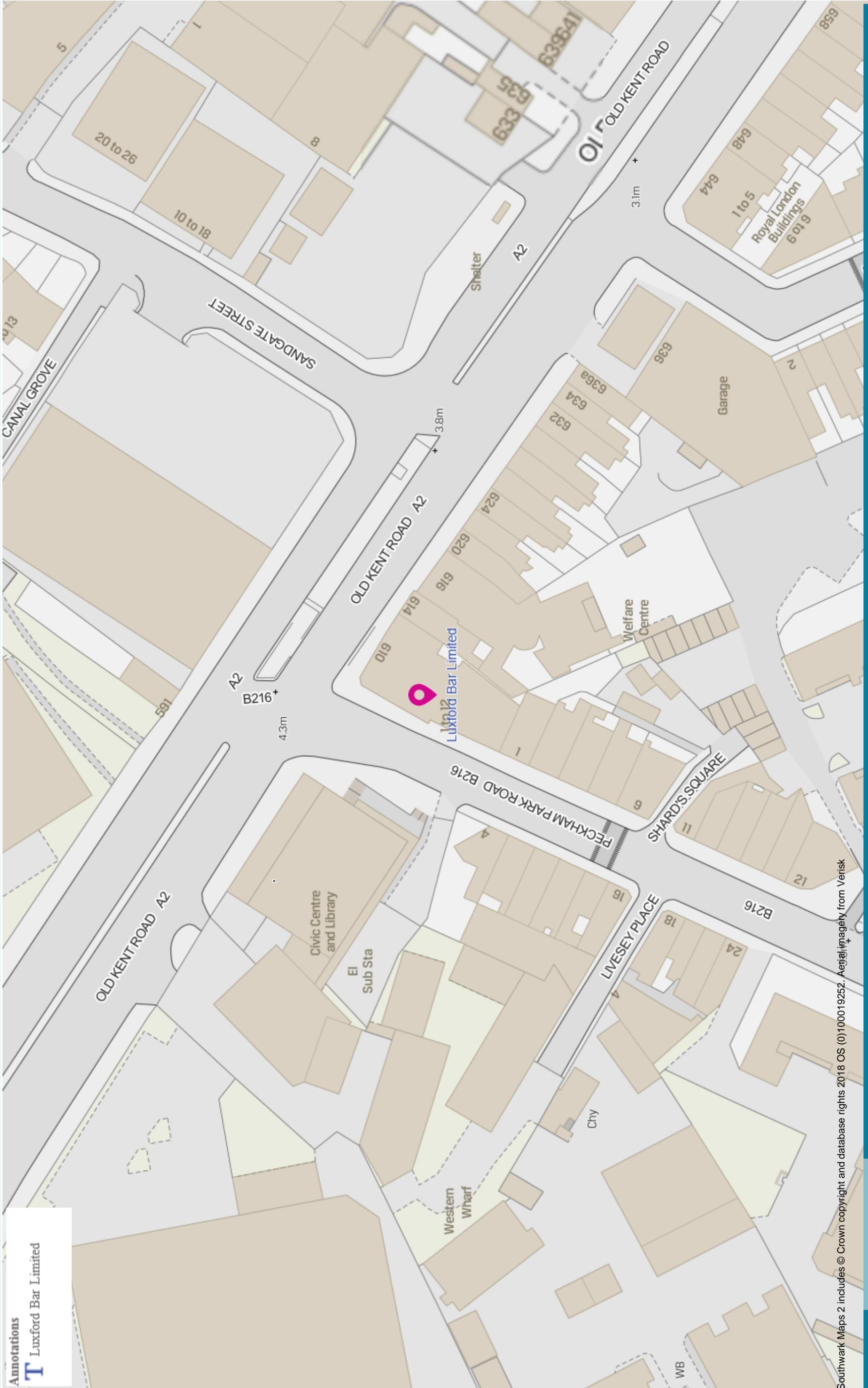
Received date	refno	Start date	End date	times	max no people	sale of alcohol	reg. ent	LNR	late ten	Police obj	Ept obj	desc1
04/08/2016	855073	13/08/2016	14/08/2016	12:00 - 02:30	200	Yes	No	No	Yes	No	Yes	Counter notice
30/08/2016	855478	10/09/2016	11/09/2016	20:00 - 03:30	150	Yes	Yes	No	Yes	No	Yes	Counter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

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

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



Annotations
Luxford Bar Limited



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Scale = 1 : 661.500

31-Jan-2018



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