

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

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

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

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

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

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

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

**Bill Masini - Trading Standards Officer**

Southwark Council Trading Standards | Environment & Social Regeneration  
3rd Floor Hub 1, PO Box 64529 | London SE1P 5LX  
Direct line 020 7525 2629 | Fax 020 7525 5735 | Call Centre 020 7525 2000  
Visit our web pages [www.southwark.gov.uk/TradingStandards](http://www.southwark.gov.uk/TradingStandards)  
Need clear practical consumer advice? Visit Consumer Direct at [www.direct.gov.uk/consumer](http://www.direct.gov.uk/consumer)

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

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

To whom it may concern:

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

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

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

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

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

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

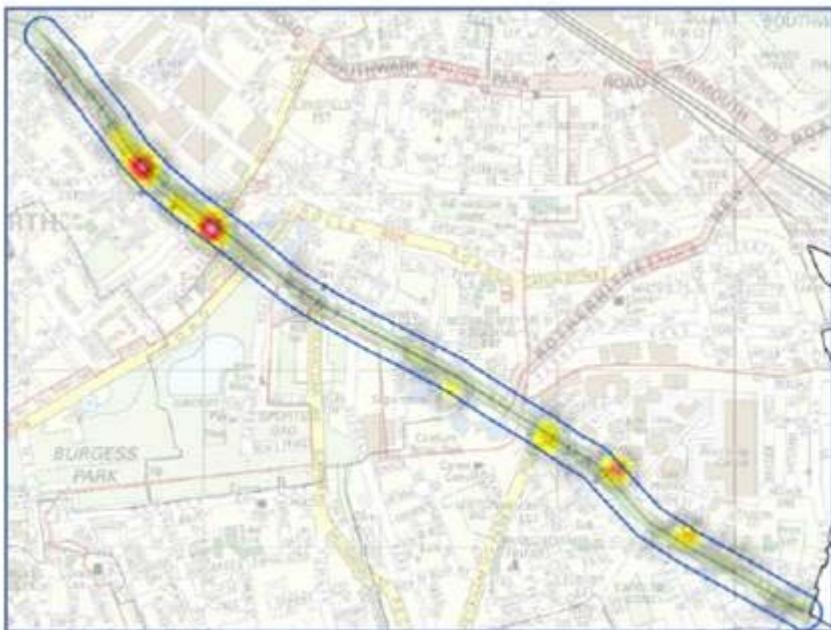


Figure 22 - Old Kent Road CIZ theft

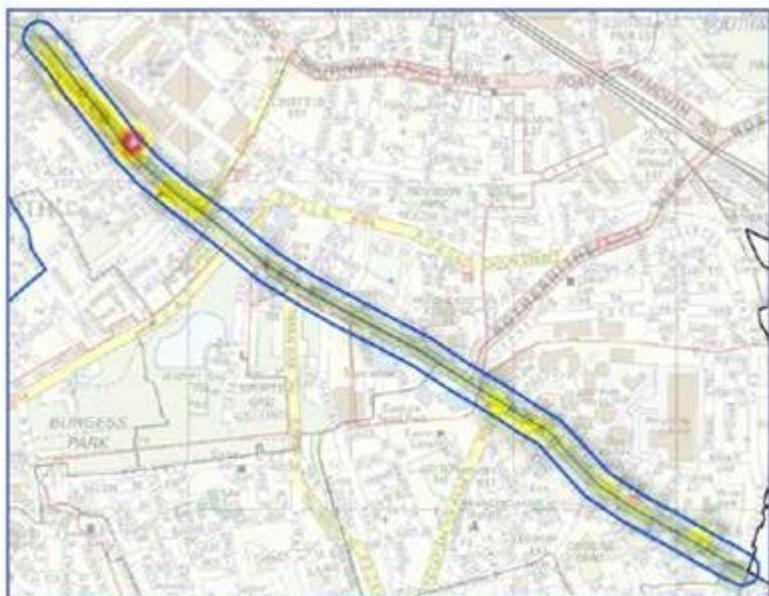


Figure 24 - Old Kent Road CIP LAS pick-ups (data only accurate to postcode level)

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

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

Therefore I reject this application in full.

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

Yours sincerely,

Carolyn Sharpe

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

Carolyn Sharpe | [carolyn.sharpe@southwark.gov.uk](mailto:carolyn.sharpe@southwark.gov.uk) | 02075250025 | 07927563567

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

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**From:** Jerrom, Charlie  
**Sent:** 10 November 2017 09:45  
**To:** [Alcohol@homeoffice.gsi.gov.uk](mailto:Alcohol@homeoffice.gsi.gov.uk) ; Sharpe, Carolyn; Chowdhury, Farhad; Chudasama, Sailesh; DIP Team; Farrington, Ian; [FireSafetyRegulationSE@london-fire.gov.uk](mailto:FireSafetyRegulationSE@london-fire.gov.uk) ; Graham White; Ifepa; Masini, Bill; Planning.Enquiries; Public Health Licensing; Reg Env Protection; Richards-Vassell, Thomas; Qau Safeguarding; safer; [REDACTED] Tear, Jayne; West Team diary  
**Subject:** Consultation - Major Variation, Luxford Bar

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

From: [Ian.Clements@met.pnn.police.uk](mailto:Ian.Clements@met.pnn.police.uk) [mailto: [Ian.Clements@met.pnn.police.uk](mailto:Ian.Clements@met.pnn.police.uk)]

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

To: Regen, Licensing; Tear, Jayne

Subject: Emailing: Luxford Bar variation

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

Kind Regards

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



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

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

Tel: 020 7232 6756  
Email: [SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk)

Our reference: MD21/3068/17

Date: 7<sup>th</sup> December 2017

Dear Sir/Madam

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

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

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

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

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

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

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

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

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

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

Yours Sincerely

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

# MEMO: Licensing Unit

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To Licensing Unit Date 7 December 2017

Copies

From Jayne Tear Telephone 020 7525 0396 Fax

Email jayne.tear@southwark.gov.uk

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

Application to vary the premises licence

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

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

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

Remove condition 345 which states:

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

To be replaced with the following condition:

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

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

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

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

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

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

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

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

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

Mr A. Lisowski,  
Licensing Enforcement Officer,  
Environment and Housing Department.  
[alexander.lisowski @southwark.gov.uk](mailto:alexander.lisowski@southwark.gov.uk)

Tel: 020 7525 7531

Date: 02 February 2017

[REDACTED]

Dear Mr Jolayem-Jacobs,

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

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

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

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

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

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

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

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

Yours sincerely,

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

Mr A. Lisowski,  
Licensing Enforcement Officer,  
Environment and Housing Department.  
[alexander.lisowski @southwark.gov.uk](mailto:alexander.lisowski@southwark.gov.uk)

Tel: 020 7525 7531

Date: 02 February 2017

Dear Ms Akinyosoye,

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

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

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

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

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

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

Yours sincerely,

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

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

Tel: 020 7525 7531

Date: 04 February 2017

[REDACTED]  
[REDACTED]

Dear Ms Mavoungou,

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

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

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

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

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

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A warning letter has also been sent to [REDACTED] and the Luxford Bar Limited.

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

Yours sincerely,

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



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

Tel: 020 7525 7531

Date: 24 March 2017

Dear [REDACTED]

**Requirement to Produce CCTV Footage.**

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

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

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

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

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

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

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

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

Yours sincerely,

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

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

Tel: 020 7525 7531

Date: 24 March 2017

Ms Melodie Mavounghou  


Dear Ms Mavounghou,

**Requirement to Produce CCTV Footage.**

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

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

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

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

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

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

Yours sincerely,

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

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

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

Dear Sir/Madam

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

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

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

- will still have a bar and will still play live and amplified music, and to a later time if granted, which are the cause of the public nuisance arising from the premises in the past.
- Although not strictly a licensing issue, but reflective of the management regime of the premises, a fixed penalty notice for fly tipped rubbish was issued on Luxford bar in August 2017.

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

Regards,

Roy Fox  
Principal Environmental Protection Officer

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

020 7525 2458

[www.southwark.gov.uk](http://www.southwark.gov.uk)



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

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Dear Sir/Madam

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

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

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

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

Regards,

Roy Fox  
Principal Environmental Protection Officer

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

020 7525 2458

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

Dear Miss Mavoungou

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

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

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

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

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

Regards,

Roy Fox  
Principal Environmental Protection Officer

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

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

Please see below.

**Opening Hours request:**

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

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

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

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

**In relation to noise and disturbances.**

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

**Fly Tipping**

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

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

### **Closing**

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

Regards Melodie Mav