



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

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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

