

Licensing Sub-Committee

(Reconvened from the adjourned meeting held on 7 April 2015)

Friday 1 May 2015

10.00 am

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

Membership

Councillor Sunny Lambe
Councillor Maria Linforth-Hall
Councillor Charlie Smith

Reserves

Councillor Sandra Rhule

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

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

Webpage: www.southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 21 April 2015



Licensing Sub-Committee

Friday 1 May 2015
10.00 am
Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

Order of Business

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PART A - OPEN BUSINESS

1. APOLOGIES

To receive any apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

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

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.

5. LICENSING ACT 2003: IBB'S BAR LTD, 6 ARNSIDE STREET, LONDON SE17 2AP

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

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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.”

6. CONFIDENTIAL: DETAILS OF OTHER PERSONS

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

Date: 21 April 2015

Item No. 5.	Classification: Open	Date: 7 April 2015	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Ibb's Bar Ltd, 6 Arnside Street, London SE17 2AP	
Ward(s) or groups affected:		Faraday	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Ibb's Bar Ltd for a new premises licence under the Licensing Act 2003 in respect of the premises known as Ibb's Bar Ltd, 6 Arnside Street, London SE17 2AP.

Notes:

2. This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and from one other person, and is therefore referred to the sub-committee for determination. A copy of the full application is attached as Appendix A.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 received royal assent on 10 July 2003. The Act 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, this council wholly administers the licensing responsibility.
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 premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

Premises operating history

8. The premises was previously known as Sierra Spot and the premises licence was granted to Ishmail S Koroma and Mrs Stella Pieh at licensing sub-committee on the 11 January 2010.
9. The initial application for the licence had been met with objections from local residents due to the manner in which the premises was being operated prior to the application being made and the anticipation of further nuisance. The application had therefore been determined by the licensing sub - committee which granted the licence with reduced hours and without permission for recorded music to be played as regulated entertainment.
10. Subsequent to the licence being granted there were complaints relating to noise nuisance and the operation of the premises beyond its permitted hours. This resulted in both of the premises licence holders being interviewed under caution and Southwark Council securing a successful prosecution against both premises licence holders.
11. The licensing team received an application to vary the premises licence on 18 November 2013 which, if granted, would have had the effect of increasing the operating hours of the premises licence. This application was later withdrawn.
12. 52 Complaints were received by the council's licensing team and noise team, these complaints were mainly concerned with the operation of the premises under the previous management and frequently were related to the use of the premises outside of the hours of operation on the previous premises licence. The complaints were concerned with noise from loud music from the premises, noise from patrons talking and shouting while congregating outside the rear of the premises and the front of the premises, patrons urinating outside at the rear of the premises.

Revocation

13. On the 14 February 2014 the Southwark Council licensing team, as a responsible authority sought the review of the premises licence on the grounds of the prevention of crime and disorder and the prevention of public nuisance. The licensing sub - committee took the decision to revoke the licence for the premises.
14. The review was submitted in response to complaints from local residents to the noise team and licensing unit with regard to noise nuisance and continued breaches of the premises licence conditions and operating beyond licensed trading hours. The notice of decision for this review application is detailed at Appendix H.

15. The decision was appealed by the premises licence holders and was allowed to continue to operate until the appeal was determined in the Magistrates Courts on 17 October 2014 where the decision to revoke the premises licence was upheld.

KEY ISSUES FOR CONSIDERATION

The premises licence application

16. On 29 December 2014 Ibb's Bar Ltd applied to this council for the grant of a new premises licence in respect of the premises known as Ibb's Bar Ltd, 6 Arnside Street, London, SE17 2AP.
17. Due to issues in regards to display of the blue site notice at the premises, amended plans and an error on the applicants behalf in relation to the prescribed fee for the new premises licence application, the consultation period for last date of objection to this application has had to be extended from the 26 January 2015 to the 09 March 2015.
18. The amended application operating hours is summarised as follows:
- **Late night refreshment (Indoors)**
Monday to Thursday: 23.00 to 00.00
Friday and Saturday: 23.00 to 00.30
 - **Supply of alcohol (on the premises)**
Monday to Thursday: 12.00 to 23.30
Friday to Saturday: 12.00 to 00.00
Sunday: 12:00 to 22:00
 - **Opening hours**
Monday to Thursday: 12.00 to 23.30
Friday to Saturday: 12.00 to 00.00
Sunday: 12.00 to 22.30
19. The premises licence application form provides the applicant's operating schedule. Parts J, K, L and M set out the proposed operating hours and operational control measures in full, with reference to the four licensing objectives as defined in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to the licence. A copy of the application is attached to this report as Appendix A.
20. The applicant has also submitted a staff handbook in support of the application. A copy of this supporting document is attached as appendix A1.

Designated Premises Supervisor

21. The proposed designated premises supervisor (DPS) is Kumba Gbondo who has a personal licence issued by the London Borough of Lewisham.

Representations from responsible authorities

22. Southwark Council environmental protection team (EPT) submitted a representation to this application based on public nuisance. The EPT state that the proposed

opening hours Monday to Thursday are too late to prevent patrons leaving the premises and causing public nuisance to sleeping residents both above, opposite and adjacent to the premises. The EPT state that the applicant has not addressed the licensing objective 'the prevention of public nuisance' in the application. Furthermore, the EPT state that although the application has not included licensed entertainment, the applicant may wish to use the provision of the Live Music Act 2012 to provide entertainment to patrons.

23. The EPT have proposed reduced operating hours of the premises and conditions to address concerns in relation to public nuisance. The EPT objection is attached as Appendix C.
24. A representation has been submitted from the health and safety team on the grounds of public safety. A number of concerns have been raised in regards to the application and the operation of the premises which currently remain outstanding. A copy of the representation is detailed at Appendix D.
25. The planning department have submitted a representation to the application on the grounds of public nuisance. Planning state that the site of this premises does not have planning permission for use as either a bar, restaurant or entertainment venue. This is currently outstanding. A copy of this representation is attached as Appendix E.
26. Licensing as a responsible authority have submitted a representation to this application on the basis of concerns on all four licensing objectives. Licensing as a responsible authority state 'the operating schedule does not put in place any control measures to adequately address any of the licensing objectives. A copy of this representation is attached as Appendix F

Representations from other persons

27. Six local residents have given permission for a seventh local resident to speak on this matter on their behalf and submit a joint representation to this application.
28. The local residents' representation is concerned with noise from the premises keeping children living in the area awake, urination in driveways, the use of the rear of the premises by patrons causing noise disturbance, patrons congregating outside the premises and blocking the footpath and intimidation of women passing the patrons, noise and violent behaviour and fighting at closing time.
29. The residents put forward a number of suggested conditions to mitigate their concerns. A copy of this representation is attached as Appendix G.

Equalities Act

30. The Southwark Disablement Association has no comments regarding this application.

Conciliation

31. On the 11 March 2015, following discussions between the applicant and the Metropolitan Police Service the applicant advised the Southwark Council licensing authority that a conciliation agreement has been reached with the Metropolitan Police Service.

32. The Metropolitan Police Service have confirmed that agreement has been reached with the applicant and they wish to withdraw their representation to this application.
33. The applicant has now confirmed that they have amended their operating schedule to reflect proposed conditions of the Metropolitan Police and to amend the opening hours of the premises. A copy of the metropolitan police representation and conciliation statements is attached as Appendix B.

The local area

34. A map of the area is attached to this report as Appendix I. The premises is identified by a triangle at the centre of the map. For purposes of scale only, the circle on the map has a 100 metre radius. The following licensed premises terminal hours are also shown on the map:

Off licences

- **D B Off Licence**, 16 Westmoreland Road, London SE17 (Monday to Saturday until 23.00 and Sunday until 22.30)
- **Costcutter Supermarket**, 25 Camberwell Road, London SE5 (Monday to Sunday, 24 hours)
- **Umashiv News**, 23 Westmoreland Road, London SE17 (Monday to Saturday until 23:00 and Sunday until 22.30)

Public houses with entertainment

- **Red Lion**, 407 Walworth Road, London SE17 (Sunday to Thursday until 00.30 and Friday and Saturday until 01.30)

Late night refreshment

- **Walworth Kebab & Burger Bar**, 360 Walworth Road, London SE17 (Sunday to Thursday until 02.00 and Friday and Saturday until 04.00)
- **La Luna**, 380 Walworth Road, London SE17 (Monday to Saturday until 00.30, Sunday until 00.00)
- **Winner**, 3 Westmoreland Road, London SE17 (Monday to Thursday until 00.00, Friday and Saturday until 00.30 and Sunday until 23.30)

Southwark Council statement of licensing policy

35. Council assembly approved the third revision of Southwark's statement of licensing policy on 12 October 2011. Sections of the statement that are considered to be of particular relevance to this application are:
 - Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives.
 - Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence.

- Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant Articles under the Human Rights Act 1998.
 - Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours.
 - Section 8 provides general guidance on ensuring public safety including safe capacities.
 - Section 9 provides general guidance on the prevention of nuisance.
 - Section 10 provides general guidance on the protection of children from harm.
36. 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

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

Consultation

38. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and a similar notice exhibited outside of the premises for a period of 28 consecutive days.

Community impact statement

39. 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 Legal Services

40. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
41. The principles which sub-committee members must apply are set out below.

Principles for making the determination

42. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso

that the applicant has complied with regulations in advertising and submitting the application.

43. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an interested party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
44. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- (a) To grant the licence subject to:
- The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
 - Any condition which must under section 19, 20 or 21 be included in the licence.
- (b) To exclude from the scope of the licence any of the licensable activities to which the application relates
- (c) To refuse to specify a person in the licence as the premises supervisor
- (d) To reject the application.

Conditions

45. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
46. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
47. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
48. Conditions will not be appropriate if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.

49. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

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

Hearing procedures

51. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing
52. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

53. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.

54. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
55. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
56. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
57. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
58. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
59. Under the Human Rights Act 1998 the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
60. Interested parties, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

61. Members are required to have regard to the DCMS 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 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	Southwark Licensing Hub 2 3 rd Floor 160 Tooley Street SE1 2TZ	Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Premises licence application
Appendix A1	Applicant's supporting document (staff handbook)
Appendix B	Police representation and confirmation of conciliation
Appendix C	Environmental protection team objection
Appendix D	Health and safety team objection
Appendix E	Planning objection
Appendix F	Licensing as a responsible authority objection
Appendix G	Letter from six local resident's confirming that they elect one local resident to represent them
Appendix H	Notice of decision from the licensing sub-committee hearing on 14 February 2014
Appendix I	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Richard Kalu, Licensing Officer	
Version	Final	
Dated	16 March 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	18 March 2015	

*Community Safety EHTS, Health Safety & Licensing Team, Southwark Council, 3rd Floor
 Hub 2, P O BOX 65429, London, SE1P 5LX*

RECEIVED

29 DEC 2014

**Application for a premises licence to be granted
 under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We lbb's Bar Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
6 Arnside Street London			
Post town	London	Postcode	SE17 2AP

Telephone number at premises (if any)	020 7701 2414
Non-domestic rateable value of premises	£9,500

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	lbb's Bar Ltd
Address	6 Arnside Street Walworth London SE17 2AP
Registered number (where applicable)	09329307
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	8	0	1	2	0	1	5

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)

See attached plan of the existing premises which is designed as a bar and social area with adjoining kitchen and toilet facilities for patrons.

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 3)	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 3)		
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	00:00			
Fri	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	00:30			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	12:00 12	23:30	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	12:00	23:30			
Wed	12:00	23:30			
Thur	12:00	23:30		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri	12:00	00:00			
Sat	12:00	00:00			
Sun	12:00	22:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name	[REDACTED]
Address	[REDACTED]
Postcode	SE13 1SD
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	London Borough of Lewisham

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	12:00	00:00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p>
Tue	12:00	00:00	
Wed	12:00	00:00	
Thur	12:00	00:00	
Fri	12:00	00:30	
Sat	12:00	00:30	
Sun	12:00	22:30	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

b) The prevention of crime and disorder

We have strong management control systems to ensure that alcohol is only sold during, licenced hours to persons who are of statutory age. In addition staff are trained to deal with intoxicated customers and compliance the Licensing Act 2003. We enjoy a computerised stock control system which records duty paid on alcoholic beverages. We digitally record opening and closing times to ensure compliance with licensed opening and closing times. We have approached our neighbouring businesses to join us in a local "Shop Watch" scheme to share information on crime prevention with the police.

c) Public safety

We have in place a company health and safety policy which ensures compliance with health and safety legislation and fire regulations. Our Director has undertaken a Food Hygiene Course and he is responsible for staff training in respect of food hygiene standards.

d) The prevention of public nuisance

We maintain a refusals book to record refusals of alcohol sales to intoxicated persons and minors. Staff are trained in the "prove-it" age verification system. We maintain and monitor compliance with these objectives. Our premises are remotely monitored via CCTV system which retains images for 31 days. This includes the area immediately outside the premises to monitor public nuisance.

e) The protection of children from harm

Entry to premises by unaccompanied minors will be strictly monitored. Our training procedures ensure compliance with sections 145 to 154 of the Licensing Act 2003. Our training regime is tested periodically by test purchased designed to ensure that minors are not served alcohol nor allowed on the premises unaccompanied.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Stephen Slater Austen Jones Solicitors 145 Upland Road			
Post town	London	Postcode	██████
Telephone number (if any)	0 ████████		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
s ██████████			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

--

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

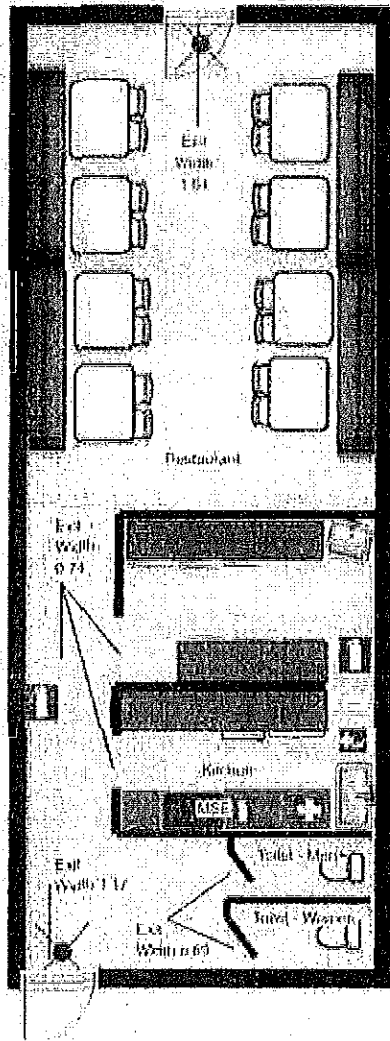
Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	23 - 12 - 14
Capacity	DIRECTOR

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	



Scale 1/8" = 1'-0"





Consent of individual to being specified as premises supervisor

I, [redacted] hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a Premises Licence made under Section 17 of the Licensing Act 2003 by Ibb's Bar for 6 Arnside Street London SE17 2AP and any premises licence to be granted or varied in respect of this application made by Ibb's Bar Ltd concerning the supply of alcohol at 6 Arnside Street London SE17 2AP

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number: LEW0705

Personal licence issuing authority: Licensing Team
London Borough Of Lewisham
Second Floor Laurence House
1 Cafford Road London SE6 4RU

Tel: 020 8314 6400

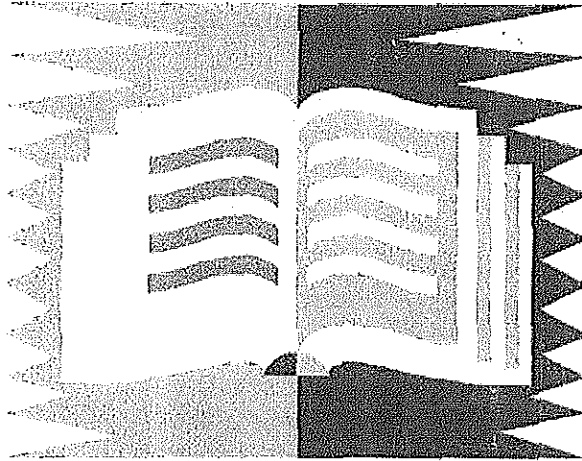
[redacted] signed

[redacted]
28/12/2014 dated

Licensing Dept
Community Safety ,3rd Floor Hub 2 160 Tooley Street PO Box 84528
London SE1 5LX

Company Logo

Ibb's Bar Ltd



Staff Handbook

Printed on: 22 December 2014

1. Introduction

Welcome to Ibb's Bar Ltd Staff Handbook

Our aim in producing this document was to create a one-stop information point where you would be able to access all the information you are likely to need in relation to your employment with us. The Handbook and corresponding policy documents form part of your contract of employment with Ibb's Bar Ltd.

The document gives an overview of the terms and conditions of your employment, and outlines what you can expect from us as your employer. In return we ask you for a high degree of commitment, dedication and loyalty to help us achieve the aims and objectives of the Company.

I hope you find this a useful guide during your employment with us. However if you are unable to find the answer to your question here, please feel free to contact your line manager who will certainly be able to find an answer for you.

Signed: _____

A solid black rectangular box redacting the signature of the person who signed the document.

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3. Starting with Ibb's Bar Ltd

a. About the Company

Ibb's Bar is a locally owned and managed social hub for people from the Sierra Leonian community and other communities in the Southwark Area.

Ibb's Bar Ltd was founded in 2014 by Ibrahim Tejan-Jelloh with the main aim of bringing together local people in harmony and friendship

We have grown steadily since then, and currently our main products / services are:

- Restaurant
- Bar
- Social hub

We have a workforce of around four staff based in our company premises at 6 Arnside Street London SE17 2AP.

You can get more information on our website at <http://www.ibbsbar.co.uk/>

b. Your induction

Ibb's Bar Ltd believes its employees are its greatest asset and recognises its responsibility to ensure they are afforded appropriate development throughout their employment. This development begins at the Induction stage when a new employee joins.

Our aim is to support and develop employees in their role so that they feel confident to undertake the responsibilities placed upon them and ultimately are able to contribute to the success of the organisation.

Induction will be spread over your first few months in post, and is generally planned on a first day, first week and first month basis. The content and duration of the induction programme will be dependent on the scope and complexity of your job, and your line manager will outline this in detail to you on your first day with us. Copies of your induction checklist and evaluation sheets will be made available to you by your manager on your first day with us.

The Ibb's Bar Mission Statement is:

To bring people together from all walks of life to engage and enjoy harmony amongst all local communities:

To provide a social hub for the community helping bring together local people.

c. Statement of Employment Terms and Conditions

As an employee of Ibb's Bar Ltd you will have received a document setting out specific terms and conditions of service as they relate to your post (if you have not received this, you will do so within 8 weeks of your commencement date). This includes details of:

- the names of the employer and the employee;
- the date when the employment (and the period of continuous employment) began;
- remuneration and the intervals at which it is to be paid;
- hours of work;
- holiday entitlement;
- entitlement to sick leave, including any entitlement to sick pay;
- pensions and pension schemes;
- the entitlement of employer and employee to notice of termination;
- job title (or a brief job description);
- where it is not permanent, the period for which the employment is expected to continue or, if it is for a fixed term, the date when it is to end.
- either the place of work or, if required to work in more than one location, an indication of this and of the employer's address; and
- details of the existence of any relevant collective agreements which directly affect the terms and conditions of your employment
- details of employment if expected to work outwith the UK

Further detailed policies and procedures, which may not be mentioned as part of this document, but which still form part of your conditions of employment with us can be accessed through your line manager. This handbook also summarises the main terms of your employment.

Ibb's Bar Ltd reserves the right to change its terms & conditions and employment policies from time to time. You will be notified at the earliest opportunity of these changes by way of general notice to all employees affected by the change. Where a contractual change in your terms and conditions of employment results in a change to your written statement of particulars of employment, we will give you a written statement of the change at the earliest opportunity.

d. Our Relocation Policy

Assistance with relocation expenses will be granted if we are satisfied that your relocation is required in order for you to undertake the duties of the post for which you have been employed. Eligibility and any sums paid are purely at the discretion of the Managing Director, and this is not a contractual right.

You will be required to sign a written undertaking to repay all or some of the expenses reimbursed if you leave within 24 months of receipt of these expenses.

e. Probation Periods

All new staff are subject to a probationary period of 6 months. An initial informal review will take place after 3 months with your line manager, with a formal review after 6 months. Your appointment will be confirmed on satisfactory completion of the 6 month period. During this probationary period you will be given appropriate support and development opportunity to help you reach the required standards. Extension of the probationary period may be granted to enable the required standards to be achieved, but failure to do so could result in termination of your employment.

f. Your Attendance at Work

Ibb's Bar Ltd values good attendance at work and is committed to improving the general wellbeing of its employees to achieve this. Although we aim to secure regular attendance, we do not expect employees to attend when they are unwell.

1) Notification of Absence

Your line manager should be notified as early as possible if absence from work is anticipated for hospitalisation and other medical treatment.

If you are unable to attend work due to sickness or injury, your line manager must be notified by telephone before your normal start time or as soon thereafter as possible on the first day of absence, if possible indicating a date of return. Notification should be made by you personally unless impossible due to the nature of the illness where you should arrange for someone else to call on your behalf. During prolonged periods of absence, your manager should be kept informed of progress and an expected date of return.

Any employee who has been absent due to sickness and is found not to have been genuinely ill will be subject to disciplinary action, which could include dismissal.

ii) Sickness Payments

Payment of Occupational Sick Pay will be made on a sliding scale depending on length of service and sickness period. For more details please see the Handbook section on Pay and Benefits. From your first day of absence you will be required to complete a self-certification form available through your line manager on your return; if greater than 7 days you will require a statement of Fitness for Work from your G.P.

g. Hours of Work

Your normal hours and working pattern will be specified in your Statement of Terms and Conditions of Employment.

The full-time contracted hours for all posts within the organisation are 38 hours per week excluding daily meal breaks. A daily unpaid lunch break of a minimum of 30 minutes must be taken if you work more than six hours daily.

Ibb's Bar Ltd reserves the right to vary your hours and pattern of working, following consultation and agreement with you.

Persistent poor timekeeping means that colleagues are put under pressure to cover your duties. This is not acceptable and will therefore be treated as a potential disciplinary offence under our disciplinary procedures.

h. Flexible Working

Ibb's Bar Ltd has a policy of trying to assist staff to balance their work and home life, and is therefore willing to consider requests from staff to vary their working hours or work pattern. Such requests will be considered taking into account the impact on the organisation, work colleagues and any other relevant factors.

Any member of staff with at least 26 weeks service with the company may make a formal written request for flexible working arrangements. Should you wish to progress this you should speak to your line manager. Please note that only one such request may be made in any 12 month period and that flexible working is not an automatic or statutory entitlement.

i. Criminal Records Checks

Certain employees of Ibb's Bar Ltd may be required to undergo a criminal records office check. This is only in very special circumstances where your employment with us means you are likely to come into contact with children or vulnerable adults (or certain other particular circumstances). Should this be the case, we will discuss the situation with you prior to confirming your appointment (or relevant change to your job). All staff will be expected to provide a basic Disclosure Barring Service disclosure and hold a Personal Licence issued under the Licensing Act 2003 by their home local authority.

j. Conflict of Interest

You should not, directly or indirectly, engage in, or have any interest, financial or otherwise, in any other business enterprise which interferes or is likely to interfere with your independent exercise of judgement in Ibb's Bar Ltd's best interest.

Generally a conflict of interests exists when an employee is involved in an activity:

- Which provides products or services directly to, or purchase products or services from Ibb's Bar Ltd.
- Which subjects the employee to unreasonable time demands that prevent the employee from devoting proper attention to his or her responsibilities to Ibb's Bar Ltd
- Which is so operated that the employee's involvement with the outside business activity will reflect adversely on Ibb's Bar Ltd.

Grievance Procedure - Appendix 1

To:

From:

Dept:

Date:

Immediate Superior:

Dear

I wish to take a formal grievance out against:

in line with the Company Grievance Procedure. The details of my grievance are shown below :

Yours sincerely,

(Manager should respond to this formal written grievance within 2 working days unless an extended period for response is mutually agreed)

(see appendix 2) and contain the original formal Grievance form. This manager will attempt to resolve the grievance. A formal response and full explanation will be given in writing, as will the name of the person to whom they can appeal if still aggrieved, **within 7 days.**

Where the 'next in line' manager at this stage is the Director with responsibility for the employees function, then the grievance should immediately progress to stage 3.

Stage 3

If the employee remains aggrieved there will be a final level of appeal to the Director responsible for the employees function. This appeal must be made in writing (see appendix 3), enclosing a copy of the original Formal Grievance form, to the director within ten working days of receipt of the Stage 2 response. This Director will arrange and hear the appeal with another management representative and respond formally with a full explanation **within 20 working days.**

Where a grievance is raised against a Director then the grievance will be heard by the Chief Executive.

There is no further right of appeal. Where however **both** parties agree that there would be some merit in referring the matter to a third party for advice, conciliation or arbitration, arrangements will then be made to find a mutually acceptable third party.

Grievance Procedure - Appendix 2

To

From

Dept

Date

Immediate Superior

Dear

On (within 10 days of the response to the initial formal grievance) my grievance against was heard by

I am not satisfied with the outcome of this meeting and would like to appeal to yourself for a further hearing of my grievance, in line with the Company Grievance Procedure.

I enclose a copy of the original letter regarding this matter and other correspondence and information related to it.

Yours sincerely

(Manager should respond to this formal written grievance within 7 days unless an extended period for response is mutually agreed)

Grievance Procedure - Appendix 3

To (Director):

From:

Dept:

Date:

Immediate Superior:

Dear

On (within 10 days of the response to the second stage of the formal grievance) I appealed to against the decision made at my initial grievance against

I remain dissatisfied with the outcome of this meeting and would like to appeal to you for a further hearing of my grievance, in line with the Company Grievance Procedure.

I enclose a copy of the original letter regarding this matter and other correspondence and information related to it.

Yours sincerely

(Director should respond to this formal written grievance within 20 working days unless an extended period for response is mutually agreed)

Ibb's Bar Ltd

GRIEVANCE PROCEDURE

The grievance procedure is intended as the tool by which a member of staff may formally have a grievance, regarding any condition of their employment, heard by the management of the Company. The aggrieved employee has the right to representation by a Trade Union Representative, a professional organisation, a staff association or a colleague/friend.

In the event of a member of staff wishing to raise a grievance, it is preferable for the grievance to be satisfactorily resolved as close to the individual and their line manager as possible. It is understood however that this is not always possible and that a formal procedure is required to ensure the swift and fair resolution of matters which aggrieve the hospital's employees.

Time scales have been fixed to ensure that grievances are dealt with quickly, however these may be extended if it is agreed upon by both parties.

This procedure is not intended to deal with:

1. Dismissal or disciplinary matters which are dealt with in a separate procedure.
2. Disputes, which are of a collective nature and which are dealt with in a separate procedure.

Stage 1

An employee who has a grievance should raise the matter with his manager immediately either verbally or in writing. If the matter itself concerns the employees immediate manager, then the grievance should be taken to their superior.

If the manager is unable to resolve the matter at that time then a formal written grievance form should be submitted (see appendix 1). The manager should then respond within **2 working days** (i.e. the managers normal working days) to the grievance unless an extended period of time is agreed upon by both parties. The response will give a full written explanation of the managers decision and who to appeal to if still aggrieved.

Stage 2

In most instances the Company would expect the managers' decision to be final and for the matter to come to a close. However, in some circumstances the employee may remain aggrieved and can appeal against the decision of the manager concerned.

The appeal, to the manager next in line, must be made within ten working days of the original response to the employees grievance. The appeal must be in writing

Appeals against Verbal and First Warnings

In the case of verbal and first warnings, the appeal will be heard by the manager next in line to the one who issued the warning.

Appeals against Downgrading, Final Warnings and Dismissal

The hearing and determining of appeals against final warnings and dismissal will be heard by the appropriate Director or Chief Executive. They may also involve another senior manager / Director not previously involved with the case.

When dealing with an appeal against a Final Warning or Dismissal written statements of case may be submitted no later than 2 days prior to the date of Appeal Hearing. No additional written evidence will be admitted by the Appeal Committee on the date of the Hearing.

Witnesses may be required by either party at an appeal hearing, dependent upon the circumstances and nature of the case. However, there is no specific obligation on either party to produce a witness. Either party must give 5 days prior notice that they intend to call specific persons involved or associated with the case under consideration.

It is the responsibility of the management representative and for the appellant to each arrange for the availability and attendance of any witness they wish to call.

Warnings issued to employees shall be deemed to have expired after the following periods of time.

- Verbal Warnings: 6 months
- First Written Warnings: 12 months
- Final Written Warnings: 18 months (or as agreed and recorded at the hearing)

These time scales remain provided that during that period, no further warnings have been issued in respect of the employee's conduct.

LETTER OF WARNING

All Warnings must contain the following information :

- The letter must be issued within 7 days of the date of the disciplinary hearing.
- The nature of the offence and where appropriate, that if further misconduct occurs, more severe disciplinary action will be taken.
- The period of time given to the employee for improvement.
- The employees right to appeal to the manager directly above that of the one issuing the warning.
- A copy of the warning and any supporting documentation must be attached to the individuals personnel file.
- The employee must also receive a copy of the warning which in the case of any written warning will be sent to their home address by recorded delivery if not handed to them in person.
- In the case of a final written warning, reference must be made to the fact that any further misconduct will lead to dismissal, and that the employee has the right of appeal, and to who they can make that appeal.

The letter confirming dismissal will contain the following information:

- The reason for dismissal and any administrative matter arising from the termination of their employment.
- The employees right of appeal and to whom they should make that appeal

APPEALS

Every employee has the right to appeal against the outcome of a disciplinary hearing. The basis of an appeal should normally relate to one of the following areas:

- that the Companys' Procedure had not been followed correctly.
- that the resulting disciplinary action was inappropriate.
- that the need for disciplinary action was not warranted.
- that new information regarding disciplinary action, has arisen

An appeal should be put in writing. The letter of appeal may be constructed by the employee or their representative. The letter should contain the grounds for appeal and should be lodged within 10 days of receipt of the warning / dismissal letter.

An appeal will be arranged within 20 working days of receipt of the appeal letter.

however that this list is not exhaustive and that on all occasions a full and proper investigation must take place prior to the issuing of a Final Warning, Demotion or Dismissal.

- Any breach of the Licensing Act 2003
- Failure to observe licensing hours
- Theft, including unauthorised possession of Company property.
- Breaches of confidentiality, prejudicial to the interest of the Company,
- Being unfit for duty because of the misuse/consumption of drugs or alcohol.
- Refusal to carry out a management instruction which is within the individuals capabilities and which would be seen to be in the interests of the Company.
- Breach of confidentiality / security procedures.
- Bribing or attempting to bribe another individual, or personally taking or knowingly allowing another person to take a bribe;
- Physical assault, breach of the peace or verbal abuse.
- False declaration of qualifications or professional registration.
- Failure to observe Company rules, regulations or procedures.
- Wilful damage of property at work.
- Incompetence or failure to apply sound professional judgement.

Final Written Warning

A Final Written Warning is appropriate when :

- an employee's offence is of a serious nature falling just short of one justifying dismissal.
- an employee persists in the misconduct which previously warranted a lesser warning.

Downgrading or Transfer to another Post

This action is appropriate when :

- previous attempts, via the disciplinary procedure, to rectify a problem have failed and this is a final attempt to solve a problem without having to dismiss an employee.
- an employee is considered by the Manager of the department to be incompetent or otherwise unfit to fulfil the duties for which he is employed but where dismissal is not thought to be appropriate.

Dismissal

Dismissal is appropriate when

- an employee's behaviour is considered to be Gross Misconduct.
- an employees misconduct has persisted, exhausting all other lines of disciplinary procedure.

Time Scales for the expiry of Warnings

- the manager should inform the employee and their representative that the hearing would now become a formal disciplinary hearing, and invite them to say anything further in relation to the case.

It may be appropriate at this point to adjourn proceedings, whilst necessary arrangements are made for a representative to attend the hearing at the request of the employee.

Should anyone who is subject to disciplinary action resign during the course of it, the action will cease unless there are extenuating circumstances which require its continuance. The subject of the discipline may also request that the disciplinary action continue.

WARNINGS

Examples of Minor Misconduct

Below are listed examples of misconduct which may warrant either a Verbal Warning or a First Written Warning. It is stressed however that this list is not exhaustive and that on all occasions a full and proper investigation must take place prior to the issue of a warning.

- Persistent lateness and poor time-keeping.
- Absence from work, including going absent during work, without valid reason, notification or authorisation.
- Smoking within unauthorised areas.
- Failure to work in accordance with prescribed procedures.
- Incompetence.
- Unreasonable standards of dress or personal hygiene.
- Failure to observe Company regulations and procedures.

Verbal Warning

A Verbal Warning is appropriate when it is necessary for the manager in charge to take action against an employee for any minor failing or minor misconduct.

First Written Warning

A First Written Warning is appropriate when :

- a verbal warning has not been needed and the misconduct is either repeated or performance has not improved as previously agreed.
- an offence is of a more serious nature for which a written warning is more appropriate.
- the recurrence or accumulation of an offence/offences, if left, will lead to more severe disciplinary action.

Examples of Gross – Misconduct

Listed below are examples of misconduct which may be considered to be Gross Misconduct and may warrant a Final Warning, Demotion or Dismissal. It is stressed

A record of the counselling should be given to the employee and a copy retained in their personnel file. It is imperative that any counselling should be followed up and improvements recognised and recorded. Once the counselling objectives have been met, any record of the counselling will be removed from the employees file. If during counselling it becomes clear that the matter is more serious, then the discussion should be adjourned, and pursued under the formal disciplinary procedure.

PROCEDURE FOR FORMAL INVESTIGATION

Formal investigations should be carried out by the most appropriate manager who is not directly involved with the incident being investigated. This manager may involve others to assist with the investigation process. All the relevant facts should be gathered promptly as soon as is practicable after the incident. Statements should be taken from witnesses at the earliest opportunity. Any physical evidence should be preserved and/or photographed if reasonable to do so.

A report should be prepared which outlines the facts of the case. This should be submitted to the appropriate senior manager / Director who will decide whether further action is required. Where appropriate, this report may be made available to the individual and their representative.

In most circumstances where misconduct or serious misconduct is suspected, it will be appropriate to set up an investigatory hearing. This would be chaired by the appropriate Senior Manager / Director, who would be accompanied by another manager. The investigating manager would be asked to present his/her findings in the presence of the employee who has been investigated. Witnesses should be called at this stage, and the employee allowed to question these witnesses. The employee has a right of representation at this hearing.

Following the full presentation of the facts, and the opportunity afforded to the employee to state his side of the case, the hearing should be adjourned, and everyone would leave the room except the senior manager / Director hearing the case, and the other manager. They would discuss the case and decide which of the following option was appropriate:

1. take no further action against the employee
2. recommend counselling for the employee
3. proceed to a disciplinary hearing

All parties should be brought back, and informed as to which option has been chosen.

Should the decision be taken to proceed to a disciplinary hearing, then this may follow on immediately from the investigatory hearing if the following criteria have been met:

- the employee has been informed by letter that the investigation may turn into a disciplinary hearing, and that he has the right of representation
- he has been told in advance what the nature of the complaint is, and had time to consult with a representative
- all the facts have been produced at the investigatory hearing, and the manager / Director is in a position to decide on disciplinary action.

10. Appendix 1 Disciplinary and Grievance Procedures

Ibb's Bar Ltd

DISCIPLINARY PROCEDURE

SCOPE

The Company Disciplinary Procedure will be used only when necessary and as a last resort. Where possible, informal and/or formal counselling or other good management practice will be used to resolve matters prior to any disciplinary action being taken. The procedure is intended to be positive rather than punitive but takes cognisance of the fact that sanctions may have to be applied in some circumstances. An employee can discuss any part of this policy with their Union Representative or their Line Manager. They can help clarify an employees rights as well as give guidance and support where it may be needed. Every Individual has the right to representation at any point during the disciplinary process.

SUSPENSION

Suspension is not disciplinary action. The purpose of suspension is manifold and can be used when it is necessary to remove a member of staff from the workplace pending an investigation for example, to allow time for a 'cooling down period' for both parties, for their own or others protection, to prevent them influencing or being influenced by others or to prevent possible interference with evidence. Only the Manager in charge of that individual, at that time or their superior, have the authority to suspend an individual.

An employee suspended from duty will receive written confirmation within three days of:

- the reason for the suspension
- the date and time from which the suspension will operate.
- the timescale of the ongoing investigation.
- the right of appeal to the immediate manager of the suspending manager should the suspension last more than 7 days

COUNSELLING

Counselling is an attempt to correct a situation and prevent it from getting worse without having to use the disciplinary procedure. Where improvement is required, the employee must be given clear guidelines as to:

- what is expected in terms of improving shortcomings in conduct or performance
- the time scales for improvement
- when this will be reviewed
- the employee must also be told, where appropriate, that failure to improve may result in formal disciplinary action.

If you leave without giving notice and without the Company's agreement, you are in breach of your contract and you may forfeit some or all of any salary due to you.

Before leaving, you must hand over to your manager all articles belonging to Ibb's Bar Ltd, including your ID badge and any documents, equipment and computer software used at home. Documents and software include (but are not limited to) correspondence, diaries, address books, databases, files, reports, plans, records or any other medium for storing information. You should not retain any copies, drafts, reproductions, extracts or summaries of documents and software.

After you have left the Company, you must not:

- Solicit or seek to entice away any Company staff
- Use or divulge to any person or organisation any confidential information relating to the business of Ibb's Bar Ltd.

Should your employment be terminated following disciplinary action it is likely you will receive payment in lieu of notice. However, as there are numerous reasons as to why someone is dismissed, payment in lieu of notice will be reviewed on an individual basis taking into consideration the reasons behind the dismissal.

Should you be dismissed for reasons of gross misconduct, your employment will be terminated immediately without the benefit of notice or payment in lieu of notice.

d. Retirement

In line with current legislation Ibb's Bar Ltd does not have an age where it expects employees to retire. It is however our policy to have regular workplace /appraisal discussions with all our staff where they can discuss performance and any development needs they may have, as well as their future aims and aspirations. Staff and their managers can also use this opportunity to discuss retirement planning should the employee wish to do so.

9. Leaving Ibb's Bar Ltd

a. Notice Periods

Unless your employment is terminated by agreement, or specified otherwise in your principal statement of terms and conditions, you or the Company are required to give a period of notice in writing as follows:

- one week's notice after one month's employment
- two weeks after two years
- three weeks after three years and so on up to 12 weeks maximum after 12 years or more.

These periods of notice will apply if you are dismissed on grounds of inefficiency or if your dismissal is the result of disciplinary proceedings in circumstances where summary dismissal is not justified. Your employment may be terminated without notice where dismissal follows disciplinary proceedings.

b. Working Notice

In all cases the Company reserves the right to enforce your full notice period. Your full remaining annual leave entitlement should be taken during your notice period in agreement with your line manager. Exceptionally, if this is not possible, your manager may agree to make a payment in lieu of this. If you leave any day other than the last working day of that month, that month will not count for annual leave purposes.

If you resign and are in possession of Company property (including computer files), you should make your manager aware of these, and arrange how they will be handed back to the Company. You remain bound by the confidentiality arrangements outlined in your contract of employment during this period.

In exceptional circumstances, if deemed appropriate and as an alternative to working your notice, the Company reserves the right either to transfer you to other suitable duties during your notice period or to require you to accept payment in lieu of any entitlement to notice.

c. Other Conditions on Leaving

On leaving, the Company will deduct from any money due to you such sums as you may owe to the Company. These may include, but are not restricted to, any loans, relocation assistance, court orders and payment made for holidays taken in excess of entitlement.

a. Training and Development Policy

The Company aims to provide training opportunities which will provide:

- An induction programme which all staff will be required to undertake and will assist staff settling into their new role/job.
- A progressive training and development scheme to enable staff to develop, relevant skills and acquire knowledge to underpin their current role and career aspirations.
- We require all member of staff to be familiar with the the Ibb's Bar Data Recording System [IBDRC] to ensure that they upload daily evidence of closure in compliance with licensing regulations.
- The firms digital alcohol stock taking policy requires that all deliveries of alcohol are recorded on the Ibb's Bar Data Recording System [IBDRC] and photos of UK duty-paid labelled stock uploaded to [IBDRC].
- All staff to obtain Personal Licence Holder qualification from Zenith Training

b. Personal Development Planning

i) Introduction

The Company has a Personal Development Planning Scheme. The aims and purposes of the Scheme are:

- To help managers and staff to make effective arrangements to identify and meet learning needs
- To develop the skills, knowledge values and behaviour that staff need to do their current jobs well

ii) PDP - The Process

There are 3 stages in the process:

- **Preparation** – where you and your manager prepare separately for the interview using the appropriate documentation.
- **The Personal Development Plan Discussion** – where a personal development plan is agreed by you and your manager.
- **Monitor & Review** – the method and timescale for monitoring should be agreed at the discussion stage and implemented throughout the year.

The Personal Development Planning documentation is available from your line manager.

'FIRE EXIT' and also a pictogram of a running man. The arrows indicate the direction of the nearest fire exit.

- Do not use a lift to leave the building - always use designated stairs.
- Make your way to the appropriate assembly point.
- Once you are at the assembly point you should report to the Fire Warden, so that they can account for the people in their designated area.
- Do not leave the designated assembly point, or attempt to re-enter the building, until you have been instructed to do so by the Fire Warden.

Action to take if you discover a fire:

- RAISE THE ALARM! This can be achieved by breaking the glass on the call points or by shouting the instruction "Fire – call the fire brigade".
- Raise the alarm even if your building is fitted with an automatic fire alarm system, which has not yet activated - you must not wait for it to do so of its own accord. The alarm must be raised for every occurrence of a fire, no matter how small it appears to be. This will ensure that people in the building have adequate notice to evacuate should it begin to spread quickly. In addition, modern furnishings may allow the fire to develop unnoticed, so time is of the essence if everyone is to get out safely.
- Call the fire brigade at the earliest available, and safe, opportunity and do not attempt to tackle the fire unless you have been appropriately trained and can safely do so e.g. a small fire in a waste paper basket. Unless you have been trained you could be putting yourself or somebody else at risk.

e. Personal Safety

Generally, you should try to avoid working alone whenever this is possible. However, if you have to work alone, then you need to develop an awareness of the risks and how to minimise them.

Prior to making an appointment with someone you do not know, obtain as much information as possible about the person you are meeting and arrange to meet the person in Company premises. Always ring back the telephone number you have been given to confirm that it is legitimate. If a mobile number is given you should always ask for an alternative fixed line number.

If visiting, let your colleagues know where you are going, with whom and what time you are expecting to return. If you think that you are going to run over your original timescales, let your colleagues know.

If you are at all concerned that you are being placed in a dangerous situation through your employment, you must discuss this with your line manager.

8. Training and Development

b. Procedure in the event of an accident

An Accident Book is available from your line manager and it is the responsibility of each individual employee to report and record any accident involving personal injury. Any accident or near miss occurrence (i.e. no one was injured but the incident had the potential to injure or kill) at work should be reported immediately to your line manager.

All employees who are absent from work following an accident must complete a self-certification form, which clearly states the nature and cause of the injury.

For any employee who suffers an injury at work which results in them being away from work, or unable to do their normal work, for three days or more (including weekends, rest days or holidays) it is important that your manager is informed as the Health and Safety Executive also need to be informed by the Company. Form 2508 (available from www.riddor.gov.uk/f2508.dot) should be completed in conjunction with your line manager. Employees are not expected to complete these forms themselves.

c. First Aid

The Company believes that best practice is to ensure staff have access to a trained First Aider or Appointed Person (someone who can take charge in the event of an accident). Details of these trained staff will be displayed on your local notice board or from your line manager and you should familiarise yourself with names and contact details.

d. Fire Safety

Employees should follow these steps to help prevent fires:

- Before you use any electrical appliances carry out a quick check to make sure that the cables, plugs etc are not damaged.
- Do not use any electrical equipment that shows signs of damage, even if you think it is only minor. Report any faults you find to your line manager and find an alternative appliance.
- Ensure that you place your rubbish in the proper waste bins. Do not overfill the bins, and ensure that your waste bin is accessible to the cleaners at the end of each day.

Action to take when the fire alarm goes off:

- Immediately stop what you are doing and walk (do not run) to the nearest available safe fire exit. If your nearest exit/route is obstructed, choose another route. Make sure that you are aware of the fire exits and routes in your area.
- Follow the instructions of your designated Fire Warden.
- Direction signs should indicate the route to your fire exit. These comprise a white arrow on a green background sometimes accompanied by the words

at least two weeks of the 39 week payment period remaining. You must intend to care for the child during your Additional Statutory Paternity Pay period. Additional Statutory Paternity Pay is only payable during the period of the 39 week Maternity Allowance, Statutory Maternity or Statutory Adoption Pay period. It cannot continue beyond the end of these periods.

d. Parental Leave

An employee who has or expects to have responsibility for a child is entitled to take Parental Leave to care for that child. This includes the child's registered father or anyone else who has or expects to have formal parental responsibility for the child. To be eligible to take Parental Leave, an employee must have been employed by the Company for at least one year.

Parental Leave consists of 18 weeks' unpaid leave taken at any time up to the child's fifth birthday (or fifth anniversary of their adoption) or up to the child's 18th birthday if the child is disabled. Up to four weeks' Parental Leave can be taken in respect of each child, each year, in blocks of one week or more. Employees cannot take the leave in blocks of less than one week unless the child is disabled. You must give your line manager at least 21 days notice of your intention to take Parental Leave.

e. Time Off For Dependants

You are legally entitled to take a reasonable amount of time off to deal with certain prescribed emergencies involving certain dependants. This leave is called Time Off for Dependants. Time Off for Dependants can be taken, for example, if a dependant falls ill or is injured, if care arrangements break down, or to arrange or attend a dependant's funeral. A dependant is your child (including adopted child), husband, wife or parent. It also includes someone who lives in your household, and someone who reasonably relies on you, such as an elderly relative. Any time taken off must be necessary and reasonable in the particular circumstances. Time Off for Dependants is not paid.

7. Health and Safety

a. Introduction

Ibb's Bar Ltd recognises and accepts its responsibility as an employer to maintain, so far as is reasonably practicable, the safety and health of its employees, and of other persons who may be affected by its activities.

It is your duty as an employee not to put at risk either yourself or others by your acts or omissions. You should also ensure that you are familiar with the Company health and safety arrangements. Should you feel concern over any health and safety aspects of your work, this should be brought to the attention of your line manager immediately.

Statutory Paternity Leave is a maximum of two weeks' leave, following the birth of a child, taken in order to support the mother or care for the new child. It can be taken as a single week or two consecutive weeks. It cannot be taken as odd days or as two separate weeks.

Statutory Paternity Leave must be taken within 56 days of the birth. If the baby is born earlier than expected, it must be taken within 56 days from the date the baby was due.

To qualify you must have worked for the Company for at least 26 weeks by the end of the 15th week before the expected birth week.

Statutory Paternity Pay is paid at a fixed rate per week (determined in legislation) or 90% of average earnings if that is less. It is paid less tax and National Insurance contributions in the normal way.

During Statutory Paternity Leave, you are entitled to all of your normal contractual terms and conditions as if you were not absent, apart from basic wages and salary. You have the right to return to exactly the same job, on the same terms and conditions after Statutory Paternity Leave.

Paternity leave and pay are also available for the adoption of a child.

You may also qualify for Additional Paternity Leave and Pay if either:

- you are the father of a child, partner or civil partner
- you and your partner receive notification that you are matched with a child for adoption
- your wife, partner or civil partner is adopting a child from overseas and the child enters Great Britain
- the child's mother is entitled to statutory maternity leave, maternity pay or allowance or statutory adoption leave or pay.

Additional paternity leave is for a maximum of 26 weeks. Leave can be taken any time from 20 weeks after the child is born, but it must have finished by the child's first birthday. In the case of adoption it can start anytime between 20 weeks and 52 weeks after the child starts living with you.

To qualify for additional paternity leave and pay we must receive notice in writing at least eight weeks before the start of the leave. This must include:

- the expected date of the baby's birth or date of notified of being matched for adoption
- the actual date of baby's birth, or placement of adoption
- the start date of the Additional Paternity leave and pay
- relationship to the mother, and that the leave being requested is to care for the child

For Additional Paternity leave and pay to be taken the child's mother (or adopter) must have started working again and any relevant payment must have stopped, with

Your line manager may also offer you up to 10 days work during your maternity leave. It is up to you if you wish to work these days. The rate of pay for the work will be agreed in advance with you. Your right to maternity leave and SMP will not be affected.

During Ordinary Maternity Leave, you will continue to receive your contractual benefits and your normal terms and conditions will continue to apply, except for those terms relating to wages and salary. You will continue to accrue holiday [but holiday must be taken in the year it is earned].

During Additional Maternity Leave, the rights and obligations under your contract of employment are reduced, but you must still give notice in accordance with your contract of employment if you want to leave. In addition, you will continue to be bound by your obligations of confidentiality and loyalty. Only statutory holiday will accrue.

If any pregnant employees, or employees who have recently become mothers or who are breastfeeding are employed in positions which have been identified as posing a risk to their health and safety or that of their baby they will be notified immediately and arrangements will be made to eliminate the risks.

If you have concerns about your own health and safety at any time you should consult your Line Manager immediately.

You do not have to notify the Company separately of your return date. It will be assumed that you will come back to work on the date the Company has notified you is the end of your maternity leave period. However, if you wish to return to work before the end of your full maternity leave entitlement, you should give your line manager at least 8 weeks notice in writing of your intended return date.

If you return to work immediately after a period of Ordinary Maternity Leave you will return to work in the same job you left before you started your maternity leave.

If you return to work from a period of Additional Maternity Leave, you will return to the same job you were employed to do. If this is not reasonably practicable, you will be offered a similar job on equally favourable terms and conditions.

If you decide not to return to work after maternity leave, you should confirm this in writing and give the notice required by your contract of employment.

On your return from maternity leave, your line manager will arrange a meeting with you to discuss any changes which have taken place during your absence. This will be an opportunity to discuss any issues relating to breastfeeding. You should also feel free to raise at this meeting any queries or concerns you have.

Parallel arrangements are available for the adoption of a child.

c. Paternity Leave and Pay

In certain circumstances, your maternity leave may start automatically earlier than the date you chose as the start date for your maternity leave. This applies where you are absent from work wholly or partly because of pregnancy at any time during the four weeks before the expected week of childbirth or if you give birth early.

If you have at least 26 weeks' service by the end of the 15th week before your child is expected to be born, you may be entitled to Statutory Maternity Pay (SMP), provided your average weekly earnings are at or above the Lower Earnings Limit for National Insurance.

SMP is payable for 39 weeks. For the first six weeks, SMP will be paid at 90% of your average weekly earnings. For the remaining 33 weeks, SMP will be paid at the standard rate which is prescribed by regulations and is adjusted from time to time. The Company will inform you of the applicable rate. If your average weekly earnings fall below the standard rate, SMP will be paid at 90% of your average weekly earnings throughout.

SMP will be paid subject to deductions for tax and National Insurance contributions in the normal way.

In order to be eligible for maternity leave and SMP, you are required to notify your line manager in writing by or during the 15th week before the expected week of your child's birth. You must inform your Line Manager of the following:

- you are pregnant
- the week in which your child is due
- the date you intended to start your maternity leave
- the date from which you will be claiming SMP

You should enclose a MAT B1 certificate with your written notification signed by your registered doctor or registered midwife to confirm the expected week of childbirth.

You may change the date you start your maternity leave providing you give at least 28 days' notice in writing of either the new start date or the original start date (whichever is earliest).

Within 28 days of receiving your notice, the Company shall notify you in writing of the date when your maternity leave will end.

Prior to your departure on maternity leave, your line manager will meet with you to discuss your rights and entitlements during maternity leave, the possibility of flexible working on your return to work and the level of contact you would like with the Company during your maternity leave. You should feel free to raise at this meeting any queries or concerns you have.

"...if any pregnant employees, or employees who have recently become mothers or who are breastfeeding are employed in positions which have been identified as posing a risk to their health and safety or that of their baby they will be notified immediately and arrangements will be made to eliminate the risks..."

a way that prejudices their recovery, abusing alcohol or drugs or other substances, or recklessly endangering the health and safety at work of themselves and others.

6. Leave Arrangements

a. Annual Leave

Employees of Ibb's Bar Ltd whether part-time or full-time are entitled to a minimum 5.6 weeks' paid annual leave. A week's leave allows you to be away from work for a week – that is the same amount of time as your working week. If you do a five-day week, you are entitled to 28 days leave per year, if you do a four-day week the entitlement is 22.4 days leave etc. Your manager will let you know your annual leave entitlement for the current leave year.

Holidays must be agreed with your manager as early as possible. The Company will where possible try to accommodate individual preferences for holiday dates but the needs of the business may have to take precedence, particularly where short or inadequate notice is given.

- The holiday year runs from 1st January to 31st December.
- Leave for employees joining after the start of the leave year accrues at the rate of one twelfth of the annual entitlement for each complete calendar month of service
- Leave for employees who terminate their employment during the leave year is calculated on the same basis. If however, the annual leave entitlement has been exceeded, a deduction calculated on the same basis will be deducted from the final salary payment.
- Holiday pay in lieu of accrued leave will be paid only on termination of employment and will normally be subject to a maximum of 10 working days.

Ibb's Bar Ltd also recognises the 8 statutory Bank Holidays in addition to basic annual leave entitlement.

b. Maternity Leave and Pay Policy

Pregnant employees will be entitled to take 26 weeks' Ordinary Maternity Leave and 26 weeks Additional Maternity Leave, irrespective of their length of service or the number of hours worked each week.

You may not return to work during the two weeks immediately following the birth of your child (four weeks for women who work in factories).

You are free to choose when you would like your maternity leave to start, however, the earliest you can choose to start your maternity leave is during the 11th week before the expected week of your child's birth.

e. Sickness Pay Provision

i) Statutory Sick Pay (SSP)

Most employees have a right to statutory sick pay (SSP) as long as they earn more than the lower earnings level. SSP is not however payable for the first three qualifying days of absence. (A qualifying day is a day on which you are normally expected to work under your contract of employment).

There is a limit of 28 weeks' SSP in any one period of sickness or linked periods. (Periods of sickness are said to be linked if the second period starts within eight weeks of the end of the first period.)

SSP is paid in the same way as ordinary pay and is liable to tax and National Insurance contributions.

ii) Occupational Sick Pay

Occupational sick pay is entirely at the discretion of the Company but will not be unreasonably withheld as long as you have complied with the notification requirements and have produced any necessary medical certificates, including self-certificates.

**The amount of sick pay you receive will depend on the length of your service with Ibb's Bar Ltd:

Period of continuous service on first day of absence	Period on full pay	Period on half pay or SSP only
Probation Period		
3 months up to 1 year		
Year 2		
Year 3		
Year 4		
Year 5		

When assessing an employee's eligibility for sick pay, the amount of time they have had off over the previous 48 months will be taken into account.

Ibb's Bar Ltd reserves the right to refuse to pay sick pay if it has reasonable cause to think that an employee is not genuinely sick, if it has cause to believe that an employee is abusing the sick pay scheme, if an employee has failed to comply with the notification requirements, or has not supplied the appropriate certification. If the sick pay scheme has been abused, disciplinary action may follow.

Payments of sick pay may be terminated, suspended or reduced if an employee fails to notify the Company of relevant facts, or if their absence or continued absence is due to their taking an unwarranted risk (in or out of work), conducting themselves in

Your salary will be paid monthly in arrears on the last day of each month by direct credit transfer to your designated bank account.

Your basic pay was outlined in your letter of appointment / statement of terms and conditions. Any subsequent amendments to your basic pay will be notified to you in writing by the Company.

Part-time employees will be paid on a pro rata basis based on the hours they work. In all other aspects, their salaries will be paid in accordance with the pay arrangements for full-time employees of the Company.

If any queries arise with regard to pay, or if it looks as if a mistake has been made, speak to your line manager immediately so that they can take appropriate action. Unless agreed otherwise, any pay errors, whether of over or underpayment, will be rectified in the next salary payment.

Appropriate deductions will be made from pay including income tax and National Insurance contributions (NICs), which are subject to each employee's earning level, family status and the number of hours worked.

b. Overtime

Overtime is defined as all hours worked in excess of your full time contracted hours, which has the prior explicit approval of your manager.

Overtime is payable to posts which have been specifically designated as qualifying for overtime payment

For periods worked between Monday and Saturday inclusively, overtime is payable at time and a half. For periods worked on Sundays or designated bank holidays double time is payable.

c. Income Tax

If there are any changes in your personal circumstances which will affect your tax status, you should notify the Inland Revenue, who will automatically inform the Company of any changes to your tax code. Addresses of local offices and enquiry centres can be found here:

<http://www.inlandrevenue.gov.uk/menus/officesmenu.htm>

d. Business Travel

You will be reimbursed for any expenditure necessarily incurred in order to do your job when working away from your normal place of work. Public Transport and accommodation costs will be reimbursed at actual cost – appropriate receipts must accompany all claims. Mileage rates when travelling by your own private transport are 45 pence per mile.

Sexual harassment is defined as "unwanted conduct of a sexual nature, or other conduct based on sex, affecting the dignity of women and men at work". This can include unwelcome physical, verbal or non-verbal conduct.

People can be subject to harassment on a wide variety of grounds including:

- race, ethnic origin, nationality or skin colour
- sex or sexual orientation
- religious or political convictions
- willingness to challenge harassment, leading to victimisation
- disabilities, sensory impairments or learning difficulties
- status as ex-offenders
- age
- real or suspected infection with a blood borne virus (eg AIDS/HIV)
- membership of a trade union or activities associated with membership

Forms may include:

- physical contact ranging from touching to serious assault
- verbal and written harassment through jokes, offensive language, gossip and slander, sectarian songs, letters and so on
- visual display of posters, graffiti, obscene gestures, flags and emblems
- isolation or non-cooperation at work, exclusion from social activities
- coercion ranging from pressure for sexual favours to pressure to participate in political/religious groups
- intrusion by pestering, spying, following someone
- bullying

iii) What should I do if subject to Harassment?

If you feel you are being harassed you are strongly encouraged to seek early advice/support from your line manager. If you feel your line manager is harassing you, then you should contact his / her immediate line manager.

You should also keep a written record detailing the incidents of harassment and any requests made to the harasser to stop. This written record should be made as soon as possible after the events giving rise to concern and should include dates, times, places and the circumstances of what happened.

The Company has a formal procedure for dealing with these issues which you can obtain from your line manager.

5. Pay, Benefits & Pensions

a. Salary Arrangements

relevant legislation and to ensure that they do not discriminate against colleagues, customers, suppliers or any other person associated with the Company.

ii) Key Actions

In adopting these principles Ibb's Bar Ltd:

1. Will not tolerate acts that breach this policy and all such breaches or alleged breaches will be taken seriously, be fully investigated and may be subject to disciplinary action where appropriate.
2. Fully recognises its legal obligations under all relevant legislation and codes of practice.
3. Will allow staff to pursue any matter through the internal procedures which they believe has exposed them to inequitable treatment within the scope of this policy. If you need to access these procedures they can be obtained from your line manager e.g. Grievance Procedure, Dignity at Work Procedure etc.
4. Will ensure that all managers understand and maintain their responsibilities and those of their team under this policy.
5. Will offer opportunities for flexible working patterns, wherever operationally feasible, to help employees to combine a career with their domestic responsibilities.
6. Will provide equal opportunity to all who apply for vacancies through open competition.
7. Will select candidates only on the basis of their ability to carry out the job, using a clear and open process.
8. Will provide all employees with the training and development that they need to carry out their job effectively.
9. Will provide all reasonable assistance to employees who are or who become disabled, making reasonable adjustments wherever possible to provide continued employment. We will ensure an appropriate risk assessment is carried out and that appropriate specialist advice is obtained when necessary.
10. Will distribute and publicise this policy statement throughout the Company

b. Dignity at Work

i) Statement

The Company believes that the working environment should at all times be supportive of the dignity and respect of individuals. If a complaint of harassment is brought to the attention of management, it will be investigated promptly and appropriate action will be taken.

ii) What and How of Harassment

Harassment can be defined as conduct, which is unwanted and offensive and affects the dignity of an individual or group of individuals.

n. Trade Union Membership

It is your choice as to whether you wish to belong to a trade union recognised by the Company. This is one way in which you will be able to make your views known on all issues affecting staff within the Company and have a recognised route to resolve issues affecting groups of staff where other methods have not been effective. In addition, the unions can provide personal representation for you if you experience difficulties at work via their accredited representative system. The Company recognises the following Trade Unions:

Trade Union
 Contact Details: GMB London Region
 Thorne House
 152 Brent Street
 London
 NW4 2DP

 tel 020 8202 8272
 fax 020 8202 2893
 website www.gmbunion.org

4. Valuing Diversity and Dignity at Work

a. Valuing Diversity

i) Statement

lbb's Bar Ltd is committed to valuing diversity and seeks to provide all staff with the opportunity for employment, career and personal development on the basis of ability, qualifications and suitability for the work as well as their potential to be developed into the job.

We believe that people from different backgrounds can bring fresh ideas, thinking and approaches which make the way work is undertaken more effective and efficient.

The Company will not tolerate direct or indirect discrimination against any person on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation whether in the field of recruitment, terms and conditions of employment, career progression, training, transfer or dismissal.

*lbb's Bar is committed
to valuing diversity ..."*

It is also the responsibility of all staff in their daily actions, decisions and behaviour to endeavour to promote these concepts, to comply with all

Should you be in doubt as to whether an activity involves a conflict, you should discuss the situation with your manager.

"...bringing alcohol or any unlawful drugs to the workplace, and / or imbibing them there is strictly prohibited..."

k. Standards of Performance and Behaviour at Work

i) Appearance

Ibb's Bar Ltd does not seek to inhibit individual choice in relation to your appearance. However, you are expected to dress appropriately at all times in relation to your role, and to ensure that your personal hygiene and grooming are properly attended to prior to presenting yourself at work.

If we have supplied you with a uniform or other apparel, then you must wear this at all times when required to do so; it is your responsibility to ensure that this is clean and presentable.

If your work brings you into contact with the general public then you must remove all visible piercings with the exception of a single set of earrings (or one single earring), and you must ensure your dress and grooming standards reflect the values of your employer.

If you have any queries about what is appropriate, these should be directed to your line manager.

ii) Company Premises

You will be issued with an identity badge / appropriate PIN code allowing access to your workplace. This remains the property of Ibb's Bar Ltd loss of your badge / PIN code (or accidental disclosure to someone) must be reported immediately to your line manager.

You must not bring any unauthorised person on to Ibb's Bar Ltd property without prior agreement from your line manager unless you are authorised to do so as part of your job. In these circumstances you are responsible for ensuring that your visitors are appropriately monitored during their stay, and that they do not access areas or company property inappropriately.

You must not remove Ibb's Bar Ltd property from the organisation's premises unless prior authority from your line manager has been given.

iii) Personal Property

Any personal property such as jewellery, cash, credit cards, clothes, cars, motorbikes or bicycles etc. left on Ibb's Bar Ltd premises is done so entirely at your own risk. You are strongly advised not to leave any valuables unattended, either on our premises, our vehicles or in your own vehicle. Ibb's Bar Ltd does not accept liability for loss or damage to any personal property whatsoever.

iv) Telephones & Correspondence

Company telephone / mobile phone or postal facilities must not be used for private purposes without prior permission from your line manager. If, for any reason, personal use is made of these items then arrangements must be made to pay the cost price of all services used. Abuse of these facilities will be considered a potential disciplinary matter.

v) Smoking and Other Substances at Work

Legislation now exist which makes it illegal to smoke in enclosed public spaces. Smoking (**including e-cigarettes) is therefore strictly prohibited on all Ibb's Bar Ltd premises (including entrances and exits) and vehicles.

Outside areas have been identified for those who wish to smoke during their break-time. Should you wish to avail yourself of these facilities, please speak to your line manager.

Bringing alcohol or any unlawful drugs to the workplace, and / or imbibing them there is strictly prohibited both during work time or during a period prior to work where the effects carry over to the workplace. Any such instances will be dealt with under the disciplinary procedure and may lead to your summary dismissal.

vi) Confidentiality

It is a condition of your employment that you have a duty of confidentiality with regards to Ibb's Bar Ltd.

During the course of your employment you may find yourself in possession of sensitive information, the disclosure of which could be construed as a breach of confidentiality. It is a condition of your employment that you have a duty of confidentiality to the Company, and you must not discuss any Company sensitive or confidential matter whatsoever with any outside organisation including the media.

Any such breach of confidentiality would be deemed as gross misconduct except as otherwise provided or as permitted by any current legislation (e.g. the UK Public Interest Disclosure Act 1998) and could lead to your dismissal.

vii) Computer, email and Internet use

If you have access to the Company's computers including email and access to the internet as part of your job, you must not abuse this by using these facilities for purposes unrelated to Company business.

Limited personal use of the internet is permitted during your formal breaks. All internet use is monitored and accessing pornographic or other unsuitable material, including auction or certain social networking sites is strictly prohibited and would be considered a serious disciplinary offence which may result in dismissal.

disciplinary procedures, and disciplinary action up to and including dismissal may be applied.

l. Data Protection and Access to Information

Ibb's Bar Ltd will comply with all statutory requirements of the Data Protection Act by registering all personal data held on its computer and/or related electronic equipment and by taking all reasonable steps to ensure the accuracy and confidentiality of such information.

The Data Protection Act protects individuals' rights concerning information about them held on computer. Anyone processing personal data must comply with the eight principles of good practice. Data must be:

- fairly and lawfully processed
- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- not kept longer than necessary
- processed in accordance with the data subject's rights
- secure
- not transferred to countries without adequate protection

Employees can request access to the information held on them by the Company. All requests by employees to gain access to their personnel records should be made in writing. There is no charge for this service.

m. Changes in Personal Information for Employment Purposes

It is important that our records are correct, as inaccurate or out of date information may affect your salary or cause difficulties in situations where contact is required for emergencies. You must notify your Line Manager immediately of all changes in the following personal information:

- Name
- Home address
- Telephone number
- Bank account details
- Examinations passed/qualifications gained
- Emergency contact
- Driving licence penalties (if you are required to drive on Company business)
- Criminal charge, caution or conviction
- Conflict, or potential conflict of interest

Personal data on employees is held in accordance with the provisions of the Company's Data Protection Policy which will be made available for inspection by you if required.

Only software packages properly authorised and installed by the Company may be used on Company equipment, you must therefore not load any unauthorised software onto Company computers.

If you have a Company email address, this is provided for responsible use on Company business and should not be used in any other way whatsoever.

You must not make reference to the Company or its services, or represent yourself on behalf of the Company on social media without formal permission from the Company to do so.

All staff must make themselves familiar with the Company's Internet & Email Policy available from your line manager.

"...In every circumstance where a gift is offered, the advice of your line manager must be sought..."

viii) Receipt of Gifts

Your working relationships may bring you into contact with outside organisations where it is normal business practice or social convention to offer hospitality, and sometimes gifts. Offers of this kind to you or your family can place you in a difficult position. Therefore no employee or any member of his or her immediate family should accept from a supplier, customer or other person doing business with Ibb's Bar Ltd, payments of money under any circumstances, or special considerations, such as discounts or gifts of materials, equipment, services, facilities or anything else of value unless:

- They are in each instance of a very minor nature usually associated with accepted business practice.
- They do not improperly interfere with your independence of judgement or action in the performance of your employment.

In every circumstance where a gift is offered, the advice of your line manager must be sought.

ix) Bribery and other Corrupt Behaviour

The Company has a strict anti-bribery and corruption policy in line with the Bribery Act (2010). A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

If you bribe (or attempt to bribe) another person, intending either to obtain or retain business for the company, or to obtain or retain an advantage in the conduct of the company's business this will be considered gross misconduct. Similarly accepting or allowing another person to accept a bribe will be considered gross misconduct. In these circumstances you will be subject to formal investigation under the Company's

12. Appendix 3 - Confirmation of Receipt of Handbook Form

Ibb's Bar Ltd

Name:	
Designation:	
Place of Work:	
Line Manager:	

I confirm I have received a copy of the Ibb's Bar Ltd Staff Handbook and that I have read this and understood the contents.

I also confirm that I have sought clarification from my line manager on any issues outlined in the Handbook which I am not clear about.

Signed: _____

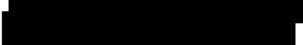
Date: _____

Please return this form duly completed and signed to your line manager.



Our ref: SAS.TEJ0082

Your ref:

145 Upland Road London SE22 0DF


Southwark Licensing Team
Community Safety EHTS,
3rd Floor Hub 2
PO Box 64529
London SE1P 5LX

By E-mail: licensing@southwark.gov.uk

11th March 2015

Dear Sirs

Re: Application for a Premises Licence – Ibb's Bar 6 Arnside Street London SE17 2AP

Following recent discussions the applicant has accepted the recommendations of the Metropolitan Police to revise the proposed premises opening times to:

Mon-Thurs 12:00 to 23:30
Fri-Sat 12:00 to 00:00
Sun 12:00 to 22:30

Subject to the condition that all other licensable activities as detailed above will cease 30 minutes prior to the terminal hour along with the following conditions:

1. That a CCTV system be installed at the premises and be maintained in good working order to the satisfaction of the Metropolitan Police 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.
2. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
3. A personal license holder will be on duty and on the premises at 20:00 until the terminal hour of the premises on each day of the week that the premises are in operation under its licence.

Yours sincerely



Stephen Slater

From: [REDACTED]
Sent: 11 March 2015 15:52
To: [REDACTED]
Subject: FW: Application for a Premises Licence – Ibb's Bar 6 Arnside Street London SE17 2AP
Attachments: Letter to Met Police 11-03-2015.pdf

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

From: [REDACTED]
Sent: Wednesday, March 11, 2015 2:58 PM
To: Regen, Licensing
Subject: Application for a Premises Licence – Ibb's Bar 6 Arnside Street London SE17 2AP

Please find attached letter with regard to Ibb's bar & restaurant Arnside Street.

Police are now in a position to withdraw their representations.

Kind Regards

Ian Clements
 Licensing Officer Southwark Borough
 * Phone: [REDACTED]
 * Mobile: [REDACTED]
 * E-mail: [REDACTED]
 * Mail: Licensing Office Southwark Police Station
 323 Borough High Street
 SE1 2ER

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

From: [REDACTED]
Sent: 11 March 2015 14:55
To: [REDACTED]
Subject: FW: Application for a Premises Licence – Ibb's Bar 6 Arnside Street London SE17 2AP

[REDACTED] 288MD
 Southwark Police Licensing Unit
 323 Borough High Street
 London
 SE1 1JL
 Tel: [REDACTED]
 Mo: [REDACTED]

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

From: [REDACTED]
Sent: 11 March 2015 14:48
To: MD Mailbox - Southwark Licensing
Subject: Re: Application for a Premises Licence – lbb's Bar 6 Arnside Street London SE17 2AP

Thank you for your letter dated 11th March 2015. I have taken the applicants instructions and he consents to the revisions you have suggested in your correspondence. We would be grateful for your advice concerning the Peckham Pub Watch scheme. Could you please provide details of where and when they meet and whether a similar group for the Walworth area is convened.

SAS

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.

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Find us at:





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: [REDACTED]
 Email: [REDACTED]

Our reference: MD/21/ 2608/15

Date: 20th February 2015

Re:- Ibbs Bar Ltd 6 Arnside Street SE17 2AP

Dear Sir/Madam

Police are in receipt of an application from the above for a new premises licence, the application includes the provision for late night refreshment and the sale of alcohol, closing at 00:00hrs Mon to Thurs, 00:30 on Friday and Saturday nights and 22:30 on Sunday.

The previous operation of these premises fell well below the standard expected of responsible premises. This led to a significant number of complaints from local residents and was associated with a number of incidents of crime and disorder.

In order to address the potential impact this venue could have on the local community, Police would like to see a number of control measures included in the operating schedule and a reduction in the hours of opening and licensable activities.

The venue is located in very close proximity to a large number of residential dwellings with mixed occupation.

Police are of the opinion that the terminal hour as detailed in the application is too late for a premises in such a location as therefore recommend that the terminal hours for Mon - Thu are reduced to 23:00 and for Friday and Saturday nights the terminal hour reduced to 23:30. All licensable activities to cease at least 30 minutes before the terminal hour on each night.

The EPT have detailed a number of control measures to promote the prevention of public nuisance licensing objective. Police fully support all of these recommendations.

The applicant has offered a number of control measures to address the prevention of crime and disorder, some of the following may have already been offered but the wording of each is important in order to negate any ambiguity.

1. That a CCTV system be installed at the premises and be maintained in good working order to the satisfaction of the Metropolitan Police and be continually

Working for a safer Southwark

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.

2. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
3. Alcohol will only be served to those customers who are seated and who are or have ordered a substantial table meal, all drinks should be served ancillary to the table meal.
4. A personal license holder will be on duty and on the premises at 20:00 until the terminal hour of the premises on each day of the week that the premises are in operation under its licence.

Police believe that in addition to those conditions recommended by the EPT the above should be sufficient to promote the licensing objectives.

Submitted for consideration

Yours Sincerely

PC Ian Clements 362 MD
Southwark Police Licensing Unit



This premises has previously caused significant public and statutory nuisance in the vicinity of, predominantly residential, Arnside Street, with the previous licensee being prosecuted for statutory noise nuisance and eventually having the premises license revoked.

The application is for alcohol and late night refreshment, closing at 00.00hrs Mon - Thurs, 00.30hrs Fri and Sats and 22.30hrs on Suns.

The EP Team consider that any new application for this premises needs to be mindful of the premises history and address the significant and justifiable concerns of both local residents and the responsible authorities should licensed activities return to this address.

In the operational schedule the applicant states that, to prevent public nuisance, they will:-

- Maintain a refusals book
- Ask patrons to prove their age before serving them with alcohol
- Maintain CCTV on the premises frontage.

All the above steps would usually be included with regard to public safety, the prevention of crime and disorder and to protect minors. They do not relate to issues regarding the prevention of public nuisance, for example:-

- the management of patrons both within and outside the premises,
- impacts from operations e.g. noise and odours,
- nor is there any statement on whether there will be any background music in the 'social club' and how this will be managed to ensure it does not reach licensable 'entertainment' volume.

The EP Team object to this application as :-

- it is considered that the proposed opening hours Mon - Thurs are too late to prevent patrons leaving the premises causing public nuisance to sleeping residents both above, opposite and adjacent to the premises, and
- the applicant has not addressed licensing objective 'the prevention of public nuisance' in the application.
- even though the application has not included licensed entertainment on the application the licensee may wish to use the provisions under the Live Music Act 2012 to provide entertainment to patrons.

The EP team are happy to meet with the applicant or their representatives to discuss possible solutions/agreement and to that end strongly recommend positive consideration of the following conditions/options for ammendment to the operating schedule for their consideration:-

- 1). That the hours of operation on Mon-Thurs cease at 23.00hrs with alcohol ceasing to be served 15 mins before closing time in the week Sun-Thurs and 30 mins before closing time on Fri & Sat.
- 2). Notices shall be provided on all doors that patrons would use to exit the premises to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.
- 3). There shall be no drinks permitted outside at any time.
- 4). There shall be no more than 4 persons permitted outside on the frontage after 20.00hrs.
- 5). External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
- 6). Before the premises kitchen begins to provide food to patrons noise insulation shall be installed to any external plant (fans/condensers/etc.) to ensure the sound output is a minimum of 10 dB(A) below the lowest L90 15 min relevant in the period the plant in question will be operational.
- 7). The kitchen extraction system shall be sufficient to ensure 20 air changes and hour, be fitted with adequate odour control filters and discharge at an appropriate location (eaves height).

Then

8). The applicant shall ensure that any music played remains at conversational/background level and that the volume control of any music is fixed behind the bar and is in the full control of staff at all times.

or

9). Before any music is broadcast on the premises a sound limiting device shall be installed.

10). The sound limiting device shall be set, with the assistance of a qualified sound engineer, to ensure that the maximum levels of volume and bass permitted by the system remain inaudible outside the premises.

11). The sound limiting device shall be maintained at the set level thereafter.

12). All audio and musical equipment used in the premises, permitted under the Live Music Act 2012, shall be played through the sound limiting device.

13). That any additional equipment imported on to the premises by third parties, permitted under the Live Music Act 2012, be connected to and use the installed sound limited circuit.

14). That the main entrance/exit to the street be fitted with a noise lobby of adequate dimensions and residence time.

15). All external doors and doors to noise lobbies shall have seals, brushes and self-closers fitted in accordance with BS 6459 Pt. 1 1984.

16). When music is being played on the premises above conversational/background level all doors and windows, including fire doors, shall remain closed (except for access or egress).

17). All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.

18). That all live music performances shall be acoustic (other than an electric keyboard or similar with volume control) to be used for accompaniment of an artist, with no loud instruments permitted e.g. brass, drums or pipes.

19). There shall be no movement of musical or amplification equipment from the premises between the hours of 00.00hrs midnight and 08.00hrs.

20). Suitably qualified or experienced persons shall be employed at all times whilst entertainment is being provided to ensure that patrons do not cause a nuisance in the vicinity of the premises.

Notes

It would appear that the premises has only one WC. This is likely to impact on the maximum capacity of the premises - unless the plans provided are missing some detail. This may explain why previous patrons were reported regularly urinating on the street in the vicinity of the premises. Limited WC facilities may impact on the maximum suitable occupancy level for the premises.

The applicant may wish to consider defining appropriate staffing levels for the premises e.g 1 member of staff per X patrons.

Best regards

[Redacted Signature]

Team Leader
Environmental Protection Team
Southwark Council

[Redacted Contact Information]

I write in reference to the above application for a new premises licence to be granted for IBBS Bar 6 Arnside Street London SE17 2AP

I have read the application and would request further information or clarification on the following points and made some recommendations where appropriate:-

- How the applicant will deal with crowd control during performances (are there any risk assessments available. Explain how the applicant will deal with limiting crowd capacity.
- A comprehensive risk assessments to be done by a competent person prior to each performance/gig. A supplementary event specific risk assessment will need to be undertaken by each third party hirer of the premises. The risk assessments should include dealing with violence at work and your control measures you have in place.
- All findings of both premises risk assessments and event risk assessments shall be put in writing and made available at the request of the Council or other authority.
- There is no mention of maximum capacity in the application, and no maximum accommodation limit has been set. State what the total capacity of the premises is.
- Will there be suitable and sufficient ventilation in all parts of the premises.
- Will there be suitable and sufficient WC provision in the premises.
- provide an NICEIC approved electrical inspection report of the premises.
- Is there a noise at work risk assessment available for the premises.
- An evacuation plan shall be provided in regards to the premises and shall detail steps to be taken should all or any part of the premises need to be evacuated.
- The premises has been associated with violence in the past and has a history of violence and drugs, and opening past their licensable hours how will the new management tackle these problems.

I therefore object to this application on grounds of Public Safety until the matters above have been addressed.


Principal Enforcement Officer



**Principal Enforcement Officer | Southwark Council | Environment & Leisure Services |
Environmental Health and Trading Standards Department(Health and Safety & Food Safety)**

Postal Address:

Health and Safety Team | 3rd Floor, Hub 2 | PO Box 64529 | London | SE1P 5LX

Visitor's Address:

160 Tooley Street | London | SE1 2QH

 Tel: [REDACTED]

 Admin Tel: [REDACTED]

 Website: www.southwark.gov.uk

E-mail: [REDACTED]

[REDACTED] [print this email?](#)

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Chief executive's department
 Planning division
 5th floor, hub 2
 PO Box 64529
 LONDON SE1P 5LX

EH & TS Licensing Unit
 Hub 2 3rd Floor Tooley Street

Your Ref: 847102
Our Ref: 15-CE-00028
Contact: Gavin Blackburn

X

E-Mail: planning.enquiries@southwark.gov.uk
Web Site: <http://www.southwark.gov.uk>

Date: 09/02/2015

Dear Sir/Madam

Premises Licensing re:
 6 ARNSIDE STREET, LONDON, SE17 2AP

Summary description: New premises lic

Date Received: 07/01/2015

This site does not have planning permission for use as either a bar, restaurant or entertainment venue. It is not a protected shopping frontage. It appears to have had a changeable history from an unauthorised mini cab office to a shop to an unauthorised bar. It is not clear that the premises would benefit from recently introduced permitted benefit rights to allow it to operate as a restaurant.

The adjoining properties 8 and 10 both have an evening use as a restaurant, or social gathering point for particular communities.

Arnside Street is a side street on the east side of Walworth Road. It runs for a short distance to Queens Row. The road provides access to residents living in blocks of flats in the vicinity. The level of residential density is high. At the junction of Arnside Street with Walworth Road is the Red Lion Public House. The location of licenced premises is a key aspect of avoiding public nuisance. Premises on main roads often have the advantage of being well placed for patrons to disperse without disturbing residents. Main roads have higher background noise levels and the premises are often built to cater for a bar or entertainment use, such as the Red Lion Public House. Shops, or former shops on side streets do not have these advantages. Consequently their suitability for use as licenced premises is diminished compared to more central locations on main roads.

6 Arnside Street is not a good location for licenced activity, because of its side street location. However, the problems of its location are compounded by two factors; firstly No 10 is a licenced premises. No 8 whilst not licenced is a social venue for the local Somali community whose preference is not to drink alcohol. These are both evening uses. The more evening uses particularly on a small side street the greater the likelihood of cumulative noise from the premises and patrons resulting in a public nuisance. Streets do not have a particular capacity, but it is clear that a concentration of licenced premises on a small side street, with originally low background noise levels in an area of reasonably dense residential accommodation has the propensity to cause a nuisance.

The second factor is the history of this site and this applicant. The previous licence at this location was revoked due in part to the nuisance its operation caused to local residents. It is not apparent that any measures have been taken to address nuisance or regulatory compliance. The application seeks to renew a previously revoked licence, with little indication as to how past problems of nuisance will be prevented in the future. That taken together with the already high concentration of evening uses on a road unsuited to them is considered to be reason not to grant the premises licence sought.

Yours faithfully

Gavin Blackburn

Senior Enforcement Officer

MEMO: Licensing Unit

To Licensing Unit **Date** 9 March 2015

Copies

From Jayne Tear **Telephone** [REDACTED] **Fax**

Email [REDACTED]

Subject Re: LLB's, 6 Arnside Street, London, SE17 2AP

Application for a premises licence REF 847102

I write with regards to the above application for the grant of a premises licence under the Licensing Act 2003 which seeks the following licensable activities:

- Provision of late night refreshment (indoors) on Monday to Thursday from 23:00 to 00:00 and on Friday and Saturday from 23:00 to 00:30
- The supply of alcohol on the premises on Monday to Thursday from 12:00 to 23:30; Friday and Saturday from 12:00 to 00:00 and on Sunday from 12:00 to 22:00
- Overall opening times shall be from Monday to Thursday from 12:00 to 00:00; Friday and Saturday from 12:00 to 00:30 and on Sunday from 12:00 to 22:30

This premises has previously held a premises licence with hours granted that are similar to the application that has now been submitted, albeit the licensee and DPS on this applicant are not the same.

The previous licence was revoked by the licensing sub-committee on 14 February 2014 following a review submitted by the licensing responsible authority, in response to complaints from local residents to the noise team and licensing unit with regards to noise nuisance, repeated breaches of conditions and the premises operating outside of the licensed hours. An abatement notice for loud music was served. The complaints, however, were not restricted to noise emanating from music played in the premises but also related to the unauthorised late night use of the premises and noise created by patrons outside the premises. Local residents also complained of patrons from the premises urinating in the street.

The new application describes the premises as '***a bar and social area with adjoining kitchen***'. The plan of the premises has seating with tables suggesting that the premises is also a restaurant and I seek clarification as to whether the premises is to operate as a restaurant, a bar or both.

My representation is submitted with concerns for all four of the licensing objectives as the operating schedule does not put in place any control measures to adequately address any of the licensing objectives.

Licensing Unit – Community Safety, Hub 2, 3rd Floor, PO Box 64529, London SE1P 5LX

Switchboard - 020 7525 5000 **Website** - www.southwark.gov.uk

Strategic Director of Environment & Leisure - Gill Davies

Register to vote. Complete the forms delivered to your home. Information: 020 7525 7373

If the licensing sub-committee are of a mind to grant this premises licence, taking into account the premises history of complaints and sufferance to local residents with the same hours previously granted and revoked,

I recommend that the hours of operation are amended to the following:

- Provision of late night refreshment is removed from the operating schedule.
- The supply of alcohol on & off the premises
Monday to Saturday from 12:00 to 22:30
Sunday from 12:00 to 22:00
- Opening times:
Monday to Saturday from 12:00 to 23:00
Sunday from 12:00 to 22:30

I would also suggest that the following control measures to address the licensing objectives:

- The back yard (car park area) shall be not be used by patrons.
- Signage shall be displayed at the exit to the back yard (car park area), that the outside back yard area is not for use by patrons. (if this exit is to be used as a fire exit, which is not evident from the plan submitted, then the signage should also state 'fire exit only').
- The back door exit shall be alarmed (to alert management inside the premises), should patrons be using the back yard area.
- A challenge 25 Scheme shall be established at the premises
- Patrons shall not be allowed to congregate outside the frontage of the premises, other than those that temporarily leave to smoke.
- Patrons shall not be allowed to take drinks in open containers outside to the frontage of the premises (pavement).

And if the premises is to be used as a restaurant:

- Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal and by consumption of such persons as an ancillary to their meal

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

Dear Sir or Madam,

I am writing with regard to the license application for 6 Arnside St, SE17. Whilst we understand that this is a new application with new licensees there are a number of concerns raised by the local residents, especially those directly above the premises that we would like addressed.

Below is a list of concerns and thereafter a list of caveats we would like included in the terms and conditions of the new license.

Having had to cope with the appalling behavior of the last tenants there is a great deal of apprehension regarding the reopening of the premises with a license. Having finally achieved a peaceful neighborhood and better quality of life we are concerned this might once again be disrupted. Our particular concern is regarding the health and safety of the children and young people in the block being put at risk through inappropriate and irresponsible behavior.

Concerns:

1. The main concern was relating to the children living XXXXXXXXXXXX having disturbed sleep patterns, effecting their education and welfare due to excessive noise both inside and outside the club, even during their licensing hours the younger children were being disturbed and woken up.
2. The practice of urinating in the nearby drive way and over the road nearby the dustbins was constantly observed by all ages which is unacceptable and the stench of stale urine was particularly unpleasant, and a health problem.
3. The area at the back of the club being used as a place to continue the patron's activities was a major cause of disruption to all the local tenants.
4. Drinking and loitering outside the front of the establishment in large numbers (more than 10) and blocking the footpath intimidated many of the local residents along with inappropriate language and behavior towards young girls at all times of the day from 12 onwards, especially at week ends.
5. The noise at closing time combined with violent behavior and fighting was a regular occurrence.

We would ask for the following caveats to be considered as part of the new License conditions.

1. Two security persons to be present after 10pm, one outside to control anti social behavior at the front of the building, preventing drinking on the street, violent behavior and drug related activities. The security person inside the premises to be concerned with violent behavior, drug control and preventing clients from going outside at the back of the premises. The Security personnel and licensees should be responsible for the quiet and responsible departure of patrons from the premises, no loitering or loud behavior.

**NOTICE OF DECISION****LICENSING SUB-COMMITTEE – 14 FEBRUARY 2014****LICENSING ACT 2003: SIERRA SPOT, 6 ARNSIDE STREET, LONDON SE17 2AP****1. Decision**

The licensing sub-committee, having had regard to the application by Southwark Council's licensing team for a review of the premises licence granted under the Licensing Act 2003 to Stella Pieh and Ishmail Koroma in respect of the premises known as Sierra Spot at 6 Arnside Street, London SE17 2AP and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives to revoke the licence.

2. Reasons for the decision

The reasons for this decision are as follows:

This was a hearing of an application by Southwark Council's licensing team for a review of the premises granted under the Licensing Act 2003 to Stella Pieh and Ishmail Koroma in respect of the premises known as Sierra Spot at 6 Arnside Street, London SE17 2AP.

This application was made under Section 51 of the Licensing Act 2003.

The licensing sub-committee heard evidence from David Swaby, the officer for the licensing authority, being the applicant for the review. The licensing officer informed the sub-committee of his concern regarding the frequent number of breaches of the premises licence conditions and that the premises had repeatedly operated beyond the hours permitted by the premises licence, therefore undermining the prevention of crime and disorder objective. He also raised concerns that a number of complaints had been received of noise nuisance and an abatement notice had been served in respect of statutory noise nuisance. These complaints were not restricted to noise emanating from music played in the premises but also related to the unauthorised late night use of the premises.

The licensing sub-committee heard evidence from Sarah Newman, the environmental protection officer in support of the review application, who advised that the premises had been subject to seven complaints from members of the public in 2013 regarding loud, amplified and excessive noise coming from the premises. The statutory noise nuisance had been witnessed by council officers and an abatement notice had been served by enforcement officers.

The licensing sub-committee heard evidence from Farhad Chowdhury, the health and safety officer in support of the review application, stating that the premises had not been run in accordance with the premises licence and was not being run a safe environment.

The licensing sub-committee heard evidence from Ian Clements, on behalf of the Metropolitan Police Service who supported the review application and cited a number of occasions when the premises licence had been breached, thus demonstrating a lack of control and proper management of the premises.

The licensing sub-committee noted that seven written representations had been submitted by other persons. The sub-committee heard from party 2 who spoke on behalf of thirteen local households and who informed the sub-committee that the local residents had experienced two years of Sierra Spot blatantly disregarding the terms of its licence and local residents. The sub-committee heard that the considerable noise nuisance had a detrimental effect on residents, including local families and undermined the prevention of children from harm licensing objective. He also referred to the intimidating and abusive behaviour of Sierra Spot's customers who had been witnessed urinating in public, which in turn undermined public safety.

The licensing sub-committee also heard evidence from party 7 who spoke on behalf of the proprietors of a local business and submitted CCTV evidence supporting their concerns regarding instances of public disorder associated with Sierra Spot and demonstrated the aggressive style of management adopted by Sierra Spot.

The licensing sub-committee heard evidence from the premises licence holders Stella Pieh and Ishmail Koroma. The premises licence holders referred to their on-going dispute with a nearby business and their concerns that the evidence submitted was motivated by business rivalry. The premises licence holders sought to reassure the sub-committee that they had displayed signs and made an effort to encourage patrons to leave the premises quietly. In response to questions from the sub-committee, Stella Pieh refuted the allegations made against her, stating that they were all untrue, particularly that she had never operated outside of permitted hours and that she was in control of the premises.

Nothing was disclosed in evidence from the premises licence holders to convince the sub-committee that the licence conditions and the licensing objectives would be upheld should the licensed activities at the premises be allowed to continue. In addition, the premises licence holders failed to address any of the alleged breaches as specified by the responsible authorities. The sub-committee noted that the designated premises supervisor had been prosecuted on 3 February 2014 in relation to the same alleged breaches and following trial, was convicted and ordered to pay a £10,000 fine.

In the circumstances and following consideration of the evidence, the sub-committee had no alternative but to revoke the licence.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives.

The licensing sub-committee considered that its decision was appropriate and proportionate in order to address the licensing objectives.

3. **Appeal rights**

This decision is open to appeal by either

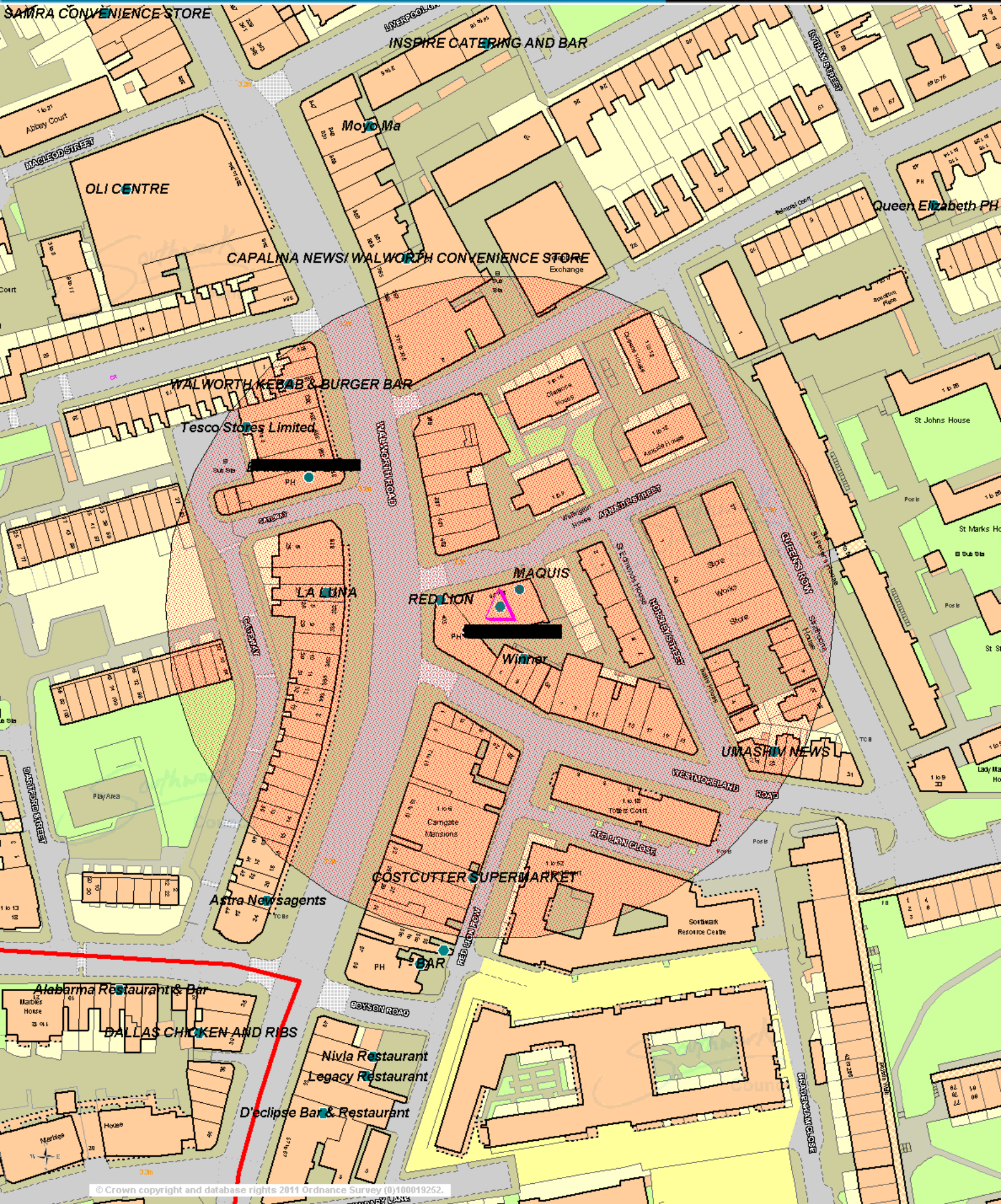
- a) The applicant for the review
- b) The premises licence holder
- c) Any other person who made relevant representations in relation to the application.

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the magistrates' court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

4. This decision does not have effect until either
 - a) The end of the period for appealing against this decision or
 - b) In the event of any notice of appeal being given, until the appeal is disposed of.

Issued by the constitutional team on behalf of the Director of Legal Services

Date: 14 February 2014



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LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN)**MUNICIPAL YEAR 2014-15****NOTE:** Original held by Constitutional Team; all amendments/queries to Andrew Weir Tel: 020 7525 7222

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