



AGENDA

LICENSING COMMITTEE

Date: TUESDAY, 15 JANUARY 2019 at 7.15 pm

**Committee Room 3
Civic Suite
Laurence House
London SE6 4RU**

**Enquiries to: Clare Weaser
Telephone: 0208 314 7369 (direct line)
Email: clare.weaser@lewisham.gov.uk**

MEMBERS

This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed except for items numbered 5 on the Agenda. For legal reasons, those items will be considered in private with the press and public excluded.

Councillors:

Councillor Eva Stamirowski (Chair)
Councillor Colin Elliott (Vice-Chair)
Councillor Patrick Codd
Councillor Alex Feis-Bryce
Councillor Alan Hall
Councillor Sue Hordijkeno
Councillor Coral Howard
Councillor Caroline Kalu
Councillor Joan Millbank
Councillor Susan Wise

Members are summoned to attend this meeting

**Janet Senior
Acting Chief Executive
Laurence House
Catford
London SE6 4RU
Date: 7 January 2019**



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

ORDER OF BUSINESS – PART 1 AGENDA

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Agenda Item 1

LICENSING COMMITTEE			
Report Title	Minutes		
Key Decision			Item No. 1
Ward			
Contributors	Chief Executive		
Class	Part 1	Date: 15 January 2019	

Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 6 and 15 November and 21 December 2018 be confirmed and signed.

Agenda Item 2

LICENSING COMMITTEE		
Report Title	Declarations of Interest	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 15 January 2019

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a

partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.

- (g) Beneficial interest in securities of a body where:-
- (a) that body to the member's knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any

event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**

- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 3

LICENSING COMMITTEE		
Report Title	Mordens Wine Bar	No. PL 0163
Key Decision	No	Item No. 3
Ward	Blackheath	
Contributors	Community Services – Licensing Authority Head of Law	
Class	Part 1	Date: 15 January 2019

Proposal: **Application to Vary a Premises Licence**

Legislation: **Licensing Act 2003**

Premises: **Mordens Wine Bar
7-9 Montpelier Vale
London
SE3 0TA**

**Premises License
Holder:**

Applicants: **Mr Nick Coxon**

1. Current Licence Status

The premises are currently licensed for the following:

Regulated Entertainment 10:00 – 01:00 Wednesday & Thursday
(Basement) 10:00 – 01:30 Friday & Saturday

Alcohol 10:00 – 00:00 Monday to Saturday
Ground floor 12:00 – 00:30 Sunday

Wednesday and Thursday basement bar 10:00 – 01:00
Friday and Saturday basement bar 10:00 – 01:30

2. Particulars of Application Applied for:

- **Remove Annex 3 Condition – *The Garden to close 23:00***

- To amend Annex 2 Conditions to allow admissions until 00:00 and display signage to reflect this
- To allow regulated entertainment on:
 - Monday and Tuesday 23:00 – 00:00
 - Sunday 23:00 – 00:30
- To apply the current licensed hours for regulated entertainment and alcohol sales across all floors

Alcohol for consumption on the premises

Monday	10:00 – 00.00
Tuesday	10:00 – 00.00
Wednesday	10:00 – 01.00
Thursday	10:00 – 01.00
Friday	10:00 – 01.30
Saturday	10:00 – 01.30
Sunday	12.00 – 00.30

Regulated Entertainment

Monday	10.00 – 00.00
Tuesday	10.00 – 00.00
Wednesday	10.00 – 01.00
Thursday	10.00 – 01.00
Friday	10:00 – 01.30
Saturday	10:00 – 01.30
Sunday	12.00 – 00.30

3. Outline of objections received

- 3.1 The application for the variation of the premises licence was received on 7th November 2018 and sent to all the Responsible Authorities.
- 3.2 There were no representations from any responsible authorities but representations were received from 4 residents within relatively close proximity to the premises. A representation was also received from the Blackheath Society.
- 3.3 The representations received from interested parties, have been examined by Officers and are considered not to be vexatious or frivolous. These representations were all received within the specified time.
- 3.4 The application for the new premises licence has been advertised in accordance with regulation 39, displayed prominently on a notice at the premises, and at the Councils main offices for a period of 28 consecutive days. The last date for receiving representations was the 5th December 2018.
- 3.5 The residents are objecting to the new application due to concerns over noise from the premises as well as patrons leaving the venue late at night. The behaviour of patrons

has also been mentioned in objections and concerns have been raised over perceived crime and disorder in and around Blackheath Village.

- 3.6 In addition, the Blackheath Society have raised an objection on the basis of public safety considering the number of people who will be leaving the premises at 2am and the potential impact on the surrounding area and the transport network. The objections have been sought on these grounds.

4. Legal & Human Rights Implications

- 4.1 The Licensing authority is a public authority under the Human Rights Act 1998. Therefore the licensing authority is required to act compatibly with the convention rights in the exercise of their functions. Article 6 (1) of the Convention provides that everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial hearing established by law.
- 4.2 A Premises Licence is a possession for the purpose of the Human Rights Act 1998. The right to hold a licence is a qualified rather than an absolute right. Therefore the right to hold a licence may be interfered with if it affects the interests of local residents or others. Such interference may be justified if it is necessary and proportionate to promote the licensing objectives.

5. Equalities Implications

- 5.1 The Equality Act 2010 includes a new public sector equality duty (the equality duty or duties). The duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race or religion or belief, sex and sexual orientation.
- 5.2 In summary the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not;
 - foster good relations between those who share a protected characteristic and those who do not.
- 5.3 As with the case with the original separate duties, the new duty continues to be a “have regard duty” and the weight to attach to it is a matter for the committee bearing in mind the relevance and proportionality. It is not an absolute requirement to eliminate discrimination, advance equality of opportunity or foster good relations.

6. Application for the Variation of a Premises Licence

- 6.1 After having regard to all representations, Members must take such steps as they consider necessary for the promotion of the licensing objectives. The licensing committee may:

After having regard to all representations, Members must take such steps as they consider necessary for the promotion of the licensing objectives. The licensing committee may:

1. Grant the variation of the premises licence, subject to –
 - i) the conditions which are consistent with the Operating Schedule modified to such an extent as the authority considers appropriate for the promotion of the licensing objectives, and
 - ii) any conditions which must under s19, 20, 21 be included in the licence;
2. To exclude from the scope of the licence any of the licensable activities to which the application relates;
3. Refuse to specify the person in the licence as the premises supervisor;
4. Reject the application.

6.2 An appeal may be made against the decision to the Magistrates Court within 21 days.

Background Papers

<u>Short Title of Document</u>	<u>Date</u>
Application	07/11/18
Evidence / documents	as served

Should you require any further information on this report please contact Richard Lockett at Licensing Services on 020 8314 6324.



Licensing Team
4th Floor Laurence House
1 Catford Road
London
SE6 4RU
020 8314 6400

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Morden's Wine Bar

(Insert name(s) of applicant)

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

Premises licence number PL0163
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 7-9 Montpelier Vale, Blackheath Village
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Post town	London	Postcode	SE3 0TA
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Telephone number at premises (if any)	0208 852 0492
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Non-domestic rateable value of premises	£23560.00
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Part 2 – Applicant details

Daytime contact telephone number	07768 634062		
E-mail address (optional)	Nick@mordenswinebar.co.uk		
Current postal address if different from premises address	45 Glanville Drive, Hornchurch Essex		
Post town	London	Postcode	RM11 3SY

Part 3 - Variation

Please tick as appropriate

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

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

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Please describe briefly the nature of the proposed variation (Please see guidance note 1)

The main reason is to remove conflicting conditions, and modify the licence conditions and restrictions to enable licensable activities to take place on all 3 floors of the building, rather than have separate finishing times throughout the building. This allows for better management.

To remove the Annex 3 condition 'The garden to close 23:00' in order to accommodate the outdated condition due to the implementation of the smoking ban.

Change the admission and re-admission condition time until midnight

Change to the open times of the Cocktail and Main bar till 2.00 and the serving alcohol till 1.30, in line with the rest of the building, allows for better management.

To add regulated entertainment until 00:30 on Sunday and Midnight on Monday -Tuesday in line with alcohol licence hours.

To amend regulated entertainment restrictions so that it can take place across all floors.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all 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) | x |
| 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)

Sale by retail of alcohol (if ticking yes, fill in box J) x

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	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

B

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment 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	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music 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	<u>Please give further details here</u> (please read guidance note 3)		
Mon	23:00	24:00			
Tue	23.00	24:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed	23.00	01.30			
Thur	23.00	01.30	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	23.00	02.00			
Sat	23.00	02.00			
Sun	23.00	00.30			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	23.00	24.00			
Tue	23.00	24.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed	23.00	01.30			
Thur	23.00	01.30	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	23.00	02.00			
Sat	23.00	02.00			
Sun	23.00	00.30			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance 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	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 5)		
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	X <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	x <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 provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			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					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	11.00	24.00			
Tue	11.00	24.00			
Wed	11.00	01.00			
Thur	11.00	01.00			
Fri	11.00	01.30			
Sat	11.00	01.30			
Sun	11.00	00.30			
			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)		

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) 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)
Day	Start	Finish	
Mon	10.00	00.30	
Tue	10.00	00.30	
Wed	10.00	01.30	
Thur	10.00	01.30	
Fri	10.00	02.00	
Sat	10.00	02.00	
Sun	10.00	01.00	

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

Please tick as appropriate

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

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

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

M

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

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

Conditions to be agreed with Licensing Authority and Police

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

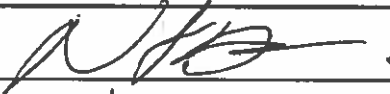
Please tick to indicate agreement

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

IT IS AN OFFENCE, 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 5 – Signatures (please read guidance note 10)

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

Signature	
Date	06/11/2018
Capacity	Director.

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	Director

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) Nick Coxon 7-9 Montpelier Vale Blackheath Village			
Post town	London	Post code	SE3 0TA
Telephone number (if any)	07768 634062		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) nick@mordenswinebar.co.uk			

Notes for Guidance

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

1. 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 state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
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 applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Premises licence number

PL 0163

Premises name

MORDENS WINE BAR

Part 1- Premises details**Postal address of premises, or if none, ordnance survey map reference or description**

7-9 Montpelier Vale

Post town London**Post code** SE3 0TA**Telephone number** 020 8852 0492**Premises licence holder name**

Mordens Wine Bar Ltd

Directorate for Community Services
Licensing Team
Laurence House
1 Catford Road
London
SE6 4RU

Proper Officer for Licensing
London Borough of Lewisham

Where licence is time limited the dates

Licensable activities authorised by the licence

Provision of Regulated Entertainment

Live music

Recorded music

Performances of dance

Sale by retail of alcohol

for consumption on the premises

The times the licence authorises the carrying out of licensable activities

Regulated Entertainment 10:00 – 01:00 Wednesday & Thursday
(Basement) 10:00 – 01:30 Friday & Saturday

Alcohol 10:00 – 00:00 Monday to Saturday
Ground floor 12:00 – 00:30 Sunday

Wednesday and Thursday basement bar 10:00 – 01:00
Friday and Saturday basement bar 10:00 – 01:30

The opening hours of the premises

09:00 – 00:30 Sunday

08:00 – 00:30 Monday and Tuesday

08:00 – 01:30 Wednesday and Thursday

08:00 – 02:00 Friday and Saturday

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On

Part 2

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

Mordens Wine Bar Ltd
7-9 Montpelier Vale
Blackheath
SE3 0TA

020 8852 0492

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

8441183

Company

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

Nicholas Coxon
45 Glanville Drive
Hornchurch
Essex
RM11 3SY

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

WK/200510524

London Borough of Greenwich

Annex 1- Mandatory conditions

No supply of alcohol may be made at a time when no designated supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The Premises Licence Holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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

The Responsible Person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotion, as listed below, where that promotion is carried on for the purpose of encouraging the sale of alcohol on the premises:-

- a. Drinking games
- b. Provision of alcohol free or for a fixed or discounted fee
- c. Rewards for consumption of alcohol
- d. Promotional posters
- e. Dispensing alcohol directly into the mouth (This prohibition does not apply where a person is not able to drink without assistance because of a disability)

The Responsible Person must ensure that free potable water is provided on request for customers where it is reasonably available

The Responsible Person must ensure that the following drinks if sold or supplied for consumption on the premises are available in the following measures:

- beer or cider - half pint
- gin, rum, vodka or whisky - 25ml or 35ml
- still wine in a glass - 125ml

Any individual carrying out security activities at the premises must be licensed by the Security Industry Authority.

Annex 2-Conditions consistent with the operating Schedule

No Admissions after 23:30

Capacities will not exceed 100 on the ground floor and 100 in the basement when entertainment is in progress

All windows on the ground floor shall remain closed when entertainment is in progress

Licensees will provide residents with a designated telephone number which shall be available at all times when the premises are open

CCTV is installed to data protection standards and will be made available to the Police and Licensing Authority as and when required. Recordings shall also be kept for 31 days.

Notices asking patrons to leave quietly will be placed at all doors of the premises

Premises are sound proofed to the highest standard

All persons under 16 to be accompanied by an adult at all times

No children allowed on the premises after 19:00

A minimum of four (4) registered SIA door staff who are employed by an Accredited Contracted Scheme (ACS) company must be on duty from 21:00 Friday and Saturday. All of which must display their SIA badge within a luminous arm band at all times.

At least two (2) SIA licensed door supervisors shall be on duty at the entrance of the premises from 21:00 Friday & Saturday until close.

An incident log shall be kept at the premises, and made available on request to an authorised Local Authority or Police Officer, which will record the following:

- a) all crimes reported to the venue
- b) all ejections of patrons
- c) any complaints received
- d) any incidents of disorder
- e) all seizures of drugs or offensive weapons
- f) any faults in the CCTV system
- g) any refusal of the sale of alcohol
- h) any visit by a relevant authority or emergency service

The premises must maintain a comprehensive CCTV system. All entry and exit points will be covered enabling facial identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities. All recordings shall be

stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Local Authority or Police Officer throughout the preceding 31 day period.

There shall be a personal licence holder on duty on the premises on Thursday, Friday and Saturday nights from 21:00 until close.

The premises shall prominently display signage at all entrances informing customers:-

- There will be no admission or re-admission into the venue after 23:30
- Management reserve the right to refuse entry

The Premises Licence Holder and/or Designated Premises Supervisor shall ensure that the following details for each supervisor are contemporaneously entered into a bound register kept for that purpose:

1. Name
2. SIA certificate number and/or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation)
3. The time they begin duty
4. The time they complete their duty
5. The full details of any agency through which they have been allocated to work at the premises if appropriate.

The register shall be available at all reasonable times to the Licensing Authority or Police.

The register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer to establish particulars of all door staff engaged at the premises during the period of not less than 12 months of request.

At the commencement of work security personnel should ensure that they are recorded on the CCTV system and that a clear head and shoulders image showing their face clear of any hat, glasses or other obstruction is recorded.

A promotion risk assessment form will be completed and submitted to the Metropolitan Police for any events other than regular resident DJ's no later than 14 days before the event is due to take place.

Capacities will not exceed 100 on the ground floor and 100 in the basement and the capacity for the first floor set in accordance with the numbers set out by the London Fire Brigade.

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

Policy for Patrons to be assisted on their journey home

The garden to close 23:00

Active member of a Pubwatch (i.e. 4 of every 5 meetings attended by DPS or senior manager)

Annex 4- Plan

Full plans available from Licensing services, London Borough of Lewisham

Basement
Ground floor
First floor

Subject: FW: Moderns nightclub objection

From: Phoebe
Sent: 05 December 2018 23:14
To: Licensing
Subject: Moderns nightclub objection

Dear Sir/Madam,

I wish to lodge my strong objection to the application for variation to the licence dated 9th November, to increase the licence terms that currently exist, also to the continued use of this site as a nightclub, which is a separate issue in itself. I moved into my flat at 2a Montpelier Vale on 3rd October and the volume of music noise and constant screaming from patrons when leaving the venue is a constant disturbance to my enjoyment of my new flat. Furthermore, i have to endure not just the drunken behaviour, but on some occasions suffer the vomit and urine that is left outside my entrance in the porch way.

It has become so bad that every Friday evening, i am now forced to stay at my parents house in Kent and return Monday evening after work, as i cannot sleep due to the barrage of highly audible noise and anti-social behaviour of the many. This venue is a constant nuisance and has caused me numerous unpleasant nights listening to the disorder and sometimes disturbing scenes that i am forced to endure outside the club into the early hours.

If this application is allowed to prevail, then i shall have to vacate the flat for my own ability to sleep at the weekend, aside from which, i have found the behaviour anti-social and very worrying for my safety, were i to venture out late at night. My landlord is aware of the problem and i understand is the reason why his last tenant was forced to vacate.

I invite you to witness the noise and behaviour from within my flat on the evening of 22nd December, when i would come back to allow you entry and i do have historical video evidence of the terrific noise emitted from the club, taken from the street outside. Kindly confirm the time up to midnight and i shall be there.



Registered charity number: 259843

Richard Lockett
Crime, Enforcement and Regulation Officer
Crime, Enforcement and Regulation Team
9 Holbeach Office,
Holbeach Road,
Catford, London SE6 4TW

4 December 2018

Dear Richard Lockett,

Blackheath Society submission re Morden's Licensing Application

Introduction

The Blackheath Society objects to the current application from Morden's Wine Bar for variations to the current licence. We are clearly an interested party as a local society. We base our objections on the four licensing objectives, which Lewisham Council is charged to promote.

Blackheath Village is just as much a residential area as a retail and leisure destination. Because of its configuration, retail units and residential homes are difficult to separate. Indeed, most of the licensed premises, including Morden's are adjacent to or in very close proximity to private residences. The population of Blackheath Village comprises families, single people, young children and the elderly.

Blackheath is subject to a Cumulative Impact Policy (CIP) which means, to quote Lewisham's current Licensing Policy (p. 27):

'The effect of the CIP in respect of Blackheath Village and The New Cross Corridor is that the Licensing Authority will refuse applications for a new premises license or club premises certificate, or material variations of an existing license or certificate, whenever it receives relevant representation unless an applicant can demonstrate why the operation of the premises involved will not add to the negative cumulative impact already being experienced'.

Public nuisance

Residents currently suffer from noise both from the operation of the premises and customers leaving in the early morning. Any variation to the licence which increases the number or timing of late customers, opens the garden beyond the current 23.00 limit and permits 'regulated entertainment' (music) on levels above the current basement will add to these problems.

At the time of the last major licensing application the manager of Morden's (at that time called Cave Austin) wrote to the Blackheath Village Residents Group. He referred to the problem of *'people trying to gain entry after the other premises have closed'* which *'may cause some disruption to the village, especially at the front door...the ground floor is obviously visible to people walking past the premises which causes the problem of people leaving other premises trying to gain entry'*. He continues:

'We have thought long and hard about how to stop this problem and have come to the conclusion that one extra hour in the basement area only and closing the ground floor at midnight will make things a lot easier and a lot quieter'.

We see no reason why this analysis does not hold good now as then, and find the reason given for the application, *'this allows for better management'* to be vague and unpersuasive.

Public Nuisance/Public Safety

If the application were to be granted, there would be large numbers of people leaving Morden's after 2.00 am on Saturday and Sunday mornings. At this time, most public transport will have stopped running. Residents and others face the prospect of large numbers of potentially noisy people either walking home through the village, causing disturbance in the early hours, or congregating outside the night bus stop. Even more worryingly, large groups of people would congregate at the taxi office next to Blackheath station. The prospect of groups of tired, inebriated people fighting for a limited number of taxis is not an attractive one.

There is a reasonable expectation that the grant of an extension to Morden's licence, under the proposed terms, would increase the risk of contravention of the licensing objectives. It is certainly the case that the applicant has not, as required by Lewisham's licensing policy, *'demonstrate[d] why the operation of the premises involved will not add to the negative cumulative impact already being experienced'* and the application should therefore be refused.

The Blackheath Society

Weaser, Clare

Subject:

FW: MORDENS OBJECTION TO APPLICATION 09/11/18

From: Sales - Comber & Co [<mailto:sales@comberandco.co.uk>]

Sent: 05 December 2018 17:17

To: Licensing

Subject: MORDENS OBJECTION TO APPLICATION 09/11/18

Dear Sirs,

I am writing to lodge my strong objection to the variation to the premises license at the above venue, on the grounds that it is a constant nuisance and disorder to both myself and all the residents in Montpelier Vale, and indeed I would draw your attention to the attached email from my previous tenant, Kirsten Bergmann, who on 31st August this year lodged a further objection to yourselves, concerning the continuous noise and disorder emanating from the venue, causing her to vacate the top flat at 2 Montpelier Vale, after some 20 years of being my tenant. I own the head lease of the whole building and as such, shall now find it extremely difficult to find a tenant for the flat due to the terrific noise and disorder arising from the continued trading of this nightclub.

Until the early hours of the morning, aside from the high volume of music noise from the resident D.J., it is quite usual for persons leaving the premises, to vomit and urinate in the various doorways along Montpelier Vale, including my own doorway and that of John Payne opposite, furthermore the continuous screaming of drunken persons causes massive disturbance to sleep and is very alarming and upsetting to, in particular residents above my shop at 2 Montpelier Vale, which is almost directly opposite Mordens.

I find it hard to comprehend why a nightclub venue has been allowed to open and trade in such a high density of residential buildings, and continues to do so despite numerous complaints from residents. I wish to be kept informed of the date of the committee hearing as I wish to make my objections in person to said committee.

Yours very sincerely,
Jeremy Comber
Proprietor
2 Montpelier Vale
Blackheath SE3 0TA

2 Montpelier Vale, Blackheath Village,
London SE3 0TA

3 December 2018

Angela.Mullin-Murrell@lewisham.gov.uk

Re: Morden's Wine Bar, Blackheath

Dear Ms Mullin- Morrell

I am writing to object to the application by Morden's Wine Bar in Blackheath on the grounds of Prevention of Public Nuisance

I live at Collins Street off Tranquil Vale and therefore I hear the drunks on their way home when the pubs and bars close. This is a residential area not only in the adjacent streets but also there are flats above and opposite Morden's. The profile is that of a village – not a town centre.

Main points of the application:

- Increase in hours where alcohol may be served to match those currently permitted in basement (see below)
- 'Regulated entertainment' i.e. music to be permitted on **all floors** – this is currently limited to the basement only
- Increase in hours of regulated entertainment (see below)
- Lifting of the restriction that the garden must be shut at 23.00
- Admissions to be allowed up to midnight (currently 23.30)

Alcohol for consumption on the premises

	Applied for	Current	Additional hours upper floors
Monday	00.00	00.00	Same
Tuesday	00.00	00.00	Same
Wednesday	01.00	00.00	1.00
Thursday	01.00	00.00	1.00
Friday	01.30	00.00	1.30
Saturday	01.30	00.00	1.30
Sunday	00.30	00.30	Same

Regulated Entertainment (music) on all floors; currently basement only

	Applied for	Current	Additional hours upper floors
Monday	00.00	-	New
Tuesday	00:00	-	New
Wednesday	01.30	01.00	0.30
Thursday	01.30	01.00	0.30
Friday	02.00	01.30	0.30
Saturday	2.00	01.30	0.30

Sunday	00.30	00.30	Same
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Later opening on all floors will attract more people to this bar which will result in public nuisance problems in the streets at 2 a.m. and increased crime levels.

The music should be confined to the basement and not allowed to be on all floors.

New admissions should definitely be stopped at 11.30pm otherwise people move from the closed pubs to Morden's as the only bar open late.

The garden should be closed at 11.30 so as not to disturb residents after this time.

Therefore, I hope you will reject this application

Regards

Nicola

Weaser, Clare

Subject: FW: Licencing application Morden's Wine Bar in Blackheath
Attachments: moderns 040916 1.37 am.jpg; moderns 04.09.16 2.03 am.jpg

From: Aneta]
Sent: 05 December 2018 00:10
To: Licensing
Cc: office@blackheath.org
Subject: Licencing application Morden's Wine Bar in Blackheath

Dear Sir / Madam,

I am writing regarding the application of full variation of licence for Morden's Wine bar of 7-9 Montpelier Vale, Blackheath.

As you will see from the string of emails below, I have raised concerns with the council about Morden's Wine Bar on many occasions. I was very disappointed that no constructive action was taken despite my many complaints, and I eventually gave up filing complaints as it is exhausting to get up in the middle of the night on most weekends to keep a diary of all the specific incidents. This does not mean that the concerns I mentioned in my emails at the time have been resolved. There is disorder every weekend outside the bar as people gather and leave, and the members of staff do nothing to encourage them to leave quietly. Of course by that time, most people are very drunk which also contributes to disorderly behaviour, and presents danger for the cars as people cross the street or stand in the middle of it without paying any attention to ongoing traffic. As a result, there are honking cars in the middle of the night, which also adds to the overall noise nuisance.

There have been many occasions when the police have had to intervene because of fights happening in the street, sometimes right outside our front door. Some of these fights involved members of staff, as you'll see from the detailed descriptions in my emails below.

Blackheath is a friendly, quiet community and it's pretty shocking that this sort of behaviour is tolerated right in the middle of the village on a regular basis.

We were horrified to learn that Morden's Wine Bar applied to extend the licensing hours for the bar that is at street level as there are no double doors or appropriate soundproofing, so the music and overall noise are heard in our flat at levels which are not acceptable. According to the Environmental Protection Act 1990, any noise is considered a 'statutory nuisance' if :

- it unreasonably and substantially interferes with the use or enjoyment of a home or other premises
- it injures health or is likely to injure health.

On a Friday or Saturday night from 10 pm, reading a book or sleeping is impossible due the level of noise in the flat because of the extremely loud music and extra outbursts every time people open the wine bar's door to go in or out. When music is played so loud and so late, double doors should be compulsory. As a result of the levels of noise and the stress / lack of sleep incurred, I have been experiencing migraines. It is incredibly painful when I feel unwell and have to endure this unbearable amount of noise and disruption for hours.

Based on the evidence submitted in this email and my previous emails below, I hope you will not grant any extension of licensing hours to Morden's Wine Bar, and I would like to use this opportunity to ask you to reconsider the current licensing hours to ensure that there is no noise coming from the premises between 11pm and 7am as stated by the law. Instead of being

extended, hours for alcohol consumption (currently 12.00 midnight) on the premises should be reduced to 11pm on upper floors and regulated entertainment (i.e music) should not be permitted on the upper floors after 11pm.

I trust you will take this email seriously and I look forward to hearing from you regarding my concerns.

Yours faithfully,

Aneta

----- Forwarded message -----

From: Aneta Zieba <aneta [REDACTED]>
To: "kennedy.obazee@lewisham.gov.uk" <kennedy.obazee@lewisham.gov.uk>
Sent: Monday, 5 September 2016, 11:55:09 BST
Subject: Re: complaint ref:WK/201512408 Mordens 7-9 Motpelier Vale

Dear Kennedy

Thank you for your efforts to date, and I have not been in touch because at the weekend you sent your officers the club was quiet which made me wonder if they get notified about the visits? I was a bit disheartened to be honest as it seems so difficult to get any lasting results. However Mordens continues to be a nuisance and I am a bit puzzled why your officers have to witness it as you can simply get in touch with the police and check their records as they have been called to fights taking place in the club in the summer.

I am sure you are aware that the young man was murdered in Blackheath village last weekend a few meters from my flat, so I don't think you can go on denying that antisocial behaviour is not a huge issue in the village at the weekends.

I have witnessed numerous fights and shouting and as it is happening outside my windows basically every weekend I am not able to sleep first due to the loud music coming out of the club and then woken up by screaming and antisocial behaviour of people leaving or trying to get into the club. It is obvious that Mordens attracts a certain type of people who wreak havoc in the village. Last Saturday/ Sunday morning police were dealing with two incidents at the same time on Montpelier Vale - one on the top of the hill and one outside Mordens.

And as usual at 2.00 am there was a singing and loud talking when people were leaving the club. I think you should seriously consider revoking the license for the club to operate. As my simple request to turn the music down after 10.00 pm has not had any result. Can you let me know if you are going to take any serious actions to make the Blackheath village safer and quieter place to live at the weekend? I have attached a couple of pictures from Sunday morning.

Kind regards

Aneta

On Thursday, 19 May 2016, 13:29, "Obazee, Kennedy" <kennedy.obazee@lewisham.gov.uk> wrote:

Dear Aneta [REDACTED],

Further to your complaint and as mentioned in my previous email to you, our officers will be out on Saturday 21st May 2016, between 11pm – 3:30am. As mentioned in my previous email, they will be investigating complaint.

Should you experience noise nuisance from the wine bar on the above mentioned time and day, I will advise you to call our officers on 02083142598. This will enable to officer the opportunity to come and witness the noise. With any nuisance witnessed by our officers, we will be able to take the necessary action.

Kennedy Obazee

Crime, Enforcement and Regulation Officer | Lewisham East Team | 23 Mercia Grove, Lewisham, SE13 6BJ
Tel:02083148520 | Email: kennedy.obazee@lewisham.gov.uk
www.lewisham.gov.uk

From: Aneta [REDACTED] [mailto:[aneta@\[REDACTED\]](mailto:aneta@[REDACTED])]
Sent: 09 May 2016 16:45
To: Obazee, Kennedy
Cc: Aneta [REDACTED]
Subject: Fw: complaint ref:WK/201512408 Mordens 7-9 Motpellier Vale

Dear Mr Obazee

I hope you are well and rested after the weekend. I have not had a response to my email I sent on 20 April so can you please acknowledge the receipt and advise what steps will be taken to resolve this problem.

I can only add that the noise nuisance continued over every weekend. On Sunday 1 May there was a live band playing till 2.00 am with speakers close to the doors and it was impossible to sleep till they closed which I thought should have been earlier on a Sunday but I do know the details of their licence so if you can advise me the details I will be able to monitor it. Last weekend I was woken up again at 2.15 am by the noisy crowd hanging out in front of the Mordens wine bar.

I hope you will take my concerns seriously or let me know how I can escalate it.

I look forward to hearing from you.

Kind regards

Aneta [REDACTED]

On Wednesday, 20 April 2016, 13:05, Aneta [REDACTED] <[aneta@\[REDACTED\]](mailto:aneta@[REDACTED])> wrote:

Crime, Enforcement and Regulation Service
23 Mercia Grove
Lewisham
SE13 6BJ
Your ref: WK/201512408

Dear Mr Obazee

RE: Sections 79 & 80 of the Environmental Protection Act 1990. Address: Mordens Wine bar at 7-9 Montpelier Vale SE3 0TA

I am writing to follow up on the complaint regarding the noise nuisance and anti-social behaviour at the Mordens Wine Bar at 7-9 Montpelier Vale, SE3 0TA launched by Lynne McAdam of 12 A Montplier Vale SE3 0TA.

I also reside at this address and find your response from 23 September 2015 stating that your officers did find sufficient evidence to back the complaint simply unacceptable. Over the years I witnessed numerous occasions when the police were called to deal with Mordens customers or staff (last year their security person was taken away in handcuffs for hitting a customer) this is just to set the scene!

Every single weekend from Thursday night to Sunday night from 22.30 the music can be heard in the flat at 12 A Montpelier Vale even with the windows closed (double glazing) – I dread to think about the summer when we have to have windows open as the flat gets really hot. Even louder bursts of music can be heard when people enter and leave the bar and the door is open. It is impossible to fall asleep with music resonating through my body but once I succeed out of exhaustion I get woken up by the drunk crowd leaving the club, hanging around, shouting and singing every weekend. This was the case on Saturday 9 April and on Saturday 16 April at 2.10 am. It is affecting my health and well-being as the noise and not being able to sleep makes me tired and irritable. I attached a picture taken after 2.00 am last weekend.

Also I would like to mention that on occasions people are allowed to enter or re-enter after 23.30 which I believe is against their licence. I witnessed people queuing and being let in at 12.18 am on 27 February 2016.

I would like to request a further investigation is undertaken and the management at Mordens finally takes responsibility for the noise coming out of the bar and managing their clients also once they leave their premises. Now they just shut the door and do not care which shows the total lack of respect for the local residents. I suggest your officers visit on Friday after 22.30 and on Saturday at 2.00 am to get the feel of it.

I am happy for your officers to come to the flat as well to inspect the noise levels but here are simple steps which I believe Crime , Enforcement and Regulation service should advise management at the Mordnes bar to undertake to protect the well-being of people living nearby:

1. Turn the music down so it cannot be heard outside their premises
2. Brief every person entering the club they must leave quietly and mustn't make any noise and then have security staff in place to enforce it.
3. Installing another door at the entrance to the bar to minimise the noise when people enter and leave.

I do hope you will do what is necessary to help to resolve this matter to our satisfaction.

Kind regards

Aneta [REDACTED]

[REDACTED] Montpelier Vale
SE3 0TA London

Weaser, Clare

Subject: FW: Licencing application Morden's Wine Bar in Blackheath
Attachments: moderns 040916 1.37 am.jpg; moderns 04.09.16 2.03 am.jpg

From: Aneta]
Sent: 05 December 2018 00:10
To: Licensing
Cc: office@blackheath.org
Subject: Licencing application Morden's Wine Bar in Blackheath

Dear Sir / Madam,

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Blackheath is a friendly, quiet community and it's pretty shocking that this sort of behaviour is tolerated right in the middle of the village on a regular basis.

We were horrified to learn that Morden's Wine Bar applied to extend the licensing hours for the bar that is at street level as there are no double doors or appropriate soundproofing, so the music and overall noise are heard in our flat at levels which are not acceptable. According to the Environmental Protection Act 1990, any noise is considered a 'statutory nuisance' if :

- it unreasonably and substantially interferes with the use or enjoyment of a home or other premises
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On a Friday or Saturday night from 10 pm, reading a book or sleeping is impossible due the level of noise in the flat because of the extremely loud music and extra outbursts every time people open the wine bar's door to go in or out. When music is played so loud and so late, double doors should be compulsory. As a result of the levels of noise and the stress / lack of sleep incurred, I have been experiencing migraines. It is incredibly painful when I feel unwell and have to endure this unbearable amount of noise and disruption for hours.

Based on the evidence submitted in this email and my previous emails below, I hope you will not grant any extension of licensing hours to Morden's Wine Bar, and I would like to use this opportunity to ask you to reconsider the current licensing hours to ensure that there is no noise coming from the premises between 11pm and 7am as stated by the law. Instead of being

extended, hours for alcohol consumption (currently 12.00 midnight) on the premises should be reduced to 11pm on upper floors and regulated entertainment (i.e music) should not be permitted on the upper floors after 11pm.

I trust you will take this email seriously and I look forward to hearing from you regarding my concerns.

Yours faithfully,

Aneta

----- Forwarded message -----

From: Aneta <

To: "kennedy.obazee@lewisham.gov.uk" <kennedy.obazee@lewisham.gov.uk>

Sent: Monday, 5 September 2016, 11:55:09 BST

Subject: Re: complaint ref:WK/201512408 Mordens 7-9 Montpelier Vale

Dear Kennedy

Thank you for your efforts to date, and I have not been in touch because at the weekend you sent your officers the club was quiet which made me wonder if they get notified about the visits? I was a bit disheartened to be honest as it seems so difficult to get any lasting results. However Mordens continues to be a nuisance and I am a bit puzzled why your officers have to witness it as you can simply get in touch with the police and check their records as they have been called to fights taking place in the club in the summer.

I am sure you are aware that the young man was murdered in Blackheath village last weekend a few meters from my flat, so I don't think you can go on denying that antisocial behaviour is not a huge issue in the village at the weekends.

I have witnessed numerous fights and shouting and as it is happening outside my windows basically every weekend I am not able to sleep first due to the loud music coming out of the club and then woken up by screaming and antisocial behaviour of people leaving or trying to get into the club. It is obvious that Mordens attracts a certain type of people who wreak havoc in the village. Last Saturday/ Sunday morning police were dealing with two incidents at the same time on Montpelier Vale - one on the top of the hill and one outside Mordens.

And as usual at 2.00 am there was a singing and loud talking when people were leaving the club. I think you should seriously consider revoking the license for the club to operate. As my simple request to turn the music down after 10.00 pm has not had any result. Can you let me know if you are going to take any serious actions to make the Blackheath village safer and quieter place to live at the weekend? I have attached a couple of pictures from Sunday morning.

Kind regards

Aneta

On Thursday, 19 May 2016, 13:29, "Obazee, Kennedy" <kennedy.obazee@lewisham.gov.uk> wrote:

Dear Aneta,

Further to your complaint and as mentioned in my previous email to you, our officers will be out on Saturday 21st May 2016, between 11pm – 3:30am. As mentioned in my previous email, they will be investigating complaint.

Should you experience noise nuisance from the wine bar on the above mentioned time and day, I will advise you to call our officers on 02083142598. This will enable to officer the opportunity to come and witness the noise. With any nuisance witnessed by our officers, we will be able to take the necessary action.

Kennedy Obazee

Crime, Enforcement and Regulation Officer | Lewisham East Team | 23 Mercia Grove, Lewisham, SE13 6BJ

Tel:02083148520 | Email: kennedy.obazee@lewisham.gov.uk

www.lewisham.gov.uk

From: Aneta [
Sent: 09 May 2016 16:45
To: Obazee, Kennedy
Cc: Aneta
Subject: Fw: complaint ref:WK/201512408 Mordens 7-9 Motpelier Vale

Dear Mr Obazee

I hope you are well and rested after the weekend. I have not had a response to my email I sent on 20 April so can you please acknowledge the receipt and advise what steps will be taken to resolve this problem.

I can only add that the noise nuisance continued over every weekend. On Sunday 1 May there was a live band playing till 2.00 am with speakers close to the doors and it was impossible to sleep till they closed which I thought should have been earlier on a Sunday but I do know the details of their licence so if you can advise me the details I will be able to monitor it. Last weekend I was woken up again at 2.15 am by the noisy crowd hanging out in front of the Mordens wine bar.

I hope you will take my concerns seriously or let me know how I can escalate it.

I look forward to hearing from you.

Kind regards

Aneta

On Wednesday, 20 April 2016, 13:05, Aneta < > wrote:

Crime, Enforcement and Regulation Service
23 Mercia Grove
Lewisham
SE13 6BJ
Your ref: WK/201512408

Dear Mr Obazee

RE: Sections 79 & 80 of the Environmental Protection Act 1990. Address: Mordens Wine bar at 7-9 Montpelier Vale SE3 0TA

I am writing to follow up on the complaint regarding the noise nuisance and anti-social behaviour at the Mordens Wine Bar at 7-9 Montpelier Vale, SE3 0TA launched by Lynne McAdam of Montplier Vale SE3 0TA.

I also reside at this address and find your response from 23 September 2015 stating that your officers did find sufficient evidence to back the complaint simply unacceptable. Over the years I witnessed numerous occasions when the police were called to deal with Mordens customers or staff (last year their security person was taken away in handcuffs for hitting a customer) this is just to set the scene!

Every single weekend from Thursday night to Sunday night from 22.30 the music can be heard in the flat at Montpelier Vale even with the windows closed (double glazing) – I dread to think about the summer when we have to have windows open as the flat gets really hot. Even louder bursts of music can be heard when people enter and leave the bar and the door is open. It is impossible to fall asleep with music resonating through my body but once I succeed out of exhaustion I get woken up by the drunk crowd leaving the club, hanging around, shouting and singing every weekend. This was the case on Saturday 9 April and on Saturday 16 April at 2.10 am. It is affecting my health and well-being as the noise and not being able to sleep makes me tired and irritable. I attached a picture taken after 2.00 am last weekend.

Also I would like to mention that on occasions people are allowed to enter or re-enter after 23.30 which I believe is against their licence. I witnessed people queuing and being let in at 12.18 am on 27 February 2016.

I would like to request a further investigation is undertaken and the management at Mordens finally takes responsibility for the noise coming out of the bar and managing their clients also once they leave their premises. Now they just shut the door and do not care which shows the total lack of respect for the local residents. I suggest your officers visit on Friday after 22.30 and on Saturday at 2.00 am to get the feel of it.

I am happy for your officers to come to the flat as well to inspect the noise levels but here are simple steps which I believe Crime , Enforcement and Regulation service should advise management at the Mordnes bar to undertake to protect the well-being of people living nearby:

1. Turn the music down so it cannot be heard outside their premises
2. Brief every person entering the club they must leave quietly and mustn't make any noise and then have security staff in place to enforce it.
3. Installing another door at the entrance to the bar to minimise the noise when people enter and leave.

I do hope you will do what is necessary to help to resolve this matter to our satisfaction.

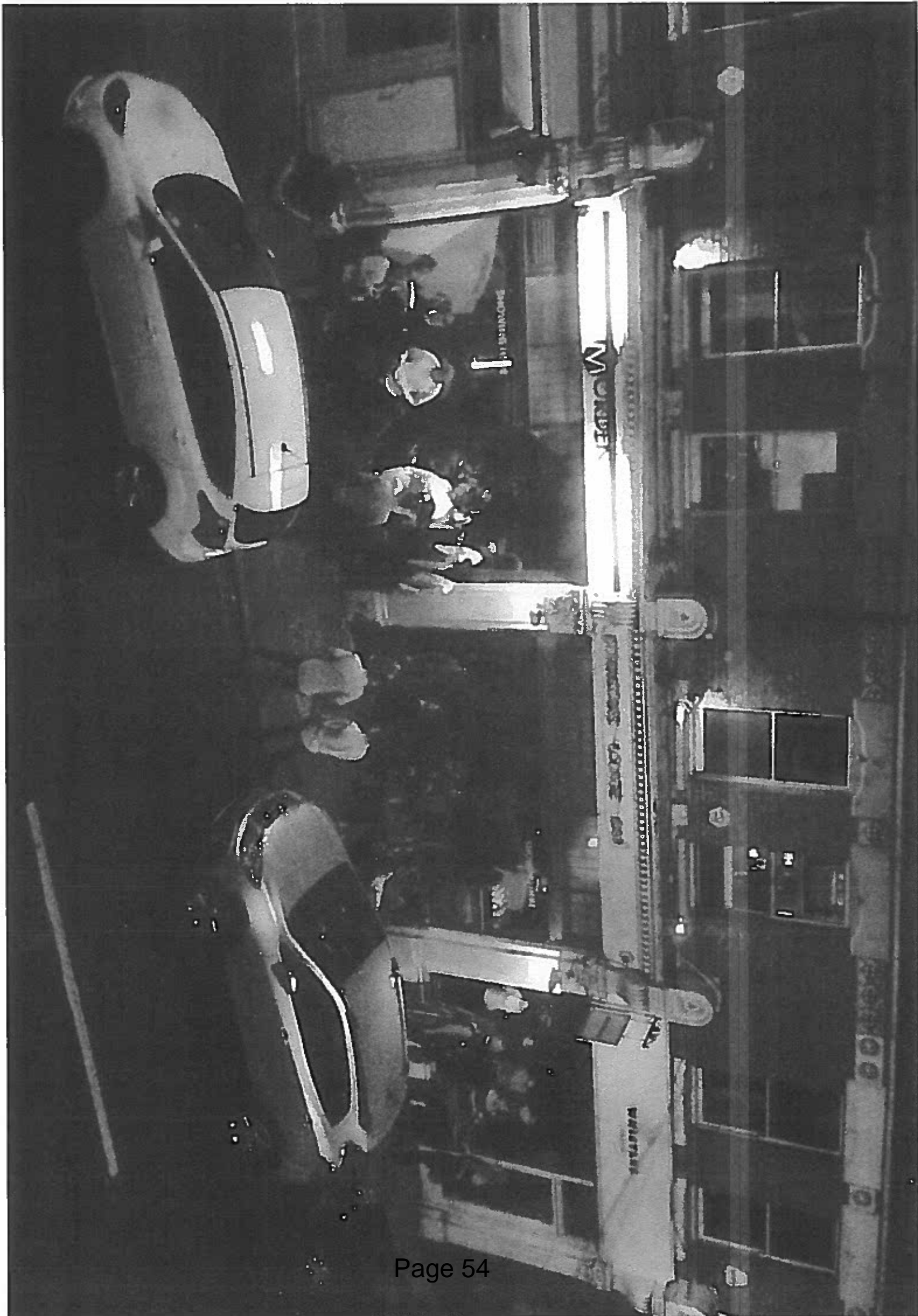
Kind regards

Aneta

Montpelier Vale
SE3 0TA London



WING HERE



Agenda Item 4

LICENSING COMMITTEE		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 4
Ward		
Contributors	Chief Executive	
Class	Part 1	Date 15 January 2019

Recommendation

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and 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 [3, 4 and 5] of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5. Summary Review Mordens Wine Bar 7-9 Montpelier Vale SE3 0TA