

## London Borough of Bromley

Report No.  
ES15028

PART 1 - PUBLIC

Agenda  
Item No.

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Title: **APPLICATION FOR A VARIATION OF THE PREMISES LICENCE  
AT BAR DU VIN LIMITED, 32, EAST STREET, BROMLEY, KENT,  
BR1 1QU.**

Decision Maker: **Licensing Sub-Committee**

Decision Date:  
**09 Apr 2015**

Decision Type: Non-Urgent Non-Executive

Non-Key

Budget/Policy  
Framework:

Chief Officer: Director of Environmental Services Nigel Davies

Contact Officer: David Candeland, Licensing Officer  
Tel: 020 8313 4210 E-mail: david.candeland@bromley.gov.uk

Ward: Bromley Town Ward

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## 1. SUMMARY

- 1.1 To consider the application by Bar Du Vin Limited for variation to the Premises Licence at Bar Du Vin Limited, 32, East Street, Bromley, Kent, BR1 1QU.
- 1.2 A Premises Licence is currently in operation at the premises.

### Current Licensable Activities

Sale or Supply of Alcohol on Sunday from 11:00 to 22:30  
Sale or Supply of Alcohol on Monday and Tuesday from 11:00 to 23:00  
Sale or Supply of Alcohol on Wednesday to Saturday from 11:00 to 00:00  
Late Night Refreshment on Wednesday and Thursday from 23:00 to 00:00  
Late Night Refreshment on Friday and Saturday from 23:00 to 00:30  
Live Music on Thursday from 21:00 to 00:00  
Live Music on Friday and Saturday from 21:00 to 00:30  
Recorded Music on Timings Same as Live Music  
Performance of Dance on Timings Same as Live Music  
Facilities for Making Music on Timings Same as Live Music  
Provision of Facilities for Dancing on Sunday from 11:00 to 22:30  
Provision of Facilities for Dancing on Monday and Tuesday from 11:00 to 23:00  
Provision of Facilities for Dancing on Wednesday and Thursday from 11:00 to 00:00  
Provision of Facilities for Dancing on Friday and Saturday from 11:00 to 00:30

### Hours the current premises open to the public.

Hours Open to the Public on Sunday from 08:00 to 22:30  
Hours Open to the Public on Monday and Tuesday from 08:00 to 23:00  
Hours Open to the Public on Wednesday and Thursday from 08:00 to 00:00  
Hours Open to the Public on Friday and Saturday from 08:00 to 00:30

- 1.3 Details of the variation to the Premises License application:

### To extend the hours for the following licensable activities:

**Sale or Supply of Alcohol:** Thursday 11.00 to 01.00 the morning following, Friday and Saturday 11.00 to 02.00 the morning following and Sunday 11.00 to 00.00.

**Late Night Refreshment:** Thursday 23.00 to 01.00 the morning following, Friday and Saturday 23.00 to 02.00 the morning following and Sunday 23.00 to 00.00.

**Live Music:** Sunday 12.00 to 22.00.

**Recorded Music:** Monday to Wednesday 12.00 to 23.00, Thursday 12.00 to 01.00 the morning following, Friday and Saturday 12.00 to 02.00 the morning following and Sunday 11.00 to 00.00.

### **Hours premises are open to the public**

Monday and Tuesday 11.00 to 23.30, Wednesday 11.00 to 00.00, Thursday 11.00 to 01.30 the morning following, Friday and Saturday 11.00 to 02.30 the morning following and Sunday 11.00 to 00.30 the morning following.

### **Seasonal Variations**

**Sale or Supply of Alcohol:** Christmas Eve until 02.00 the morning following and New Year's Eve until 04.00 the morning following.

**Late Night Refreshment:** Christmas Eve until 02.00 the morning following and New Year's Eve until 04.00 the morning following.

**Recorded Music:** Christmas Eve until 02.00 the morning following and New Year's Eve until 04.00 the morning following.

### **Hours premises are open to the public**

Christmas Eve until 02.30 the morning following and New Year's Eve until 04.30 the morning following.

As contained in the application form and external plan as **appendix 1**.

## **2. RECOMMENDATIONS**

2.1 Members are asked to decide on this application having received written and oral evidence. The options include: -

1. Grant the applications as made.
2. Grant the application as made but imposing conditions or restrictions
3. Refuse the application.

## **3. COMMENTARY**

3.1 SUMMARY OF LICENSING LAW - LICENSING ACT 2003.

3.2 The Licensing Act 2003 states that any premises in the London Borough of Bromley requires a licence / certificate issued by the Council (premises licence / club premises certificate) where the following activities occur:-

### **Provision of regulated entertainment**

- a) plays.
- b) films.
- c) indoor sporting events.
- d) boxing or wrestling entertainment.
- e) live music.
- f) recorded music.
- g) performances of dance.
- h) anything of a similar description to that falling within (e), (f) or (g)

**Provision of entertainment facilities for:**

- i) making music.
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j).

**Provision of late night refreshment** (between 2300hrs and 0500hrs).

**Supply of alcohol** (on and off sales).

**The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.**

**The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place.**

Licences / Certificates may be issued subject to any terms, conditions or restrictions the Council feels are appropriate to address any or all of the four licensing objectives.

The Council has previously agreed on 25<sup>th</sup> October 2010 Bromley's Statement of Licensing Policy for the Period 2011 – 2016.

The Licensing Appeals Committee must consider the Statement of Licensing Policy and any Special Policy of Cumulative Impact currently in force when making any decisions in respect of these applications.

**4.0 Information about the premises**

- 4.1 Copy of the current license as **appendix 2.**
- 4.2 History of the Premises **as appendix 3.**
- 4.3 Letter of objection from Police and Planning attached at **appendix 4.**
- 4.4 Short Matrix at **appendix 5.**
- 4.5 Plan of the premises at **appendix 6.**
- 4.6 Photographs of the premises attached at **appendix 7.**
- 4.7 Maps of location of the premises at **appendix 8.**
- 4.8 Map of the area subject to "Cumulative Impact Policy" Bromley at **appendix 9.**
- 4.9 Map of area subject to an "Alcohol Exclusion Zone" Bromley at **appendix 10.**

**5.0 POLICY IMPLICATIONS**

The Licensing Appeals Committee is a sub committee of the General Purpose and Licensing Committee. The decisions will have an impact on three of the key areas identified in the "Building a Better Bromley Strategy" these are

- Safer Communities

- A Quality Environment
- Vibrant thriving Town Centres

## 6.0 FINANCIAL IMPLICATIONS AND LEGAL IMPLICATIONS

Should the application be refused or granted with conditions the applicant, responsible authorities or interested party have the right of appeal to the Magistrates Court and then to the Crown Court. The cost of defending such an appeal would have to be met, but cannot be quantified at this time.

<b>Non-Applicable Sections:</b>	LEGAL IMPLICATIONS, PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Licensing premises file and computer records.

# Appendix 1



KR 1465 8724 5GB SIGNED FOR



2 FEB 2015

OF BROMLEY

## 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 Elaine Stockbridge  
(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	13/00867/LAPRE
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## Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
32 East Street			
Post town	Bromley, Kent	Postcode	BR1 1QU

Telephone number at premises (if any)	0208 313 9620
Non-domestic rateable value of premises	£

## Part 2 – Applicant details

Daytime contact telephone number	04852 251 9620		
E-mail address (optional)	Lainay3608@msn.com		
Current postal address if different from premises address	4a Paget Terrace Plumstead		
Post town	London	Postcode	SE18 3PX

**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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We are looking to extend our hours slightly at the weekends.  
Extra times being 00:00 - 01:00 Thursdays  
00:00 - 02:00 Friday & Saturdays  
22:30 - 00:00 Sundays

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:

250



**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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both -- please tick (please read guidance note 3)	Indoors <input checked="" type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon			We would sometimes like an afternoon singer ie Rat Pack, Buble etc to sing on Sundays then background music after.		
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 5)		
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 6)		
Sat					
Sun	12:00	22:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12:00	23:00	Please give further details here (please read guidance note 4) DJ on premises Thursday + Friday evening for diners Background Sunday Background music extended other times	Both	<input type="checkbox"/>
Tue	12:00	23:00			
Wed	12:00	23:00	State any seasonal variations for the playing of recorded music (please read guidance note 5) DJ on premises Christmas Eve till 2am and New Years Eve 4am.		
Thur	12:00	01:00			
Fri	12:00	02:00	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 6)		
Sat	12:00	02:00			
Sun	11:00	00:00			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon	No Change		Would like 1hr added to our licence on Thursdays, 2hrs on Friday and Saturdays and 1hr 30mins for Sundays.		
Tue	No Change				
Wed	No Change		<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur	23:00	01:00	Christmas Eve 02:00 New Years Eve - 04:00		
Fri	23:00	02:00	<b>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</b> (please read guidance note 6)		
Sat	23:00	02:00			
Sun	22:30	00:00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)		On the premises <input checked="" type="checkbox"/>
					Off the premises <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) Extra hour on Thursdays and Extra 2 hours on Friday & Saturdays		
Tue					
Wed					
Thur	11:00	01:00	<u>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</u> (please read guidance note 6) Christmas Eve 11:00 - 02:00 New Years Eve 11:00 - 04:00		
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	11:00	00:00			

**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 9).

None

L.

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	23:30	<p>Drinking up time 30mins.</p> <p><u>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</u> (please read guidance note 6)</p> <p>04:30 New Years Eve 02:30 Christmas Eve</p>
Tue	11:00	23:30	
Wed	11:00	00:00	
Thur	11:00	01:30	
Fri	11:00	02:30	
Sat	11:00	02:30	
Sun	11:00	00:30	

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.

None.

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.

local authority have not issued the new one yet.

## 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 10)

We feel after the six week period using our TENS it should be noted we are a responsible establishment.

### b) The prevention of crime and disorder

By ensuring 80% of the floor area is dedicated to tables booths & seating. This will have a negative impact on any crime & disorder. We employ 2/3 Door Supervisors registered with SIA visible to the public & using a capacity counter. We promote responsible drinking and anti drug establishment toilet attendants Friday & Saturday. We log any incidence.

### c) Public safety

An additional 1/1metre was put in place for emergency exit. Fire alarm procedures in place, First Aid updated with accident reports on site. Employees & Public liability on show reception area.

### d) The prevention of public nuisance

There is virtually no residential properties in East St. all upper floors are offices. Due to Viv's 4am licence we are leaving earlier (2am) therefore reducing over spill into East Street. Noise limiter has been fitted. Dedicated cab company in place for Bardulvin

### e) The protection of children from harm

Children under the age of 18 must be accompanied by an adult and not allowed near the bar area.



Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.  
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- 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 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	28th January 2015
Capacity	Proprietor

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 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

Elaine Stockbridge  
32 East Street

Post town	Bromley, Kent	Post code	BR1 1QU
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Telephone number (if any)	07852251908
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

# **Appendix 2**

**LICENSING ACT 2003**

**Premises Licence  
London Borough of Bromley**

Premises licence number

14/00876/LMPRE

Signed

Paul Lehane  
Head of Food Safety, Occupational Safety and Licensing

Licence Granted **14<sup>th</sup> August 2010** Issue Number **011**

This licence consists of **13** pages (Including Licence Summary)

**Part 1 – Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description**

Bar Du Vin  
32A East Street  
Bromley  
BR1 1QU

**Where the licence is time limited the dates**

Not applicable.

**Licensable activities authorised by the licence**

Sale or Supply of Alcohol  
Late Night Refreshment  
Live Music  
Recorded Music  
Performance of Dance  
Facilities for Making Music  
Provision of Facilities for Dancing

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

On the Premises Only

**The opening hours of the premises**

Hours Open to the Public on Sunday from 08:00 to 22:30

Hours Open to the Public on Monday and Tuesday from 08:00 to 23:00

Hours Open to the Public on Wednesday and Thursday from 08:00 to 00:00

Hours Open to the Public on Friday and Saturday from 08:00 to 00:30

**The times the licence authorises the carrying out of licensable activities.**

Sale or Supply of Alcohol on Sunday from 11:00 to 22:30

Sale or Supply of Alcohol on Monday and Tuesday from 11:00 to 23:00

Sale or Supply of Alcohol on Wednesday to Saturday from 11:00 to 00:00

Late Night Refreshment on Wednesday and Thursday from 23:00 to 00:00

Late Night Refreshment on Friday and Saturday from 23:00 to 00:30

Live Music on Thursday from 21:00 to 00:00

Live Music on Friday and Saturday from 21:00 to 00:30

Recorded Music on Timings Same as Live Music

Performance of Dance on Timings Same as Live Music

Facilities for Making Music on Timings Same as Live Music

Provision of Facilities for Dancing on Sunday from 11:00 to 22:30

Provision of Facilities for Dancing on Monday and Tuesday from 11:00 to 23:00

Provision of Facilities for Dancing on Wednesday and Thursday from 11:00 to 00:00.

Provision of Facilities for Dancing on Friday and Saturday from 11:00 to 00:30

**Part 2**

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

Bar Du Vin Limited  
of  
43 East Street  
Bromley  
Kent  
BR1 1QQ

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

8698237 - Private Limited Company

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

Full Name: Ms Elaine Mary Stockbridge  
Address: 4A Paget Terrace Paget Lodge Plumstead London

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

DPS Licence Ref: 1002425744 501/1494/3 - issued by Ofqual / Welsh Government

**Mandatory Conditions**

1. Supply of Alcohol:

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

(2) Every sale of alcohol under the premises licence must be authorised by a personal licence holder.

2. Irresponsible Promotions:

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

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

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

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

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

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

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

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

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

3. Free Potable Water:

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

4. Age Verification:

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

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

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

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

5. Minimum Measures:

(1) The responsible person must ensure that —

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

- (i) beer or cider: ½ pint; .
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and .
- (iii) still wine in a glass: 125 ml; .

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

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

6. Permitted Price:

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

(2) For the purposes of the condition set out in paragraph 1 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979 (1);

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994 (2).
- (3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.



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

7. Films:

(1) The admission of children must be restricted in accordance with the recommendations laid down by the British Board of Film Classification.

OR

(2) In circumstances where the licensing authority has reclassified a film. Then access of children should be restricted to meet this reclassification standard.

Note:- "Children" means any person under 18 years of age.

8. Door Supervision:

(1) Any individual employed at the premises as a door supervisor must

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of that Act.

**Conditions consistent with the Operating Schedule**

9. Entertainment may be provided by the reproduction of wireless (including television) broadcasts or of programmes included in any other service (within the meaning of the Broadcasting Act 1990)

Or

Entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound,

Both of which must be at a level that must not exceed background levels as determined by the licensing authority.

10. The incidental performance of live music. This is where it is incidental to another activity which itself is not entertainment or provision of entertainment facilities. The live music must be at a level that must not exceed background levels as determined by the licensing authority.

## **The Prevention of Crime & Disorder**

11. The premises shall have an approved, effective and well managed CCTV system installed by an NS1 - Nacoss Gold Standard / SSAIB registered installer in accordance with NACP 20 and shall be capable of supplying images in all lighting conditions. The installed system shall be compliant with the requirements of the Data Protection Act 1998 and the licensee shall be the data controller for any images caught on the system and register and notify the ICO.

12. The system installed shall be subject to a regular maintenance contract as stipulated by the installer, have the capability to download images on request of a lawful, relevant authority by a responsible staff member. A responsible staff member must be present at all times to be able to provide to any relevant authority on request images necessary for investigating or preventing crime or apprehending or prosecuting an offender.

All images shall be kept on a secure data base for a minimum of 31 days.

13. All staff shall receive training in their roles and responsibilities under the Licensing Act 2003 that records relating to this training are kept and that those records are made available to Police or Council Officers on request.

14. Alcohol will not be permitted to be taken from the premises.

15. At Police request (and following consultation with the premises licence holder or their representative), the venue will take part in reasonable crime prevention initiatives, (including the submission of form 696 - promoted event risk assessment-) if considered necessary in targeting any prevailing crime trend identified at the premises.

## **Public Safety**

16. Compliance with statutory requirements

17. The external area on East Street identified on the plan submitted with the variation application for Bar Du Vin dated 7<sup>th</sup> April 2014, shall not be used unless the appropriate safety barriers approved and installed by the Local Authority to protect customers against vehicle intrusion when seated at tables are in place

## **The Prevention of Public Nuisance**

18. An in-line noise limitation device shall be employed which is set and sealed to the satisfaction of the local authority (inaudible within nearest residential property).

19 . All doors and windows to remain closed whilst regulated entertainments is taking place (except to allow access and egress).

20. Signs shall be displayed asking customers to leave quietly when leaving the premises and to have consideration for the local community.

21. No regulated entertainment shall take place externally in any part of the premises.

22. The ceiling shall be soundproofed.

### **Protection of Children from Harm**

23. Children shall not be allowed near the bar areas and must be accompanied by a responsible adult.

24. That the premises adopts the 'challenge 25 scheme' whereby any person that appears under 25 year of age has to prove they are over 18 by providing identification by means of Passport, Photographic Identity drivers licence or identification card approved by the proof of age standards scheme (PASS) and bearing the PASS logo. In addition a refusals log be kept and maintained. This log must be available to Police or Council Officers on request.

25. Staff training shall be regularly carried out to ensure that staff are aware of the need to be vigilant when dealing with young people and shall ensure that no adult purchases alcohol for anyone under the age of 18.

26. Challenge 25 posters shall be displayed in an appropriate places around the bar area.

27. The premises must operate in accordance with the submitted application form and is subject to additional conditions as specified within, Part 3 (Operating Schedule) of the Form, held by the Licensing Authority.

Stamped Reference Number: **10/00462/LAPRE** Dated: **14<sup>th</sup> August 2010**.

### **Conditions attached after a hearing by the Licensing Authority**

28. Waiter/Waitress service will always be available.

29. 80% of the floor space shall be allocated for Tables and Chairs.

30. The Floor Layout Plan submitted with the variation application (that shows seating for a minimum of 60 persons) shall not be altered without the written consent of the licensing authority.

31. Preference will be given to single people wishing to dine at the Bar.

32.. Before the variations permitted are introduced the CCTV system and noise limitation device required by this licence shall be installed and working to the satisfaction of the licensing authority. The CCTV system shall have a minimum of 7 interior and 2 exterior cameras.

### **Plans**

Held by the Licensing Authority Stamped Reference Number: **10/00658/LAPRE**  
Dated: **27<sup>th</sup> October 2010.**

**LICENSING ACT 2003**

**Premises Licence Summary**

**Premises licence number**

14/00876/LMPRE

Signed

Paul Lehane  
Head of Food Safety, Occupational Safety and Licensing

Licence Granted **14<sup>th</sup> August 2010** Issue Number: **011**

This licence summary consists of **3** pages

**Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description**

Bar Du Vin  
32A East Street  
Bromley  
BR1 1QU

**Where the licence is time limited the dates**

Not applicable.

**Licensable activities authorised by the licence**

Sale or Supply of Alcohol  
Late Night Refreshment  
Live Music  
Recorded Music  
Performance of Dance  
Facilities for Making Music  
Provision of Facilities for Dancing

**The opening hours of the premises**

Hours Open to the Public on Sunday from 08:00 to 22:30  
Hours Open to the Public on Monday and Tuesday from 08:00 to 23:00  
Hours Open to the Public on Wednesday and Thursday from 08:00 to 00:00  
Hours Open to the Public on Friday and Saturday from 08:00 to 00:30

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

On the Premises Only

**The times the licence authorises the carrying out of licensable activities**

Sale or Supply of Alcohol on Sunday from 11:00 to 22:30  
Sale or Supply of Alcohol on Monday and Tuesday from 11:00 to 23:00  
Sale or Supply of Alcohol on Wednesday to Saturday from 11:00 to 00:00  
Late Night Refreshment on Wednesday and Thursday from 23:00 to 00:00  
Late Night Refreshment on Friday and Saturday from 23:00 to 00:30  
Live Music on Thursday from 21:00 to 00:00  
Live Music on Friday and Saturday from 21:00 to 00:30  
Recorded Music on Timings Same as Live Music  
Performance of Dance on Timings Same as Live Music  
Facilities for Making Music on Timings Same as Live Music  
Provision of Facilities for Dancing on Sunday from 11:00 to 22:30  
Provision of Facilities for Dancing on Monday and Tuesday from 11:00 to 23:00  
Provision of Facilities for Dancing on Wednesday and Thursday from 11:00 to 00:00.  
Provision of Facilities for Dancing on Friday and Saturday from 11:00 to 00:30

**Name, (registered) address of holder of premises licence**

Bar Du Vin Limited  
of  
43 East Street  
Bromley  
Kent  
BR1 1QQ

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

8698237 - Private Limited Company

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Full Name: Ms Elaine Mary Stockbridge

**State whether access to the premises by children is restricted or prohibited**

As specified in the Operating Schedule Stamped Reference Number:  
**10/00462/LAPRE Dated: 14<sup>th</sup> August 2010**

# **Appendix 3**



**Application for a variation of the Premises Licence**

**Bar Du Vin Limited (Previously Sultans)  
32, East Street  
Bromley  
Kent  
BR1 1QQ**

**Premises History.**

**5<sup>th</sup> July 2010**

Application made for a new premises licence at Sultans, 32, East Street, Bromley made by Mr Mehmet Mustafa and Huseyin Jaffer.

**No objections received so the licence was granted for the following:**

Sale or Supply of Alcohol on Monday and Tuesday from 11:00 to 22:30  
Sale or Supply of Alcohol on Wednesday and Thursday from 11:00 to 23:30  
Sale or Supply of Alcohol on Friday and Saturday from 11:00 to 00:30  
Sale or Supply of Alcohol on Sunday from 11:00 to 22:00  
Late Night Refreshment on Wednesday and Thursday from 23:00 to 00:00  
Late Night Refreshment on Friday and Saturday from 23:00 to 01:00  
Live Music on Thursday from 21:00 to 00:00  
Live Music on Friday and Saturday from 21:00 to 01:00  
Recorded Music Timings Same as for Live Music  
Performance of Dance Timings Same as for Live Music  
Facilities for Making Music Timings Same as for Live Music  
Provision of Facilities for Dancing on Monday and Tuesday from 11:00 to 23:00  
Provision of Facilities for Dancing on Wednesday and Thursday from 11:00 to 00:00  
Provision of Facilities for Dancing on Friday and Saturday from 11:00 to 01:00  
Provision of Facilities for Dancing on Sunday from 11:00 to 22:30

**Open to the public on the following times:**

Hours Open to the Public on Monday and Tuesday from 11:00 to 23:00  
Hours Open to the Public on Wednesday and Thursday from 11:00 to 00:00  
Hours Open to the Public on Friday and Saturday from 11:00 to 01:00  
Hours Open to the Public on Sunday from 11:00 to 22:30

**Conditions:**

An in-line noise limitation device shall be employed which is set and sealed to the satisfaction of the local authority (inaudible within nearest residential property).

Continued.....

(2)

The premises shall have an approved, effective and well managed CCTV system installed by an NS1 - Nacoss Gold Standard / SSAIB registered installer in accordance with NACP 20 and shall be capable of supplying images in all lighting conditions. The installed system shall be compliant with the requirements of the Data Protection Act 1998 and the licensee shall be the data controller for any images caught on the system and register and notify the ICO.

The system installed shall be subject to a regular maintenance contract as stipulated by the installer, have the capability to download images on request of a lawful, relevant authority by a responsible staff member. A responsible staff member must be present at all times to be able to provide to any relevant authority on request images necessary for investigating or preventing crime or apprehending or prosecuting an offender.

All images shall be kept on a secure data base for a minimum of 31 days.

A "Challenge 25" scheme shall be implemented at the premises. This Scheme must be approved by the Council. No sale of age restricted products shall take place save in accordance with the scheme.

Where it is necessary to request proof of age it shall be proven by either the production of a passport, driving licence or Government-approved PASS (Proof of Age Standards Scheme) Accredited cards.

### **27<sup>th</sup> September 2010**

Application made to vary the existing premises licence.

#### **The variation was for the following:**

The premises were enlarged by including number 32b, East Street, Bromley and the both Mr Mustafa and Mr Jaffer wanted to extend the premises licence to cover both 32 and 32b.

No changes were made to the hours or licensable activities on the premises licence.

No objections were received, so the licence was granted.

### **22<sup>nd</sup> October 2012**

Transfer of premises licence to a single operator of the premises licence by Mr Huseyin Jaffer. Mr Mehmet Mustafa was removed as the joint operator of the licence.

Continued.....

(3)

**18<sup>th</sup> December 2013**

Application to transfer the premises licence to Bar Du Vin Limited.

**22<sup>nd</sup> December 2013**

Application to vary the premises licence by Bar Du Vin Limited. Current application.

**17<sup>th</sup> February 2014**

Licensing Sub-Committee Hearing held at the LB Bromley, the outcome decision was as follows:

**Present:**

Councillors Russell Mellor, Tim Stevens and John Canvin

**1. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**2. APPOINTMENT OF CHAIRMAN**

Councillor Russell Mellor was appointed Chairman for the meeting.

**3. Application for a variation to the Premises Licence for “Bar Du Vin Limited”, 32, East Street, Bromley, Kent, BR1 1QQ.**

4. The Licensing Sub-Committee has made the following decision having regard to:

**The application**

The original variation application summarised the variations sought as an amended internal layout to match that of the planning consent, removal of conditions 12 and 13 and an extension of the opening hours also to match those of the planning consent. Representations were received in response to the application. The applicant advised Members that the application is now amended so as to reduce the licensing and opening hours on Friday and Saturday evening. The premises will stop serving customers at midnight on those evenings with all customers off the premises by half past midnight.

As a result of the amendments all representations were withdrawn other than those from the Police. The Police had objected to the hours originally sought but also proposed new conditions to allow a degree of flexibility whilst retaining the link with alcohol and food.

### **(i) The case for the applicant**

With reference to the licensing objectives, the applicant argued that the reduction in licensing hours and requirement of table seating for 80% of the floor area should further the crime and disorder objective. An additional 1.1 m emergency fire escape should improve public safety. The reduction in licensing hours so as not be at the same time as O'Neils or VuVu nightclub should assist in connection with public nuisance. Measures would be put in place to protect children from harm. The planning consent was for a A3 and A4 use. The offer of the premises would have a French theme would include reasonably priced food. The healthy food with table service was felt to provide a particularly female friendly café bar that would generate 24 new jobs for local people. The central island bar would be designed to work for single person dining and the spaces will be able to be reserved in advance. So as not to encourage vertical drinking, draft beers would not be sold. The previous restaurant had not been financially successful which was felt to demonstrate that the site could not support a restaurant only use. With reference to the cumulative impact policy, the application was not for a new licence but for a reduction of the opening hours and a reduction of the licensed area for an existing licence. The Council had recently granted licences, including at an address in East Street without a "substantial meal" condition.

### **(ii) The case for the Police**

The Police in reply drew attention to the area as being subject to a special policy on cumulative impact. Whilst the policy had been successful in bringing down crime levels, High Street Bromley and surrounding streets (including East Street) are still viewed as a crime hot spot when considering the night time economy. The crimes involved violence and disorder – criminal damage, public order offences such as affray, assault ranging up to GBH and sexual offences. The Police did not object to the previous licensing application for a restaurant because of its style of business and because alcohol was tied to the supply of food. So as not to add to the cumulative impact, the Police suggested two new conditions which, whilst allowing for a degree of flexibility, would retain the link with alcohol and food. If allowed as applied for, the venue could become a wine bar with a limited menu.

There would be no guarantee or condition to prevent it moving away from even that style of operation. To evidence issues arising from cumulative impact, Members were shown CCTV images of events involving disorder in East Street during night time.

### **Reasons for decision**

Members considered the amended application, the written and oral representations, the Council's Statement of Licensing Policy and statutory guidance.

With reference to the special policy, Members considered whether the variation proposed would contribute to problems of cumulative impact.

Members considered that the reduction in hours proposed would assist the dispersal of customers from licensed premises in East Street at closing time. Although the Police were concerned that it would be possible for the premises to operate solely as a wine bar, the premises would be laid out with dining tables, provided with waiter/waitress service and with a reasonably priced food offer. The applicant pointed out that the Council had allowed a licence in East Street without a substantial refreshment condition. Members have to judge the application that it has. We were satisfied that a French style café bar with the food offer described should not add to the problems of cumulative impact. Additional conditions were offered to ensure that the premises should not become attractive as a vertical drinking establishment. For these reasons Members concluded that the amended application was one that could be permitted without harm to the licensing objectives subject to the imposition of additional conditions. The Police representations and the other representations had raised concerns about the extended hours originally applied for. In view of the concession made by the applicant not to pursue these hours we did not need to make a final judgment. However had the terminal hours originally applied been sought at the hearing, we were of the view that such an application could well have added to issues of cumulative impact in terms of dispersal of customers and other issues and may well have been refused.

### **Decision**

That the application to vary the premises licence be permitted as follows:

#### **Amended hours:**

Sale or Supply of Alcohol on Monday and Tuesday from 11:00 to 23:00.

Sale or Supply of Alcohol on Wednesday, Thursday, Friday & Saturday from 11:00 to 00:00.

Sale or Supply of Alcohol on Sunday from 11:00 to 22:30.

Late Night Refreshment on Wednesday and Thursday from 23:00 to 00:00.

Late Night Refreshment on Friday and Saturday from 23:00 to 00:30.

Live Music on Thursday from 21:00 to 00:00.

Live Music on Friday and Saturday from 21:00 to 00:30.

Recorded Music Timings Same as for Live Music.

Performance of Dance Timings Same as for Live Music.

Facilities for Making Music Timings Same as for Live Music.

Provision of Facilities for Dancing on Monday and Tuesday from 11:00 to 23:00.

Provision of Facilities for Dancing on Wednesday and Thursday from 11:00 to 00:00.

Provision of Facilities for Dancing on Friday and Saturday from 11:00 to 00:30.

Provision of Facilities for Dancing on Sunday from 11:00 to 22:30

#### **Hours open to the public**

Hours Open to the Public on Monday and Tuesday from 08:00 to 23:00

Hours Open to the Public on Wednesday and Thursday from 08:00 to 00:00  
Hours Open to the Public on Friday and Saturday from 08:00 to 00:30  
Hours Open to the Public on Sunday from 08:00 to 22:30

**Conditions 12 and 13 are removed from the licence. All other conditions remain.**

### **Additional Conditions**

The following additional conditions be imposed on the licence:

- Waiter/Waitress service will always be available.
- 80% of the floor space shall be allocated for Tables and Chairs.
- The Floor Layout Plan submitted with the variation application (that shows seating for a minimum of 60 persons) shall not be altered without the written consent of the licensing authority.
- No draft beers shall be supplied at the premises.
- Preference will be given to single people wishing to dine at the Bar.
- Before the variations permitted are introduced the CCTV system and noise limitation device required by this licence shall be installed and working to the satisfaction of the licensing authority. The CCTV system shall have a minimum of 7 interior and 2 exterior cameras.

### **7<sup>th</sup> April 2014**

Variation application for minor amendment to seating layout and addition of Outside Dining Area.

The outside dining area to be licensed for the sale and supply of alcohol until 22.00 each day of the week.

Variation granted.

### **6<sup>th</sup> October 2014**

Change of Designated Premises Supervisor from Gavin Boyer to Elaine Stockbridge.

### **4<sup>th</sup> December 2014**

Minor variation application to remove the condition "No draft beers shall be supplied at the premises. No objections received, minor variation granted.

4<sup>th</sup> February 2015

Current application for variation.

# **Appendix 4**



**Application to vary a Premises Licence; Bar Du Vin 32 East Street Bromley Kent BR1 1QU**

On Monday 2nd February 2015 Bromley Borough Police received a copy of an application made in respect of the above venue. It was submitted by Elaine Stockbridge the designated premises supervisor (DPS) of the premises

**Current Situation**

The premise is currently trading. It is to be found in East Street directly next to VuVus nightclub. Previously the venue traded as 'Sultans' a restaurant with restaurant style conditions. These were removed/watered down at a licensing sub committee hearing on 17th February 2014 following assurances given at that time by the applicant a Mr Ivor Andrews.

**Cumulative Impact policy/Alcohol exclusion Zone**

East Street and the surrounding area are subject to a 'cumulative impact policy'. This premise is wholly within the area prescribed by the Council. This policy was introduced because of the high number of licensed premises which have impacted on the licensing objectives. East Street, along with the High Street, is a 'hot spot' for crime and it is well known that the customers that use the licensed premises in this area are responsible for, if not the victims of, the high number of alcohol related assaults that take place. They are also involved in public disorder and issues round public nuisance.

These problems are normally associated with public houses and nightclubs. However other licensed premises, such as off licences and restaurants can also contribute to the issues to be found in this area.

This same area is subject to an 'alcohol exclusion zone'. This was brought in to combat the problems identified round street drinking, including young people who drink alcohol on the way to, or between venues as a way of 'pre-loading'. Increasingly those making use of the night time economy are also drinking at home and are affected by alcohol before they arrive at their chosen venue. Both practises add to the level of drunkenness at the end of the evening.

**The Application**

In broad terms the applicant is looking to increase the hours for these premises

e) Live Music (indoors) - the applicant is asking to add live music for a Sunday between the hours of 12:00 and 22:00. Live Music is no longer licensable for a premise such as these between the hours of 08:00 and 23:00 (and for an audience of no more than 200)

f) Recorded Music (indoors) - the applicant is asking for the following; Monday to Wednesday between the hours of 12:00 and 23:00, Thursday between the hours of 12:00 and 01:00, Friday and Saturday between the hours of 12:00 and 02:00 and Sunday between the hours of 11:00 and 24:00.

Under further details the applicant states that there will be a DJ on the premises Thursday and Friday evenings (and Saturdays?) for diners, background music on Sundays and at other times. Background music is not licensable. Under seasonal variations the applicant has asked for Christmas Eve until 02:00 hours the following day and New Years Eve (NYE) until 04:00 hours the following day (for a DJ). There are no non standard timings asked for

i) Late night refreshment (LNR) (indoors) - The applicant has asked for Thursday between the hours of 23:00 and 01:00 hours, Friday and Saturday between the hours of 23:00 and 02:00, and Sunday between the hours of 22:30 (23:00) and 24:00. Under seasonal variations the applicant has asked for Christmas Eve up to 02:00 the following day and NYE up to 04:00 the following day. There are no non standard timings asked for.

j) Supply of alcohol (on the premises) - The applicant has asked for the following; Thursday between the hours of 11:00 and 01:00, Friday and Saturday between the hours of 11:00 and 02:00 and Sunday between the hours of 11:00 and 24:00. The applicant has asked (under non standard timings this time) for these hours to be extended on Christmas Eve and NYE, 11:00 to 02:00 and 11:00 to 04:00 respectively

l) Hours premises are open to the public - the applicant has asked for the following; Monday and Tuesday between the hours of 11:00 and 23:30, Wednesday between the hours of 11:00 and 24:00, Thursday between the hours of 11:00 and 01:30, Friday and Saturday between the hours of 11:00 and 02:30, Sunday between the hours of 11:00 and 00:30. In effect the applicant is asking for a 30 minute drinking up time at the end of each day. Under non standard timings the applicant has asked for a similar increase on Christmas Eve and NYE, 02:30 and 04:30 respectively

**Part 'M'** - I have no comment to make

### **Police View**

Police indexes have been checked looking at offences within the High Street and East Street areas, which involve violence and are connected to the night time economy by either time of night, alcohol or both. This venue is situated wholly within the cumulative impact policy area. In fact it is in the 'centre of the action'

There was a drop between 2009 and 2012, starting off at a total 125 crimes for the High Street and East Street and reaching a low of 75 in 2012. There was an increase to 92 recorded crimes for 2013 and a staggering 201 recorded crimes for 2014. The figure for 2014 does not include the 66 crimes found by this office after searching Local Authority CCTV and the Police CAD system looking for offences either not reported or attended by Police.

Looking at the crime figures for East Street in particular shows that the recorded crimes for 2014 (44) are more than double those for 2013 (20). If the crimes found on Council CCTV etc are factored in, the figure for 2014 stands at 70 incidents. This increase is troubling. Recently, because of the perceived success of the cumulative impact policy, the licensing regime has been relaxed somewhat. The offences looked at include criminal damage, common assault, GBH, affray and sexual assault.

Since 1st January 2015 the figures for East Street, for both recorded offences and those found by this office, suggest another increase this year; 13 offences this year so far, with 4 during the same period in 2014.

The above figures do not include offences that have occurred away from the High street/East Street as people disperse to go home

The doubling of crime and disorder connected to the night time economy cannot be allowed to continue unchecked. Whilst action is being taken against identified premises, a large proportion of disorder and violence cannot be attributed to any one premise.

### **Conclusion**

The Morphing of this establishment from restaurant to bar is almost complete. This is exactly what the applicant Mr Andrews promised would not happen at the hearing on the 17th February 2014. And exactly what Police warned would happen at that same hearing. I visited the premises on a night duty shift 31st January 2015. What I saw was an extremely busy bar with the majority of customers standing round the bar drinking or dancing to a loud DJ. There was at least one drunken female present who was brought to the attention of management

I have no desire to make things overly difficult for the applicant Mrs Stockbridge. At the February 2014 hearing Mr Andrews, in his desperation to get the licence he wanted, suggested a ridiculous condition restricting the premises to bottled beer only. I stated at the time that I would never seek such a condition as I regarded it unreasonable. When this was found to be the case by the current management/owners I did not stand in the way of a minor variation to have the condition removed. However this application is a step too far.

Although the applicant states that the venue has run on temporary event notices without trouble I would counter that these events are just that, temporary. The applicant is now seeking permanent increased hours; in a cumulative impact policy area. As regards trouble at the premises; between July 2010 and Feb 2014 when it operated as a restaurant with restaurant style conditions - no recorded incidents/offences. Between June 2014 and February 2015 under its current licence - two incidents on the 28th and 29th November separated by about 2 hours - fights/assaults

The Cumulative impact policy was brought into effect because the concentration of licensed premises in the High Street area was having a significant impact on the promotion of the licensing objectives. The policy is still relevant as disorder/violence and public nuisance is still evident either at or nearby to the pubs, club and restaurants to be found within the borders of the policy area. In fact it has increased/is increasing.

The effect of the cumulative impact policy is to create a 'rebuttable presumption' that applications for the grant or variation of premises or club licences (which are likely to add to the existing cumulative impact) would normally be refused or subject to certain limitations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on the licensing objectives.

Bromley Borough Police oppose the increase in hours put forward by the applicant. It is a busy venue and with longer hours will be putting people onto the streets who would have had an increased opportunity to drink. They would then find themselves competing for travel and food options with other crapulent patrons; this can only lead to conflict.

Police ask that the application be refused.

NB a breakdown of figures can be supplied for any scheduled hearing date

**Candeland, David**

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**From:** Cottrell, Dee  
**Sent:** 23 February 2015 13:51  
**To:** Double, Paul; Devarajulu, Esther  
**Subject:** Bar Du Vin 32 East Street

Reference no CONLIC/14/00016 premises as above

I refer to the application from E. Stockbridge relating to the above site.

Planning Enforcement raise objections to the hours of operation.

Permission has been granted for the following opening hours:

Monday and Tuesday 08.00-23.00.

Wednesday and Thursday 08.00-00.00.

Friday and Saturday 08.00-02.00 the following day.

Sunday 08.00-22.30.

A planning application for the Variation of Condition 3 from Town Planning Application ref: DC/10/00924 is required.

Regards,

John Stephenson  
Acting Planning Investigation  
Development Control Manager  
London Borough of Bromley  
Tel: (020) 8461 7887  
Mobile: 07951 068 186  
[john.stephenson@bromley.gov.uk](mailto:john.stephenson@bromley.gov.uk)

**Dee Cottrell**  
**Technical Clerk**  
**Planning Investigation**  
**[planninginvestigation@bromley.gov.uk](mailto:planninginvestigation@bromley.gov.uk)**  
**Tel:020 8464 3333**

# **Appendix 5**

**Name of Premises**

**Address**

**Bar Du Vin Limited**

**32, East Street, Bromley, Kent, BR1 1QQ.**

	Retail Alcohol	Club Alcohol	Regulated Entertainment	Late Night Refreshment	Comments
<b>CURRENT OPERATION</b>	Y	N	Y	Y	This premises falls within the Bromley Cumulative Impact Zone and Alcohol Exclusion Zone. They are located in a Highly Residential Area and Busy Street.
<b>PROPOSED OPERATION</b>	Y	N	Y	Y	Variation Application

**Premises Profile Matrix**

	YES or NO	Comments
Seated (Inside) / Seated (Outside)	Y	Internal seating for 160. External 20 persons at tables on East Street.
Themed	N	
Vertical Drinking	Y	Permitted at the premises. Large central bar.
Off Sales	N	
Dedicated Children's area	N	
Garden / Patio	Y	Allowed to serve food and drink to the external allocated area in East Street.
Waiter / Waitress service	Y	Service of food and drink to the tables.
Age Profile 18-24 / 25-35 / 35+		18-24 = 10% / 25-35 = 60% / 35+ = 30%
Amplified Music	Y	Not outside. Friday and Saturday Nights DJ.
Live Music	Y	Not outside. Thursday, occasional (1 per month) live singer.

Piped Music	Y	Not outside. Background music.
Adult Style Entertainment	N	
AWP's / Electronic Games	N	
Pool Tables	N	
Big Screen	N	
Karaoke	Y	Wednesday, occasionally (1 per month).
Other	N	

<b>OCCUPANCY NUMBERS</b>	<b>Maximum capacity.</b>
200	

<b>HOURS OF OPERATION</b>	Current hours for licensable activity	Proposed hours for licensable activity	Proposed Time of opening/closing to the public
<b>Alcohol "On" Sales, Regulated Entertainment and Late Night Refreshment</b>	<p><b>Sale or Supply of Alcohol</b> on Sunday from 11:00 to 22:30, Monday and Tuesday from 11:00 to 23:00, Wednesday to Saturday from 11:00 to 00:00.</p> <p><b>Late Night Refreshment</b> on Wednesday and Thursday from 23:00 to 00:00. Friday and Saturday from 23:00 to 00:30.</p> <p><b>Live Music</b> on Thursday from 21:00 to 00:00</p>	<p><b>Sale or Supply of Alcohol:</b> Thursday 11.00 to 01.00 the morning following, Friday and Saturday 11.00 to 02.00 the morning following and Sunday 11.00 to 00.00.</p> <p><b>Late Night Refreshment:</b> Thursday 23.00 to 01.00 the morning following, Friday and Saturday 23.00 to 02.00 the morning following and Sunday 23.00 to 00.00.</p>	<p>Monday and Tuesday 11.00 to 23.30, Wednesday 11.00 to 00.00, Thursday 11.00 to 01.30 the morning following, Friday and Saturday 11.00 to 02.30 the morning following and Sunday 11.00 to 00.30 the morning following.</p> <p><b>Seasonal Variations</b> Christmas Eve until 02.30 the morning following and New Year's Eve until 04.30 the morning following.</p>

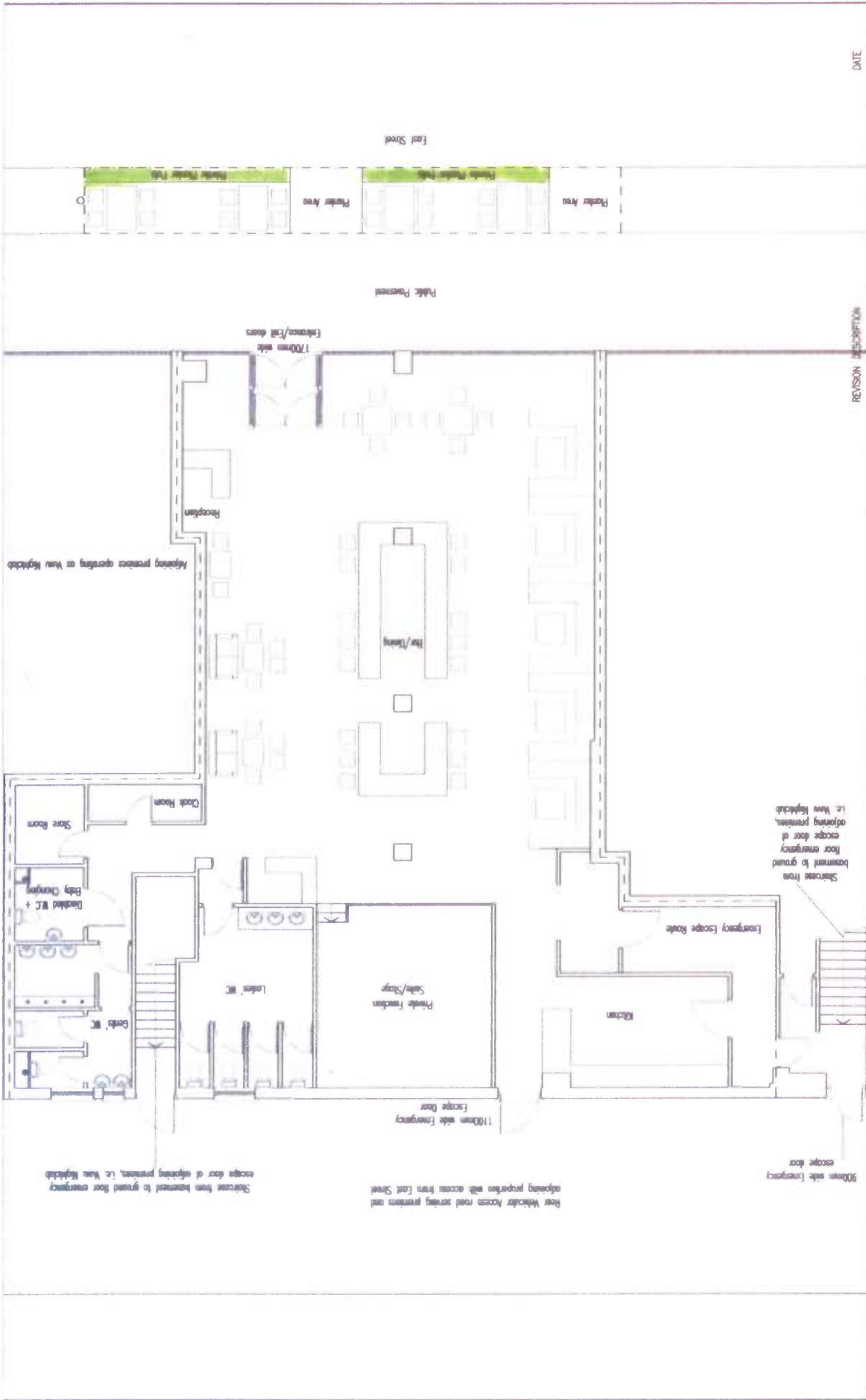


	<p>Friday and Saturday from 21:00 to 00:30.</p> <p><b>Recorded Music</b> Timings Same as Live Music</p> <p><b>Performance of Dance</b> Timings Same as Live Music</p> <p><b>Facilities for Making Music</b> Timings Same as Live Music</p> <p><b>Provision of Facilities for Dancing</b> Sunday from 11:00 to 22:30. Monday and Tuesday from 11:00 to 23:00 Wednesday and Thursday from 11:00 to 00:00 Friday and Saturday from 11:00 to 00:30.</p>	<p><b>Live Music:</b> Sunday 12.00 to 22.00.</p> <p><b>Recorded Music:</b> Monday to Wednesday 12.00 to 23.00, Thursday 12.00 to 01.00 the morning following, Friday and Saturday 12.00 to 02.00 the morning following and Sunday 11.00 to 00.00.</p> <p><b><u>Seasonal Variations</u></b></p> <p><b>Sale or Supply of Alcohol:</b> Christmas Eve until 02.00 the morning following and New Year's Eve until 04.00 the morning following.</p> <p><b>Late Night Refreshment:</b> Christmas Eve until 02.00 the morning following and New Year's Eve until 04.00 the morning following.</p> <p><b>Recorded Music:</b> Christmas Eve until 02.00 the morning following and New Year's Eve until 04.00 the morning following.</p>	
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### Existing and Proposed Controls

Control measures	Existing Yes / No	Proposed Yes / No	Comments
CCTV	Y	N/A	Digital system to an evidential standard. Records for 31 days. Cameras x 7 internally and 2 externally.
Noise Limiter fitted (Set and sealed)	Y	N/A	Already a condition on the licence. Set by Public Protection.
Nearest residential premises Double Glazed	N	?	Flats above premises within East Street.
Air Conditioned	Y	N/A	Installed.
Ventilation	Y	N/A	As above
Lobbied Access / Egress	Y		However, there is a set of doors that fold open.
Door Supervisors	Y	N/A	Friday & Saturday Nights x 2. On special occasions this increases to 3.

# **Appendix 6**

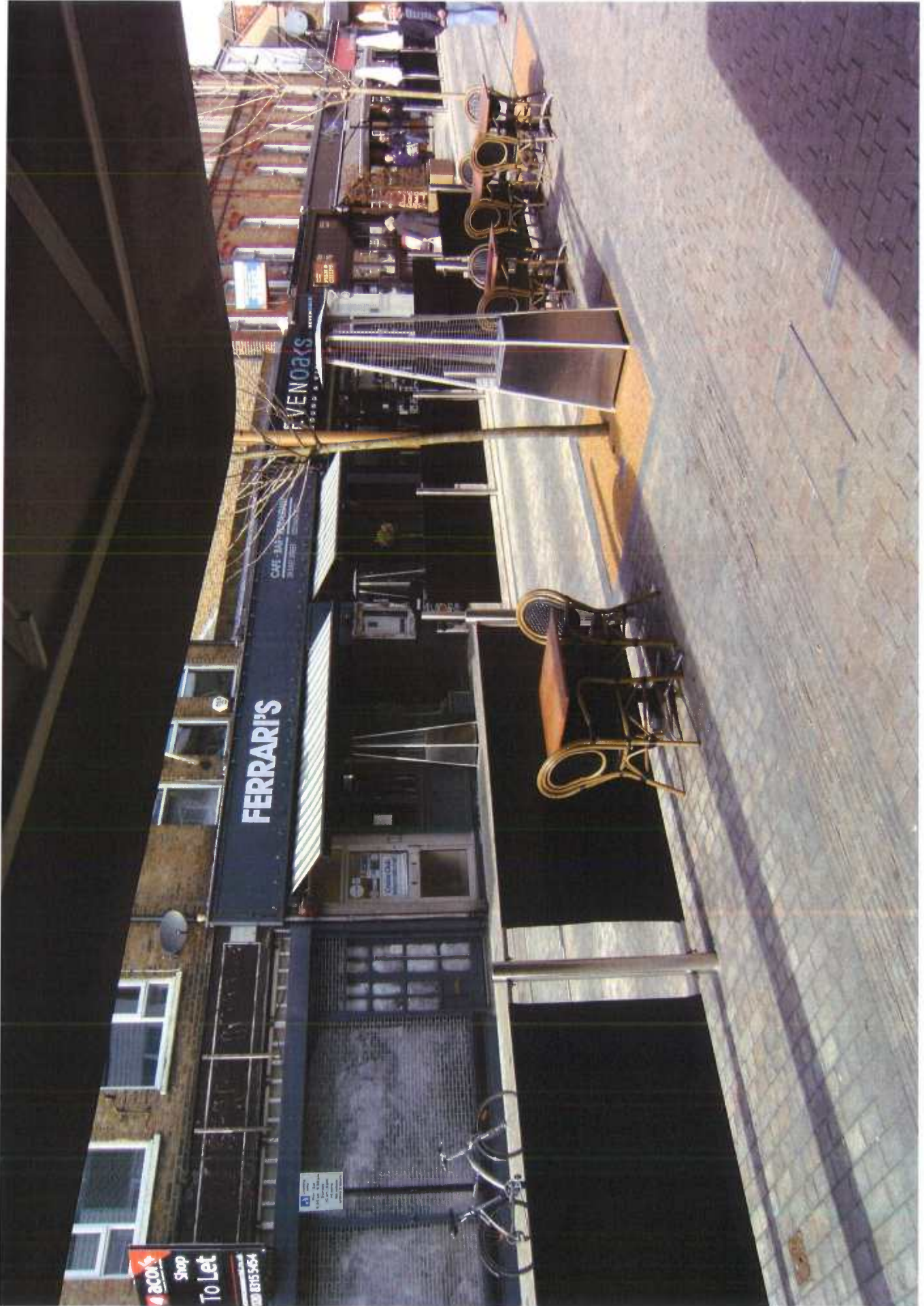


<b>FH PROPERTY SERVICES</b> 65 St Pious Wood Hill Oppington Kent BR5 2SU Tel: 07949 928 170 Email: fethi.huseyni@yahoo.com	CLIENT <b>Bar du Vin Ltd</b>	SCALE <b>1:100 @ A3</b>	DATE <b>April 2014</b>
	JOB <b>Bar du Vin, 32 East Street, Bromley, BR1</b>	REVISION DESCRIPTION  	DRAWING NO. <b>01</b>
TITLE <b>Proposed Ground Floor Plan</b>	JOB NO. <b>140109</b>	REVISION NO.  	DATE  

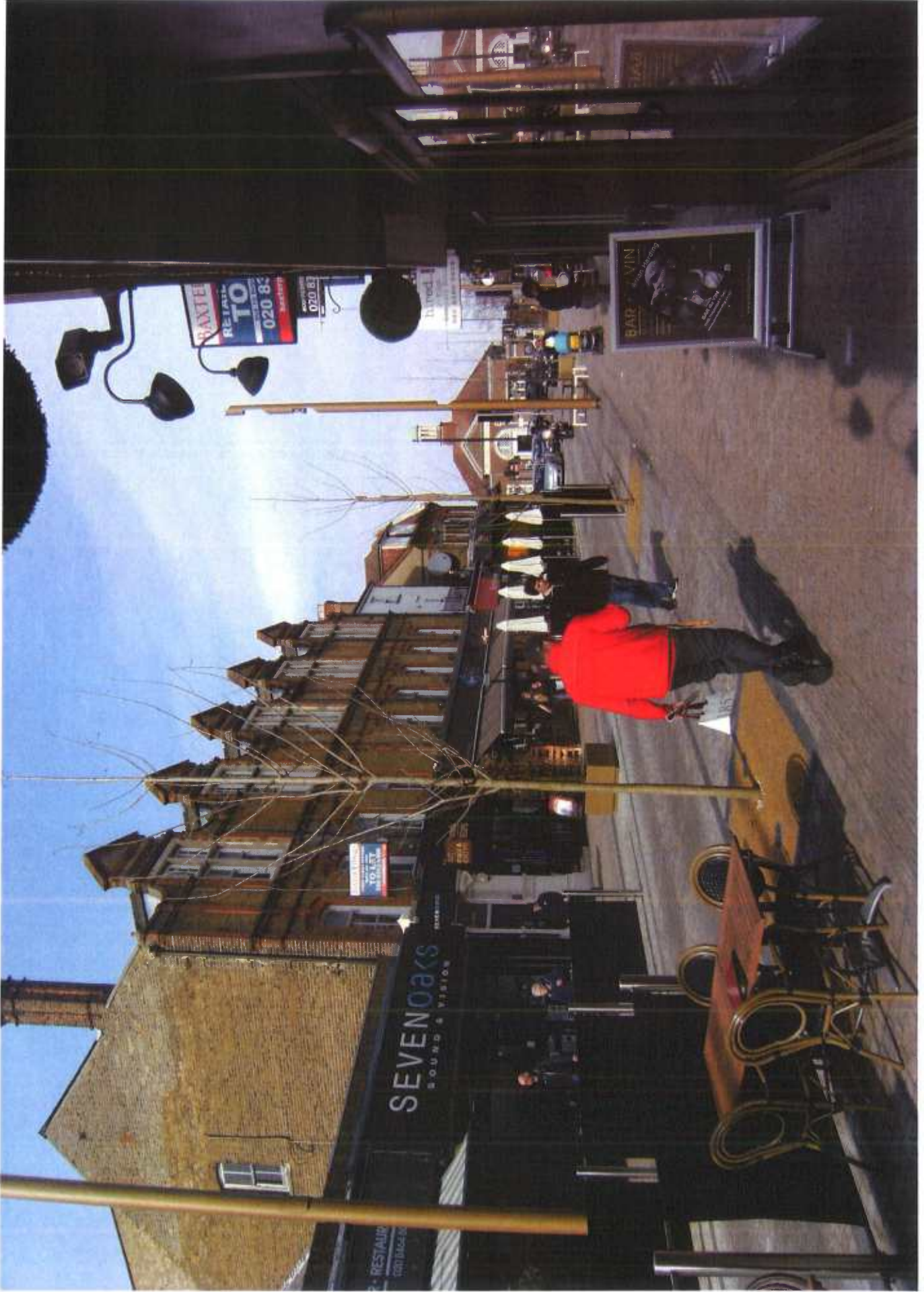
# **Appendix 7**



Bar Du Vin



Bar Du Vin Outside Dining Area



View from Bar Du Vin towards Bromley North Station





**View from Bar Du Vin towards Market Square**



View of Main Bar in the centre of the establishment



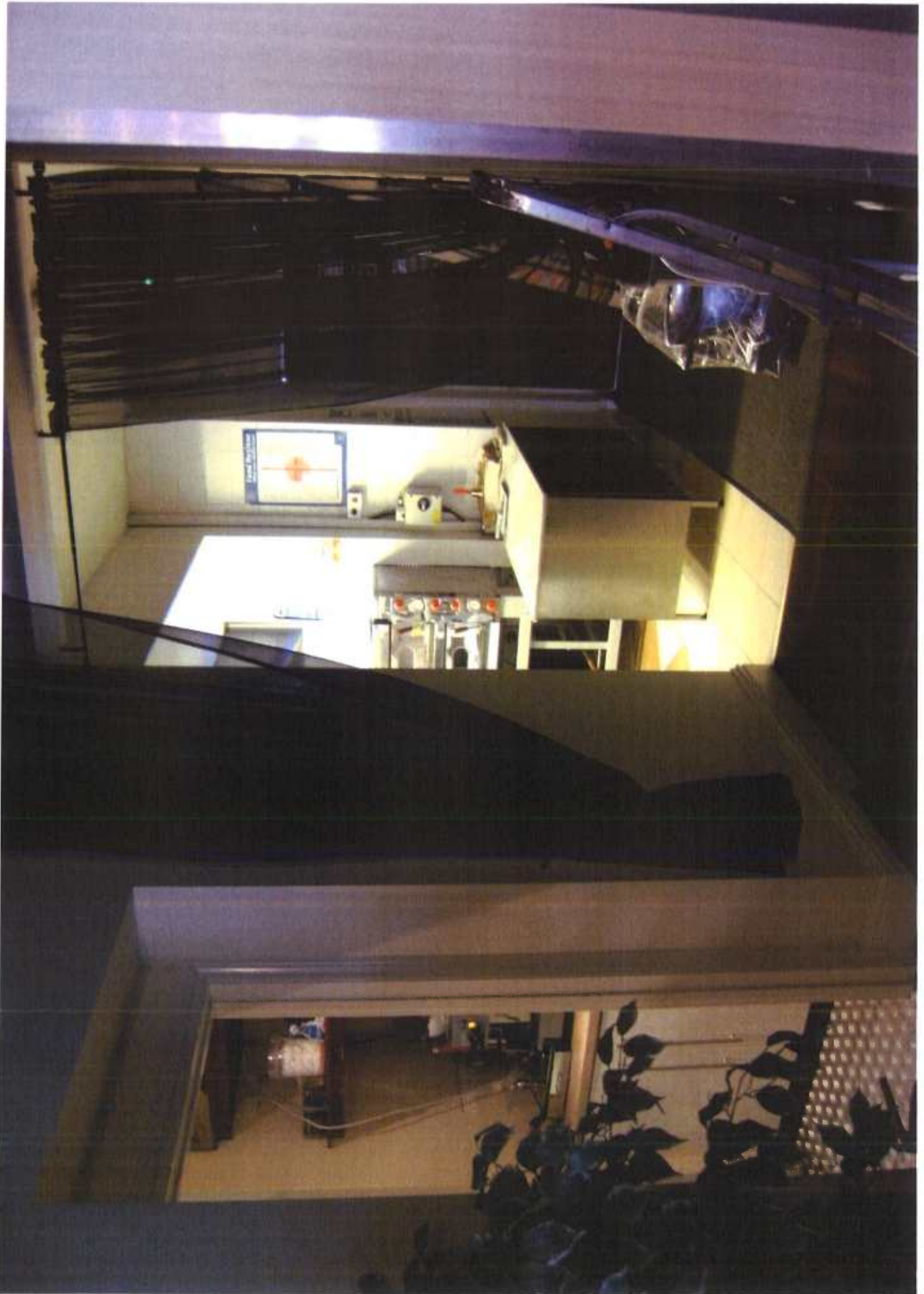
View of the dining seating area



View of dining seating area



View of raised drinking area



**View to the kitchen area**



**View towards the entrances of Bar Du Vin (sliding doors to the right)**

# **Appendix 8**





Bar Du Vin

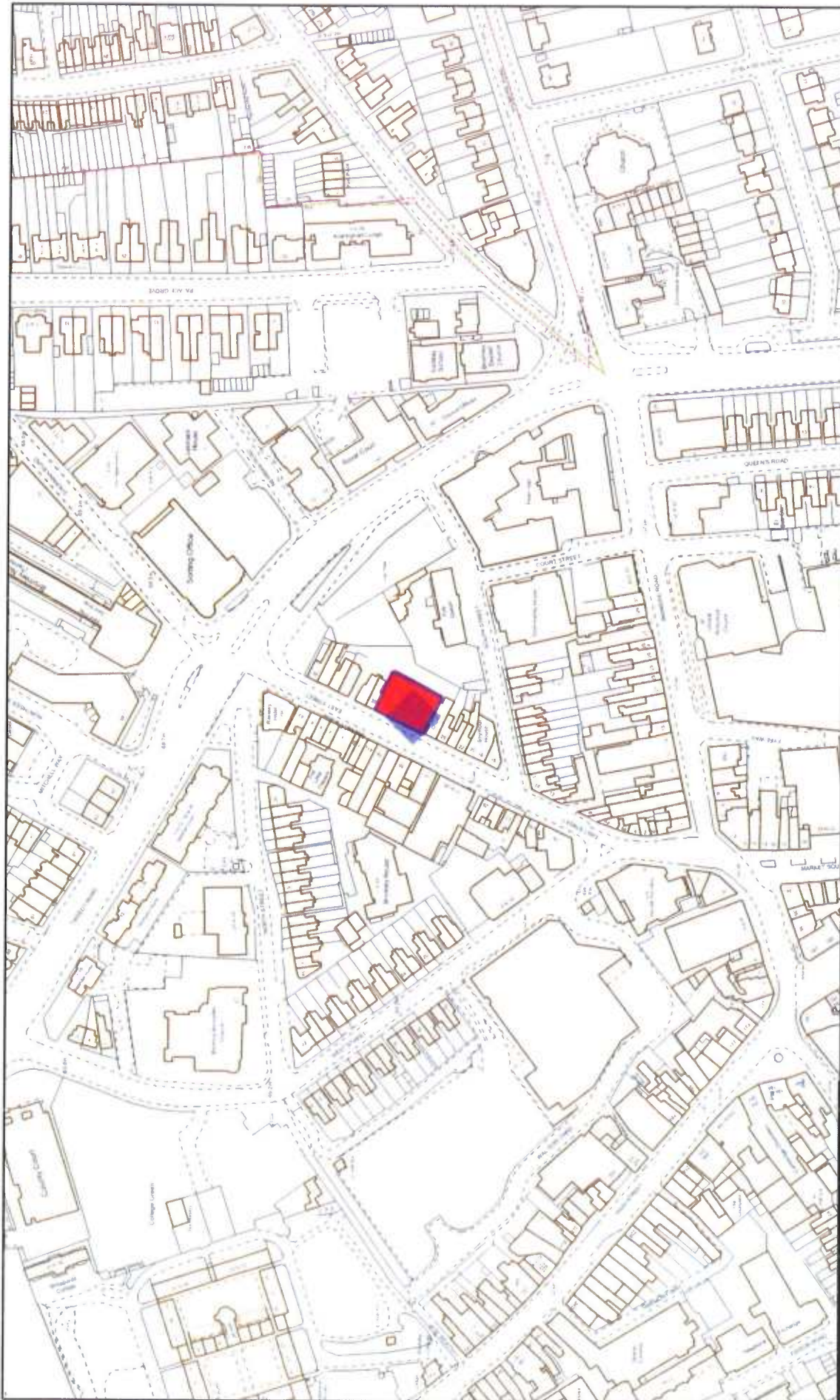


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2015





Bar Du Vin

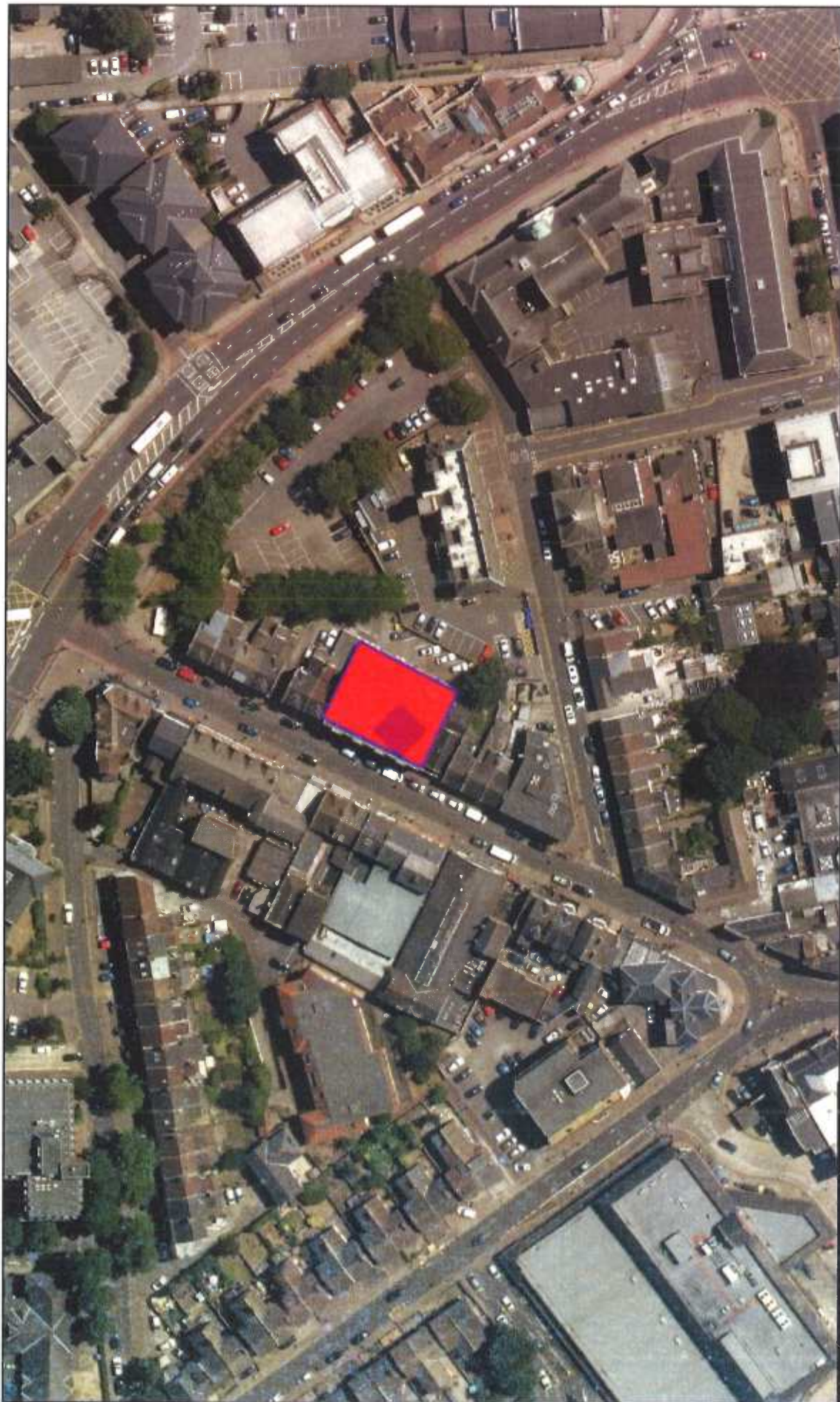


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**Bar Du Vin**



N 

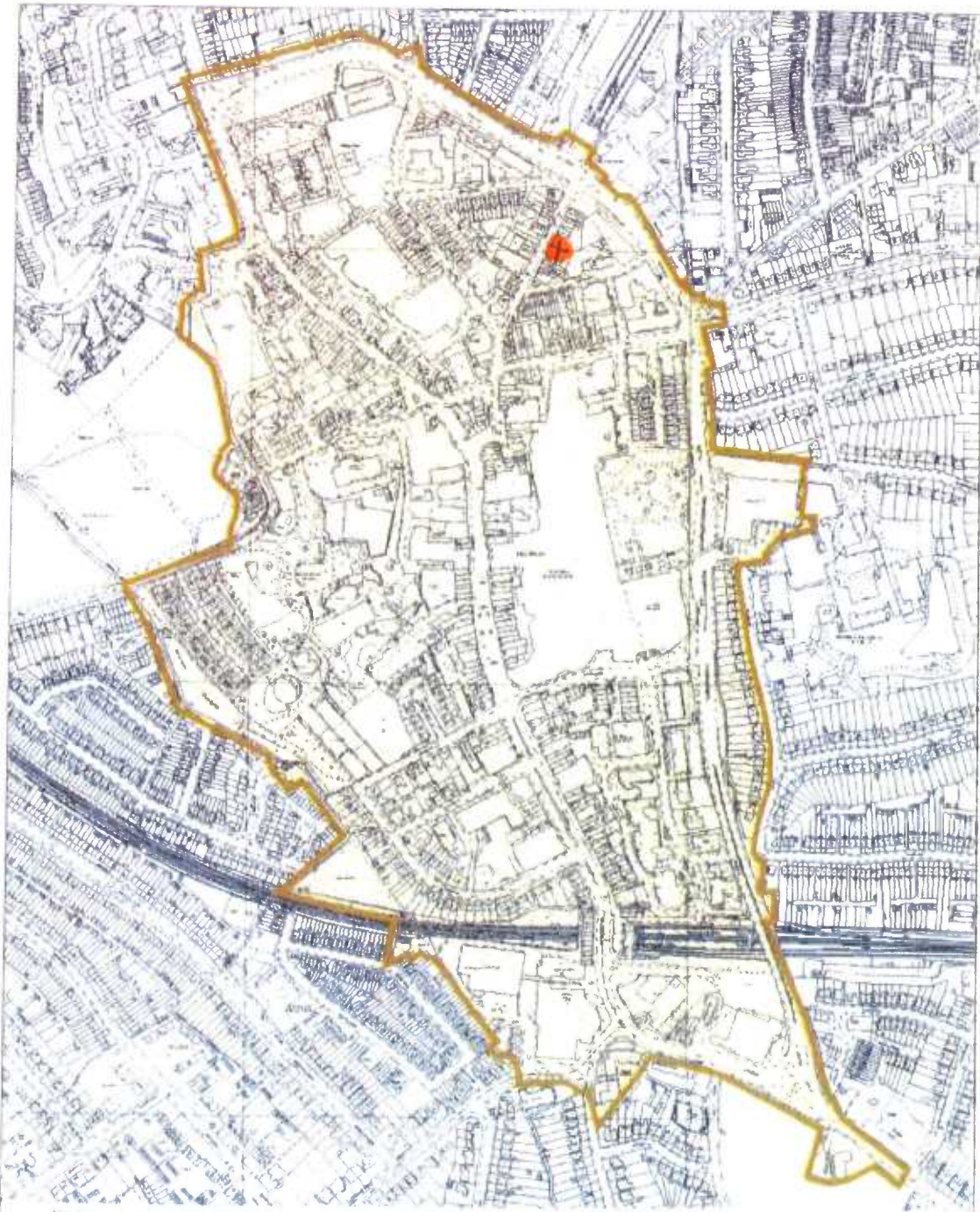
0 20 40 60 80 100 120 metres 



	
<b>Bar Du Vin</b>	
	
<b>Public Protection</b>	
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Tuesday, March 10, 2015	1:2500

# **Appendix 9**

# Appendix E: Map of Bromley Town Centre



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**ENVIRONMENT AND LEISURE SERVICES**



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BROMLEY, SEB17 8AR  
Tel: 020 5481 1000

**LICENSING ACT 2003 - BROMLEY TOWN CENTRE  
AREA SUBJECT TO A SPECIAL POLICY  
OF CUMULATIVE IMPACT.**

Scale 1:4000



03/11/04

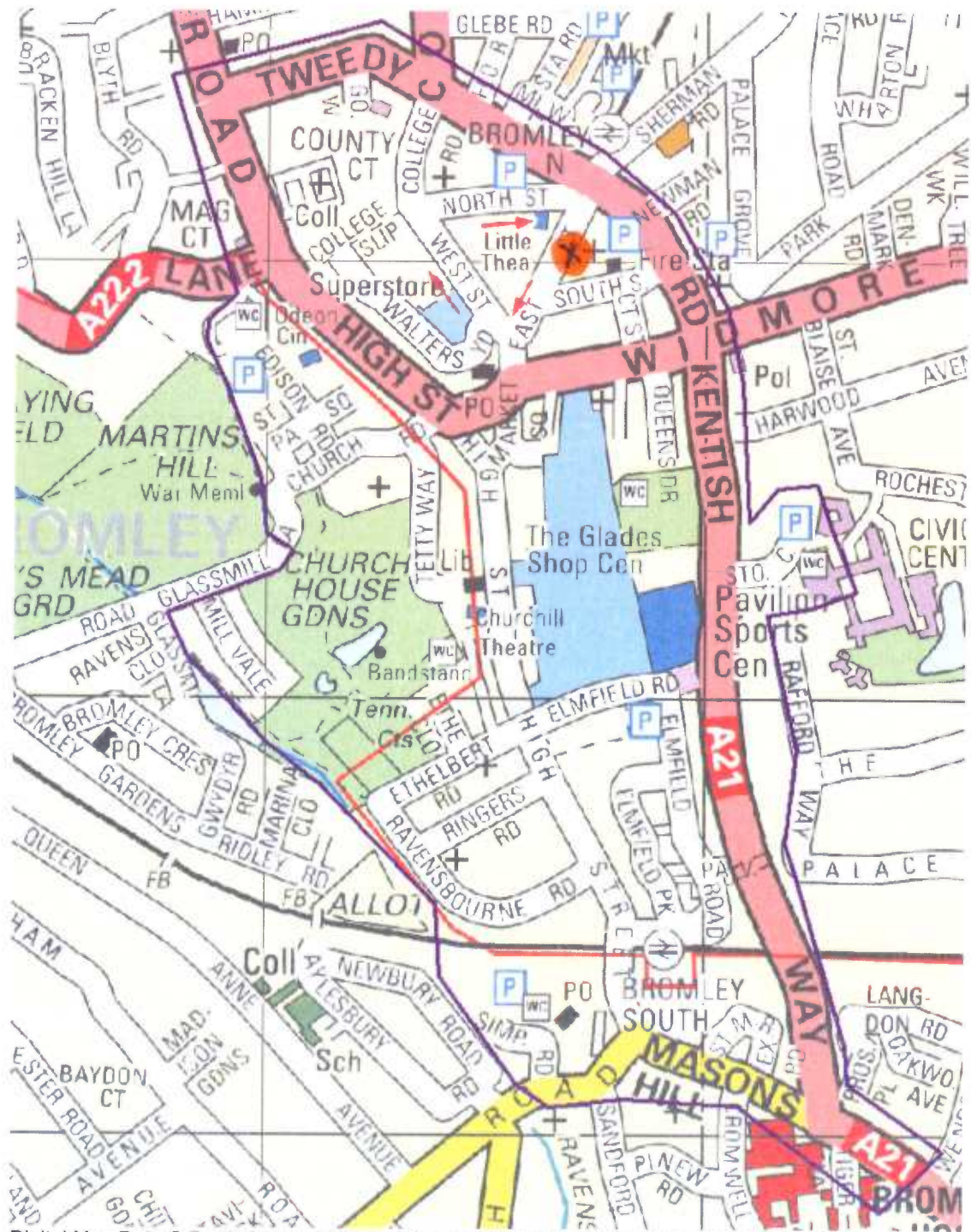
BTC 83



BAR DU VIN

# **Appendix 10**

## Bromley Town Centre Alcohol Exclusion Zone



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- ❖ The exclusion zone is the area within the purple line.

✗ Bar Du Vin