

Cover note for Addition to Statement of facts

On the evening of Monday 23rd August at 6pm, a meeting was held at the Urban Bar, Three Colt Street, E14, to discuss a way forward ahead of the Bar's Licence Review Hearing (Tuesday 31st August 2010).

The meeting was attended by Mark Slankard, Ian Wareing, Andy Jackson, residents of Three Colt Street and Bar customers.

For me, the ultimate purpose of the meeting was to look at finding a compromise to reduce the problems generated by the Urban Bar and its customers.

In my view, the result – that on a Friday and Saturday night there should be no admission to the Bar after midnight with alcohol going off sale at 1am and with doors finally closing at 2am – was a little short of what would satisfy me. Also, as I was unable to make the start of the meeting, I can't be clear about whether or not there was any discussion about closing arrangements for Mondays to Thursdays.

However, I came away from the meeting with the understanding that in the time leading up to the Hearing on the 31st August, interested parties would communicate further with each other to productively discuss options for reducing the impact of late-night noise nuisance on Three Colt Street.

At the time of writing, it's impossible to say what value those potential discussions will have at the Hearing.

I live in hope of a change for the better in my quality of life in Three Colt Street.

Donald Mullis

Tuesday 24th August 2010

Addition to Statement of facts of:

Donald Mullis

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

23rd August 2010

By way of introduction

For the Urban Bar Hearing originally scheduled for Tuesday 29th June, my statement ended at 28th May 2010.

I was disappointed to receive notice, in a letter from Tower Hamlets dated 22nd June 2010, that the Hearing was to be adjourned, to accommodate a short holiday by Mark Slankard, until Tuesday 31st August 2010.

However, this gave me an opportunity to use the extension in time to continue to monitor noise nuisance generated by the Urban Bar in Three Colt Street, E14; and while news of the adjournment was disappointing, I also experienced continued relief that the difficult situation I find myself in was still to be assessed by an impartial, independent body. Some of this relief manifested itself in me not recording as much of the ongoing problems caused me by the Urban Bar's customers and putting up with them knowing that things could change. Also, considerable evidence from all sides for the Hearing had been widely circulated and the same problems seemed likely to continue.

The evidence I have chosen to submit, while not being all that I have recorded and noted, I believe gives a good enough picture of the continuing problems without making the report of them too tedious for the reader.

Since 29th May 2010, I have had communications with Ian Wareing, Noise Officer for Tower Hamlets, and Andy Jackson, the Metropolitan Police Officer who called for the Licence Review. Both Ian and Andy have occasionally kept me up to date about subsequent meetings, and their intended outcomes, with Mark Slankard. I'm aware that the aim of some of these meetings was to discuss various voluntary measures to reduce noise nuisance.

Over a period of three weeks May to June (I can't be precise about the dates), Ian Wareing checked in with me to see if any of the voluntary measures agreed between him and Mark Slankard had lead to improvement for me.

I can appreciate that it may have been frustrating for Ian to hear from me that while there had been only a slight reduction in noise and a slight increase in my sleep, I had to report that noise was occurring at the same times and hence still equally disturbing to me.

I noticed that when the original Agenda was published, Ian's letter – on page 59 - to Kathy (possibly Kathy Butler) at Tower Hamlets Licensing Department stated, presumably referring to the new Gateway housing development, that 'Residents initially reported a vast improvement.' However, in a conversation with Ian, I said that to use the word 'vast' was incorrect. Ian agreed that his statement needed to be moderated at this point.

In the past few weeks, I am aware that Andy Jackson (and maybe even Ian Wareing) has been working with Mark Slankard to look at this situation even more closely.

I am now under the impression, from recent conversations with Ian and Andy, that what had been agreed by Mark Slankard was two doormen on duty on Thursday, Friday and Saturday nights, no drinks to be consumed outside after 10pm and, what sounded like the best news, some compromise on operational hours.

While the voluntary policy of two doormen and no drinks outside after 10pm was old news to me from 9th February 2010, it came as huge relief that Mark Slankard's slightly more neighbourly hours would be voluntarily set at 12 midnight closing, with alcohol off sale from 11.30pm, from Sundays to Thursdays, and at 1am closing, with alcohol off sale from 12.30am, on Fridays and Saturdays.

This move would also go some way to improving the Urban Bar's Licence which I believe to be poorly drawn up with closing times mostly being the same times as permitted alcohol sales time. The implication being that there is no legal guidance on Consumption time with its possible effect on final closing times. The evidence suggests that this lack of clarity has been used to great advantage by the Urban Bar in the past.

I also understood from my conversations that these hours would be progressively phased in over the Summer so as not to shock the Bar's regular customers and allow them to adjust to the new hours.

As you will see from my evidence that follows, these voluntary measures have been very-largely unsuccessful.

My additional evidence commences

As for the assertion, made by Mark Slankard in his letter to Moshin Ali, Tower Hamlets Senior Licensing Officer, and made as far back as 9th February, that the Urban Bar now has a new policy 'of No Drink outside after 10pm;' as this replaces a previous policy that drinks 'could only be taken from the premise in plastic glasses after 10pm,' I have video evidence that this voluntary measure is unsuccessful. Alcohol is being consumed outside after 10pm, sometimes as late as 2.30am, and in glasses and bottles. This is occurring at times when there are two doorman on duty, which is another recent voluntary measure agreed by Mark Slankard.

The evidence that relates to this voluntary measure being unsuccessful appears on the submitted DVD titled '5b Urban Bar 2' as follows:

File001. An Urban Bar customer is seen with a glass at 23.19pm on Wednesday 2nd June 2010. Video, 8secs.

File002. An Urban Bar customer is seen with a glass at 23.24pm on Wednesday 2nd June 2010. Video, 7secs.

File003. An Urban Bar customer is seen with a glass at 23.25pm on Wednesday 2nd June 2010. Video, 17secs.

File011. An Urban Bar customer is seen with a bottle at 00.58am on Saturday 26th June 2010. Video, 7secs.

File015. An Urban Bar customer is seen with a bottle at 02.35am on Saturday 10th July 2010. Video, 18secs.

File016. Urban Bar customers seen leaving with drink in glasses at 02.36am on Saturday 10th July 2010. Video, 6secs.

File018. Customers, having left the Urban Bar, seen drinking at a car they later got in to, south of the Urban Bar at 03.02am on Saturday 10th July 2010. Video, 19secs. (I observed this group leaving the Urban Bar but because I was drowsy, I was unable to activate my camera quickly enough.)

File019. An Urban Bar customer, with others, seen with a bottle in his hand and other bottles on the wall opposite the Bar at 21.59pm on Saturday 24th July 2010. Video, 8secs.

File021. Urban Bar customer seen with a glass at 00.20am on Saturday 14th August 2010. Video, 27secs.

File022. Urban Bar customer with glass at 00.13am on Friday 21st August 2010. Video, 24secs.

As for specific noise nuisance, and from the submitted DVD titled '5b Urban Bar 2', this can be illustrated as follows:

File006. Noise at 01.30am on Sunday 6th June 2010. Video.

File009. Exceptional noise at 00.56am on Saturday 19th June 2010. Video.

File010. Noise and arrivals at 00.56am on Saturday 26th June 2010. Video. (I am assuming that the voluntary closing time of 1am had not been phased in at this date.)

File012. Noise at 00.07am on Wednesday 30th June 2010. Video.

File017. Noisy and abusive Bar customer at 02.40am on Saturday 10th July 2010. Video. (The person heard in the short video had been shouting for much longer before I was able to find my camera.)

File020. Exceptional noise from the Urban Bar's beer garden at 21.59pm on Saturday 24th July. Video. (I include this to illustrate that while this noise is stops at 10pm, I overlook this with no complaint. This is despite it being aggravating at times and overwhelming the sound from my TV and the music I choose to listen to in my Living Room, as it finishes at a reasonable time.)

File023. Noise from Bar customers, and arrival at 01.30am on Saturday 24th July 2010. (Again, I am assuming that the voluntary closing time of 1am had not been phased in at this date.)

Other aggravations are as follows:

File004. An Urban Bar customer vomiting between the Bar and 7 Three Colt Street at 0046am on Saturday 5th June 2010.

File005. Evidence of Bar customer's activity in File004. Photo taken at 08.15am on Saturday 5th June 2010.

File007. Noise and drinks at 00.37am on Saturday 12th June 2010. Video.

File008. Evidence of vomit at the entrance to 7 Three Colt Street. Photo taken at 09.00pm on Saturday 12th June 2010. (While I may not be able to state categorically that this is from an Urban Bar customer, it follows a pattern of day and location. In my view, this makes it likely to be.)

File014. Noise from slamming car and minicab doors over two hours after official closing times (assuming that the voluntary closing time of 1am has not been phased in at this date) at 04.21am on Saturday 3rd July 2010,. Video. (As car doors slamming is such a short event and not easy to capture without running the camera for some time, this is an example of a nuisance that can continue for an hour – and sometimes longer - after the Bar's official closing time.)

I end my additional statement here by saying that while I have been able to get a bit more sleep because of the work put in by Ian Wareing and Andy Jackson with Mark Slankard, the ideal outcome for me, which would necessarily have to come from a happy compromise, would be to have the Urban Bar's voluntary measures carefully looked at again and precisely written into any potential new Licence.

Following this, steps would have to be taken to ensure that these conditions are firmly adhered to.

Yours sincerely,

A thick, black, horizontal bar redacting the signature of Donald Mullis.

Donald Mullis

5b Urban Bar, Three Colt Street, E14 – Statement Update at 23rd August 2010

From:
Peter Matysik

To Licence review board

On hearing that the latest review was cancelled, I was disappointed, along with my neighbours, that I would have to endure another two months of difficult or sleepless nights before our case would be heard.

I have gone to great lengths to spend as little time as possible in my flat during this period, staying with friends and family whenever the opportunity arises just to be able to enjoy a full, good night's sleep.

I was under the impression that Mark Slankard, the landlord of the Urban Bar, had volunteered to take measures to improve the impact his business was having on his new neighbours, i.e. by reducing the incessantly loud volume of noise from music and the general commotion from customers who gather outside, almost directly under my bedroom window, as well as the coming and going of taxis until the early hours of the morning.

During these past two months, I've managed to spend about half of the period away from my flat, only to return at the weekends to work my night shifts.

While here, I have seen a disappointingly negligible improvement of the situation.

A couple of typical examples:

Thursday 29th July 2010. Drinking outside until very late, with noisy customers, the beat of music like a machine, a woman screaming, a long period of car doors slamming, general mayhem. Went quiet at about 3am. However, I was then unable to sleep. Had worked all day and had to work a 12-hour night shift on the Friday. Left me feeling depressed and barely able to cope that day.

Thursday 19th August. Went to bed around 10pm. Extremely tired with another 12-hour shift looming, hoping the night would be peaceful. Unfortunately, true to form, the level of noise from customers outside the Bar increased as the night went on until gradually subsiding around 3.30am. I couldn't sleep as I was so stressed that I have no control over the situation, and worrying because I had to work the following night. I would have taken the shift off, but to be honest, I'd rather be at work than spend the night putting up with another night of trying to sleep next door to the Urban Bar.

(continues)

These are just examples of typical nights that I have to endure from living next door to a seemingly uncompromising pub landlord, who understands the effect his business is having on his neighbours, and who appears to want to do much about the situation.

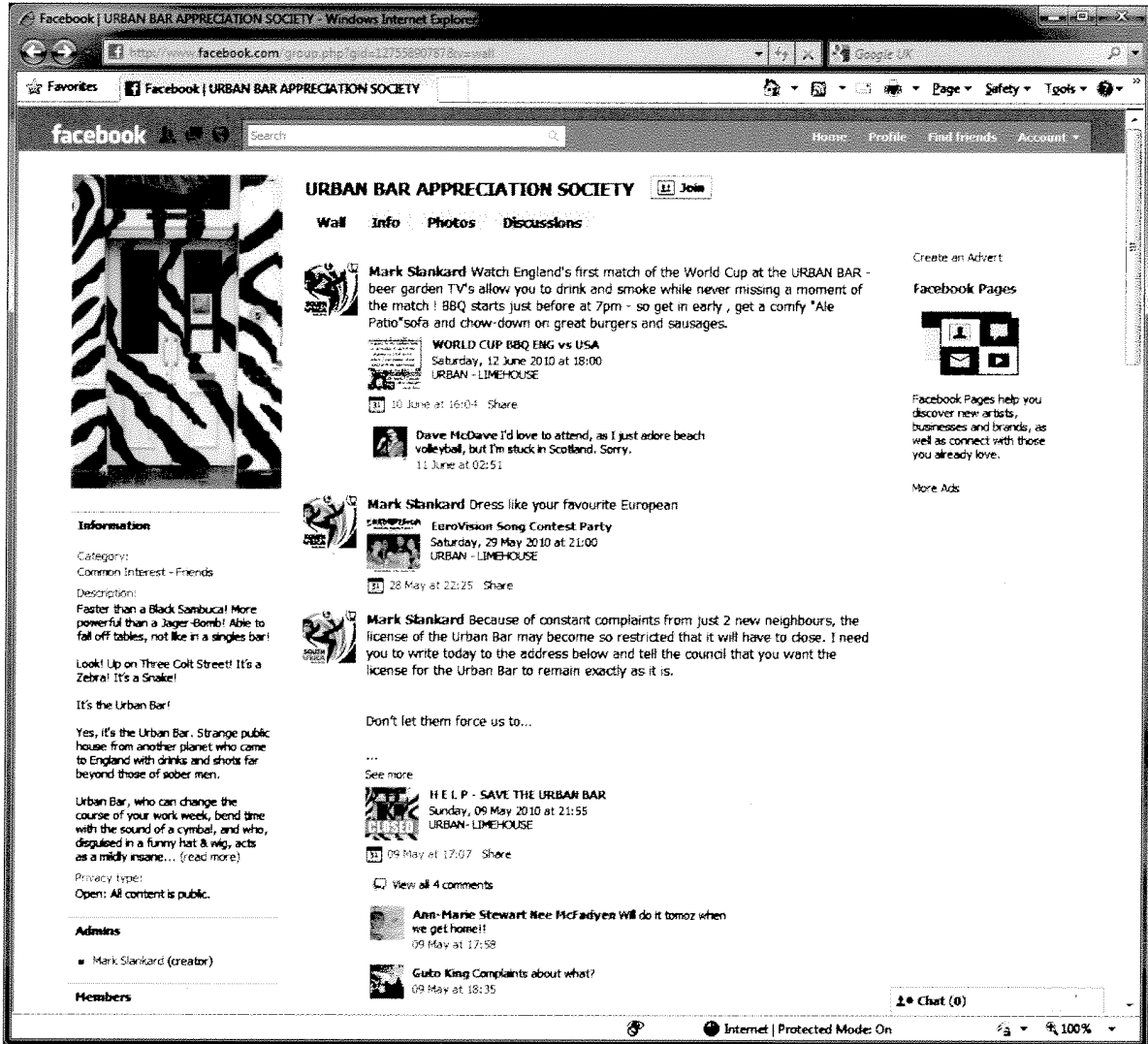
As voluntary measures appear to not be having much effect, a formal reduction to the Bar's Licenced hours, with no extension, will be more than welcome if Mark finds it difficult to control his customers' behaviour which gets progressively worse the later his customers leave.

Peter Matysik

Re: Application for a review of a Premises Licence under the Licensing Act 2003 in relation to 5B Urban Bar, 27 Three Colt Street, London, E14 8HH

The following screen shots are taken from the Facebook page for the URBAN BAR APPRECIATION SOCIETY (see: <http://www.facebook.com/group.php?gid=12755890787>)

These Facebook pages include a number of photographs taken by members of the "society" who frequent the 5b Urban Bar and provide an insight into the general behaviour of the bar, however there are a number of specific photographs which show the Proprietor and Designated Premises Supervisor actively encouraging and involved in possible violations of the law and in the creation of a public nuisance. We would encourage you to explore these pages further.



Submitted by MR & MRS PULLIN

The following picture shows the Proprietor and Designated Premises Supervisor with an open bottle of alcohol and a clearly lit cigarette in violation of both Licensing and Smokefree legislation.



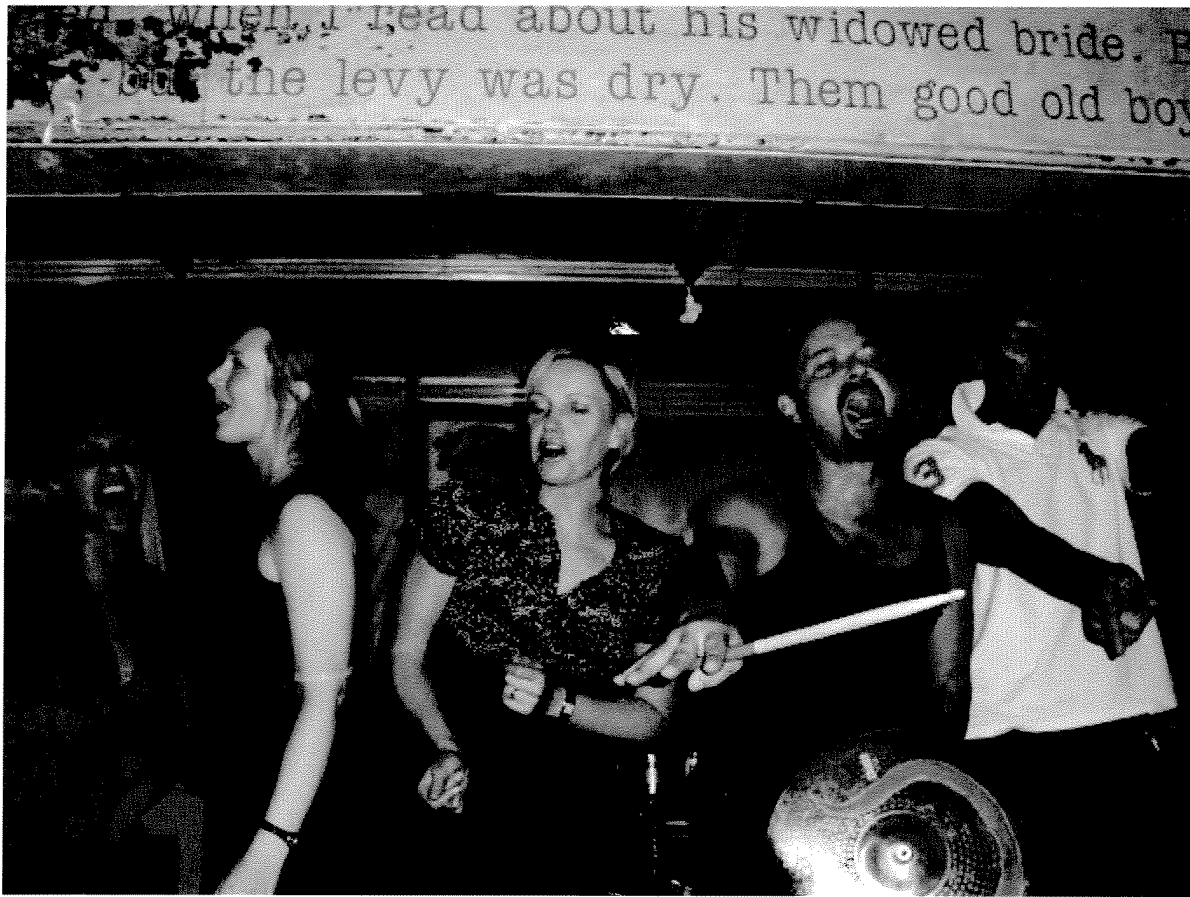
The following picture appears to show the Proprietor and Designated Premises Supervisor (arm with the bottle) violating weights and measures legislation.



Source:

<http://www.facebook.com/photo.php?pid=5337054&op=1&o=global&view=global&subj=12755890787&id=624107353&ref=pf#!/photo.php?pid=5337023&op=1&o=global&view=global&subj=12755890787&id=624107353&ref=pf&fbid=418872252353>

The following pictures show the Proprietor and Designated Premises Supervisor encouraging noise and being actively involved in the party within the 5B Urban Bar. Some of these pictures suggest that he may be intoxicated at the time.



Source:

<http://www.facebook.com/photo.php?pid=2064624&op=9&o=all&view=all&subj=12755890787&aid=-1&oid=12755890787&id=528152210>



Source:

<http://www.facebook.com/photo.php?pid=5337054&op=1&o=global&view=global&subj=12755890787&id=624107353&ref=pf#!/photo.php?pid=5337026&op=1&o=global&view=global&subj=12755890787&id=624107353&ref=pf&fbid=418872272353>



Source:

<http://www.facebook.com/photo.php?pid=5337036&op=2&o=all&view=all&subj=12755890787&aid=-1&oid=12755890787&id=624107353>



Source:

<http://www.facebook.com/photo.php?pid=5337033&op=2&o=all&view=all&subj=12755890787&aid=-1&oid=12755890787&id=624107353>

The following screen shots are Facebook page advertisements for parties to be held at the 5B Urban Bar. Note the end time of 03:00 in both cases.

The screenshot shows a Facebook event page for 'EuroVision Song Contest Party' in a Windows Internet Explorer browser. The browser's address bar shows the URL: <http://www.facebook.com/group.php?gid=12755830787#/event.php?eid=12202981082959&index=1>. The Facebook navigation bar includes 'Home', 'Profile', 'Find friends', and 'Account'. The event details are as follows:

- Event Name:** EuroVision Song Contest Party
- Start Time:** Saturday, 29 May 2010 at 21:00
- End Time:** Sunday, 30 May 2010 at 03:00
- Location:** URBAN - LIMBHOUSE

The event description reads: "Dress like your favourite European". Under "Confirmed guests", it states "This event has 4 confirmed guests" and lists: Mark Slankard, Joanne Veness, Keren O'Dwyer, and Lea Rusty Spoon Barber. The "Wall" section shows "EuroVision Song Contest Party has no recent posts." On the right side, there are several advertisements:

- EUROVISION SONG CONTEST 2010:** A graphic with the text "DRESS AS YOUR FAVOURITE EUROPEAN".
- Party this weekend?:** An advertisement for a weekend party with a photo of people.
- Let the rhythms take you:** An advertisement for a dance event on 31 July 2010, described as "London's ultimate dance event is back. With everything from ballet to barn dances, we've got the beat to get you on your feet."
- Gladiator Sandals £25:** An advertisement for summer sandals with a photo of a sandal.

At the bottom of the page, the browser status bar shows "Internet | Protected Mode: On" and a zoom level of "100%".

Facebook | Bank Holiday DISCO - Windows Internet Explorer

http://www.facebook.com/group.php?gid=12755890787#/event.php?id=82820767908&index=1

Facebook | Bank Holiday DISCO

facebook Home Profile Find friends Account

Bank Holiday DISCO
WE'RE NOT LEAVING 'TIL WE'RE HEAVING

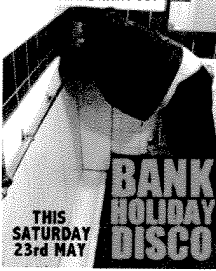
Type: Party - Night of Mayhem

Start Time: Saturday, 23 May 2009 at 21:00
End Time: Sunday, 24 May 2009 at 03:00

Location: Urban Bar - Linehouse
Street: 27 Three Colt Street
Town/City: London, United Kingdom
[View map](#)

Phone: 07956 105483
Email: urbanbar@compuserve.com

URBAN BAR
NOT A NORMAL NIGHT OUT




BANK HOLIDAY DISCO
THIS SATURDAY 23rd MAY

Description


DJ Lee spins the tunes you want to hear,
After a shot or two, and then a beer,
I danced on a table without fear,
Wobbled and felt a bit sick, Oh dear,
Off the table, I fell on my rear,
Bent over and ill. How did I get here?
The cold tile wall against my ear
They sing American Pie, I shed a tear,
I love my bar, time for another beer.


Confirmed guests
This event has 12 confirmed guests [See all](#)




Joe Casey Emma Carr Harbel Hernandez Paul Foggy Dewhurst Olesya Chukina Elke L. Di Casati Kayleigh Perry Fraser Turnbull

Wall [See all photos](#) [See all videos](#)

 **Kevin O'Dwyer** PS, stonking poem!!!
22 May 2009 at 02:08 [Report](#)

 **Kevin O'Dwyer** Feck..... working but may squeeze in a late pint...
22 May 2009 at 02:05 [Report](#)

 **Laura Lythall** Damn work! I might try and pop in afterwards though its been a


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Your RSVP

Attending
 Maybe Attending
 Not Attending


Other invitations

Might attend (33) [See all](#)




Joie Rebis Bradley Human Ann-Marie Stewart Nee McFadyen

Not attending (89) [See all](#)



Steve Woodford Jolene Bristow Helen Blackmore


Awaiting reply (202) [See all](#)



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