

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 20 December 2010 at 10.00 am at Room G02c - 160 Tooley Street, Ground Floor London SE1 2TZ

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**PRESENT:** Councillor Ian Wingfield  
Councillor Jeff Hook  
Councillor David Hubber

**OTHERS  
PRESENT:** Rosalynde Stone (applicant)  
Mr Stone (resident)  
Marie Stone (resident)  
Jasper Tomlinson (resident)  
Mustafa Arif (owner of the premises)  
Councillor Poddy Clark (ward councillor)

**OFFICER  
SUPPORT:** Kristie Ashenden (licensing officer)  
Tracy McCarthy (enforcement officer)  
Alan Blissett (environment protection team)  
Felix Rechtman (legal services)  
Virginia Wynn-Jones (constitutional team)

### 1. APOLOGIES

There were none.

### 2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members. In the absence of the chair, Councillor David Hubber was nominated and agreed to chair the meeting.

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

There were none.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

### 5. LICENSING ACT 2003 - WABI SHEBELE RESTAURANT, 189 - 191 NEW KENT ROAD, LONDON, SE1 4AG

The licensing officer presented her report.

The applicant for review presented to the sub-committee. Members had questions for the applicant. The owner of the premises had questions for the applicant.

The premises owner presented to the sub-committee. Members had questions for the owner. The applicant for review had questions for the owner.

At 11.40am all parties were given five minutes to sum up. At 11.50am the sub-committee went into closed session to deliberate. At 12.20pm the meeting resumed and the chair informed all present of the decision as follows.

### **RESOLVED:**

Having had regard to the application by Rosalynde Stone for a review of the premises granted under the Licensing Act 2003 to Mustafa Arif in respect of the premises known as Wabi Shebele Restaurant, situated at 189 - 191 New Kent Road, London, SE1 and having had regard also to representations from the applicant, the environmental protection team, local residents and the licensee, the licensing sub-committee found that the premises as currently operated adversely affect the prevention of public nuisance objective in the Licensing Act and as a result decided to modify the license as follows:

- a) That the hours of regulated entertainment be reduced to midnight on Monday-Saturday
- b) That the hours for late night refreshment be reduced to 0100 on Monday-Saturday
- c) That the hours for the sale and supply of alcohol be reduced to 0100 on Monday-Saturday
- d) That the premises opening hours be as follows: Monday-Saturday 0900-0130, Sunday 0900-0000

That the following conditions be added to the licence:

- i) all electronically amplified sound shall be played through a compressor sound limiting device, the level of which shall be set by the operator's sound engineer in consultation with the council's environmental protection team and local residents and maintained to the agreed level thereafter
- ii) no more than six people shall use the outside area at any one time
- iii) no drinks in open containers shall be consumed outside the premises by customers
- iv) customers shall be allowed out of the premises in groups of no more than six. Sufficient time shall be allowed to elapse between groups that the previous group have vacated the vicinity.
- v) That an appropriately licensed door supervisor be employed from 2200hrs till closing.

### **Reasons**

The reasons for this decision are as follows:

The licensing sub-committee found that the premises as currently operated adversely affect the prevention of public nuisance objective in the Licensing Act 2003.

**Appeal rights**

This decision is open to appeal by either

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

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

This decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting closed at 12.25pm.

**CHAIR:**

**DATED:**