



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on April 15 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber
Councillor Sandra Rhule
Councillor Althea Smith

ALSO PRESENT: Mr Ricahrd Bennetts, applicant
Mr Bola Bologun, applicant's witness
Mr Nicholson, local resident
Mrs Nicholson, local resident
Mr latueyi, local business owner
Mrs latueyi, local business owner
David Franklin, licensing officer
Paul Gray, legal officer
Andrew Weir, constitutional officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Linda Manchester.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

Councillor David Hubber was nominated as chair for the meeting by Councillor Sandra Rhule. This was seconded by Councillor Althea Smith.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 – LICENSING ACT 2003 – WAZOBIA, 670 OLD KENT ROAD, LONDON SE15 1JF (see agenda pages 1-45)

The licensing officer distributed some additional photographs. All parties agreed to this.

The licensing officer then presented his report and advised that a conciliation meeting had been held. Notes of this meeting were distributed to all parties. He also confirmed that the police representations had now been withdrawn.

The applicant and the applicant's witness presented their case and responded to questions from members.

The objectors, Mr and Mrs Nicholson and Mr and Mrs latueyi, presented their evidence and responded to questions from members.

All parties were given 5 minutes to sum up.

The meeting went into closed session at 11.06am. The meeting then reopened at 11.30am.

RESOLVED: 1. That the application by Richard Bennetts for a premises licence in respect of the premises known as Wazobia, 670 Old Kent Road, London SE15 1JF be approved in so far as:

The following licensable activities will be permitted under the licence during the times shown:

	Sunday - Thursday	Friday	Saturday
L. Late Night Refreshment	23:00 – 00:00	23:00 – 02:00	23:00 – 02:00
M. Sale of alcohol	12:00 – 00:00	12:00 – 02:00	12:00 – 02:00
O. Opening Hours	12:00 – 00:00	12:00 – 02:00	12:00 – 02:00

2. Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section Q of the application form and the following conditions:-

- a) All mandatory conditions set out in the Licensing Act 2003 relating to
 - Authorisation of the retail sale of alcohol; and
 - The provision of door supervision
- b) The following additional special conditions developed through discussion from the original operating schedule attached to the application as follows:-

Conditions agreed between the applicant and the Police:

- SIA registered Door Supervisor, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

- That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
- That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs
- That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents
- That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.
- That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
- That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
- That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
- That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located.
- Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

Conditions put forward by the applicant for conciliation:

- The registered door staff shall urge people to leave noiselessly and attempt to move on persons loitering outside the premises.
- There will be a designated smoking area at the rear of the premises and smokers are to be limited to 2 persons outside the rear of the premises.
- Only customers who have ordered substantial meals will only be served alcohol.
- There will be a suggestions box inside the entrance to the premises that will display a mobile number for complaints. The number shall be available throughout the opening hours of the premises.

Subject to the following additional conditions agreed by the sub-committee:

- No new admissions after 12 midnight.
- No open containers of alcohol to be taken outside the premises, as indicated in the floor plans.

3. Reasons

The reasons for the decision are as follows:

The sub-committee took into consideration all written and oral representations.

The sub-committee believed that to grant any hours additional to those granted would have the likely effect of resulting in noise disturbance to local residents, in particular noise from customers smoking and entering and leaving the premises.

The sub-committee believed this decision to be necessary and proportionate under the terms of the licensing legislation.

4. Appeal Rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting closed at: 11:35am

CHAIR:

DATED: