



LICENSING SUB-COMMITTEE

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

PRESENT: Councillor David Hubber (chair)
Councillor Althea Smith
Councillor Wilma Nelson

ALSO PRESENT: Gbenunija Ayeni, applicant
Ajike Erejiwa, applicant
Abiola Akiboh, applicant
Ms Helen Taylor, local resident
Mr N.N. Patel, local resident
N.J Speer, local resident
C. Snell, local resident
Alan Blissett, environmental protection
Deborah McCallum, legal officer
Dorcas Mills, licensing officer
Virginia Wynn-Jones, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

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 – AFRICAN RESTAURANT, 346 EAST STREET, LONDON SE17

The licensing officer presented her report. The applicant discussed his application with the sub-committee. Members had questions.

The local resident discussed their objections to the application and the hours applied for. Members had questions for the applicants.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Mrs Ajike Erejuwa for a grant of a premises licence in respect of the premises known as African Restaurant, 346 East Street, London SE17 is refused.

2. Reasons

The reasons for the decision are as follows:

The sub-committee considered the oral and written representations made by the applicant, the local residents, the police and the environmental protection team. The sub-committee considered it necessary to refuse the applicant as the applicant failed to provide adequate information to demonstrate how the licensing objectives would be promoted.

The sub-committee was particularly concerned that the public nuisance would be caused to local residents as the applicant did not provide sufficient details as to how the premises would be sound proofed to prevent noise escape to the residential premises above. The potential nuisance of noise caused by people leaving the premises late at night also caused concern. The sub-committee was also concerned about the public safety objective as the applicant failed to address issues of ventilation to the basement area.

3. Appeal Rights

The applicant may appeal against any decision to modify the conditions of the licence; and

Any person who made relevant representations in relation to the application who desire to contend that:

- a) That the grant ought not to have been made; or
- b) That, when granting the licence, the Licensing Authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way

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: 11:40am

CHAIR:

DATED: