



LICENSING COMMITTEE

MINUTES of the OPEN section of the meeting of the LICENSING COMMITTEE held on WEDNESDAY 12th FEBRUARY 2003 at 7.00pm at the Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Dr. Abdur-Rahman Olayiwola (Chair)
Councillor Norma Gibbes (Vice-Chair)
Councillors Graham Neale, Eliza Mann (Reserve) and Veronica Ward.

ALSO PRESENT Mr T Odebunmi (Applicant)
Councillor Andy Simmons (Objector)

APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Lorraine Lauder, Tony Ritchie, and Lewis Robinson.

CONFIRMATION OF VOTING MEMBERS

The Members listed as being present were confirmed as the Voting Members.

NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none.

DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

RECORDING OF MEMBERS' VOTES

Council Procedure Rule 1.17.5 allows a Member to request immediately after the vote is taken that her/his individual vote be recorded in respect of any motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The Committee considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda.

MINUTES

RESOLVED: That the minutes of the meetings held on 26th June and 23rd September 2002 be agreed and signed as a correct record.

27. **ENTERTAINMENTS LICENSING – OBALENDE, GROUND FLOOR, 43 PECKHAM HIGH STREET (Peckham Ward)** (See pages 544 - 569)

The Chair confirmed the purpose of the hearing was to consider an application by Mr T Odebunmi for the grant of an annual public music and dancing licence in respect of the ground floor of the premises situated at 43 Peckham High Street. The application sought an extension beyond the normal terminal hour of 11am on weekdays and 10.30pm on Sundays, on Monday, Tuesday and Wednesday to 1am on the day following (except Bank Holiday Mondays when an extension to 3am on the day following is sought), Thursday to 3.30am on the day following; Friday and Saturday to 4.30am on the day following and Sunday to 3.30am on the day following.

The Licensing Officer presented her report. She reported a further letter of objection and photographic evidence had been supplied by Councillor A Simmons. In response to this evidence, the Licensing Officers made an unannounced inspection of the premises on January 11th 2003 and had found the means of escape and yard to the rear to be clear:

The objector then questioned the Licensing Officer.

The applicant declined to question the Licensing Officer.

Members of the Committee asked questions of the Licensing Officer.

The Noise Officer had no further information to add to paragraphs 20 to 24 of the report.

The objector questioned the Noise Officer. The applicant and members declined to question the Noise Officer.

The objectors put his case and with the agreement of all present he tabled photographic evidence pertaining to the rear of the applicants premises.

The objector was asked questions by Members of the Committee and the applicant.

The applicant presented his case and was asked questions by the objector and Members of the Committee.

The objector summed up his evidence.

The applicant summed up his evidence.

MOTION OF EXCLUSION OF PRESS AND PUBLIC

At 8.55 pm it was moved, seconded and

RESOLVED: That under the Access to Information Procedure Rules of the Southwark Constitution, the press and public be excluded from the meeting for the

following item of business on the grounds that it involves the likely disclosure of exempt information as defined in category 4, of paragraph 10.4 of the Procedure Rules.

The Licensing Officer, the applicant and objector withdrew from the meeting.

The Committee considered the evidence and reached a decision.

At 9.45pm the Licensing Officer, the applicant and objector were readmitted to the meeting and informed of the decision as follows:

RESOLVED:

1. That an annual public music and dancing licence be granted to Mr Tokunbo Odebunmi in respect of the ground floor of the premises situated at 43 Peckham High Street, London SE15.
2. That the Licenses operate on Fridays and Saturdays until 4.30am on the day following; on Thursdays until 3.30am on the day following; on Mondays, Tuesdays and Wednesdays until 1am on the day following and Sundays until 1am on the day following.
3. That 'a no admission after 2am policy' be enforced.

After reaching their decision, Members noted the apparently ad hoc way in which applications in the Peckham High Street area appeared before them. Members asked the Licensing Officer to investigate the feasibility of introducing an overall strategic Licensing policy covering all establishments in the Peckham High Street area similar to a Planning land use policy.

If the applicant was aggrieved by the decision of the Committee he had the right, under Schedule 12 of the London Government Act 1963, to appeal against the decision to the local magistrates court. Such an appeal must be made within twenty-one days from the notification of the decision.

The meeting ended at 9.50 pm.

CHAIR:

DATE: