

THE LICENSING SUB-COMMITTEE
SOUTHWARK LONDON BOROUGH COUNCIL

MOHAMED FOFANAH

LICENSEE

V

SOUTHWARK LONDON BOROUGH COUNCIL

LICENSOR

WRITTEN REPRESENTATIONS ON BEHALF OF THE LICENSEE

In framing these representations, I have assumed that the application before the Sub-Committee relates to that brought by Mr Jimmy Lee on behalf of the Roffo Court Residents for review of the licence held by the Licensee in respect of premises known as Ibbs Bar (Legacy Restaurant) at 53 Camberwell Road, London SE5 0EZ ('Ibbs') as shown in the Agenda and documents provided - but not in the formal notice of the meeting which instead refers to - Southbank Nightclub t/a Estacion at 57-59 Camberwell Road, London SE5 0EZ.

There are a good many bars and restaurants located on Camberwell Road several of which have licences for late night trading. The Licensee welcomes the efforts of the police to ensure a safe neighbourhood and whenever he has been alerted to potential problems he has cooperated with the authorities to try to resolve them - for instance by increasing the number of weekend security staff, limiting entry, turning the music down and stopping it promptly at 2.30 as well as working on sound-proofing the outdoor area as recorded by Councillor Kimberly McIntosh in her letter of 1st September 2022 opposing the review.

It is notable that the Environmental Protection and Noise Team record complaints about Ibbs going back to 2012, well before the present Licensee's tenure, but that of the recent complaints about noise only one relates to Ibbs late night activities - the others all relate to times much earlier in the evening. The one complaint about late night noise was filed at 2.28 (within the hours when Ibbs was allowed to play music) and by the time the officer reached the premises 'no music was heard' and the complainant accepted that it had stopped.

Of the police records relating to Ibbs, which are summarised in their letter of 1st September 2022, only three suggest there might have been actual breaches of the conditions of Ibbs' licence. Formal notices were issued on only two occasions and neither of those appear to have been followed up. The Licensee does not accept that he has not been abiding by the licence conditions.

It is submitted that the local residents seem to have attributed late night anti-social behaviour in the neighbourhood to Ibbs which in fact relates not to Ibbs' activities or even those of its patrons but

instead to patrons of other nearby bars - or simply the lively character of the area. This is illustrated by the complaints about parking and anti-social behaviour which originally referred to inconsiderate parking and objectionable behaviour by ;'customers of IBBS Legacy restaurant and local bars and clubs' (my emphasis). When the police alerted the Licensee to anti-social behaviour by his customers, he readily acceded to their suggestions as to how it could be mitigated eg by trying to limit the number out smoking to 6 at any one time - as PC Lynch acknowledged. However, frequently the anti-social behaviour referable to Ibbs which the police noted preceded the customers coming to the restaurant and accordingly was not something which it was within the Licensee's power to manage. Perhaps the clearest example of residents unfairly attributing anti-social behaviour to Ibbs is the numerous complaints made about persistent fighting. The police have only linked Ibbs to one violent incident. Albeit that was a particularly unpleasant incident (it was a hate crime with homophobic over-tones), Ibbs customers were the victims - there was no suggestion the perpetrator was an Ibbs customer and Ibbs cooperated with the police inquiry by providing CCTV footage.

All parties seem to have welcomed the implementation by the police of dispersal orders and it is submitted that that is likely to be a more effective and proportionate response to the anti-social behaviour the residents complain about than reviewing the licence would be. For the reasons outlined above, reviewing the licence would unfairly penalise the Licensee whilst not resolving the anti-social behaviour - given that it is clear that there is every reason to expect that such of the perpetrators as were Ibbs' customers would simply transfer their custom to one of the other nearby bars with a late night licence.

Accordingly, the Sub-Committee is respectfully requested not to review the licence granted to the Licensee in respect of Ibbs.

**Angela Delbourgo,
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29th September 2022