

APPENDIX D

From: Binya, Raymond <Raymond.Binya@southwark.gov.uk>
Sent: Saturday, August 12, 2023 12:24 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Newman, Paul <Paul.Newman@southwark.gov.uk>; Tucker, Matt <Matt.Tucker@southwark.gov.uk>
Subject: Review of premises licence - Wazobia Restaurant, 670 Old Kent Road, London SE15 1JF our ref A04684

Dear Licensing Team,

Review of the licence under the Licensing Act 2003.

Premises Licence: 866452

Address: Wazobia Restaurant
670 Old Kent Road
London
SE15 1JF

I am writing on behalf of Southwark Environmental Protection Team (EPT) in our capacity as Environmental Health Responsible Authority regarding the above application to review premises licence.

Attached is a record of noise complaint from when the current licence was issued i.e. January 10 2019 whereby a total of 15 complaints have been recorded. Our noise team have attended these complaints and statutory nuisance was witnessed twice i.e.;

- a) 02/5/2022: A Noise Abatement Notice was issued to the current Licensee.
- b) 04/6/2022: This was a contravention to the above Notice. A caution was issued.

Noise Team Officers have provided following grounds for issuing Caution instead of prosecuting the Licensee for the breach of the Notice:

- Prior to the contravention, no complaints had been received against the Wazobia Restaurant.
- The last time a Statutory nuisance was witnessed was in March 2018, premises was under different management.
- The Notice was served on the 02/5/22 and breach was witnessed on the 05/6/22; the restaurant did not have enough time to rectify the noise problems.
- The owner was very accommodating in abating the nuisance and was very remorseful.

However, despite evidence of owner's willingness to resolve the issues around noise nuisance from loud music, Noise Team have continued to receive more complaints.

It is also important to note almost all of these complaints appear to be received after 00:00 hours. I am therefore whether the premises is property insulated as required by condition "341 - *The whole premises shall be sound insulate*".

Consequently, on behalf of EPT in our capacity as Environmental Health Responsible Authority, I am supporting the review of this premises licence. Due to evidence of complaints being received after 0:00 hours on weekends, we recommend weekend opening hours for are reduced to match the Policy hours of 23:00 hours for this area.

Notwithstanding the above support to the review, it is also our recommendation that the existing problems can also be addressed by the freeholder (same freeholder for the whole building).

Kind Regards

Raymond Binya
Principal Environmental Protection Officer
Environmental Protection Team
Tel: 020 7525 4809

Postal address: Southwark Council, Environmental Protection Team, Regulatory Services, 3rd Floor Hub 1, PO Box 64529, London, SE1P 5LX
Office address (By appointment only): Southwark Council, 160 Tooley Street, London, SE1 2QH

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Southwark Website - information on what you can do to improve air quality.
See: <http://www.southwark.gov.uk/environment/air-quality>

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Date of complaint	Details of complaint	Action Taken
25/ 5/2023 Thurs at 01:11 hours	Loud music	Unable to get through to resident's telephone number
31/ 7/2022 Sun at 01:10 hours	Loud music and drums	Noise had gone down when officers called back-NFA
10/ 7/2022 Sun at 02:27 hours	Loud music	Voicemail message was left to call back
04/6/2022 at 23:29 hours	Loud music	<ul style="list-style-type: none"> Statutory noise nuisance was witnessed. This was contravention to s80 Abatement Notice A caution was issue to Licensee
**29/5/2022 Sun at 02:51 hours	Loud Music	Resident advised to call NT at the time of disturbance
**21/5/2022 Sat at 01:43 hours	Loud Music	Resident advised to call NT at the time of disturbance
02/5/2022 Mon at 01:30 hours	Loud music	<ul style="list-style-type: none"> Statutory noise nuisance was witnessed. s80 Abatement Notice was served on Licensee
02/5/2025 Mon at 0:32 hours	Loud music	Resident advised noise had gone down when officers visited -NFA
**16/4/2022 Sat at 02:17 hours	Loud music	Resident advised to call NT at the time of disturbance
12/02/2022 Sat at 23:48 hours	Loud music	<ul style="list-style-type: none"> Resident declined a visit from NT declined. A drive-by to the area by officers at 02:55 hours heard music from outside Advised was given to Licensee
29/1/2022 Sun at 0:53 hours	Loud music	Music had been reduced by the time officers visited
07/7/2022 Fri at 23:00 hours	Loud music	Music had been reduced by the time officers visited
14/ 8/2021 Sat at 01:31 hours	Loud music	Resident advised noise had gone down when officers visited -NFA
27/6/2021 Sun at 0:14 hours	Loud music	Music had been reduced by the time officers visited
31/5/2021 Mon at 01:23 hours	Loud music	Music had been reduced by the time officers visited

** NTT a service request that is logged when either the team is not in operation at the time of the reporting or the disturbance being reported is not occurring at that time. Noise Team have two types of codes for service requests; NRR is a rapid noise service request which means disturbance has been reported and it is ongoing and officers have to visit as a reactive response. NTT is also used for enquiries seeking advice only and has a 3 days response time requirement.