

# MEMO: Environmental Protection Team

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<b>To</b>	Licensing Unit	<b>Date</b>	4 November 2010	
<b>Copies</b>	Kristie Ashenden David Franklin			
<b>From</b>	Dipesh Patel	<b>Telephone</b>	020 7525 5723	<b>Fax</b> 020 7525 5768
<b>Email</b>	dipesh.patel@southwark.gov.uk			

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**Subject** Review of a premises licence: 189-191 New Kent Road, SE1. Our Reference: 479585

On behalf of the Environmental Protection Team, I would like to support the review of the premises licence for the Wabi Shebele at 189-191 New Kent Road, SE1.

I inspected the premises and surrounding area on 28 October 2010. In addition to the noise from within the premises affecting the residents of 185 New Kent Road as a result of sound transfer through the party wall, there is significant sound escape through the roof of the 189-191 New Kent Road. There are number of premises that would be affected by noise break-out through the roof, potentially leading to a nuisance that is indiscriminate.

Officers from the Council's Environmental Enforcement Team have also witnessed nuisance being caused by 189-191 New Kent Road. Mr Mustafa Arif has confirmed to me (see appendix 1) that he has installed a sound limiting device and is happy to have an additional condition on his licence to ensure that this device is used.

The type of device that he has installed is a 'sentry' device which requires the sound limit to be exceeded for a certain amount of time before it 'cuts out'. Problems can occur with this type of device when the 'limit' is exceeded but for insufficient duration to trigger the cut off. This can occur regularly without the limiter being triggered and thus cause an adverse impact. I would therefore recommend that a compressor type of device be fitted which actually limits the amount of sound energy that the music system can produce.

Noise and disturbance from patrons outside the premises have also been raised as causing problems to local residents. Again, Mr Arif has indicated that he is amenable to a condition that restricts the number of people outside at any one time to 6. Additional control measures such as not allowing patrons outside with drinks and ensuring that when they do leave, they leave in small numbers will alleviate this problem to some extent.

I would therefore recommend that the premises licence be amended to include the following conditions:

1. All electronically amplified sound shall be played through a compressor sound limiting device, the level of which shall be set by the operator's sound engineer in consultation with the Council's Environmental Protection Team and local residents and maintained to the agreed level thereafter.
2. No more than six people shall use the outside area at any one time
3. No open drinks in open containers shall be taken outside of the premises and no drinks shall be consumed outside the premises by customers.

4. Customers shall be allowed out of the premises on groups of no more than six. Sufficient time shall be allowed to elapse between groups to ensure that the previous group have vacated the vicinity.

Dipesh Patel  
Principal Enforcement Officer  
Environmental Protection team  
London Borough of Southwark

Appendix 1- email from Mr Arif.

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**From:** Mustafatry@aol.com [mailto:Mustafatry@aol.com]

**Sent:** 31 October 2010 17:47

**To:** depesh.patel@southwark.gov.uk

**Subject:** 189-191 New Kent Road

Sir.

As asked for by yourself,

As you have seen I have fitted a new sound limiting device that will need to be calibrated to a suitable level.

I have instructed the door security that no more than 6 people can be aloud to smoke outside at any 1 time I have instructed that when the restaurant closes that the customers should be let out in small numbers of up to 6 people and although signs have been posted they should be asked to leave in a quiet and orderly manor respecting other people around.

I was telephoned by the next-door 185 on Friday night about the noise level being a little loud and we are working together to reach a happy medium.

I would be happy for any help and addvice to solve the problems and issus that have builtup along the way I will do whatever it takes.

Regards Mustafa Arif