

Appendix D

MEMO: Environmental Protection Team

To Regen Licensing **Date** 26 January 2010

Copies

From Debbie Lawless **Telephone** 020 7525 5759 **Fax** 020 7525 5728

Email debra.lawless@southwark.gov.uk

Subject **Licensing Act 2003-Wabi Shebele Restaurant, 189-191 New Kent Road London SE1 4AG Ref: 423747**

The applicant's proposals if granted will allow for the premises to operate with both live and recorded music based entertainment on Sunday until Saturday until 05.00 hours and 04.00 hours Sunday.

Environmental Protection Team are concerned that regulated entertainment is likely to give rise to nuisance and / or that patrons on the premises may give rise to undue disturbance because:

- The premises does not appear to be adequately sound contained for this purpose due to: Party wall with adjoining residential premises
- The sound system is equipped with sound limitation device –was reset by Environmental Protection Team on 26/1/2010 after Mr Arif admitted tampering with the sound limiting device.
- admission of new customers/ re-entry of patrons after 00.00 hour until the terminal hour is likely to rise to public nuisance.
- Dispersal of customers during the hours 01.00 until terminal may give rise to public nuisance
- importing of additional sound making equipment onto the premises would compromise the established sound limitation.
- Removal and loading of equipment from the premises between 00.00 until 0800 day following, may give rise to nuisance.
- Operation of the cooking extract system after 00.00 may give rise to nuisance
- The use of smoking area by smokers taking drinks outside may give rise public nuisance.

In addition to the above, the premises has a history of noise nuisance detailed below:-

- A noise abatement Notice was served on the premises on 23/11/2009
- A fixed penalty notice was issued on 28/12/2009 after a statutory nuisance was witnessed.

The applicants have not specified adequate measures to prevent public nuisance in their operating schedule.

These deficiencies could be addressed either by changes to the operating schedule or by conditions applied to the license should it be granted.

The Environmental Protection Team make representations until these matters have been adequately addressed and confirmed in writing

Debbie Lawless
Enforcement Officer
Environmental Protection Team

Your reference: .



Our reference: MD/21/2010

Date: 5th January 2010

The Licensing Unit
The Chaplin Centre
Thurlow Street
London SE17 2DG

Metropolitan Police Service
Licensing Office
Walworth Police Station,
12-28 Manor Place,
LONDON,
SE17 3RL

Tel: 020 -7232 – 6210 Fax6282

Dear Sir/Madam

Wabi Shebele 189-191 New Kent Road Se1 4AG

Police are in receipt of an application from the above to vary the existing Premises Licence for which I have the following representation to make.

The applicant has applied for a significant increase in the permitted hours for the premises to be open to the public and sale and supply of alcohol. The premises although located on a busy thoroughfare is within close proximity of many dwellings and as a consequence additional control measures would be required to ensure that there would be no detrimental effect upon the local community and indicate that the management of the premises have given sufficient consideration to the four main licensing objectives.

Regrettably section P of the application form which details how the applicant would promote the four licensing objectives has not been satisfactorily completed, which would indicate that the applicant has failed to give them sufficient consideration. Police require the applicant to address this shortcoming before further consideration could be given to this application.

However if the permitted hours for the sale/supply of alcohol were to be increased as per the application, Police would like to see the following control measures placed on the Premises Licence:

1. That SIA registered Door Supervisor, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their

- assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
2. That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
 3. That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs
 4. That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents
 5. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.
 6. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
 7. That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
 8. That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
 9. That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located.
 10. Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.
 11. The premises install a computer based identification entry system I.E Clubscan or similar and that details of all persons, including staff are passed through the system prior to being permitted entry to the premises.

I respectfully submit this representation in order that it is given consideration by your Licensing Committee and would be obliged if you could acknowledge receipt.

Paul Compton PC294MD

Licensing Officer (Southwark North)

☎ Phone: 0207 232 6210

☎ Mobile: 07990901483