

**IN THE MATTER OF THE LICENSING SUBCOMMITTEE
AND IN THE MATTER OF LICENSING APPLICATION 115725**

I **Simeon Aguh** in my capacity as proprietor of the African Village , in support of the instant application and in response to the objection raised will say as follows:

1. I note that the signatories to the petition, as a matter of fact, do predate the application and as this Committee is aware, this renders them invalid and as such cannot not be admitted.
2. I turn therefore to the core of the objections as contained in the letter (2.8.20) of objection under the signature of Councillor Zaffar. He does raise two key points of concern as I understand them. These are (a) he is of the view that there will be anti-social behaviour caused by patrons who would have consumed alcohol and (b) there would not be adequate parking. In support of point (a) he submits that this was an issue at a night club "The African Village" that I once had control over which was located on Birchfield Road and additionally he does make reference to the revocation of license that was granted to a Public House which is at the other end of Baker Street from my establishment.
3. It is important, in my view, for this Committee to appreciate as a starter that what I operated at Birchfield Road, and the record supports this, was a night club. The patrons and the closing hours are markedly different to the hours of operation in my restaurant for which I have made an application. In that the Club went beyond 23:00hrs as it closed at 02:00. Secondly and perhaps more substantively, it is incorrect, in the absence of evidence, to assert that there was a history of complaints from residents. I say this because these were never brought to my attention and based on what is being asserted by Mr Zaffar, there were numerous as opposed to sporadic or one-off complaints. There is no reason why these would not have been brought to my attention by the responsible body/agency and I am therefore requesting that this Committee does dismiss such an assertion.
4. In fact to the extent that this is relevant it is my contention that for the period that I operated that entity (2016-19) as a matter of public record, the local Police might have

only had reason to visit the venue twice, and these were on occasions when I called the Police because of concerns that I would have had.

5. I do have an exemplary history of operating venues and this is a relevant factor that should be taken into consideration which is contrary to the impression that is being advanced by objector. I note that there certainly have not been any objections from the local Police. It is my view and as this Committee is very much aware, if the antecedent concerns as expressed by the Councillor were as he said they were, I think it is a reasonable expectation that the Local Police would have expressed its concerns directly or indirectly, but to date we have no such objection and equally there is no evidence emanating from the Council's own data base supportive of the narrative that is being advanced.
6. Then there is the reference that is being made to the unconnected revocation in respect of the Public House that was once operating from a location that is at the other end of Baker Street. Quite naturally the Committee will note that the facts of that case, which is not before you is different to the facts of my own application or my experience. It is not a factor that should be taken into consideration and I would say that it would be unfair to do so, even generally which seems to be what the Councillor intends.
7. It is important to note, I would say, that the exit door for the venue leads to a section/road which is purely commercial and I have intentionally kept it so because I am mindful of the fact that I am obliged as a responsible operator to take measures to ensure that I reduce any risks of disturbance and this explains the decision to have the exit door located where it is. However, whatever the circumstance that obtained at the Public House to which is referenced is made I cannot comment on what was done or what obtained at that property. I cannot and will not comment on the assertion that there have been house parties in the area since the pandemic as it is not said, by the Councillor, that I was involved in those things, which could not be said.
8. Then there is the issue of parking. It is said that there does not exist any off street parking. It is correct that there is no off street parking immediately adjacent to the premises. However, I have negotiated an agreement with the owners of premises not too far away from the site and I would contend that the concerns, though seemingly

legitimate, is not one that I have been unmindful of and to that extent I have taken steps to plan for. The Councillor says that he has seen vehicles parked on the pavement. If he is making a general point about parking in the area, then this is not an issue that I can comment on, save to say that as the Committee from its own experience would be aware, there is never adequate parking per se throughout the City and as such patrons are relied on to observe the law failing which the effect of the law will come into play. This is a vicinity where there are other commercial entities with operating hours which are in the day to afternoon, as opposed to the hours of operation of my entity as contemplated by the application.

9. It is also said by the Councillor that he has, most recently, seen vehicles parked in the vicinity of the restaurant. He has not provided any actual evidence that I have seen to support what he is saying and I must reject the implication that he is making, which is that these cars (if there were actually there) belonged to persons who were my patrons. Without more I cannot effectively respond to this and it would be unfair for this Committee to use a mere assertion which is free from important evidence, to use that assertion to arrive at an adverse decision in response to my application. I would love to think that it would require more detail, such as time of day when the observation was made, the duration over which the observation was made. These are important matters and it appears to me that the Councillor is expecting this Committee to arrive at a decision on a crucial issue based on assertions as opposed to evidence. I inform my patrons of the necessity and importance of observing the parking/no parking signs. I am willing to give an undertaking to place signs throughout the property to remind patrons of their obligation to park only where they are allowed. This in my mind would meet the concerns that the Committee itself might have given the fact that I must accept that some persons who will use the facility will be drivers and they will drive to the premises.
10. Then I turn to the expressed fear that somehow if you grant the license requested the area will re-attract persons who are criminals and that it would somehow contribute to an uptick in anti-social behaviour in the area. It is a Restaurant that I operate and not a place that encourages and caters to criminals. This implication and generalization should be rejected as the existence of my restaurant and possessing a liquor license are not synonymous to anti-social behaviour or criminal actions. I appreciate that persons who are intoxicated can be prone to anti-social behaviour, but if we were to jump from that

fact to one that says it means that there would be an automatic increase in criminal activity or even anti-social behaviour, there would be no liquor license granted.

11. In the light of what has been said herein and what will be said on my behalf, I am inviting this Committee to grant the license being granted.

I Simeon Aguh make this statement knowing that the fact stated are true.

A black rectangular redaction mark covering the signature of Simeon Aguh.

Simeon Aguh

21.8.20