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| OBJECTION TO GRANTING OF TAVERN LIQUOR LICENCE FOR  Lunre Garcia Tetteh IN RESPECT OF PREMISES SITUATED AT 7 Main Road MELVILLE |
| **Application Reference number: GLB 7000014652** |

LODGED BY: -

Full name of objector: MELVILLE RESIDENTS’ ASSOCIATION

Full address of objector: C/O , MELVILLE 2092

Contact telephone number of objector: 0763143506

Email address of objector: [mra-liquor@ilovemelville.co.za](mailto:mra-liquor@ilovemelville.co.za)

TO: Liquor Licensing – Johannesburg Regional Office

Gauteng Liquor Board

Matlotlo House

124 Main Street

Johannesburg

Receipt of Objection Acknowledged:

Signed:

Date:

AND TO: Lunre Garcia Tetteh

Applicant

7 Main Road

Melville

2000

Email: [20561342@nwu.ac.za](mailto:20561342@nwu.ac.za)

1. The applicant Lunre Garcia Tetteh, Identity number 0202030129086, has applied for a tavern liquor licence in respect of Melville Tavern at 7 Main Road, Melville, situated at either Erf 117/1 or Erf 111 (these are erven listed in the Liquor Licence Form), under application reference number GLB7000014652.
2. The Melville Residents Association (“MRA”) has had sight of the application papers made available by the Johannesburg Regional Office of the Gauteng Liquor Board and filed on behalf of the applicant for the above premises in terms of section 23 of the Gauteng Liquor Act 2 of 2003. Certain aspects relating to this application are of concern to the MRA and have led to it filing this objection.
3. The **location** of the premises, i.e. Main Road is known to the honourable Board due to the numerous complaints relating to establishments like Stones and Poppy’s. These establishments operate as night clubs or present live entertainment despite not having the rights or the related liquor licences and the honourable Board is quite aware of the numerous complaints (specifically in respect of Poppy’s) as discussed at various platforms of the Brixton Liquor Forum. Poppy’s is located diagonally opposite the proposed premises.
4. The name of the business must be stated – there are different names in the various forms. Melville Tavern appears as does Africa Unite Tavern. The names as advertised do not correspond with each other and not with the application in the different documents.
5. The schedule in the Gauteng Liquor Act also requires the residential address of an applicant to be listed – the applicant gives the business address as her residential address which according to the photos is not a residential property – it is not clear whether this is an attempt to comply with the City of Johannesburg Land Use Scheme’s definition of a tavern – see item 6 below. In any event, the offer to lease agreement does not provide for residential rights.
6. Though this is for a tavern, the premises are business premises and not as defined for a tavern in the City of Johannesburg’s Land Use Scheme a residential building or dwelling or part thereof … with dominant residential use.
7. The applicant states that she has “*the right to occupy the premises and most importantly to do the kind of business I intend doing*”. However, the offer to lease attached to the application is

7.1 not in the name of the applicant;

7.2 in the name of a company of which the applicant is not a shareholder and on the schedule the tenant is reflected as Paul Tetteh Garcia;

7.3 signed by someone other than the applicant;

7.4 not signed by the landlord; and

7.5 for a bar – restaurant.

1. The zoning information relates to Erf 960 – neither of the two erven mentioned in the application papers. This erf is in any event zoned for Business 1 while the City of Johannesburg Land Use Scheme’s definition of a tavern is a portion of a dwelling unit.
2. Furthermore the plan included shows a dance floor area – the landuse rights don’t allow for any live entertainment.
3. The applicant stated ample parking is available, but does not indicate where that might be – there is limited parking in the street and Main Road is a busy north-south through road – the M5. The surrounding area is often used for boot parties with lots of noise and resultant disruptive and anti-social behaviour.
4. In respect of the Schedule of **Statutory Requirements**:
   1. As far as the provisions of sections 24(3) and 30(3) of the Gauteng Liquor Act, 2003 are concerned, in the notices of and in the application, it is stated that there are no places of worship or educational institutions within the 1km and the 500m radius of the applicant’s proposed premises. This is factually incorrect. There are more than 10 educational institutions – one of which is less than 200m away. There are at least 11 formal places of worship and more in other venues within a 1 km radius of the proposed premises. The applicant furthermore states this under oath in her affidavit.
   2. In respect of the notice published at the premises, the applicant again under oath states it has been affixed and maintained in a conspicuous position – this was found not to be the case – see attached photo.
   3. In the smoking affidavit the applicant states she is a male – all these creates the impression that the applicant did not apply her mind or might be acting for someone else who might not qualify for a licence.
   4. It is also believed that the applicant did not convincingly motivate the public interest aspect neither the impact on the neighbourhood, other than to state there will be no negative impact. It should be paramount that the Board keep in mind that Melville is a residential area with nodes for businesses to serve these residences. Allowing liquor outlets to trade until late hours alters the atmosphere of a residential neighbourhood which infringes the rights of residents. At last count there were more than 45 licenced premises keeping in mind the practice of the Gauteng Liquor Board to “revive” lapsed licences and transferring them. The MRA is of the respectful view that the applicant has neither proven the need, nor the desirability or appropriateness of establishing yet another liquor serving establishment in Melville and the honourable Board is well aware of the numerous complaints and investigations related to these establishments and is requested to carefully consider this application for another licence in respect of premises situated very close to residences. It is necessary that the Board considers the public interest of granting another liquor licence and weigh that against the public interest of the residents of Melville to a peaceful and safe environment. The Board needs to consider whether the applicant has discharged the duty to convince the Board of the public interest in granting a licence as requested.

**FURTHER COMMENTS**

1. Liquor trading and consumption in Melville have had a considerable impact on our suburb. While Melville has two strip business / commercial areas on 7th Street leading into 4th Avenue and Main Road, Melville, it is primarily a **residential area**. There is a grave concern that another liquor licence in the area is not warranted. The honourable Board has intimate knowledge of the problems caused in this specific area of Main Road in the past by patrons to Stones and the now closed-down Paul’s Tavern and Ballerz, and further in 4th Avenue at Ideal Café (now Tipsy) and The Countess (also an applicant for a licence) and Sips in 7th Street. The Board should seriously consider its responsibility towards the community in weighing up the interests of the applicant and those of residents and the implications for other licenced premises.
2. Melville has historically experienced many incidents of lawlessness and serious **crime**, including shooting, car thefts, hijacking, drug peddling, muggings, fights, intimidation and harassment of residents, and at least four violent deaths at or related to premises trading in liquor, one being a murder at licenced premises in Main Road. This murder was similarly to the drive-by shooting less than two years ago at Poppy’s (then in 7th Street) not resolved despite an arrest having been made. The MRA with the Melville Safety Initiative works proactively for a safe, peaceful suburb, and is gravely concerned about the current trend of reckless behaviour of patrons while liquor licence holders are not able to control the behaviour as required in the national Norms and Standards. Especially the negative impact on the rights of individual residents and the far-reaching reputational and security compromises it has caused our community.

**CONCLUSION**

The application papers are thus incomplete; unclear and contradictory; and in certain instances factually incorrect and the MRA is of the respectful view that the application for a liquor license should be refused if the applicant does not withdraw it completely.

The MRA hereby respectfully requests a hearing to be held should the honourable Board decide not to outright refuse it based on the facts set out above.

Signed: --------------------------------------

Date:

Full names of Objector: Melville Residents Association Address of Objector: C/O MELVILLE 2092

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