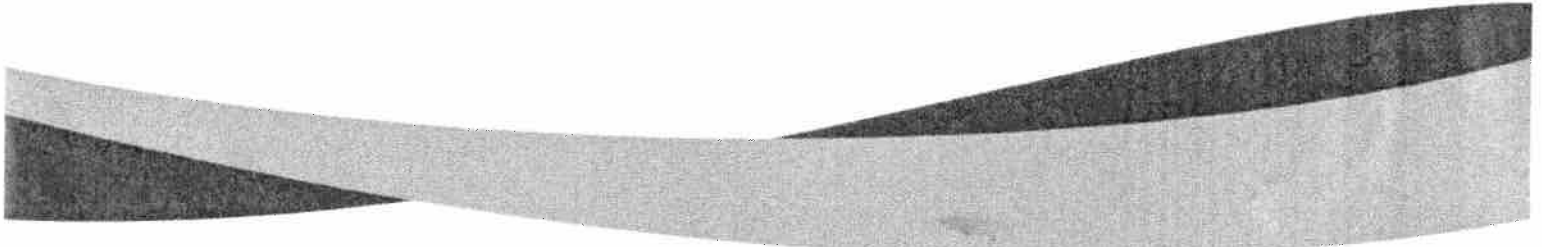


Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	26 May 2011	B2	Clerkenwell

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Cubana, 59-61 Charterhouse Street, London EC1M 6HA

1. Synopsis

- 1.1 This is an application for a new premises licence under the Licensing Act 2003 located in the Clerkenwell Cumulative Impact Area.
- 1.2 The application for determination by the Committee is to:
 - 1.2.01 Allow the sale of alcohol for consumption on the premises, including a small seating area at the front, between 11:00 and midnight on Sundays to Wednesdays, 11:00 to 01:00 on Thursdays, and 11:00 to 03:00 on Fridays and Saturdays;
 - 1.2.02 Allow the performance of live music in the premises between 12:00 and midnight on Sundays to Wednesdays, 12:00 to 01:00 on Thursdays, and 12:00 to 03:00 on Fridays and Saturdays;
 - 1.2.03 Allow the playing of recorded music in the premises between 07:00 and midnight, Sundays to Tuesdays, 07:00 and 01:00 on Wednesdays and Thursdays, and 09:00 to 03:00 on Fridays and Saturdays;
 - 1.2.04 Allow the supply of late night refreshment between 23:00 and midnight, Sundays to Tuesdays, 23:00 and 01:00 on Wednesdays and Thursdays, and 23:00 to 03:00 on Fridays and Saturdays;
- 1.3 The licensing authority has received representations from the Metropolitan Police, Islington's Noise Service, Islington's Health and Safety service and a local Ward Council. The

representation from the Health and Safety officer has now been withdrawn as the applicants have agreed to comply with the officer's recommended conditions.

- 1.4 The applicants have provided additional information by way of a letter dated 24 March 2011 in support of their application. The letter also sets out reasons why the applicants believe the Clerkenwell Cumulative Impact Policy should not apply to this application.

2. Recommendations

- 2.1 To take into consideration the special policy relating to cumulative impact for the area, Licensing Policy 27 (see paragraph 3.6 to 3.7 below).
- 2.2 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 2.3 If the Committee grants the application it should be subject to:
 - i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See Appendix 5);
 - ii. conditions recommended by responsible Authorities (see Appendix 5);
 - iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

- 3.1 A premises licence application was originally submitted on 14 March 2011 however the statutory advertising requirements were not met and the application was rejected. The application has now been made in accordance with the regulations.
- 3.2 The premises is located on Charterhouse Street between two licensed premises: Beduin, 57-59 Charterhouse Street, and Comptoir Gascon, 61-63 Charterhouse Street. Beduin is licensed to sell alcohol and provide regulated entertainment 24 hours, 7 days a week. Comptoir Gascon is licensed to sell alcohol and provide recorded music to 12 midnight, 7 days a week.
- 3.3 Papers are attached as follows:-
 - Appendix 1: application form;
 - Appendix 2: applicant's supporting letter, 24 March 2011;
 - Appendix 3: list of persons making representations;
 - Appendix 4: representations;
 - Appendix 5: suggested conditions, location map and photograph of premises.

3.4 Representations

The Licensing Authority received four letters of representation: one from a local Ward Councillor and three from responsible authorities.

- 3.5 The representation from the Health and Safety officer has been withdrawn as the applicants have agreed to comply with the officer's recommended conditions.

3.6 Licensing Policy Implications

The premises is located in the Clerkenwell Cumulative Impact Area as defined in the Licensing Policy 2011 -14. Licensing Policy 27 states:

“The Licensing Authority has adopted a special policy relating to cumulative impact in relation to the south Clerkenwell Area. This special policy creates a rebuttable

presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact”.

- 3.7 This means that the Committee will need to decide if this application is likely to add to the existing cumulative. This restrictive policy is not absolute but the committee will need to consider the application on its own merits and consider whether it is justified in departing from the cumulative impact policy. The committee should take into account the proposed style and character of the operation, as well as any control measures offered in the operating schedule, when considering whether to depart from the policy and grant the application.

4. Conclusion and reasons for recommendations

- 4.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions necessary to promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy 2011-2014

Licensing Act 2003

The Secretary of State's Guidance issued under s182 licensing Act 2003

Final Report Clearance

Signed by


Service Director – Public Protection

Date

17/5/11

Received by

Head of Scrutiny and Democratic Services

Date

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Simon Gallacher
Licensing Support Team
Public Protection
222 Upper Street
London N1 1XR

6th April 2011

Dear Mr Gallacher

59 – 61 Charterhouse Street, EC1

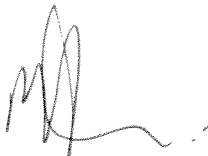
Further to your letter of 4th April and our conversation of yesterday, I enclose our re-application for a new restaurant and bar at 59-61 Charterhouse Street including plan of premises and completed forms. I understand from your office that no further fee is required and you have been issued with form of consent from the premises supervisor.

The plans show where the proposed licensable will take place and area where the musicians will perform from. The outside area is also shown and we confirm that this area will be cleared of tables and chairs from 23.00pm. No drink will be sold for consumption outside the premises after 23.00. There will be no music played outside the premises.

I confirm that we have met with the Noise Team on site and agree to their suggested conditions.

I have distributed forms and plans to the responsible Authorities.

Yours



Michael Johnson

wk/11223471

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that
your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We CUBANA (SMITHFIELD) apply for a premises licence under section 17 of
(Insert name(s) of applicant)
the Licensing Act 2003 for the premises described in Part 1 below (the premises)
and I/we are making this application to you as the relevant licensing authority in
accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description	
59-61 CHARTERHOUSE STREET	
Post town LONDON	Post code EC1H 6HA

Telephone number at premises (if any)

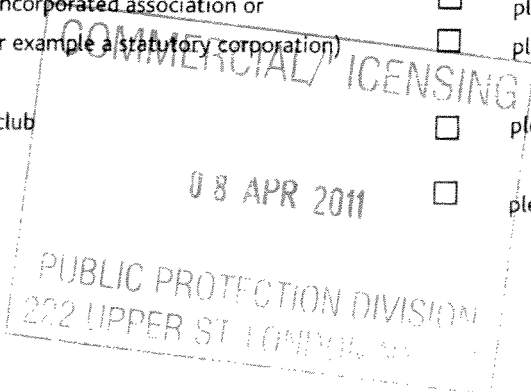
Non-domestic rateable value of premises

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
- i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)



- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

- Please tick ✓ yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

I am 18 years old or over Please tick ✓ yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick
✓ yes

I am 18 years old or over

Current postal
address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS.

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name	CUBANA (SMITHFIELD) LTD
Address	48 LOWER MARSH LONDON SE1 7RA
Registered number (where applicable)	7582596
Description of applicant (for example partnership, company, unincorporated association etc)	COMPANY
Telephone number (if any)	020 7928 8778
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
22	06	2011

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Please give a general description of the premises (please read guidance note 1)

THE PREMISES WILL CONTAIN A RESTAURANT, BAR AND FAST FOOD COUNTER. IT IS SITUATED IN THE GROUND FLOOR AND BASEMENT OF A THREE STOREY (PLUS BASEMENT) BUILDING BETWEEN COMPTON GARDEN AND BEDWIN. THE UPPER FLOORS ARE RENTED OUT AS OFFICES.

THE BUILDING IS NOT LISTED AND HAS BEEN VACANT AT GROUND FLOOR AND BASEMENT FOR A NUMBER OF YEARS.

NEIGHBOURING PREMISES HOLD LATE NIGHT LICENCES. IT IS PROPOSED FOR THE PREMISES TO BE OPEN FROM BREAKFAST TO LATE NIGHT WITHOUT OFF-SUPPLY.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick ✓ yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y](please read guidance note 2)	
Day	Start	Finish	Indoors	
Mon			Outdoors	
			Both	
Tue				
Wed			Please give further details here (please read guidance note 3)	
Thur				
Fri			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Sat				
Sun			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	Y		
Day	Start	Finish		Outdoors	.		
Mon	12.00	24.00	Please give further details here (please read guidance note 3) AMPLIFIED LIVE MUSIC TO BE PLAYED ON OCCASIONS ONLY - MONDAY, TUESDAY, WEDNESDAY REGULARLY - THURSDAY, FRIDAY, SATURDAY, SUNDAY	State any seasonal variations for the performance of live music (please read guidance note 4)	N/A		
		NOON				MIDNIGHT	
Tue	12.00	24.00					
		NOON				MIDNIGHT	
Wed	12.00	1.00 AM					
		NOON				FOLLOWING DAY	
Thur	12.00	1.00 AM					
		NOON				FOLLOWING DAY	
Fri	12.00	3.00 AM				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)	N/A
		NOON					
Sat	12.00	3.00 AM					
		NOON	FOLLOWING DAY				
Sun	12.00	12.00					
		NOON	MIDNIGHT				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	Y		
Day	Start	Finish		Outdoors	.		
Mon	7.00	24.00	Please give further details here (please read guidance note 3) AMPLIFIED MUSIC WILL BE PLAYED AT A VOLUME APPROPRIATE TO A RESTAURANT. MUSIC EVENTS THAT INVOLVE LOUD MUSIC WILL BE SITUATED TO THE REAR OF THE PREMISES NO AMPLIFIED MUSIC OUTSIDE	State any seasonal variations for playing recorded music (please read guidance note 4)	N/A		
						MIDNIGHT	
Tue	7.00	24.00					
						MIDNIGHT	
Wed	7.00	1.00					
						FOLLOWING DAY	
Thur	7.00	1.00 AM					
						FOLLOWING DAY	
Fri	7.00	3.00 AM				Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	N/A
Sat	9.00	3.00 AM					
			FOLLOWING DAY				
Sun	9.00	24.00					
			MIDNIGHT				

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
Mon				Outdoor	
				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					

Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors
				Outdoors
			Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)	
			Indoors	
			Outdoors	
			Both	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing	

Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor
				Outdoor
Mon				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	7.00	24.00	Please give further details here (please read guidance note 3) THERE IS A SMALL TABLED EXTENSION AREA OVER UNTIL 23.00 AFTER WHICH TIME SEATING & TABLES ARE MOVED INSIDE. OFF SALES ARE NOT PROPOSED.		
		MIDNIGHT			
Tue	7.00	24.00			
		MIDNIGHT			
Wed	7.00	1.00 AM	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
		FOLLOWING DAY			
Thur	7.00	1.00 AM			
		FOLLOWING DAY			
Fri	7.00	3.00 AM	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
		FOLLOWING DAY			
Sat	9.00	3.00 AM			
		FOLLOWING DAY			
Sun	9.00	12.00			
		MIDNIGHT			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	11.00	24.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
		MIDNIGHT			
Tue	11.00	24.00			
		MIDNIGHT			
Wed	11.00	24.00			
		MIDNIGHT			
Thur	11.00	1.00 AM	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
		FOLLOWING DAY			
Fri	11.00	3.00 AM			
		FOLLOWING DAY			
Sat	11.00	3.00 AM			
		FOLLOWING DAY			

Sun	11-00	24-00	
		MIDNIGHT	

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name..... ANDREW CHILVERLS

Address.....
.....
.....

Postcode.....

Personal Licence number(if known) ...LS4-FER-N-0022

Issuing licensing authority (if known)...HACKNEY - THAM VACA - NATMAN

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	7.00	24.00	NONE
		MIDNIGHT	
Tue	7.00	24.00	
		MIDNIGHT	
Wed	7.00	1.00	
		FOLLOWING DAY	
Thur	7.00	1.00	
		FOLLOWING DAY	
Fri	7.00	3.00	
		FOLLOWING DAY	
Sat	9.00	3.00	
		FOLLOWING DAY	
Sun	9.00	24.00	
		MIDNIGHT	

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

P

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

SEE OVER

b) The prevention of crime and disorder

SEE OVER

c) Public safety

SEE OVER

d) The prevention of public nuisance

SEE OVER

e) The protection of children from harm

SEE OVER

P

a General – all four licensing objectives

Cubana currently operates a long-established restaurant and bar in Lower Marsh, Waterloo, serving freshly prepared food and high quality drinks - mostly cocktails made with fresh fruits and juices, as well as fresh fruit smoothies. About 40% of sales are food and 60% drink – much of the drink sale is with food. Food is a central part of the Cubana offer – it is all freshly-prepared from an open kitchen with free-range ingredients – Cubana was one of the first restaurants in the UK to have an all free-range policy in the 1990s.

Of the drink sales, beer and wine consumption is relatively low, forming less than 20% of overall sales – the remainder is cocktails. A very high proportion of Cubana's customers are local people or people who work in the area and female customers predominate. Cubana's policy has always been to run a business where fresh food is available alongside drinks.

Key objectives are:

- A friendly, relaxed environment with no drunken or rowdy behaviour tolerated inside or outside the premises;
- No tolerance of drug taking or selling inside or around the premises;
- Ensuring an atmosphere where fresh food is available alongside high quality drink at most times;
- Having a strong Health and Safety policy backed up by systemic checks;
- Training staff in all aspects of a safe and orderly premises;
- Keeping good links with the local community;
- Ensuring activities do not impinge negatively on the area.

Cubana is run by two layers of management:

1. A head office, staffed mainly by the managing director, Phillip Oppenheim and the company secretary, Catharine Owst, which sets key objectives and formulates policy.
2. On-site operating managers who are consulted and run the premises on a day to day basis. The General Manager will be Andrew Chilvers, working with at least two deputy-managers and two bar managers, a head chef and deputy-chef to ensure the safe and orderly running of the premises within strictly laid down parameters set by the company head office.

In order to achieve our objectives, Cubana's core operating plan involves:

- Weekly meetings involving at least one person from the head office, usually the managing director, along with managers, to discuss and monitor all issues;
- Monthly meetings with all staff, managers and usually the managing director to discuss all issues including training and Health and Safety;
- Staff induction training including a staff aims briefing – all staff to be trained in areas they are responsible for;
- Minimum of weekly checks against a check-list on all aspects of the operation of the premises carried out by a board member, usually the managing director or company secretary;
- At least weekly Health and Safety checks carried out by the General Manager against a Health and Safety checklist, with additional checks by the managing director;
- Capacity limits, fire equipment and all licensing conditions strictly adhered to;
- All manager and staff bonuses are in part dependent on adhering to all conditions and regulatory requirements, with serious or consistent departures by any individual being treated as gross misconduct;
- Spot checks at any time by a head office or board member.

b The prevention of crime and disorder

The style of the premises is designed to minimise crime and disorder through:

- The use of cctv with retention of tapes for 31 days;
- The premises seek a licence for consumption of alcohol in the main in the inside of the premises with only a small outside area which will be closed at 11.00pm;
- All staff undergoes training concerning knowledge of licencing law together with the social impact of the sale of alcohol;
- Cubana's other premises in Waterloo are part of the local Licencing Forum which meets regularly with the police and representatives of local residents associations;
- Food will be served until late;
- Fresh non-alcoholic fruit drinks (juices and smoothies) are available and promoted throughout the opening hours;
- Door supervisors, in compliance with Local Authority requirements, will be employed at set hours;
- Notices will be displayed at exit reminding customers to respect neighbours.

Cubana at Lower Marsh is part of a Licensing Forum which meets regularly with police, Local Authority Licensing Officer and local Residents Associations.

All licensing information is included on the Cubana website.

c Public safety

The premises will comply with current legal requirements for fire safety and Health and Safety including periodic risk assessments. People bringing equipment will be required to produce appropriate certificates for technical safety. Health and Safety procedures will take into consideration that customers awareness of risk is lower after consumption of alcohol.

Polycarbonate glasses and jugs are to be used after midnight.

Public transport information will be included on the Cubana website and flyers distributed to customers on exit. Staff will offer information on local authorised taxis.

d Prevention of public nuisance

The premises have only a small outdoor are for clients to consume alcohol or refreshments and this will close at 11.00 pm. Music levels will be monitored and kept to lower levels towards the entrance of the premises. The premises will operate within the required litter/ refuse regulations adopted by the Local Authority and cigarette bins will be provided to the front of the building.

e. The protection of children from harm

Children will only be allowed on the premises under supervision of parents or authorised persons. Accompanies children will be discouraged after 10 pm, except on special occasions by pre-arrangement (eg family parties). Guests under 18 will not be served alcohol and persons who do not appear to be over the age of 21 will be asked to prove their age. A due diligence policy will be incorporated and full training provided for staff.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature *mj*

Date..... 06 04 2011

Capacity AGENT

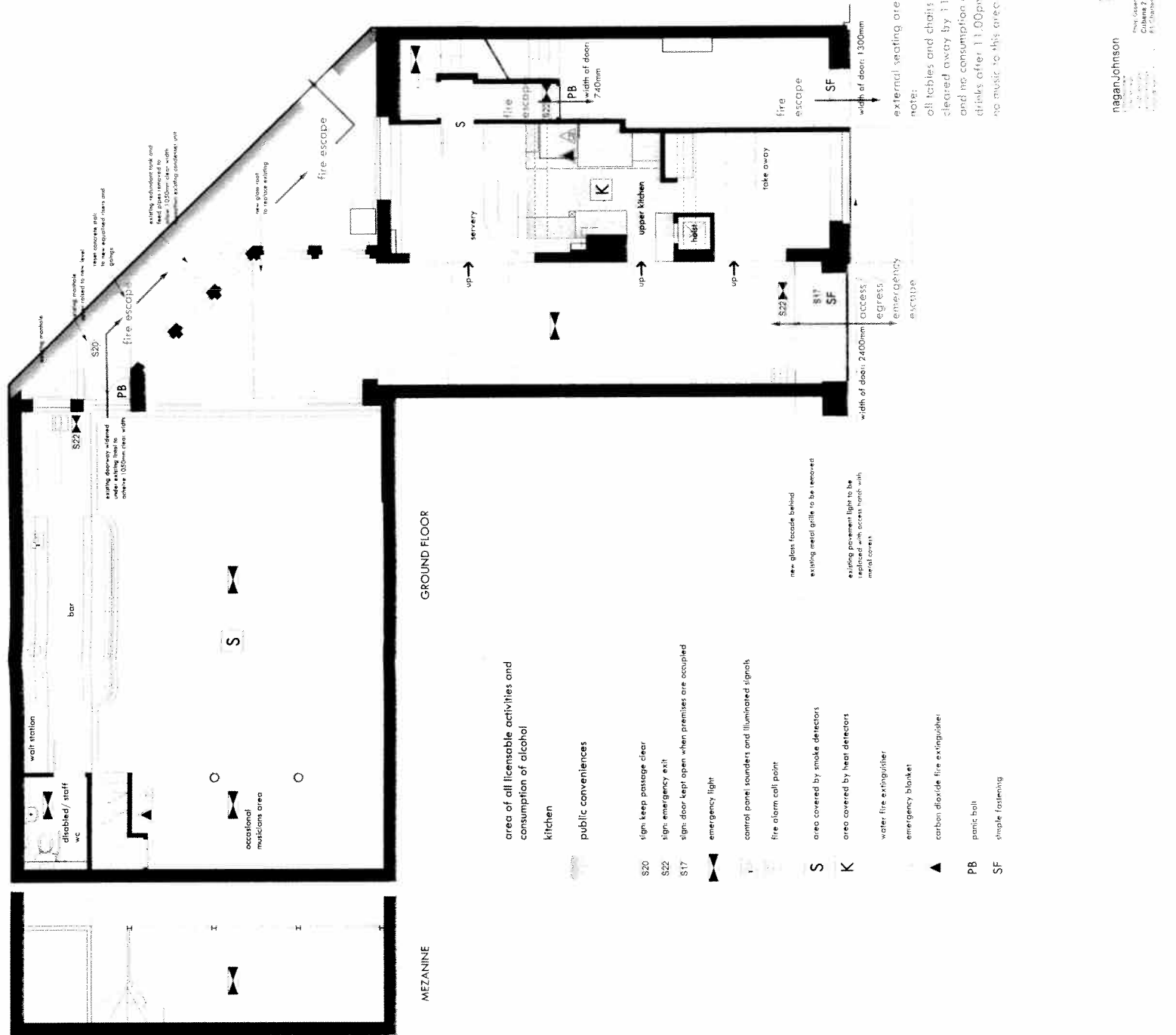
For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature
.....

Date.....

Capacity
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
MICHAEL JOHNSON NAGAN JOHNSON 2 PONTYPOOL PLACE	
Post town LONDON	Post code SE1 0RF
Telephone number (if any) 020 7 633 0200	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) Michael.e.naganjohnson.co.uk	



GROUND FLOOR

area of all licensable activities and consumption of alcohol
 kitchen
 public conveniences

- S20 sign, keep passage clear
- S22 sign, emergency exit
- S17 sign, door kept open when premises are occupied
- emergency light
- control panel, sounders and illuminated signals
- fire alarm call point
- S area covered by smoke detectors
- K area covered by heat detectors
- water fire extinguisher
- emergency blanket
- carbon dioxide fire extinguisher
- PB panic ball
- SF double fastening

new glass facade behind
 existing metal grille to be removed

existing pavement light to be replaced with access hatch with metal cover

note:
 all tables and chairs will be cleared away by 11.00pm and no consumption of drinks after 11.00pm
 no music to this area

Mr Michael Johnson
Nagan Johnson
2 Pontypool Place
London
SE1 8QF

Building Control Service
Public Protection
222 Upper Street
London
N1 1XR

T 020 7527 5986
F 020 7527 5998
E geoff.weaver@islington.gov.uk
W www.islington.gov.uk

Our ref : GW
Your ref:

Date: 26 April 2011

Dear Sir

Licensing Act 2003
Representation from Responsible Authority for Health and Public Safety
Cubana 59 – 61 Charterhouse Street EC1M 6HA

With reference to the recent application for a premises licence under the Licensing Act 2003 at the above named premises, as the health and safety consultant for the responsible authority for health and public safety I will be making a representation to this application.

The premises are being altered and the arrangements at the premises should be in accordance with the Technical Standards for Places of Entertainment and approved by the responsible authority for health and public safety before the premises can be used under the licence.

This communication is without prejudice to the necessity of complying with any other statutory controls which may be applicable, whether administered by the council or by any other authority.

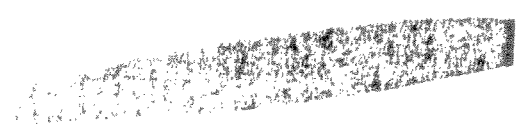
Please give notification of the commencement and completion of the works.

Should you require any advice or information please contact me at the above address.

Yours faithfully



Geoff Weaver
Senior Building Surveyor (Licensing Health and Safety)



**Islington Licensing Authority
Licensing Act 2003**

Representation form from Responsible Authority for Health and Public Safety

Name	Geoff Weaver
Job title	Senior Building Surveyor (Licensing Health and Safety)
Postal address	Islington Council, Building Control Service 222 Upper Street, London N1 1XR
email	geoff.weaver@islington.gov.uk
Contact telephone number	020 7527 5986

Name and address of the premises concerning the representation	Cubana 59 – 61 Charterhouse Street EC1M 6HA
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Public Safety	The premises are being altered and the arrangements at the premises should be in accordance with the Technical Standards for Places of Entertainment and approved by the responsible authority for health and public safety before the premises can be used under the licence.
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Suggested conditions that could be added to the licence to remedy the public safety representation	<p>(1) The premises shall not be used under the licence until and the arrangements at the premises are suitable and sufficient for health and public safety and have been approved in writing by the responsible authority for health and public safety.</p> <p>(2) The premises shall be in accordance with the Technical Standards for Places of Entertainment.</p> <p>(3) The maximum number of persons accommodated at any one time in the premises shall not exceed the number agreed with the responsible authority for health and public safety.</p> <p>(4) Copies of the inspection and test certificates specified below, properly certified by approved competent persons, shall be available for examination by the responsible authority for health and public safety.</p> <p>Electrical installation Emergency lighting Fire alarm Fire fighting appliances Gas installation and appliances</p>
---	--

Signed: _____ Date: _____

Please return this form along with any additional sheets to: Applicant and Islington Council, Licensing Team, 222 Upper Street, London N1 1XR or email to licensing@islington.gov.uk. This form must be returned within the statutory period. For more details please check with the Licensing Support Team on 020 7527 3031.



Simon Gallacher

cubana.co.uk

Appendix 2

48 Lower Marsh, London SE1 7RG
tel 020 7928 8778 fax 020 7928 5750

head office (all correspondence)
45-46 Lower Marsh, London SE1 7RG
tel 020 7928 8000 info@cubana.co.uk cubana.co.uk

Islington Licensing Team

Public Protection Division

222 Upper Street

London N1 1XR



24 March 2011

Dear Mr Gallacher

Licensing Act 2003 – Changes to application for a Premises Licence

59-61 Charterhouse Street, London EC1H 6HA

I thought that it would be helpful to send this covering letter bearing in mind significant recent changes to the licensing regime affecting Charterhouse Street and the subsequent changes to our application.

Cubana agreed a lease for this derelict site with the landlords, the City Corporation, in December 2009. At that time, the licensing regime for the area indicated that late licenses were not a problem and meetings with licensing officers confirmed this.

Finalising the lease was delayed owing to the City's need to confirm fire exit routes with Railtrack, which took much longer than expected.

In the interim, we met with planning and licensing offers on site and spent approximately £25,000 on detailed plans and legal costs.

The relevant fire routes were agreed and licensed early this year, following which we submitted our licensing and planning applications, only to find out about the change of policy.

Initially the police indicated that only a midnight licence would be acceptable to them under the new regime. After discussion and an offer by ourselves to reduce our application to 3.30am on peak nights and either midnight or 1.00am on other nights, the police indicated that they would agree to a 2.00am licence on peak nights, but would insist on no live music and on restaurant conditions for service of alcohol.



While we are keen to find a workable position, this would not work for us and we would like to stress the following:

Cubana went into this property nearly a year and a half ago on the basis that Charterhouse Street was a late-night bar-restaurant-club area and we have put considerable effort into designs and planning to refurbish a derelict site.

Cubana is not a club, but a combined Latin-style cafe-bakery-bar-restaurant with live music – something very different from what is considered by most people to be a club.

The type of live music we play is Latin Salsa music, a relatively gentle and happy style of music using mainly smaller brass instruments, acoustic guitar, conga, guiro, maracas and other and traditional instruments and vocals.

The Charterhouse Street site is in fact on the extreme edge of the area subject to the policy change. It is a long way from residential properties, with a busy rail line in-between.

We currently have a Cubana in Waterloo – this is a cafe-bar-restaurant with late night live Latin Salsa music which has been open since 1998. We have been operating with a 3.00am licence in a mixed area for many years with minimal problems. We run a very tight regime at Cubana and have experience in operating a food/drink/live music format in a way which minimises any problems.

The formula proposed for Charterhouse Street involves trading as a cafe/bakery/restaurant during the daytime, with opening at 11.00am, and then moving into a more restaurant-bar format in the evenings with live music at weekends and a more limited live music offer earlier on Wednesdays and Thursdays.

Cubana is significantly food led as evidenced by the size and scope of the kitchens in the plans for Charterhouse Street. At Waterloo, we were one of the first restaurants in the UK to have a free-range only policy and we use high quality, fresh ingredients and trained chefs. Our food/drink split is 40/60, meaning that a minority of sales are drink-only.

Our kitchen at Waterloo achieved a hygiene rating of 4 stars from Lambeth Council – despite being considerably smaller than the one planned for the Charterhouse Street site. A copy of our Waterloo food menu is enclosed – the food menu for the new site will be more extensive.

The bulk of our alcohol sales are fresh fruit cocktails – spirits only sales are very low. We also offer freshly squeezed tropical juices and smoothies throughout opening and these are very popular late at night. A copy of our bar menu is also enclosed.

Our format involves late night Latin/Salsa music, primarily on Fridays and Saturdays. The economics of the operation require a late licence on those days. We are not club operators, but people coming to Cubana on those days expect to be able to eat, drink and listen to Latin music until around 3.00am. If they can't, they either won't come or would leave at whatever the earlier closing time was and go to other clubs or bars with later licenses. The result would be to make Cubana uneconomic.

One of the licensing aims is to ensure people don't move between premises in the area late at night. If Cubana had a 1.00am or 2.00am licence – or another operator on the site had similar hours – that is precisely what the result would be. People would leave and continue their evening in another venue. A 3.00am or 3.30am licence on Fridays or Saturdays would result in people being retained; and having spent the evening at Cubana, they would be unlikely to want to go to a club after that.

Further, the clientele at Cubana is very different from typical club goers – they tend to be people who like Latin music and want to dance Salsa, not people who go to clubs to get drunk and “dance” to loud DJ music.

I should stress that we are very much food led and plan to offer food until very late. We would be happy for this to be a condition, but restaurant conditions of the pre-reform type – insisting that every customer who ordered a drink would have to eat – would not be practical or economic.

In addition, a crucial part of the Cubana offer is live Latin music. We could not go ahead on the basis of a recorded-only music condition. We don't feel this would be either reasonable or have any beneficial effect. It would also go against the generally accepted view that live music should be encouraged for cultural reasons.

We are therefore not looking for a licence which allows us to run a drinking, late night club, but rather one that permits us to run a well-regulated business with late hours on key nights only, which would benefit the area and not contribute to any criminality and nuisance.

While we understand and support policies which limit problems for residents, we feel that our amended application, the type of operation we run and our distance from problem areas all make our application reasonable and we feel that Cubana would be the type of operation which would be of overall benefit to the area.

Yours sincerely



Phillip Oppenheim, Managing Director

Food Menu

Cuban Creole cooking

- the cuisine of old Cuba - a mix of Spanish, African, Carribean and French influences

fresh healthy

cooking prepared with quality products - we only use

free-range and Freedom Food

produce, along with many **organic** ingredients and prime British beef from

Donald Russell of Inverurie



RIV

Fresh Frozen Tropical Smoothies

Healthy, natural and delicious – prepared with fresh tropical fruits and juices blended with organic raw cane sugar – availability subject to season

All **£3.25** (large glass) and **£5.95** (Jug)

Cubana Smoothie A blend of fresh tropical fruits and citrus juices with a dash of coconut

Mango Tango Fresh mango, tropical fruits and citrus juices

Pasión Fresh passion fruit blended with freshly-squeezed lime juice, fresh pineapple and tropical fruits (may contain small pips)

Guayaba Fresh, ripe guava blended with tropical fruits and juices (may contain small pips)

Very Strawberry Fresh strawberries, tropical fruits and citrus juices

Pina Meñta Fresh, ripe pineapple blended with freshly-squeezed orange juice, a touch of lime juice and a hint of fresh mint

Tropicale Fresh pineapple and mango blended with freshly-squeezed orange and lime juices

Papaya Passion Fresh papaya blended with fresh passion fruit and citrus juices (may contain small seeds)

Happy Hour

two glasses or jugs of the same cocktail or Sangria for Happy Hour price

See Happy Hour Menu or board for details

We are happy to serve tapas or dishes from our main menu at the bar

Open from midday weekdays and 3.00pm Saturday

Closing 3.00am Fri/Sat ★ 1.00am Wed/Thurs ★ midnight Mon/Tues

Live Salsa and Latin music Wed/Thurs/Fri/Sat

Cantina Lunch from £4.95 to £8.95 - or any two tapas for £7.95 at lunch (£5.95 for two vegetarian tapas)

Pre-Theatre Menu served from 5.00-6.30pm - £8.95 for 2 courses or £10.95 for 3 courses

Reserve a table or party on info@cubana.co.uk

Book your Cuban event with a Mojito bar and live Cuban bands on info@cubana.co.uk

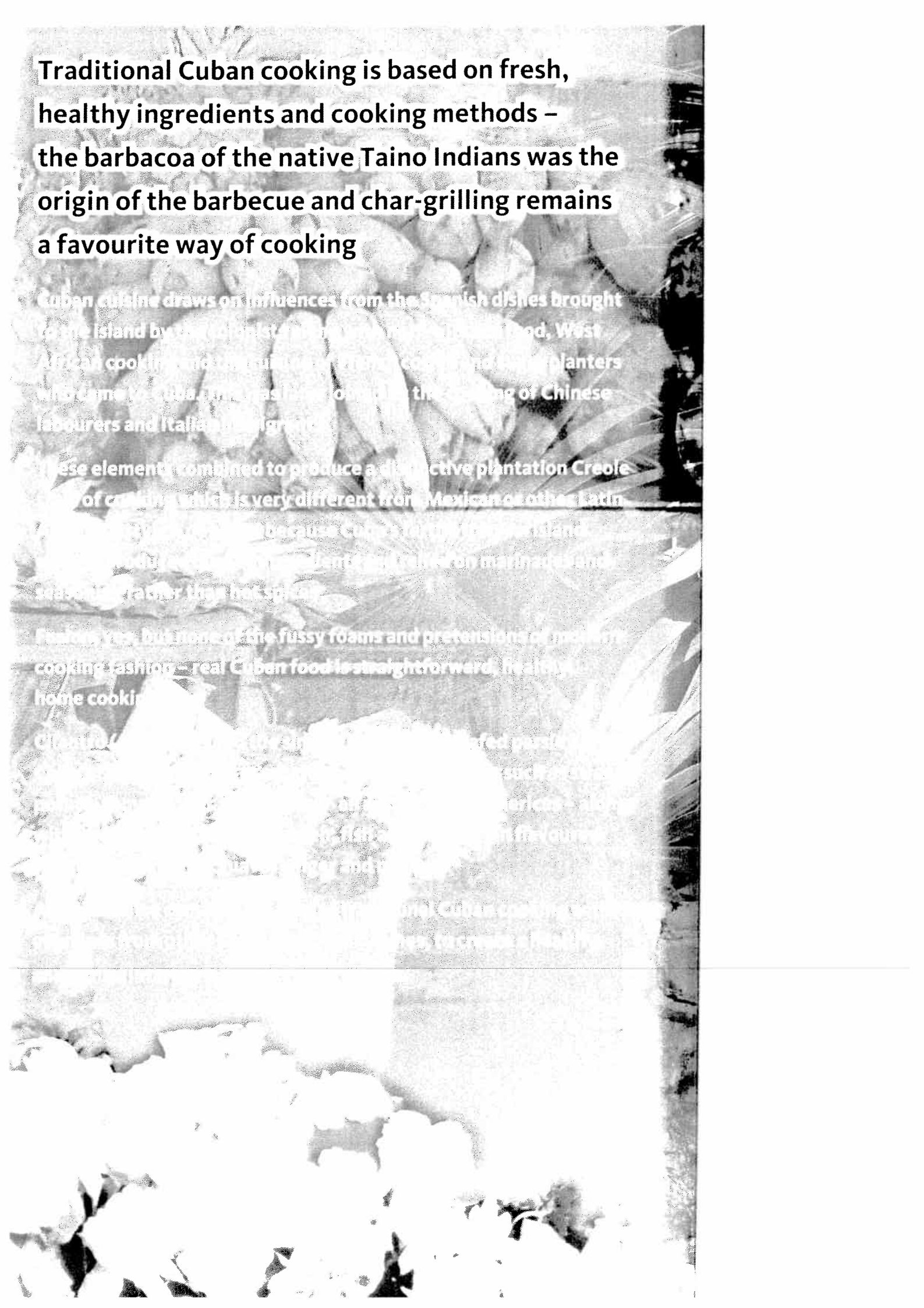
Most major credit and debit cards accepted. Cheques only with banker's card – minimum £5 and no company cheques except by prior arrangement please

All prices include VAT. A discretionary service charge of 12.5% will be added to your bill for table service – please inquire

Please observe the no-smoking laws

Please enjoy alcoholic drinks in moderation

We try very hard to source our food and drinks as described on the menus, but we very occasionally have to obtain different products due to circumstances beyond our control



Traditional Cuban cooking is based on fresh, healthy ingredients and cooking methods – the barbacoa of the native Taino Indians was the origin of the barbecue and char-grilling remains a favourite way of cooking

Cuban cuisine draws on influences from the Spanish dishes brought to the island by the conquistadors, the African food, West African cooking and the European cooking of the planters and the melting pot of the island, including the influence of Chinese labourers and Italian immigrants.

These elements combined to produce a distinctive plantation Creole style of cooking which is very different from Mexican or other Latin American cuisines. The result is a beautiful, simple, elegant and healthy cuisine that is very different from the traditional home cooking.

It does not have the fluffy foams and pretensions of modern cooking – real Cuban food is straightforward, for home cooking.

It is a cuisine that is very different from the traditional home cooking. It is a cuisine that is very different from the traditional home cooking. It is a cuisine that is very different from the traditional home cooking.

It is a cuisine that is very different from the traditional home cooking. It is a cuisine that is very different from the traditional home cooking. It is a cuisine that is very different from the traditional home cooking.

Camarones con gabardina y salsa de mango y chilli Prawns in a light tempura batter, served with fresh mango-chilli salsa **£4.95**

Pincho de gambas y mango A char-grilled skewer of prawns, fresh mango and peppers marinated in guava, ginger, honey, fresh lime juice and spices **£4.95**

Escabeche de atún fresco con vegetales Fresh raw tuna ceviche, marinated in lime juice and extra virgin olive oil, with cilantro, onion, garlic, peppers and vegetables **£4.95**

Pincho de pollo, chorizo y guayaba Char-grilled free-range chicken and organic chorizo skewer with chilli, fresh guava and peppers, marinated in guava, ginger, honey, lime juice and spices **£4.45**

Pollo frito al escabeche con sésamo y salsa Marinated free-range chicken breast in a sesame tempura batter, served with fresh tomato salsa **£4.95**

Croquetas de boniato y chorizo con salsa Cubana's organic chorizo and sweet potato croquettes, with fresh, home-made tomato salsa **£3.95**

★ **Falafel Cubana** Falafel prepared with garbanzo beans (chickpeas), sweet potato, plantain, sweet corn, cilantro and spices, served with a small salad and home-made tomato salsa **£3.95**

★ **Tortilla Cubana** Cubana's Spanish-style omelette, made with free-range eggs, sweet potatoes and fresh vegetables, served with a small salad **£3.95**

★ **Rosti Cubana** Cubana's special rosti, prepared with sweet potato, a hint of ginger and cilantro **£3.25**

★ **Mixed vegetarian tapas sharing plate** **£7.95**

Mixed tapas sharing plate **£9.95**

Empanadas

Cubana's empanadas - Latin American stuffed turnovers, made with maize flour

De Carne Lightly spiced beef turnover served with fresh tomato salsa **£3.95**

De Pollo Made with free-range chicken, served with fresh tomato salsa **£3.95**

★ **De Vegetales** Prepared with plantain, sweet potato and Cuban vegetables, served with fresh tomato salsa **£3.45**

★ **Arepas con salsa** Char-grilled flat corn bread served with fresh salsa **£1.45**

★ **Arepas con queso** Char-grilled flat corn bread filled with Iberian cheese and served with fresh salsa **£2.95**

Fresh plantain crisps with lime sauce **£1.45**

**Ask for our... home-made Cubana
Hot Chilli Sauce and our Creamy Citrus Garlic Dressing**

Cubana Specials

We serve only free-range chicken, eggs & pork and organic chorizo. Our prime sirloin steaks are supplied by Donald Russell of Inverurie

Salads & Small Mains

- (V) **Garbanzos Criollos** Creole garbanzo bean (chickpea) £5.95
stew with sweet potato, chillies, peppers, tomato, potato, garlic and cilantro, served with *arepa* – South American flat corn bread
- (V) **Tortilla de boniatos con ensalada** A Cuban version of £6.95
Spanish omelette made with free-range eggs and sweet potatoes - served cold - with seasonal salad leaves and fresh tomato salsa
- Croquetas de Atun** Spicy fresh tuna fishcakes made with £5.95
sweet potato, a hint of lime, ginger, chilli & cilantro, served with seasonal salad leaves, rice with chopped plantain with a hint of chilli, and fresh mango-chilli salsa
- Garbanzos Criollos con Chorizo** £6.95
Creole garbanzo bean (chickpea) stew with organic chorizo, sweet potato, chillies, potato, peppers, tomato, garlic and cilantro, served with *arepa* – South American flat corn bread
- Parilla mixta con ensalada** Char-grilled strips of prime British £9.95
sirloin steak, marinated free-range chicken breast and organic chorizo on a bed of seasonal leaves, served with home-made tomato salsa

Mains

- Atun Cubana** Fresh tuna marinated in guava, lime, ginger, £10.95
orange & honey, coated in spices and sesame seeds, seared, sliced and served with rice with chopped plantain & a hint of chilli and mango-chilli salsa *Served pink in the middle - if you prefer your tuna well done please ask your waitress when you order*
[To ensure freshness, this dish is not served on Mondays]
- Ropa Vieja** Cuban-style beef hash £9.95
A traditional Cuban dish made with shredded beef, served with fried plantain and rice with chopped plantain & a hint of chilli
- Pollo Criollo** a classic Cuban dish and a Cubana favourite £9.95
Free-range chicken, casseroled in fresh orange, sherry, onions and garlic, served with fried plantain and black bean rice
- Bistec de palomilla con rosti de boniatos** £13.95
Prime British sirloin steak marinated and char-grilled Cubana style, served with sweet potato rosti and salad

Home-made Puddings

Please ask for our Pudding menu

*During busy times we usually ask for a two hour sitting – thanks
All prices include VAT, but exclude 12.5% discretionary service charge*

Accompanantes/Side Dishes

- ✓ **Platanos fritos** Plantain, fried Cuban style **£1.95**
- ✓ **Moros y Christianos** Rice with black beans - a classic Cuban dish **£1.95**
- ✓ **Pure de Boniatos con jengibre** Mashed sweet potatoes with a touch of fresh ginger **£2.45**
- ✓ **Espinacas frescas salteadas con ajo** Fresh spinach cooked with a little garlic, coconut and lime juice **£2.95**
- ✓ **Ensalada mixta** Small mixed seasonal salad **£1.95**

Cafés Cubana/Cuban Coffees

Freshly-ground, shade-grown mountain coffee imported directly from the tropical Sierra Maestre mountains on Cuba's south-east coast

- Cappuccino** Made with Cuban mountain coffee **£1.95**
- Cortado** Cuban espresso cut with a little warm, foamy milk **£1.75**
- Café Puro** Cuban espresso **£1.65**
- Doble Puro** Double Cuban espresso **£2.45**
- Café Cuba** Strong black Cuban coffee **£1.45**
- Con Leche** A Cuban latte **£1.95**
- Frappuccino** Cubana's iced espresso **£2.95**

Cafés Ron/Rum Coffees

- Café Cubana** Cuban mountain coffee with Caney Carta Blanca rum, cream and a hint of coconut **£3.95**
- Café Caney** Cuban mountain coffee, Caney Carta Blanca rum and cream **£3.95**

Té/Teas

- Fresh mint infusion** **£1.65**
- Fresh mint and ginger tea** **£1.65**

Please see our Bar and Cocktail Menu

for a full list of fresh tropical cocktails made with Caney premium Cuban rum, tequilas, vodka and other spirits; wines; beers; and fresh tropical juices and smoothies

All of our dishes are **freshly prepared** with **quality ingredients** so please make allowances if they take a little time

We use only **Freedom Food** and **free-range** chicken, eggs and pork

This means that animals are reared in **more natural, healthy conditions**, also giving a **superior product**

All of our meat and eggs come from accredited British farmers and our British beef comes from **Donald Russell of Inverurie**

Many of our ingredients are now also **organic** - including our chorizo from pigs roaming freely in the Sierra de Gredos in Spain and fed on a natural, organic diet including chestnuts and maize

Please see our pudding menu

Sangria Cubana

Made to our special Cubana recipe, with freshly-squeezed orange juice, Spanish red wine and brandy infused with fresh tropical fruits

Large Jug
£3.95 £9.95

Happy Hour

two glasses or jugs of the same cocktail or Sangria for Happy Hour price

See Happy Hour Menu or board for details

Fine Cuban Rums

All Doubles 50ml

Our selection of fine rums from Cuba

25ml singles available for 50p less

Doubles (50ml)

Ron Caney Carta Blanca Superior Probably the best Carta Blanca rum, made in the traditional way in Santiago de Cuba **£3.95**

Ron Caney Oro A superior, oak-aged rum **£4.45**

Ron Caney Anejo Centurio One of Cuba's finest oak-aged rums and winner of the 2005 Havana taste test **£4.95**

Santiago de Cuba Extra Anejo 20 Year old Specially imported by Cubana, more like a fine cognac - one of the finest rums anywhere **£6.95**

Spirits & Liqueurs

Doubles (50ml)

El Jimador Blanco Tequila 100% Agave, Wyborowa Polish vodka, Gordon's gin, Jack Daniels Tennessee Whiskey, Dewar's White Label Scotch Whisky **£3.95**

El Jimador Reposado Tequila 100% Agave, Courvoisier VS Cognac **£4.95**

Mixers

Freshly squeezed orange, lime or pink grapefruit juices, cranberry juice, Pepsi, Tonic Water **95p each**

Cafés Ron/ Rum Coffees



Café Cubana Cuban mountain coffee with Caney Carta Blanca rum, cream and a hint of coconut **£3.95**

Café Caney Cuban mountain coffee, Caney Carta Blanca rum and cream **£3.95**

...and credit cards accepted. One card only with Banker's card
...and to company check books by prior arrangement please
...A discretionary service charge of 12.5% will be added
...please inform your server or a manager if you
...payments

...no smoking law

...moderation

Campari

Dewar's
White Label
Black & White Whisky

COURVOISIER
Le Cognac de France

Caney

el Jimador

JACK DANIELS

WYBOROWA

Gordon's

Wines

White Wines

	Glass (175ml)	Bottle (75cl)
Accantus Vino Blanco (Spain) Crisp, fresh fruit, easy drinking	£3.45	£11.95
Mesta Muscatel Malvasia (Spain) A light, medium wine packed with lively fruit	£3.75	£13.95
Vina Esteban Sauvignon Blanc (Chile) A Classic Sauvignon wine with a lively mix of fruity aromas		£16.95
Finca del Alto Chenin Chardonnay (Argentina) Bright and fresh tropical and citrus combination		£16.95
Alato Rio Rioja Blanco (Spain) Refreshing, crisp Rioja with lemon and apple hints		£19.95

Rosé Wine

	Glass (175ml)	Bottle (75cl)
Accantus Merlot Garnacha (Spain) Fresh aromas of red fruits and roses	£3.75	£13.95
Vistamar Cabernet Merlot (Chile) Intense fruit aromas - great summer wine		£16.95

Red Wines

	Glass (175ml)	Bottle (75cl)
Accantus Cabernet Tempranillo (Spain) A smooth wine with a spicy finish	£3.45	£11.95
Vina San Esteban Merlot (Chile) Packed with rich fruit flavours, medium bodied with round tannins	£3.75	£14.95
Mesta Temperanillo (Spain) Clean and fresh		£15.95
Vistamar Cabernet (Chile) A soft, spicy wine with a blackcurrant finish		£16.95
Anares Crianza (Spain) Classic Rioja with a combination of fruit, spice and oak influences		£19.95

Wines available by the glass are also served in 125cl glasses for 50p less

Cava and Champagne

	Glass (125ml)	Bottle (75cl)
Brut Zero (Spain) Crisp and bubbly with citrus hints	£3.95	£16.95
Champagne We stock fine label champagnes according to availability		£36.95

Beers

Per Bottle

A selection of quality guest beers From **£3.10** a bottle

Please check the beer board or ask a member of staff



Estrella Galicia (Spain) 4.7% abv 33cl **£3.10**

A real discovery beer from one of Spain's few remaining family-owned brewers from Galicia - a light, Pilsen-type beer matured for 15 days, twice the usual time



Cristal (Cuba) 4.9% abv 35cl **£3.45**

Cuba's favourite beer - a light, tropical ale, still brewed to the original recipe - now in a bigger 35cl bottle



Cubanero Fuerte (Cuba) 5.4% abv 35cl **£3.45**

We've obtained Cuba's best beer by far, known as Bucanero in Cuba and exported for the first time - naturally brewed from an old recipe - a real world class beer



Pilsner Urquell (Czech Republic) 4.4% abv 33cl **£3.45**

Voted best Pilsner by the experts - silky, crisp, rich, hoppy

On draft too - halves, pints and jugs

See board for prices

Fresh Frozen Tropical Smoothies

Healthy, natural and delicious – prepared with fresh tropical fruits and juices blended with organic raw cane sugar – availability subject to season

All **£3.25** (large glass) and **£5.95** (Jug)

Cubana Smoothie A blend of fresh tropical fruits and citrus juices with a dash of coconut

Mango Tango Fresh mango, tropical fruits and citrus juices

Pasión Fresh passion fruit blended with freshly-squeezed lime juice, fresh pineapple and tropical fruits (may contain small pips)

Guayaba Fresh, ripe guava blended with tropical fruits and juices (may contain small pips)

Very Strawberry Fresh strawberries, tropical fruits and citrus juices

Pina Meña Fresh, ripe pineapple blended with freshly-squeezed orange juice, a touch of lime juice and a hint of fresh mint

Tropicale Fresh pineapple and mango blended with freshly-squeezed orange and lime juices

Papaya Passion Fresh papaya blended with fresh passion fruit and citrus juices (may contain small seeds)

Frappuccino The ultimate iced espresso shake made with **Large £2.95**
mountain coffee - served slightly sweetened

Alcohol-free cocktails

All **£3.25** (large glass) and **£5.95** (Jug)

Virgin Colada A Pina Colada without the rum

Shirley Temple Fresh pineapple and orange juice blended with ice, a dash of fresh lime and grenadine

Virgin Mojito Fresh lime juice muddled with organic raw cane sugar and mint, topped with ice and sparkling water

Freshly-squeezed juices

Lime Cooler Fresh lime juice with sparkling mineral water (or still mineral water if you prefer) **Large £1.95**

Fresh Orange or Pink Grapefruit Juice **£1.95**

Soft Drinks

Mineral water Sparkling or still (500ml) **£1.85**

Pepsi **Large £1.45**

Cranberry juice **Large £1.95**

We are happy to serve tapas or dishes from our main menu at the bar

Open **Monday** weekdays and **3.00pm** Saturday

Closing **10.30pm** Fri/Sat ★ **10.00pm** Wed/Thurs ★ **10.00pm** Mon/Tues

11.00pm Sun/Mon/Tue/Thurs/Fri/Sat

Cantina Lunch from **£3.95** to **£6.95** – or any two tapas for **£7.95** at lunch (**£3.95** for 2 tapas)

Pre-Theatre Menu available from **5.30** – **8.30pm** – **£2.95** for 2 tapas

For more information or to party on info@cubana.co.uk

info@cubana.co.uk

Daiquiris

Long dark, mahogany bars, lazily turning ceiling fans - the essence of the pre-revolutionary Havana bars where Daiquiris were prepared with rum, shaved ice and fresh tropical juices...



Frozen Lime Daiquiri Cubana's favourite frozen Daiquiri, made with fresh lime juice, sweetened and blended with Ron Caney Carta Blanca rum and ice **Large Jug £4.95 £14.95**

Daiquiri Guayaba Fresh guava and strawberries muddled with a dash of lime juice and organic raw cane sugar, topped with crushed ice and Caney Oro gold rum **£5.95**

Daiquiri Pasión Fresh passion fruit and strawberries muddled with a dash of lime juice and organic raw cane sugar, topped with crushed ice and Caney Oro gold rum **£5.95**

Daiquiri Hemingway The old man's favourite - invented in one of Hemingway's Havana haunts. Fresh pink grapefruit and lime juice, maraschino and Ron Caney Carta Blanca rum over ice **£5.95 £15.95**

Fresh Frozen Daiquiris Caney Carta Blanca rum and triple-sec orange liqueur blended with fresh tropical fruits, ice and a twist of fresh lime juice - your choice of fresh fruit flavour **£5.95 £15.95**

★ **Passion Fruit & Lime** ★ **Strawberry & Guava**

★ **Mango & Strawberry** ★ **Mango & Passion Fruit**

★ **Strawberry** ★ **Strawberry & Passion Fruit**

Cocktail Favourites

Pina Colada Served frozen - prepared the Cubana way, with fresh pineapple and coconut blended with Caney Carta Blanca rum and ice **Large Jug £4.95 £14.95**

Peachtree Punch Caney Carta Blanca rum, peach schnapps and fresh orange juice with a soft whisper of coconut **£5.95 £15.95**

Pimms No 1 Made the tropical way, with our own fresh limeade, mint and cucumber **£3.95 £9.95**

Woowoo Wyborowa Polish vodka, peach schnapps and cranberry juice with fresh lime juice **£5.95 £15.95**

Long Island Iced Tea Caney Oro gold rum, Gordon's gin, El Jimador Blanco Tequila 100% Agave, Wyborowa Polish vodka, triple-sec orange liqueur, Pepsi and fresh lime juice **£5.95 £15.95**

Margaritas

Created in 1948 by Margarita Sames, a beautiful Acapulco lady - we offer her classic Margarita, as well as Frozen Margaritas and our own special version



Margarita The classic, shaken with fresh lime juice, El Jimador Blanco Tequila 100% Agave and triple-sec orange liqueur - served sour, with salt round the rim **Glass Jug £5.95**

Frozen Lime Margarita Fresh lime juice, slightly sweetened, blended with El Jimador Blanco Tequila 100% Agave, triple-sec orange liqueur and ice - served with salt on request **£5.95 £16.95**

Margarita Cubana Our own version of Margarita's classic - El Jimador Blanco Tequila 100% Agave and triple-sec orange liqueur shaken with freshly-squeezed lime and orange juices. Served long - salt on request **£5.95 £16.95**

Fresh Frozen Margaritas Fresh fruits and juices blended with El Jimador Blanco Tequila 100% Agave, crushed ice, triple-sec orange liqueur and twist of fresh lime juice - your choice of fresh fruit flavours **£5.95 £16.95**

★ **Passion Fruit & Lime** ★ **Strawberry & Guava**

★ **Mango & Strawberry** ★ **Mango & Passion Fruit**

★ **Strawberry** ★ **Strawberry & Passion Fruit**

Cocktails

Mojitos & Cuban Classics

The sultry bars of pre-revolutionary Havana and Cuba's superb, light rums combined to create the definitive tropical cocktails

Mojito The signature Cuban cocktail and a Cubana speciality. Fresh mint and freshly-squeezed lime juice, muddled with organic raw cane sugar, Caney Carta Blanca premium Cuban rum and sparkling water. The name comes from 'mojo', meaning "soul" in Cuban street slang - Mojito is the diminutive

Mojito Anejo The classic, made with Caney Anejo Centuria award-winning dark rum

Mojito Pasión A Cubana special - made with fresh passion fruit and Caney Oro gold rum

Strawberry Mojito Made with fresh strawberries, muddled with lime juice and mint, topped with sparkling water and Caney gold rum

Mojito Pepino Cucumber Mojito - prepared with Caney Oro gold rum - a very British take on a Cuban classic

Cranberry Mojito The classic, made with Caney Oro gold rum and cranberry juice instead of sparkling water

Mojito Rosado Prepared with freshly-squeezed pink grapefruit juice, sparkling water and Caney Oro gold rum

Mojito Ginger Made with fresh ginger, fresh lime juice, mint and Caney Oro gold rum

Cuba Libre Caney Carta Blanca rum and Pepsi, ice and a twist of lime. The famous cocktail originated as a toast to the liberation of Cuba from Spanish rule, using new-fangled Cola brought to Cuba by the American Rough Riders who fought alongside the Cuban rebels

Sputnik The Soviet classic, once served in underground clubs across the old Eastern Bloc. They used Cuban rum, canned Cuban orange juice and Soviet brandy: we use freshly squeezed orange juice, Caney Carta Blanca rum and Courvoisier VS Cognac - still fires you into orbit

Cubana Specials

Our own lush, tropical creations

Strawberry Colada Fresh strawberries blended with coconut, Caney Carta Blanca rum and ice

Alligator Caney Oro gold rum, Wyborowa Polish vodka, Blue Curacao and apricot liqueur shaken with ice, fresh orange and lime juice, served very long - it bites!

Cubana Passion Caney Oro gold rum, fresh passion fruit and pineapple plus a dash of lime, blended with ice

Cubana Tropical Rum Punch Our own special concoction of dark Caney Anejo Centuria rum, Wyborowa Polish vodka, Pimms No 1, cranberry, fresh lime and orange juices, shaken with ice and served long

Revolution! Caney Carta Blanca rum, fresh pineapple and strawberries blended with grenadine, ice and a dash of lime

Refresca Cubana Fresh lime juice and Caney Carta Blanca rum stirred with organic raw cane sugar and ice, topped with soda

Caipirinhas

Caipirinha Fresh limes crushed with organic raw cane sugar and topped with crushed ice and Velho Barreiro barrel aged premium Brazilian cachaça

Caipirinha Pasión Fresh passion fruit and limes, muddled with organic raw cane sugar and topped with Velho Barreiro barrel aged premium Brazilian cachaça and ice

Caipirinha Guayaba Fresh tropical guava and strawberries, muddled with a dash of lime and organic raw cane sugar, topped with crushed ice and Velho Barreiro barrel aged premium Brazilian cachaça



Blended de Cuba
RON CANEY S.C. DE C.V.

Large Jug
£4.95 £14.95

£5.95 £15.95

£5.95 £15.95

£5.95 £15.95

£5.95 £15.95

£5.95 £15.95

£5.95 £15.95

£5.95 £15.95

£3.95 £9.95

£5.95 £15.95



Blended de Cuba
RON CANEY S.C. DE C.V.

Large Jug
£5.95 £15.95

£5.95 £15.95

£5.95 £15.95

£5.95 £15.95

£4.95 £14.95

£3.95 £9.95

Caipirinha



Velho Barreiro
The Brazilian No. 1 Cachaça

£5.95

£5.95

£5.95

CUBANA
BAR RESTAURANT
cubana.co.uk

Bar Menu

Freshness is the Cubana difference – our cocktails and smoothies get their flavour from fresh mango, guava, papaya, pineapple, strawberries and passion fruit along with freshly-squeezed lime, orange and pink grapefruit juices – we don't use processed or frozen purees and bought-in juices used by other bars

Tropical cocktails

made with fresh fruits and juices

Mango, Guava, Passion Fruit, Pineapple, Papaya, Strawberry and more...

Takes longer – **tastes much better!**

Premium

Cuban rums, spirits and liqueurs

Healthy/natural

delicious tropical smoothies and juices



Appendix 4 (1)

Fitzsimons, Aiden

From: Allan, George
Sent: 12 April 2011 20:43
To: Fitzsimons, Aiden; Charalambous, Steph; Andrews, Raphael
Cc: Gallacher, Simon
Subject: RE: New Premises Licence: Cubana, 59-61 Charterhouse Street

I wish to make an objection to this application.

Now that the "cumulative impact" policy has been established, we have to ask whether the applicants can satisfy the Authority that its operations will not simply add to the existing problems in the area at peak and indeed other times.

I am afraid I have heard nothing from the applicants about this proposal, and until I do, I am afraid I must assume that their proposal will just add to the scale of the issues already apparent, notably in Charterhouse St.

regards

George Allan
Liberal Democrat Councillor
Clerkenwell Ward
London Borough of Islington
www.islington.gov.uk

-----Original Message-----

From: Fitzsimons, Aiden
Sent: 12 April 2011 17:08
To: Charalambous, Steph; Allan, George; Andrews, Raphael
Cc: Gallacher, Simon
Subject: New Premises Licence: Cubana, 59-61 Charterhouse Street

Dear Sir/Madam,
We have received the following application for a Premises Licence (New):

Premises Name: Cubana

Address: 59-61 Charterhouse Street, London, EC1H 6HA

Received by the licensing team: 08 April 2011 (the previous application for this premises, received on 14 March, has been rejected)

Last date for representations: 06 May 2011

This application is for:

the supply of alcohol for consumption on or off the premises: 1100 to 0000 on Sundays to Wednesdays, 1100 to 0100 the following day on Thursdays and 1100 to 0300 the following day on Fridays and Saturdays

the provision of regulated entertainment for live music: 1200 to 0000 on Sundays to Tuesdays, 1200 to 0100 the following day on Wednesdays and Thursdays and 1200 to 0300 the following day on Fridays and Saturdays.

the provision of regulated entertainment for recorded music: 0700 to 0000 on Mondays and Tuesdays, 0700 to 0100 the following day on Wednesdays and Thursdays, 0700 to 0300 the following day on Fridays, 0900 to 0300 the following day on Saturdays and 0900 to 0000 on Sundays.

the provision of late night refreshment: 1300 to 0000 on Sundays to Tuesdays, 1300 to 0100 the following day on Wednesdays and Thursdays and 1300 to 0300 the following day on Fridays and Saturdays.

The location of this premises falls within an area which is now subject to a special

policy relating to cumulative impact. The policy has been adopted in response to ongoing issues of: public urination, litter, noise nuisance from patrons of licensed premises, drug dealing, thefts, damage to property and vehicles and obstruction of the public highway, which arise from the high concentration of licensed premises in this area.

The policy creates a rebuttable presumption that applications for new licences in this location will be refused, unless the applicant is able to demonstrate why the operation of their premises will not contribute to these issues.

As a member of the council you are able to make a representation. The representation must be received in writing by the Licensing Team before the last date for representation, be premises specific and relate to one or more of the licensing objectives, i.e:

- . the prevention of crime and disorder
- . the protection of children from harm
- . public safety
- . the prevention of public nuisance.

If you submit a representation you will be invited to attend the Licensing Committee hearing the application.

Please contact me if you would like a copy of the application.

Regards,

Aiden Fitzsimons
Licensing Support Officer
Licensing Team
Public Protection Division
Environment & Regeneration
Islington Council
Room 119, 159 Upper Street, London, N1 1RE
Tel: 020 7527 3031/3803 Fax: 020 7527 3430 Alternative contact: Michelle Horton 020 7527 3421
Email: licensing@islington.gov.uk
Website: www.islington.gov.uk

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2

Your
Our Licensing/NI
Date: 30th March 2011



Michael Johnson RIBA
Naganjohnson

**METROPOLITAN POLICE
SERVICE**
Don Stewart PC115NI
Islington Police Licensing Unit
Islington Police Station
2 Tolpuddle Street
London
N1 0YY

Telephone: 020 7421 0194
Facsimile: 020 7421 0138
Email: ni_licensing@met.police.uk

Dear Sir

Re: Application for a Premises Licence, 59-61 Charterhouse Street

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the 'CLERKENWELL STRESS AREA', a locality where this is traditionally high crime and disorder and there are concerns that this application will cause further policing problems in an already demanding area.

It is for these reasons that we are objecting to the application.

Should you wish to discuss the matter further please contact your details on **0207 421 0194/0248** or via email, ni_licensing@met.police.uk

Yours sincerely.

Don Stewart PC115NI
Islington Police Licensing Team

Islington Licensing Authority
Licensing Act 2003

Draft

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Public Protection

Your Name	Eryka Bancroft
Job Title	Senior Environmental Health Officer
Postal and email address	Noise Team Public Protection Division 222 Upper Street London N1 1YA
Contact telephone number	020 7527 3846

Name of the premises you are making a representation about	Cubana
Address of the premises you are making a representation about	59 Charterhouse Street EC1 6HA

*Please detail the evidence supporting your representation. Or the reason for your Representation.
Please use separate sheets if necessary*

To prevent public nuisance

We are make representation with regard to the minimisation and prevention of the risk of noise disturbance. Noise Team have visited the venue and make observations below.

We note that the Application repeats an earlier Application made on the 15th March 2011, it is understood that this was not processed due to an error in advertisement. Mr Imoke Senior Environmental Health Officer dealt with the Application made on the 15th. and his proposed conditions below B., C., D., and E., were agreed.

Further to receiving this Application the matter was discussed with the Council's Licensing Liaison Officer., Ms Brothers. On discussion and further to the visit it was agreed that conditions were necessary to control music noise breakout from the premises.

It is noted that the Applicant is making a Planning Application for the premises for air conditioning and kitchen extract arrangements.

We object to the granting of the licence, at this time. The objection to be withdrawn provided the suggested condition below is accepted. The Council's Technical Criteria for regulated entertainment have been attached below.

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary.

A. Music Noise Control.

Prior to any regulated entertainment taking place on the premises:

- an assessment of the premises sound insulation shall be undertaken and appropriate improvement works carried out, so as to ensure that music noise levels generated on the premises meet the Council's Technical Criteria; and,
- maximum music noise levels shall be agreed.

The improvement works and maximum music noise levels

shall be approved in writing through the Council's Noise Service.

B. Premises Doors

The doors to the premises will be kept closed so far as practicable at times when regulated entertainment is taking place.

C. Notices

Prominent, clear and legible notices must be displayed at all exits requesting the public to leave the premises and area quietly.

D. Tables and Chairs

Tables and chairs to the front of the premises shall be cleared and rendered unusable at, or before, 23:00 on each day of operation.

E. Consumption of Drinks

No consumption of drinks shall take place outside the premises after 23:00.

Signed: _____

Date: 3rd May 2010

Please send this form along with any additional sheets to the applicant. A copy should be sent to: Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to licensing@islington.gov.uk

This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031



ISLINGTON

Environment and Regeneration

TECHNICAL ADVICE FOR CONSULTANTS ON SOUND INSULATION AND NOISE CONTROL CRITERIA FOR ENTERTAINMENT LICENSED PREMISES.

- 1.0 Appoint an acoustic consultant registered with the Institute of Acoustics or Association of Noise Consultants with the brief to undertake a thorough acoustic survey of the neighbourhood with regard to noise sensitive premises near the proposed licensed premises. The survey to identify representative existing background and ambient noise levels during all times of operation of the proposed licensed premises, as $L_{A90(1min)(t)}$ and as real time simultaneous $L_{eq(1min)(t)}$ 1/1 octave bands centred on the frequencies 63Hz and 125Hz.
- 2.0 Measurements to be taken 1 metre from the facade of the nearest noise sensitive premises or calculated as for this position from readings taken at appropriate locations. Where the proposed licensed premises share party walls, floor/ceiling partitions or other construction elements with a non-associated noise sensitive premises, then existing background and ambient noise levels as described above shall be measured within those non-associated noise sensitive premises. Where access to such noise sensitive premises is not available, then measurements in similar premises in a similar acoustic environment may be substituted.
- 3.0 Using the results of the acoustic survey, a scheme of sound insulation works and other noise control measures is to be designed for the proposed licensed premises. The objective of the scheme is to ensure that music noise from the proposed licensed premises does not cause undue disturbance or is unreasonably intrusive. The scheme of works and other noise control measures is to be based on predicted minimum internal music noise levels of 95 dB(A) $L_{eq(1min)(t)}$ with 95 dB in the 63Hz and 125Hz 1/1 octave bands within the parts of the premises designated for music and dancing.
- 4.0 The schedule of works should achieve the following

Where there are no shared party walls, floor/ceiling partitions or other construction elements with adjoining non-associated noise sensitive premises.

Where the licensed premises is proposed to operate only between 0700 and 2300 the music noise at all times of operation, shall not cause an increase of more than 2dB in the $L_{A90(1min)(t)}$ when compared with the existing equivalent $L_{A90(1min)(t)}$ without the premises in operation.

At the same times the music noise from the proposed licensed premises shall not cause an increase of more than 3dB, above the real time simultaneous $L_{eq(1min)(t)}$ 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent $L_{eq(1min)(t)}$ (63Hz and 125Hz) taken without the premises in operation.

Where the licensed premises is proposed to operate at any time between 2300 and 0700, the music noise at all times of operation, shall not cause any increase in the $L_{A90(1min)(t)}$ when compared with the existing equivalent $L_{A90(1min)(t)}$ without the premises in operation.

At the same times the music noise from the proposed licensed premises shall not cause any increase in the real time simultaneous $L_{eq(1min)(t)}$ 1/1 octave band sound pressure

level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent $L_{eq}(1min)(f)$ (63Hz and 125Hz) taken without the premises in operation.

Measurements to be taken 1 metre from the facade of the nearest noise sensitive premises. Where access to the facade of non-associated noise sensitive premises is not available, then the above music noise levels 1 metre from the facade of non-associated noise sensitive premises shall be predicted by calculation rather than measured.

Where there are shared party walls, floor/ceiling partitions or other construction elements with adjoining non-associated noise sensitive premises.

At all times of operation the music noise from the proposed licensed premises, within adjoining non-associated noise sensitive premises, shall not cause any increase in the $L_{A90}(1min)(f)$ when compared with the existing $L_{A90}(1min)(fast)$ without the premises in operation.

At the same times the music noise from the proposed licensed premises shall not cause any increase in the real time simultaneous $L_{eq}(1min)(f)$ 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent $L_{eq}(1min)(f)$ (63Hz and 125Hz) taken without the premises in operation.

Where access to adjoining non-associated noise sensitive premises is not available, then the above music noise levels within the adjoining non-associated noise sensitive premises shall be predicted by calculation rather than measured.

Guidance on the determination of existing background A-Weighted L_{90} and ambient L_{eq} 1/1 octave band sound pressure Levels.

The existing A-weighted background L_{A90} and ambient L_{eq} 1/1 octave band sound pressure levels referred to above are liable to vary at similar times from day to day. In order to establish representative values for these sound levels you are advised to follow the guidance in BS 4142 : 1997 and BS 7445 : 1991 so as to derive logarithmic mean values, which have a standard deviation as small as possible, based on a representative sample of measurements relating to the hours of the application. The scheme of sound insulation works and other noise control measures is to be designed for the "worst case scenario" of the lowest existing logarithmic mean A-weighted background L_{A90} and ambient L_{eq} 1/1 octave bands (centred at 63Hz and 125Hz), during any time of proposed operation. For example if the premises is proposed to operate in the early hours of Sunday morning and this is when the existing background and ambient noise levels are at their lowest, then equivalent existing background and ambient sound pressure levels at these times are to be used in respect of the above advice.

Where the internal music noise level within the proposed licensed premises shall exceed the minimum internal music noise levels referred to in 3 above, the scheme of works and other measures shall be appropriately adjusted to meet the music noise targets from the proposed licensed premises at or in non-associated noise sensitive premises as stated in above.

- 5.0 Where entertainment noise control devices or automatic volume control systems are permitted they shall be calibrated and set up, to meet the noise control targets in 4. above. The installation of such devices shall take place under the supervision of an acoustic consultant registered with the Institute of Acoustics who will provide a certificate of the completion and verification of the calibration and set up. The initial set up is to be witnessed by Council officers from the Noise Team. An annual check of the effectiveness, with re-calibration where necessary, of the devices shall be undertaken by an acoustic consultant registered with the Institute of Acoustics, who shall provide a certificate of verification of the calibration and set up. Copies of the

certificates of completion and verification of the calibration and set up, both initially and annually, to be provided to the Council's Entertainment Licensing Team within 21 days of the check of effectiveness.

- 6.0** Where entertainment noise control devices or automatic volume control systems are permitted they shall be secured within robust lockable security boxing, or similar, to prevent unauthorised access to and tampering with the controls. Access to the controls is to be restricted to the licensee/s. On no account are DJs, musicians or their sound engineers to have access to the entertainment noise control device or automatic volume control system control
- 7.0** The scheme of sound insulation works and other noise control measures designed for the proposed licensed premises is to be submitted for consideration by the Council before execution. Any licence awarded shall not come into operation until the scheme of sound insulation works and other noise control measures has been undertaken in full and the licensee/s notified in writing of the commencement of operation of the licence.

Noise and vibration information to be included in acoustic consultant's report

Identification of the main sources of noise and vibration arising from the operation of the premises

The following information to be provided for each source:

- continuous or intermittent
- type of emission – aural or vibrational – and its characteristics (for example, impulsive,
- tonal elements or other distinguishing feature such as clatter, hiss, screech)
- the hours of operation
- its contribution to overall site noise emission
- the location of the premises on a scaled map and location plan showing positions of the source

Noise and vibrational sources are those that may have an impact on the local environment and lead to public nuisance. To give explanation, a source could cause an occupational noise issue in an enclosed space, but may be unlikely to cause an environmental noise problem requiring assessment under the Licensing Act. Conversely, a large source or a number of smaller sources enclosed within a building could, for example, cause disturbance if doors are left open. Naturally noise which is not particularly noticeable during the day may become more noticeable at night with lower background noise levels.

Identification of Infrequent sources of noise and vibration

Infrequent noise sources should be considered and reported upon, for example: infrequently operated/ seasonal operations, cleaning/maintenance activities, on-site deliveries/collections/transport or out-of-hours activities, emergency generators or pumps and alarm testing. Information as required for main sources above, for each infrequent source

should be provided. Sources of infrequent noise and vibration include, movement of materials and waste, transportation associated with deliveries and waste (including reversing alarms), loudspeaker address systems, extraction/ventilation and air conditioning.

Identification of noise-sensitive receptors

Typically residential spaces, however parkland and open spaces regularly used by the public should be considered – schools, hospitals and commercial premises *may* be, depending upon the activities undertaken there and any other points/boundaries where conditions have been applied by local authority officers or as part of a planning consent.

In particular the report will provide details, where relevant, of:

The local environment:

An accurate map or scaled plan showing grid reference, nature of the receiving site, distance and direction from the premises boundary.

Any Conditions/limits imposed that relate to other locations (that is, boundary fence or surrogate for nearest sensitive receptor):

any planning conditions imposed by the local authority relating to noise and vibration

conditions imposed by agreements, for example, limits on operating times or music noise limiters

any requirements of legal notices and the like relating to noise and vibration

any complaints received within the past three years by the operator and the outcome of any investigations into those complaints.

The noise environment:

The background noise level, for proposed hours of operation (day/evening/night) L_{A,90,T}

the operational noise level for premises operation (day/evening/night) L_{A,eq,T} and

ambient noise level (day/evening/night) L_{A,eq,T}.

vibration data, which may be expressed in terms of the peak particle velocity (ppv) in mm s⁻¹ or the vibration dose value (VDV) in m s^{-1.75}

The noise-sensitive sites may not always be the nearest to the premises. Parklands and open spaces may be noise sensitive by virtue of their use for leisure or similar activities, or if they are designated Sites of Special Scientific Interest or similar.

For noise, the terms used above are given the meaning as defined in BS 4142: 1997 *Method for rating industrial noise affecting mixed residential and industrial areas*. Refer to this for a full description. BS 4142: 1997 also gives advice on the appropriate reference periods.

“Worst case” situations and impulsive or tonal noise should be accounted for separately and not “averaged out” over the measurement period.

For vibration, the appropriate standard is BS6472:1992 *Evaluation of human exposure to vibration in buildings* 1 to 80 Hz.

Details of any environmental noise measurement surveys, noise modelling work or any other noise measurements undertaken relevant to the environmental impact of the installation, identifying:

- . the purpose/context of the survey
- . the locations where measurements were taken
- . the source(s) investigated or identified
- . the outcomes

Identify any specific local issues and proposals for improvements.

Describe the current or proposed position with regard to the techniques below or any others that are pertinent to the installation.

Demonstrate that the proposals are best practicable means, by confirming compliance with indicative requirements, by justifying departures or alternative measures.

Fitzsimons, Aiden

From: Imoke, Christopher
Sent: 30 March 2011 16:24
To: michael@naganjohnson.co.uk
Cc: Gallacher, Simon
Subject: Cubana 59-61 Charterhouse Street EC1

Importance: High
Sensitivity: Confidential

Michael,

For your information and use, I have received your letter dated the 28/03/11 to Mr Gallacher where you accepted the four noise control conditions. Therefore the Noise Team withdraw objections to the granting of the licence.

Regards

Chris Imoke
Senior Environmental Health Officer (Noise) London Borough of Islington - Public Protection And Development Management Division 3rd Floor 222 Upper Street, LONDON N1 1XR
*020 7527 3471 Fax: 020 7527 3059
*chris.imoke@islington.gov.uk*www.islington.gov.uk

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Chris Imoke
Senior Environmental Health Officer (Noise) London Borough of Islington - Public Protection And Development Management Division 3rd Floor 222 Upper Street, LONDON N1 1XR
*020 7527 3471 Fax: 020 7527 3059
*chris.imoke@islington.gov.uk*www.islington.gov.uk

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**Islington Licensing Authority
Licensing Act 2003**

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Environmental Protection

Your Name	Chris Imoke
Job Title	Senior Environmental Officer
Postal and email address	Municipal Offices 222 Upper Street London N1 1XR
Contact telephone number	0207527-3471
Name of the premises you are making a representation about	Cubana
Address of the premises you are making a representation about	59-61 Charterhouse Street, London EC1 6HA

*Please detail the evidence supporting your representation. Or the reason for your representation.
Please use separate sheets if necessary*

To prevent public nuisance

We are making our representation for the minimisation and prevention of risk of noise pollution.

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary.

1. Doors to the premises will be kept closed, except for entry and exit, at all times when noise generating regulated entertainment is taking place.
2. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
3. All outside tables and chairs to be cleared away or rendered unusable by 11pm.
4. No consumption of drinks outside after 11pm.

Signed: _____

Date: _____

29/03/11



Please send this form along with any additional sheets to the applicant. A copy should be sent to:
Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to
licensing@islington.gov.uk

**This form must be returned within the Statutory Period. For more details please check with the
Licensing Support Team on 020 7527 3031**

Suggested conditions of approval consistent with the operating schedule

1. The outside seating area shall be cleared of table and chairs by 23:00 hours.
2. No drinks shall be sold for consumption outside after 23:00 hours.
3. There shall be no music played outside the premises.
4. CCTV shall be used at the premises and recordings retained for a minimum of 31 days.
5. All staff shall undergo training concerning knowledge of licensing law together with the social impact of the sale of alcohol.
6. Non-alcoholic drinks shall be available and promoted throughout opening times.
7. When alcohol and/or regulated entertainment is provided by way of music and dancing and continues past 2 am, then SIA registered door supervisors will be employed from 9 pm until closing time at the rate of one door supervisor for every one hundred customers.
8. Notices shall be displayed at exits reminding customers to respect neighbours.
9. Polycarbonate glasses and jugs shall be used after midnight.
10. Public transport information shall be included on the Cubana website and information provided to customers on exit, including details of local licensed taxis.
11. Music levels shall be monitored and kept to lower levels towards the entrance of the premises.
12. Cigarette bins shall be provided at the front of the premises.
13. Persons under 16 years shall only be permitted on the premises under the supervision of parents or appropriately authorised persons. Accompanied children shall be discouraged after 22:00 hours, except on special occasions by pre-arrangement.
14. Persons under 18 years shall not be served alcohol and persons who do not appear to be over 21 years of age will be asked to prove their age. All staff shall be fully trained on the age verification policy for the premises.

Suggested conditions of approval recommended by Noise Officer

15. Prior to any regulated entertainment taking place on the premises:
 - an assessment of the premises sound insulation shall be undertaken and appropriate improvement works carried out, so as to ensure that music noise levels generated on the premises meet the Council's Technical Criteria; and,
 - maximum music noise levels shall be agreed.

The improvement works and maximum music noise levels shall be approved in writing through the Council's Noise Service.
16. The doors to the premises will be kept closed so far as practicable at times when regulated entertainment is taking place.
17. Prominent, clear and legible notices must be displayed at all exits requesting the public to leave the premises and area quietly.
18. No consumption of drinks shall take place outside the premises after 23:00 (see 2 above).

Suggested conditions of approval recommended by Health and Safety Officer (agreed)

19. The premises shall not be used under the licence until and the arrangements at the premises are suitable and sufficient for health and public safety and have been approved in writing by the responsible authority for health and public safety.
20. The premises shall be in accordance with the Technical Standards for Places of Entertainment.
21. The maximum number of persons accommodated at any one time in the premises shall not exceed the number agreed with the responsible authority for health and public safety.
22. Copies of the inspection and test certificates specified below, properly certified by approved competent persons, shall be available for examination by the responsible authority for health and public safety.

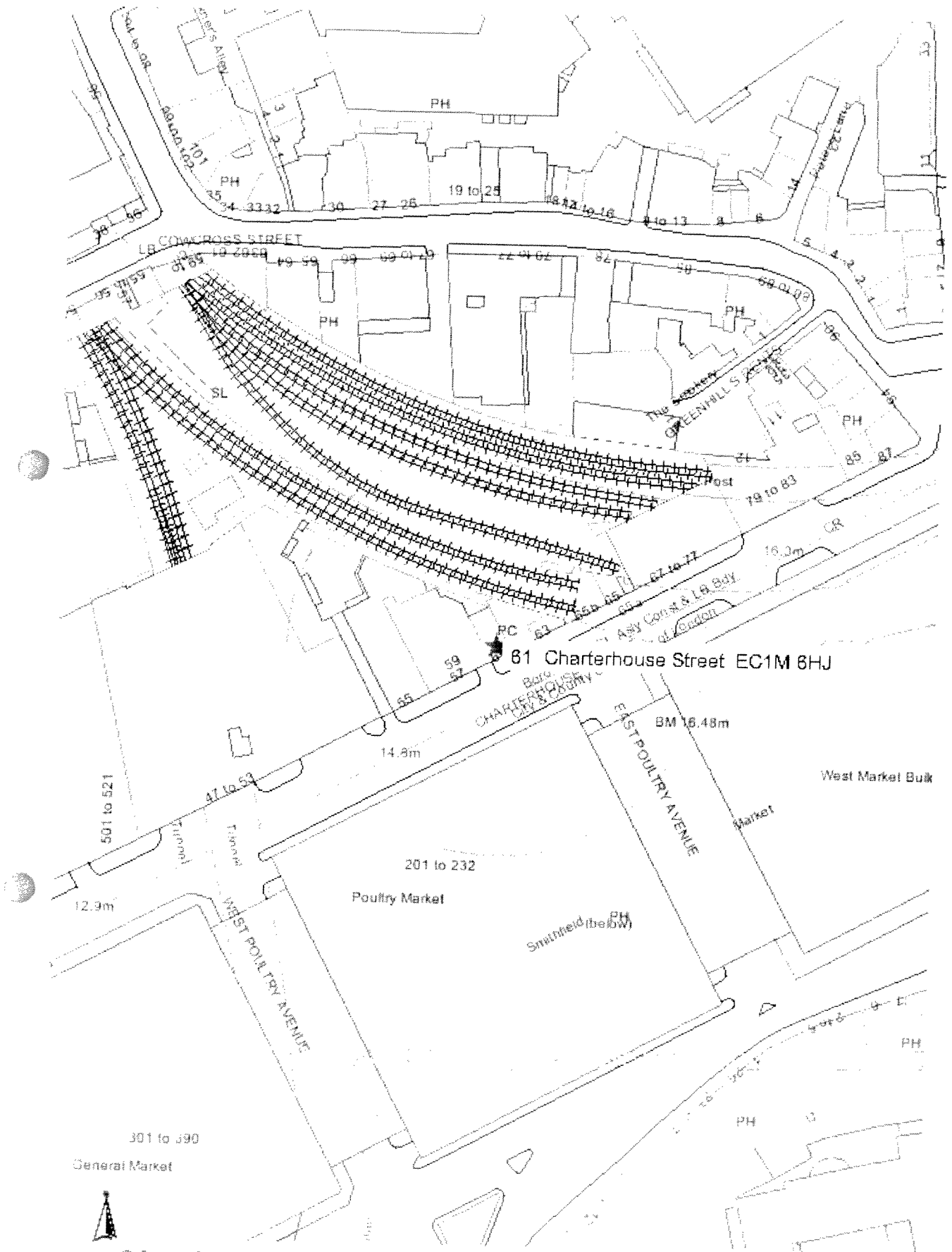
Electrical installation

Emergency lighting

Fire alarm

Fire fighting appliances

Gas installation and appliances



61 Charterhouse Street EC1M 6HJ

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Google maps

To see all the details that are visible on the screen, use the Print link next to the map.

