



Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	18 July 2017		Clerkenwell

Delete as appropriate		Non-exempt
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**Subject: TEMPORARY EVENT NOTICE APPLICATION
CUBANA, 59-61 CHARTERHOUSE STREET, LONDON EC1M 6HA**

1. Synopsis

- 1.1 This is a hearing to determine a Temporary Event Notice (TEN) in respect of the above premises. The application was submitted on the 5 July 2017 and is seeking to allow:
 - The sale of alcohol for consumption on the premises from 17:00 to 23:00 on 20 July 2017.
- 1.2 The TEN is applied for under section 100, Part 5 of the Licensing Act 2003.
- 1.3 The premises hold a current premises licence; however, a condition of the licence restricts the consumption of alcohol to seated customers only. This TEN, if permitted, would allow "vertical drinking".
- 1.4 This application is subject to a representation from the Metropolitan Police relating to the following licencing objectives:
 - i. The prevention of Crime and Disorder
 - ii. Public Safety
 - iii. The prevention of Public Nuisance

2. Recommendations

- 2.1 To determine the TEN under Part 5 of the Licensing Act 2003 as the Licensing Sub-Committee consider appropriate for the promotion of the Licensing Objectives.

- 2.2 The Committee can decide to:
- i. allow the TEN for the specified event;
 - ii. allow the TEN, subject to one or more conditions of the existing premises licence; or
 - iii. prohibit the TEN by way of a counter notice.

3. Background

- 3.1 The operators were granted a premises licence on 15 May 2014. The licence permits the sale of alcohol, for consumption on the premises only, from 12:00 to 23:00, Sundays to Thursdays, and 12:00 to 00:00, Fridays to Saturdays.
- 3.2 On 26 May 2017, Licensing Officers visited the premises, which was hosting an end of year prom. The officers found a large group of patrons congregated outside, including some who appeared under 18 years. Many of the patrons present were clearly intoxicated. Customers had been permitted to leave with drinks. There was evidence of vertical drinking at the premises. Management control was poor, with patrons left outside unsupervised, substantial litter and no dispersal arrangements in place.
- 3.3 As a consequence of the Licensing Officers' visit, the operators were invited to attend a Licensing Officer Panel meeting on 8 June 2017.
- 3.4 The premises has been used under one TEN this calendar year on 28 April 2017. This was a "Military work celebration party" for 100 persons, with sales of alcohol and Late Night Refreshment to 03:00 hours. A further TEN submitted for 29 June 2017 was rejected as this was submitted too late; no times were specified on this notice.
- 3.5 The operators attempted to submit two TENs on 22 June 2017 for events on 13 and 20 July 2017. The applications were incorrectly completed and the applicant was advised by the Licensing Service to amend the applications. In light of the events witnessed on 26 May 2017 the applicant was also advised to supply additional information to satisfy the relevant responsible authorities that the events would be well managed.
- 3.6 Two revised TENs were resubmitted on 5 July 2017. The Metropolitan Police have made representation in respect of both TENs. The TEN for the 13th July was deemed a "Late TEN" and as a consequence this TEN was automatically deemed refused.
- 3.7 The operators have submitted a response to the Metropolitan Police representation.
- 3.8 Papers are attached as follows:-
- | | |
|-------------|---|
| Appendix 1: | application form; |
| Appendix 2: | representation; |
| Appendix 3: | current premises licence; |
| Appendix 4: | Licensing Officer Panel letter; |
| Appendix 5: | Operator's response to Police representation; |
| Appendix 6: | map of premises location. |

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 from the current premises licence as appropriate to promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy
Licensing Act 2003
Secretary of States Guidance

Final Report Clearance

Signed by


Service Director – Public Protection

Date 12.7.17.

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Family name

E-mail address

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes

No

Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

Yes No

Address

Is the address the same as (or similar to) the address given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

Premises licence number

Location Details

Provide further details about the location of the event

59 Charterhouse St,
Cubana Smithfield, London

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Vertical Drinking and Late night opening: company summer party.

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Describe the nature of the event below (see also guidance on completing the form, note 5)

Vertical Drinking

Company: Travers Smith (law firm)

Event: Corporate Summer party, all 18+. Please see below the time line of the party:

18:00 Guest

19:00 – 21:00 Buffet with enough seating space

20:00 – 22:00 Live Music

22:00 – 23:00 Background Music

Further details:

- Will there be any entertainment, if so will it finish by 11pm? If you intend to provide regulated entertainment after 11pm you need to ensure that it is authorized. No - the band will finish at 10.00pm

- How the outside space will be managed? Either the door super or a manager will be outside at all times to make sure of the following:

1. no alcohol outside
2. no large crowds outside
3. people disperse and are helped to transport as they leave

- How the supply of alcohol will be controlled:

Our bar staff are trained and our managers are getting additional training following the events of a few weeks ago

We will have plenty of water, soft drinks, smoothies and fresh fruit juices available

- Will food be provided?

They have ordered a substantial amount of food and - and this will be served throughout the party

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LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

(see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment

Continued from previous page...

- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 7).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 8)

Event start date / /
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also guidance on completing the form, note 9)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 10)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

(see also guidance on completing the form, note 11):

- On the premises only
- Off the premises only
- Both

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RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 12)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Entertainment:
- Live music from 8pm to 10pm

Continued from previous page...

- Background Music from 10pm - 11pm

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PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 13)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Date of expiry / /
dd mm yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 14)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? Yes No

State the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:
a) Ends 24 hours or less before; or Yes No
b) Begins 24 hours or less after the event period proposed in this notice?

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ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 15)

Continued from previous page...

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

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CONDITION (See also guidance on completing the form, note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 18)

* The information contained in this form is correct to the best of my knowledge and belief

Continued from previous page...

* I understand that it is an offence:

* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/islington/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

< Previous 1 2 3 4 5 6 7 8 9 Next >

Islington Licensing Authority
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES IN RESPECT OF A
TEMPORARY EVENT NOTICE

Your Name	ISLINGTON POLICE LICENSING TEAM
Responsible authority and job Title	Metropolitan Police. Licensing Officer Islington Police Station
Postal and email address	2 TOLPUDDLE STREET ISLINGTON N1 0YY. Licensingpolice@islington.gov.uk

Name of the premises you are making a representation about	CUBANA
Address of the premises you are making a representation about	59 Charterhouse street EC1M 6HA
Date and times of notice	From 1700hrs until 2300hrs 20/07/2017
Normal or Late TEN (if representation is for a late TEN then counter notice will be issued)	Normal

This representation relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance

Recommended actions to promote the licensing objectives:

- 1) The following conditions of the premises licence, as detailed below, be imposed
- 2) The TEN be modified as follows:
- 3) Additional information needs to be supplied by applicant:
- 4) The responsible authority considers that the notice should be refused by the Council's Licensing Committee

Annex 1 conditions (please specify)



Annex 2 conditions (please specify)

Annex 3 conditions (please specify)

Suggested modifications (for example times, dates, capacity)

Please detail the evidence supporting your representation and / or the reason for your representation. Please use separate sheets if necessary

With reference to the above application, we are 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 this application would undermine the Licensing Objectives.

The venue held an event on 26th May 2017 where high levels of intoxication was witnessed by council Licensing officers. The event was being held for 17/18 year old school pupils and their teachers. Several License breaches were identified and the venue was called in for an officer panel on 8th June 2017.

On reading the application I note that the applicant, when referring to how the outside space will be managed has stated the following: Either the door super or a Manager will be outside at all times to make sure of the following. This does not fill me with confidence. I would expect a clear plan to be in place, that being, every member of staff having a clearly identified role?

There is no reference to the number of door supervisors expected to be in attendance? And I again would expect this to be part of any operational plan.

In the section- How the supply of alcohol will be controlled he applicant has stated the following: Our bar staff are trained and our managers are getting additional training following the events of a few weeks ago. I take this to mean that at the current time this extra training has not yet been given?

I am also concerned about the number of expected patrons. The venue is only a small venue and the applicant has stated that 200 are expected to attend. I find it difficult to see how it would hold 200 persons? And consider this to increase the risk of patrons spilling out into the street.

I am not confident that this event will be managed in a way that will ensure the licensing objectives are complied with and I therefore make this representation that the application be refused.

Signed: Islington Police Licensing Team

Date: 06/07/2017 _____

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 Team on 020 7527 3031

To be completed and returned by applicant

Name of the premises	
Address of the premises	
Date and times of proposed temporary event	

<p>1) I am happy to accept the representation and conditions/modifications recommended by the responsible authority <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2) I wish to withdraw my application for a temporary event notice <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3) I do not accept the suggested conditions or recommendations and I wish to proceed with the notice to the next available Licensing Sub Committee <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Signed: _____ Date: _____</p> <p>Print name: _____</p>

A copy should be sent by post to: Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to licensing@islington.gov.uk

This form must be returned within 5 working days.

Applicants are encouraged to enter into negotiations and supply additional information to the relevant responsible authority, where appropriate prior to formally returning this notice.

For more details please check with the Licensing Support Team on 020 7527 3031



PREMISES LICENCE LICENSING ACT 2003

Appendix 3

Premises licence number	LN/14785-040416	Date of original grant*	15 th May 2016
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**An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

Postal address of premises, or if none, ordnance survey map reference or description			
CUBANA CAFÉ			
61 CHARTERHOUSE STREET			
Post town	London	Post code	EC1M 6HA
Telephone number	020 7490 1209		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground Floor
<ul style="list-style-type: none"> The sale by retail of alcohol The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities																																				
<ul style="list-style-type: none"> The sale by retail of alcohol: <table border="0"> <tr><td>Monday</td><td>12.00</td><td>to</td><td>23.00</td></tr> <tr><td>Tuesday</td><td>12.00</td><td>to</td><td>23.00</td></tr> <tr><td>Wednesday</td><td>12.00</td><td>to</td><td>23.00</td></tr> <tr><td>Thursday</td><td>12.00</td><td>to</td><td>23.00</td></tr> <tr><td>Friday</td><td>12.00</td><td>to</td><td>00.00</td></tr> <tr><td>Saturday</td><td>12.00</td><td>to</td><td>00.00</td></tr> <tr><td>Sunday</td><td>12.00</td><td>to</td><td>23.00</td></tr> </table> The provision of late night refreshment: <table border="0"> <tr><td>Friday</td><td>23.00</td><td>to</td><td>00.00</td></tr> <tr><td>Saturday</td><td>23.00</td><td>to</td><td>00.00</td></tr> </table> 	Monday	12.00	to	23.00	Tuesday	12.00	to	23.00	Wednesday	12.00	to	23.00	Thursday	12.00	to	23.00	Friday	12.00	to	00.00	Saturday	12.00	to	00.00	Sunday	12.00	to	23.00	Friday	23.00	to	00.00	Saturday	23.00	to	00.00
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The opening hours of the premises:																												
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Sunday	07.00	to	23.00																									

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On supplies

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Cubana (Smithfield) Limited
48 Lower Marsh
London
SE1 7RG
07701 070 571
phillip@cubana.co.uk

Registered number of holder, for example company number, charity number (where applicable)

07532596

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Maria Rangel,
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

LN850076- London Borough of Southwark

Islington Council
Public Protection Division
222 Upper Street
London
N1 1XR
T: 020 7527 3031
E: licensing@islington.gov.uk

Service Manager (Commercial)

Date of Issue

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003.

There are further 'Mandatory conditions' applicable to licences authorising the supply of alcohol. A full list of the current mandatory conditions is available from the licensing pages on Islington's web site, www.islington.gov.uk. This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

Annex 2 - Conditions consistent with the Operating Schedule

1. No alcohol may be consumed outside.
2. Alcohol may only be consumed by seated customers.
3. Alcohol may only be sold at times when substantial food and fresh, non-alcoholic fruit drinks are available for purchase and promoted on the premises.
4. The premises shall operate Challenge 21.
5. Children will only be allowed on the premises under the supervision of adults.
6. All staff shall undergo licensing training, which shall include training concerning knowledge of licensing law and the social impacts of the sale of alcohol.
7. A maximum of three tables (12 seats) may be provided outside, but only under the authority of a pavement licence. Tables and chairs to the front of the premises shall be cleared and rendered unusable at, or before, 22:15 on each day of operation. Any moveable furniture will be fitted with rubber (or equivalent) feet.
8. Adequate notices shall be displayed to inform patrons of the time of removal of tables and chairs.
9. A designated smoking area and number of smokers outside the premises at any one time will be agreed with the Council's pollution team. Suitable receptacles will be provided for cigarette litter within that area. The designated smoking area shall not be used for the consumption of drinks, unless patrons are seated in the tables and chairs area to the front of the premises.
10. Litter patrols shall be carried out throughout the hours of operation and once the final customers have left to ensure all litter associated with the premises has been cleared from the public highway.
11. CCTV shall be installed, operated and maintained in agreement with the Police. "Maintained" means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images and correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder system of everyone entering the premises and will operate in any light conditions within the premises. The system shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a

minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of every request. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately.

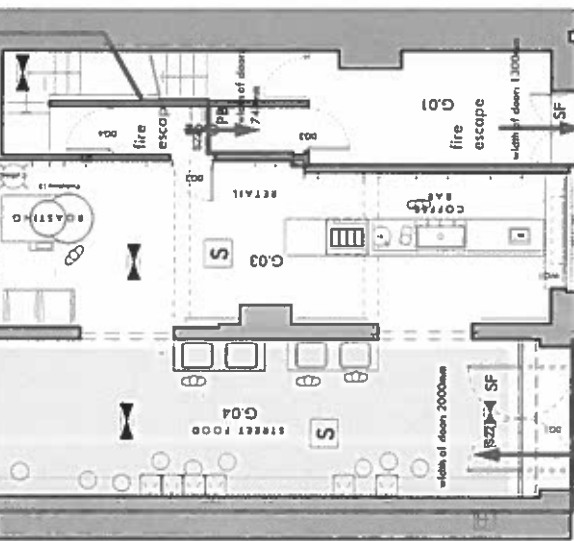
12. A scheme for noise insulation shall be agreed with the Council's pollution team.
13. Public transport information will be included on the premises' web-site and provided to customers.
14. There shall be erected and maintained in a prominent position at every exit a clear, conspicuous and legible notice requesting patrons to avoid causing noise nuisance to local occupants of any properties in the vicinity.
15. Odour from any flue used for the dispersal of cooking smells serving the building shall not cause nuisance to the occupants of any properties in the vicinity.
16. Music levels shall be monitored and kept lower towards the front of the premises.
17. There shall be no music played outside of the premises.
18. An assessment of the premises sound insulation shall be undertaken and appropriate improvement works carried out, so as to ensure that noise levels generated on the premises meet the Council's Technical Criteria; and, maximum music noise levels shall be agreed.
19. The improvement works and maximum music noise levels shall be approved in writing through the Council's Pollution Team.
20. The Premises Licence Holder or nominated person shall supervise and control levels of noise on the smoking area and advise patrons of the need to respect local occupants of any properties in the vicinity where appropriate.
21. The occupier of the first floor premises at 57-61 shall be fully consulted as to the specification and testing of sound insulation and the setting of music noise levels.

Annex 3 - Conditions attached after a hearing by the licensing authority

1. The designated premises supervisor shall work solely at the premises.

Annex 4 – Plans

Reference Number: CHS_L 101 – January 2013



area of all licensable activities and consumption of alcohol

kitchen

public conveniences

signs: keep passage clear

sign: emergency exit

sign: door kept open when premises are occupied

emergency light

control panel: sounders and illuminated signs

fire alarm call point

area covered by smoke detection

area covered by heat detector

water fire extinguisher

emergency blanket

carbon dioxide fire extinguisher

PB panic bolt

SF simple fastening

external seating area
all tables and chairs will be cleared away by 11.00pm
no consumption of drinks after 11.00pm
no music in this area

Drawn Checked Scale Date No.
1:100/A3 January 2013

naganJohnson

2 Partypool Place
London SE1 8QF
Tel: 020 7633 0200
Fax: 020 7633 0324
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Mr P Oppenheim
Charterhouse Street
LONDON
Ground and Basement CHS_L
Plans as proposed 101



Cubana (Smithfield) Limited
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SE1 7RG

Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

T 020 7527 3233
F 020 7527 3430
E terrie.lane@islington.gov.uk
W www.islington.gov.uk

Our ref: ppd/lic/tl
Your ref:

This matter is being dealt with by:
Terrie Lane

26 June 2017

Dear Sirs,

LICENSING OFFICER PANEL – 8 JUNE 2017

RE: CUBANA CAFÉ 61 CHARTERHOUSE STREET EC1M 6HA

Thank you for attending the officer panel on 8 June 2017.

You met with Jan Hart Service Director, PS Aaron Barnes and Terrie Lane, Licensing Manager.

Attending for your company were Phillip Oppenheim, Pedro Rabanales (duty manager) and your Solicitor.

The following are the notes taken at the meeting including agreed measures in bold:

JH opened the meeting by explaining that licensing panel was an informal and open discussion whereby licensees are asked to come in when problems are identified in order to reach a resolution and prevent the need for further action.

JH explained that this meeting was being held due to an event held for sixth formers, where there was a high level of intoxication and licence conditions were not being complied with.

JH – We are very concerned about the events of that evening. We had experienced officers visit your premises that night and they were shocked at what they saw – high levels of drunkenness, even the teachers, they were too drunk to be allowed into nearby premises. There was no food provided when officers visited. **This was a dancing and drinking event and not suitable for your premises, which is a café where all customers must be seated and be eating.**

PO – The event was booked as an end of term prom; many were under age but they were stamped. We agreed that teachers must be present to keep an eye on the students and substantial food would be served. They arrived at 7pm and were well dressed. There were no problems until mid to end of the evening. It seemed some of them had pre-loaded. We closed the bar early and so they began to congregate outside.

At 11.30pm there were a lot of people outside. Pedro made the mistake of giving them their drinks in plastic cups to take away, he has been given a warning. Our CCTV was 1 hour slow.

Our first reaction was that we would not have that type of party again as we could lose our licence. We know we can have no vertical drinking.

Staff will be going on the BII level 2 course and have additional training for bar staff dealing with underage.

JH – We encourage events for young people however they must be properly managed and **the licence conditions must be complied with.** We have dealt with many student nights. **You must ID at the bar not just at the front door.** It was too much for one door supervisor. **Staff**

must be vigilant; girls especially will smuggle items in their bags. Jugs of cocktails were not supervised. **Your staff must check and monitor customers** and not rely on the teachers as it is not their responsibility to check for drunkenness on the premises. It is unacceptable that the teachers were drunk.

Contact us if you want events in the future.

PO – We had a special offer on drinks that was for May only. We realise that we should not have given out the cocktail jugs. **We will turn away requests if we feel we can't manage them. I will put you and Simon on our mailing list to see what is coming up.**

We expect the above agreements (in bold) to be carried forward and will monitor the premises to ensure compliance.

Please contact me if you have any queries regarding this letter. In my absence please contact the Licensing Duty Line on 020 7527 3031 between 1pm and 5pm Mondays to Fridays.

Yours sincerely

Terrie Lane
LICENSING MANAGER

Gallacher, Simon

From: Phillip Oppenheim <phillip@cubana.co.uk>
Sent: 06 July 2017 13:51
To: James, Kamari; LicensingPolice; Brothers, Anne; Ford, Andrew; Lane, Terrie; Gallacher, Simon; Greg Gilbert
Subject: Objection to TEN

Dear Sirs

I understand that the police have objected to our TEN applications

These are both for parties from local companies which will end within our licensed closing times

The only significant issue is that people might be drinking vertically - we will be serving a substantial amount of food and food will be available all evening

We also have two door supers booked

We had a problem with a school prom party in May, we met with the licensing panel and agreed a number of improvements to prevent a repetition of any problem - these have all been implemented

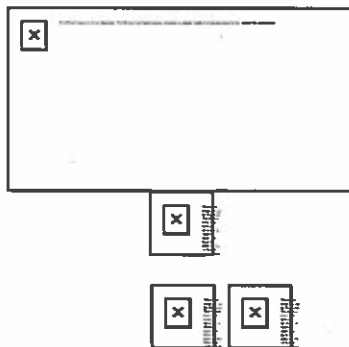
If we cannot ever have a TEN for vertical drinking, it means we cannot really book a large party and that would make the business very difficult

I don't think we have been a problematic venue - we are very food led and I hope you will reconsider - these parties are booked for this month and if we have to cancel them it will cause a lot of problems .

I am happy to discuss any of the concerns

Phillip Oppenheim

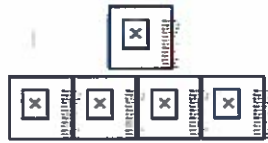
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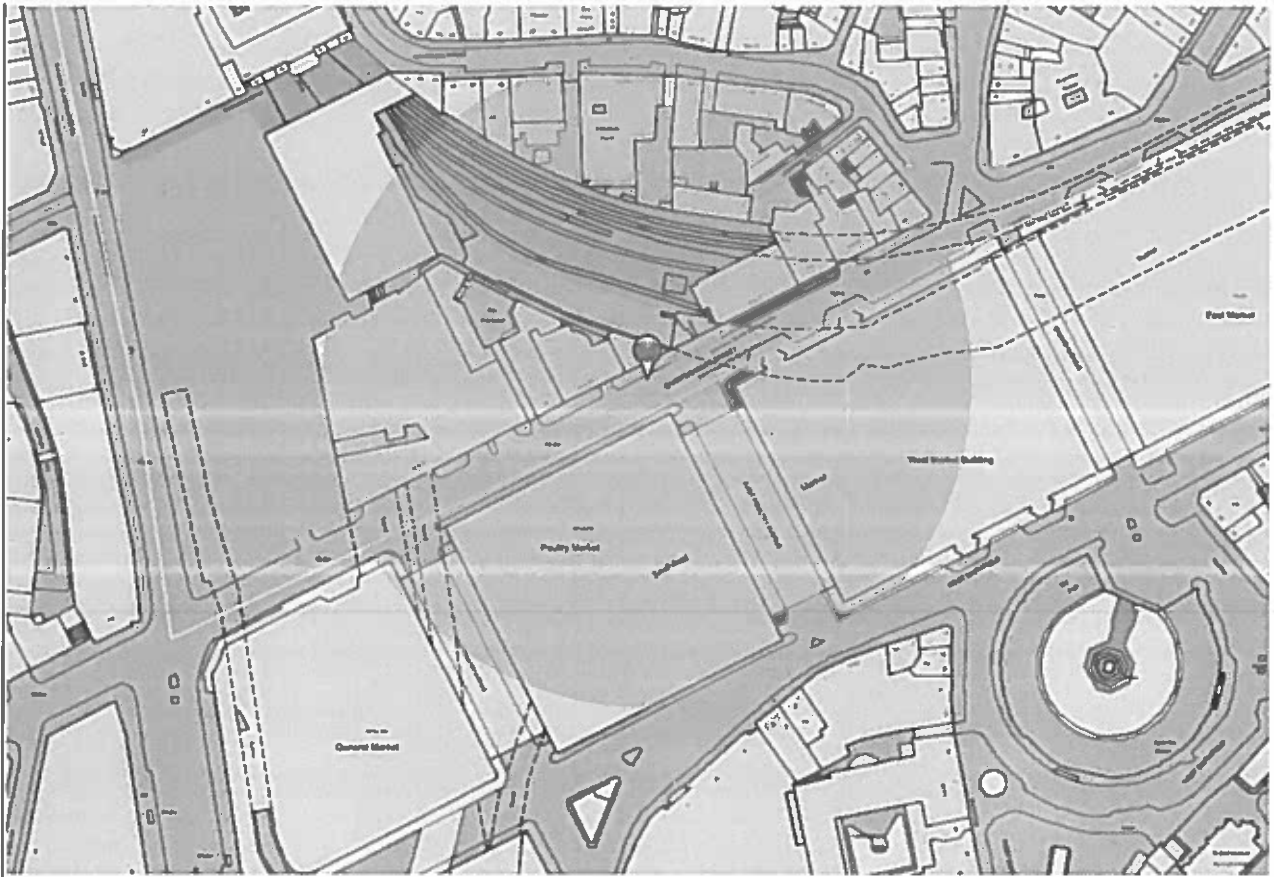
***Click on the image below to view our videos
'At Cubana Smithfield' and 'In search of Cuban Coffee...'***



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Cubana Smithfield Ltd Registered in England No 07532596 | VAT No 211176157
Registered Office: 48 Lower Marsh, London, SE1 7RG**

Title: Cubana

Appendix 6



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