

NOTICE OF MEETING

LICENSING SUB COMMITTEE A

Thursday, 14th November, 2019, 7.00 pm - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Vincent Carroll (Chair), Luke Cawley-Harrison and Reg Rice

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE

3. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be dealt with at item below).

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

5. MINUTES (PAGES 1 - 2)

To approve the minutes of the previous meeting of the Licensing Sub Committee A held on 18th December 2018.

6. SUMMARY OF PROCEDURE (PAGES 3 - 4)

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003 or Gambling Act 2005. A copy of the procedure is attached.

7. APPLICATION FOR A VARIATION OF A PREMISES LICENCE AT GINDUNGA 2A QUEENS PARADE, BOUNDS GREEN ROAD LONDON N11 2DN (PAGES 5 - 70)

To consider an application for a Variation of a Premises licence at Gindunga 2A Queens Parade, Bounds Green Road London N11 2DN.

8. ITEMS OF URGENT BUSINESS

To consider any new items of admitted under item 3 above.

Glenn Barnfield, Principal Committee Co-ordinator
Tel – 020 8489 2939
Fax – 020 8881 5218
Email: glenn.barnfield@haringey.gov.uk

Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
River Park House, 225 High Road, Wood Green, N22 8HQ

Wednesday, 06 November 2019

**MINUTES OF THE MEETING OF THE LICENSING SUB
COMMITTEE A HELD ON MONDAY, 17TH DECEMBER, 2018,
19:00 – 19:45**

PRESENT: Cllr Vincent Carroll (Chair), Cllr Dhiren Basu and Cllr Luke Cawley-Harrison

90. FILMING AT MEETINGS

Noted.

91. APOLOGIES FOR ABSENCE

None.

92. URGENT BUSINESS

None.

93. DECLARATIONS OF INTEREST

None.

94. MINUTES

The minutes of the meeting held on 12th July 2018 were approved as a correct record of the meeting.

95. SUMMARY OF PROCEDURE

Noted.

96. REVOCATION OF A STREET TRADING LICENSE

Ms Daliah Barrett, the Licensing Officer, introduced the application made by the Licensing Authority which sought revocation of a street trading licence on the grounds of non-payment of the licence fee, under section 28 of the London Local Authorities Act 1990. Section 29 of the Act required the matter to be dealt with by the Licensing Committee.

This item was further discussed in the exempt part of the meeting at item 98.

OUTCOME

The Committee heard the representations made by the licence holder in person, and having heard from all the parties, the committee decided that the licence will be revoked.

97. EXCLUSION OF THE PRESS AND PUBLIC

Resolved

That the press and public be excluded from the meeting for consideration of item 8 as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); para 3; namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

98. REVOCATION OF A STREET TRADING LICENSE

As per the exempt minutes and Item 96.

99. ITEMS OF URGENT BUSINESS

None.

CHAIR: Councillor Vincent Carroll

Signed by Chair

Date

APPENDIX 3

| LICENSING SUB-COMMITTEE REVIEW HEARINGS PROCEDURE SUMMARY | |
|--|---|
| INTRODUCTION | |
| 1. | The Chair introduces himself and invites other Members, Council officers, the Premises Licence Holder, representatives of responsible authorities, interested parties and the Review Applicant to do the same. |
| 2. | The Chair invites Members to disclose <ul style="list-style-type: none"> i) any prior contacts (before the hearing) with the parties or representations received by them; and separately any declarations of interest. |
| 3. | The Chair explains the procedure to be followed by reference to this summary which will be distributed in advance. |
| NON-ATTENDANCE BY PARTY OR PARTIES | |
| 4. | If one or both of the parties fails to attend, the Chair decides whether to: <ul style="list-style-type: none"> (i) grant an adjournment to another date, or (ii) proceed in the absence of the non-attending party. Normally, an absent party will be given one further opportunity to attend. |
| TOPIC HEADINGS | |
| 5. | The Chair suggests the “topic headings” for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is: <p>Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.</p> <ul style="list-style-type: none"> (i) the prevention of crime and disorder, (ii) public safety, (iii) the prevention of public nuisance, and (iv) the protection of children from harm. |
| 6. | The Chair invites comments from the parties on any other topic headings to be discussed. |
| WITNESSES | |
| 7. | The Chair asks whether there are any requests by a party to call a witness and decides any such request. |
| 8. | Only if a witness is to be called, the Chair then asks if there is a request by an opposing party to “cross-examine” the witness. The Chair then decides any such request. |
| DOCUMENTARY EVIDENCE | |
| 9. | The Chair asks whether there are any requests by any party to introduce late documentary evidence. |
| 10. | If so, the Chair will ask the other party if they object to the admission of the late documents. |
| 11. | If the other party do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not generally be admitted. |

| | | |
|---|--|--|
| 12. | If the other party object to documents produced late but before the hearing, the following criteria shall be taken into account when the Chair decides whether or not to admit the late documents: | |
| (i) | What is the reason for the documents being late? | |
| (ii) | Will the other party be unfairly taken by surprise by the late documents? | |
| (iii) | Will the party seeking to admit late documents be put at a major disadvantage if admission of the documents is refused? | |
| (iv) | Is the late evidence really important? | |
| (v) | Would it be better and fairer to adjourn to a later date? | |
| THE LICENSING OFFICER'S INTRODUCTION | | |
| 13. | The Licensing Officer introduces the report explaining, for example, the existing hours, the hours sought to be varied and the comments of the other Council Services or outside official bodies. This should be as "neutral" as possible between the parties. | |
| 14. | The Licensing Officer can be questioned by Members and then by the parties. | |
| THE HEARING | | |
| 15. | This takes the form of a discussion led by the Chair. The Chair can vary the order as appropriate but it should include: | |
| (i) | an introduction by the Review Applicant's main representative | |
| (ii) | an introduction by the Premises Licence Holder or representative | |
| (iii) | questions put by Members to the Review Applicant | |
| (iv) | questions put by Members to the Premises Licence Holder | |
| (v) | questions put by the Review Applicant to the Premises Licence Holder | |
| (vi) | questions put by the Premises Licence Holder to the Review Applicant | |
| CLOSING ADRESSES | | |
| 16. | The Chair asks each party how much time is needed for their closing address, if they need to make one. | |
| 17. | Generally, the Review Applicant makes their closing address before the Premises Licence Holder, who has the right to the final closing address. | |
| THE DECISION | | |
| 18. | Members retire with the Committee Clerk and legal representative to consider their decision including the imposition of conditions. | |
| 19. | The decision is put in writing and read out in public by the Committee Clerk once Members have returned to the meeting. | |

Report for: Licensing Sub Committee 14th November 2019

Title: Application for a Variation of a Premises licence at Gindunga 2A
Queens Parade, Bounds Green Road London N11 2DN.

Report authorised by : Daliah Barrett-Licensing Team Leader – Regulatory Services.

Ward(s) affected Bounds Green

**Report for Key/
Non Key Decision:** Not applicable

1. **Describe the issue under consideration**

1.1 An application has been submitted by Ms Faustino Da Silva for a licence to allow licensable activity namely , the sale of alcohol and regulated entertainment and late night refreshment.

1.2 The applicant is seeking the following hours:

Regulated Entertainment: Recorded Music

Friday & Saturday 1200 to 0500 hours

Provision of Late Night Refreshment

Friday & Saturday 2300 to 0500 hours

Supply of Alcohol

Friday & Saturday 1200 to 0500 hours

For the consumption **ON** the premises

Hours Open to Public:

Friday & Saturday 1200 to 0530 hours

1.2 Representations have been received against this application by 'other persons' and Responsible Authorities.

1.4 As such, in accordance with the legislation the Licensing Authority must hold a hearing to consider the application and any relevant representations.

1.5 **Representations**

The Licensing Authority representation can be found at Appendix 2.

The EHO Noise – responsible Authority representation can be found at App 3

Residents representations can be found at Appendix 4

2 **Background**

2.1 The premises has operated as a wine bar under a Premises Licence but received a number of complaints from nearby residents who were adversely affected by

noise nuisance.

The current application is seeking a 5:30am closure across the week and this has been objected to. The application has received representations against it and there has been complaints submitted to the out of hours service relating to noise nuisance coming from the venue prior to and during the consultation process.

- 2.2. During the consultation process for the variation of the licence representation from the Licensing Authority and EHO Noise Team advised the applicant of the likely impact of noise nuisance being caused by the hours being sought. The Licensing Authority recommend that the hours remain as is and there be no increase due to the location and existing concerns. The Noise EHO has offered the possibility of an increase in hours to 3am on Fridays and Saturdays, Bank Holiday Sundays, Christmas Eve and New Years Eve, with other conditions attached.
- 2.3 Council officers are satisfied that the application has been made and advertised correctly.

3 Relevant Representations

- 3.1 All representations have to meet a basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person or body sending the representation must be written and an explanation for rejection given in writing.
- 3.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 3.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives" Likely means something that will probably happen, i.e on balance more likely than not.
- 3.4 Representations from responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 3.5 The representations from Residents (Appendix 5) cite the potential for noise and anti social behaviour remaining into late in the morning from patrons attending the venue.
- 4 All the responsible authorities have been consulted about this application. They are as follows:
 - The Licensing Authority
 - The Metropolitan Police
 - The London Fire and Emergency Planning Authority
 - Planning
 - Health and Safety (includes Building Control)
 - Noise Environmental Health
 - Food Environmental Health
 - Trading Standards
 - Child protection
 - Public Health.
5. The applicant has offered measures in the operating schedule of the application that they say address the promotion of the Licensing Objectives. These can be found at Sec 18 of Appendix 1.

6 Licensing Officer comments

- 6.1 The following information is intended to advise Members of the relevant aspects of the Statement of Licensing Policy, guidance issued by the Secretary of State, legislation and good practice. Members may depart from the Council's Policy and or Section 182 Guidance provided they consider it appropriate to do so and provide clear reasons for their decision.
- 6.2 Committee will also wish to be aware of the guidance issued under section 182 of the Licensing Act 2003. Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions are focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.
- 6.3 The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. It is the Licensing Authority's wish to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
- 6.4 In considering licence applications, where relevant representations are made, this Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.
- 6.5 Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 6.6 Also The Licensing Authority may not impose conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of the hearing that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Therefore conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be required.
- 6.7 The Licensing Act 2003 permits children of any ages to be on the premises which primarily sells alcohol provided they are accompanied by an adult. It is not necessary to make this a condition.
- 6.8 In cases Members should make their decisions on the civil burden of proof, that is the balance of probability.
- 6.9 Members should consider in all cases whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 6.10 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct

management of the licence holder and their staff.
The Councils Licensing policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

7 Options:

7.1 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:

In determining this application the Sub-Committee may take any of the following steps as it considers appropriate for the promotion of the licensing objectives, namely:

- To grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To refuse to specify a person in the licence as the premises supervisor.
- To reject the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

8 The licensing authority's determination of this application is subject to a 21 day appeal period or if the decision is appealed the date of the appeal is determined and /or disposed of.

9. Other considerations

Section 17 of the Crime and Disorder Act 1998 states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area".

9.1 Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

10 Use of Appendices

Appendix 1 – Application document

Appendix 2 – Representations from Licensing Authority

Appendix 3 – Representation from Noise EHO

Appendix 4 – Other parties representations.

Background papers: Section 82 Guidance

Haringey Statement of Licensing policy

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Appendix 1 – Application document



Haringey
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@haringey.gov.uk
 Telephone: 020 8489 8232

* required information

Section 1 of 18

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

Not Currently In Use

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

Your reference

GT/GINDUNGO/1/19

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

MS MICAELA

* Family name

FAUSTINO DA SILVA

* E-mail

gtlicensingconsultants@googlemail.com

Main telephone number

Include country code.

Other telephone number

07810 826778

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

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

Is the applicant's business registered outside the UK?

Yes No

Business name

GINDUNGO

If the applicant's business is registered, use its registered name.

VAT number

- NONE

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

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

Is your business registered outside the UK? Yes No

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

Business name

VAT number

Legal status

If your business is registered, use its registered name.

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

*Continued from previous page...*Your position in the business Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 18****APPLICATION DETAILS****This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

 Address OS map reference Description**Postal Address Of Premises**Building number or name Street District City or town County or administrative area Postcode Country **Premises Contact Details**Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

15,000

Section 3 of 18**VARIATION**Do you want the proposed
variation to have effect as
soon as possible? Yes NoDo you want the proposed variation to have effect in relation to the
introduction of the late night levy? Yes NoYou do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

THE PREMISES IS A BAR & RESTAURANT LOCATED ON THE FIRST FLOOR ABOVE A RETAIL UNIT IN A TERRACED BLOCK OF
SIMILAR UNITS WITH RESIDENTIAL FLATS ABOVE.

THE VARIATION IS:

- 1) TO EXTEND THE PERMITTED HOURS FOR ALL LICENSED ACTIVITIES UNTIL 05.00 THE FOLLOWING DAY FRIDAY & SATURDAY;
- 2) TO ALLOW NON STANDARD TIMINGS WITH THE PERMITTED HOURS EXTENDED UNTIL 05.00 THE FOLLOWING DAY FOR ALL LICENSABLE ACTIVITIES ON BANK HOLIDAY SUNDAYS, CHRISTMAS EVE & NEW YEARS EVE.

Section 4 of 18**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to
vary is successful? Yes No**Section 5 of 18****PROVISION OF FILMS**

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to
vary is successful? Yes No

Continued from previous page...

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

| | | | |
|-------|----------------------|-----|----------------------|
| Start | <input type="text"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

FRIDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="12:00"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text" value="05:00"/> |

SATURDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="12:00"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text" value="05:00"/> |

SUNDAY

| | | | |
|-------|----------------------|-----|----------------------|
| Start | <input type="text"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

NONE

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

TO EXTEND THE PERMITTED AUTHORISED HOURS FOR ALL LICENSED ACTIVITIES UNTIL 05.00 THE FOLLOWING DAY ON BANK HOLIDAY SUNDAYS, CHRISTMAS EVE & NEW YEARS EVE.

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Continued from previous page...

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

NONE

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

TO EXTEND THE PERMITTED AUTHORISED HOURS FOR ALL LICENSED ACTIVITIES UNTIL 05.00 THE FOLLOWING DAY ON BANK HOLIDAY SUNDAYS, CHRISTMAS EVE & NEW YEARS EVE.

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises
 Off the premises
 Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

TO EXTEND THE PERMITTED AUTHORISED HOURS FOR ALL LICENSED ACTIVITIES UNTIL 05.00 THE FOLLOWING DAY ON BANK HOLIDAY SUNDAYS, CHRISTMAS EVE & NEW YEARS EVE.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

SATURDAY

Start End
 Start End

SUNDAY

Start End
 Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

TO EXTEND THE PERMITTED AUTHORISED HOURS FOR ALL LICENSED ACTIVITIES UNTIL 05.00 THE FOLLOWING DAY ON BANK HOLIDAY SUNDAYS, CHRISTMAS EVE & NEW YEARS EVE. OPENING HOURS TO BE EXTENDED TO 30 MINUTES AFTER THE TERMINAL HOUR.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

NONE

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

THE PREMISES LICENCE HAS BEEN MISLAID.

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Continued from previous page...

NO ADDITIONAL MEASURES CONSIDERED NECESSARY AND ALL EXISTING CONDITIONS WILL REMAIN IN FORCE.

b) The prevention of crime and disorder

NO ADDITIONAL MEASURES CONSIDERED NECESSARY AND ALL EXISTING CONDITIONS WILL REMAIN IN FORCE.

c) Public safety

NO ADDITIONAL MEASURES CONSIDERED NECESSARY AND ALL EXISTING CONDITIONS WILL REMAIN IN FORCE.

d) The prevention of public nuisance

NO ADDITIONAL MEASURES CONSIDERED NECESSARY AND ALL EXISTING CONDITIONS WILL REMAIN IN FORCE.

e) The protection of children from harm

NO ADDITIONAL MEASURES CONSIDERED NECESSARY AND ALL EXISTING CONDITIONS WILL REMAIN IN FORCE.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18**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.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

| | |
|---------------------------|----------|
| Band A - No RV to £4300 | £100.00 |
| Band B - £4301 to £33000 | £190.00 |
| Band C - £33001 to £8700 | £315.00 |
| Band D - £87001 to £12500 | £450.00* |
| Band E - £125001 and over | £635.00* |

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

| | |
|---------------------------|-----------|
| Band D - £87001 to £12500 | £900.00 |
| Band E - £125001 and over | £1,905.00 |

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

| | |
|-------------------------|------------|
| Capacity 5000-9999 | £1,000.00 |
| Capacity 10000 -14999 | £2,000.00 |
| Capacity 15000-19999 | £4,000.00 |
| Capacity 20000-29999 | £8,000.00 |
| Capacity 30000-39000 | £16,000.00 |
| Capacity 40000-49999 | £24,000.00 |
| Capacity 50000-59999 | £32,000.00 |
| Capacity 60000-69999 | £40,000.00 |
| Capacity 70000-79999 | £48,000.00 |
| Capacity 80000-89999 | £56,000.00 |
| Capacity 90000 and over | £64,000.00 |

The following credit or debit cards are accepted in Haringey:

Maestro - Mastercard Debit - Mastercard Credit - Solo - Visa Credit - Visa Debit (formerly Delta) and Visa Electron

We cannot accept liability if payment is refused or declined by the card supplier.

Due to end of day processing, this service will not be available between 10pm and 11pm every weekday evening (Mon- Fri).

Continued from previous page...

Users should note that any payments in process after the 10pm deadline need to be completed by 10.05pm

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

* I/we understand 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.

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)

Add another signatory

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/premises-licence/haringey/change-1> to upload this file and continue with your application.

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

PREMISES LICENCE

Receipt: WPSR00296379

Premises Licence Number: LN/000019731

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,
1st Floor River Park House, 225 High Road,
Wood Green, London N22 8HQ**

Signature:.....

Date: 22nd March 2018

Part 1 – PREMISES DETAILS

Postal Address of Premises or, if none, Ordnance Survey map reference or description:

**GINDUNGA
2A QUEENS PARADE
BOUNDS GREEN ROAD
LONDON N11 2DN**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of Alcohol

Late Night Refreshment

Regulated entertainment – recorded music

The times the Licence authorises the carrying out of licensable activities:

Supply of Alcohol

Sunday to Thursday 1200 to 2230 hours

Friday to Saturday 1200 to 2330 hours

Late Night Refreshment

Friday to Saturday 2300 to 2330 hours

Regulated Entertainment- Recorded music

Sunday to Thursday 1200 to 2230 hours

Friday to Saturday 1200 to 2330 hours

The opening hours of the premises:

Sunday to Thursday 1200 to 2300 hours

Friday to Saturday 1200 to 0000 hours

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

Supply of alcohol for consumption **ON** the premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence:

Micaela Faustino Da Silva

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

Not applicable

Name, address and telephone number of designated premises supervisor where the Premises Licence authorises the supply of alcohol:

Micaela Faustino Da Silva

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

Licence Number:

LN/200714030

Issued by:

Barnet Borough Council

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. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

Annex 1 –Mandatory Conditions

- (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence

Annex 1 –Mandatory Conditions

- (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

- The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police and Council Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
- All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewings of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV.
- An incident log shall be kept at the premises and maintained for a minimum period of 12 months, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - (a) All crimes reported to the venue
 - (b) All ejections of patrons
 - (c) Any complaints received concerning crime and disorder
 - (d) Any incidents of disorder
 - (e) All seizures of drugs or offensive weapons
 - (f) Any faults in the CCTV system or searching equipment or scanning equipment
 - (g) Any refusal of the sale of alcohol
 - (h) Any visit by a relevant authority or emergency service
- Staff training – appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including but not limited to:
 - (a) the responsible sale of alcohol with staff to be fully trained in, and fully aware of, the law relating to the responsible sales of alcohol to those under the age of 18.
 - (b) the prevention of under-age sales of alcohol, the Challenge 25 policy, and in checking and authenticating accepted forms of identification
 - (c) the responsibility to refuse the sale of alcohol to any person who is drunk
 - (d) fire safety and emergency evacuation procedures
 - (e) *the operation of the CCTV system*
- Drinks will not be permitted to leave the premises at any time, including for those leaving for the purpose of smoking.
- The main street door must be accessible when licensable activities are taking place at the premises.

Annex 2 – Conditions consistent with the Operating Schedule

PUBLIC SAFETY

- A fire risk assessment will be conducted and regularly reviewed.
- In line with the fire risk assessment:
 - (a) Heat / smoke detectors are installed and maintained by a competent person.
 - (b) Fire detection and fire safety equipment checks are recorded.
 - (c) Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
 - (d) Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
 - (e) All emergency exits are marked on the premises plan.
- Adequate first aid boxes will be maintained.

THE PREVENTION OF PUBLIC NUISANCE

- Regular waste disposal is undertaken in accordance with the Council's requirements. No collections of waste or recycling materials (including bottles) from the premises shall take place between 2300 and 0800 Monday to Sunday.
- The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared, including cigarette butts/packets etc periodically throughout the premises opening hours and specifically at the end of trading hours.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Music should be inaudible from the nearest noise sensitive premises.
- The pavement shall be kept clear for pedestrians and not be blocked by patrons. If at any time the capacity is reached at both the tables and bar, any new patrons will be turned away at the door rather than being invited to queue outside.
- All doors and windows shall remain closed (not locked) during the provision of Regulated Entertainment except for the ingress/egress of persons and in the event of an emergency.
- The premises shall devise and implement a robust dispersal policy to ensure that patrons leave the premises and vicinity as quietly and speedily as possible.
- The premises shall prominently display signage informing customers:-
 - (a) To leave quietly and to respect your neighbours
 - (b) Stating that CCTV is in operation and police have instant access to the footage
 - (c) Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed.

Annex 2 – Conditions consistent with the Operating Schedule

- No customers shall be allowed to leave the premises while carrying open drinking vessels, or to consume alcohol on the public highway.

THE PROTECTION OF CHILDREN

- No children under the age of 18 shall be permitted on the premises without an adult to supervise.
- A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

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

representations made by local residents, the Licensing Authority, Police Licensing Team, the Applicant and their representative, the Council's Statement of Licensing Policy, the Licensing Act 2003 and the Licensing Act 2003 s182 guidance.

Having heard the parties' evidence, the Committee resolved to grant the application as follows:

Hours open to the public

Sunday to Thursday 1200 to 2300 hours
Friday to Saturday 1200 to 0000 hours

Regulated Entertainment: Recorded music

Sunday to Thursday 1200 to 2230 hours
Friday to Saturday 1200 to 2330 hours

Provision of Late Night Refreshment

Friday to Saturday 2300 to 2330 hours

Supply of Alcohol

Sunday to Thursday 1200 to 2230 hours
Friday to Saturday 1200 to 2330 hours

For consumption ON the premises

With the following conditions:

- The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police and Council Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
- All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewings of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV.

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

- An incident log shall be kept at the premises and maintained for a minimum period of 12 months, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - (i) All crimes reported to the venue
 - (j) All ejections of patrons
 - (k) Any complaints received concerning crime and disorder
 - (l) Any incidents of disorder
 - (m) All seizures of drugs or offensive weapons
 - (n) Any faults in the CCTV system or searching equipment or scanning equipment
 - (o) Any refusal of the sale of alcohol
 - (p) Any visit by a relevant authority or emergency service

- Staff training – appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including but not limited to:
 - (a) the responsible sale of alcohol with staff to be fully trained in, and fully aware of, the law relating to the responsible sales of alcohol to those under the age of 18.

 - (b) the prevention of under-age sales of alcohol, the Challenge 25 policy, and in checking and authenticating accepted forms of identification
 - (c) the responsibility to refuse the sale of alcohol to any person who is drunk
 - (d) fire safety and emergency evacuation procedures
 - (e) *the operation of the CCTV system*

- Drinks will not be permitted to leave the premises at any time, including for those leaving for the purpose of smoking.

- Regular waste disposal is undertaken in accordance with the Council's requirements. No collections of waste or recycling materials (including bottles) from the premises shall take place between 2300 and 0800 Monday to Sunday.

- The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared, including cigarette butts/packets etc periodically throughout the premises opening hours and specifically at the end of trading hours.

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

- Music should be inaudible from the nearest noise sensitive premises.

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

- The pavement shall be kept clear for pedestrians and not be blocked by patrons. If at any time the capacity is reached at both the tables and bar, any new patrons will be turned away at the door rather than being invited to queue outside.
- All doors and windows shall remain closed (not locked) during the provision of Regulated Entertainment except for the ingress/egress of persons and in the event of an emergency.
- The main street door must be accessible when licensable activities are taking place at the premises.
- The premises shall devise and implement a robust dispersal policy to ensure that patrons leave the premises and vicinity as quietly and speedily as possible.
- The premises shall prominently display signage informing customers:-
 - (d) To leave quietly and to respect your neighbours
 - (e) Stating that CCTV is in operation and police have instant access to the footage
 - (f) Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed.
- No customers shall be allowed to leave the premises while carrying open drinking vessels, or to consume alcohol on the public highway.
- A fire risk assessment will be conducted and regularly reviewed.
- In line with the fire risk assessment:
 - (f) Heat / smoke detectors are installed and maintained by a competent person.
 - (g) Fire detection and fire safety equipment checks are recorded.
 - (h) Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
 - (i) Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
 - (j) All emergency exits are marked on the premises plan.
- Adequate first aid boxes will be maintained.
- No children under the age of 18 shall be permitted on the premises without an adult to supervise.
- A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

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

- A sound limiting device within the premises shall be installed to control amplified sound levels on the premises. The device shall be approved by and set to the Council's satisfaction and thereafter maintained for the duration of use.
- Any patrons smoking shall be requested to stand away from the entrance to the residential premises.
- One SIA door supervisor will be at the premises on a Friday and Saturday - from 2100 hours until 15 minutes after the premises closes.

The Committee noted the request of the Responsible Authorities that the lock be removed at the main entrance door, and the acceptance of the Applicant to do so.

The Committee heard from local residents in regard to noise nuisance from the premises when under previous management, and the two incidents since the Applicant had taken over the premises. They considered that the combination of a reduction to the requested hours and the implementation of the above conditions would serve to reduce the impact of noise on the neighbouring residential properties.

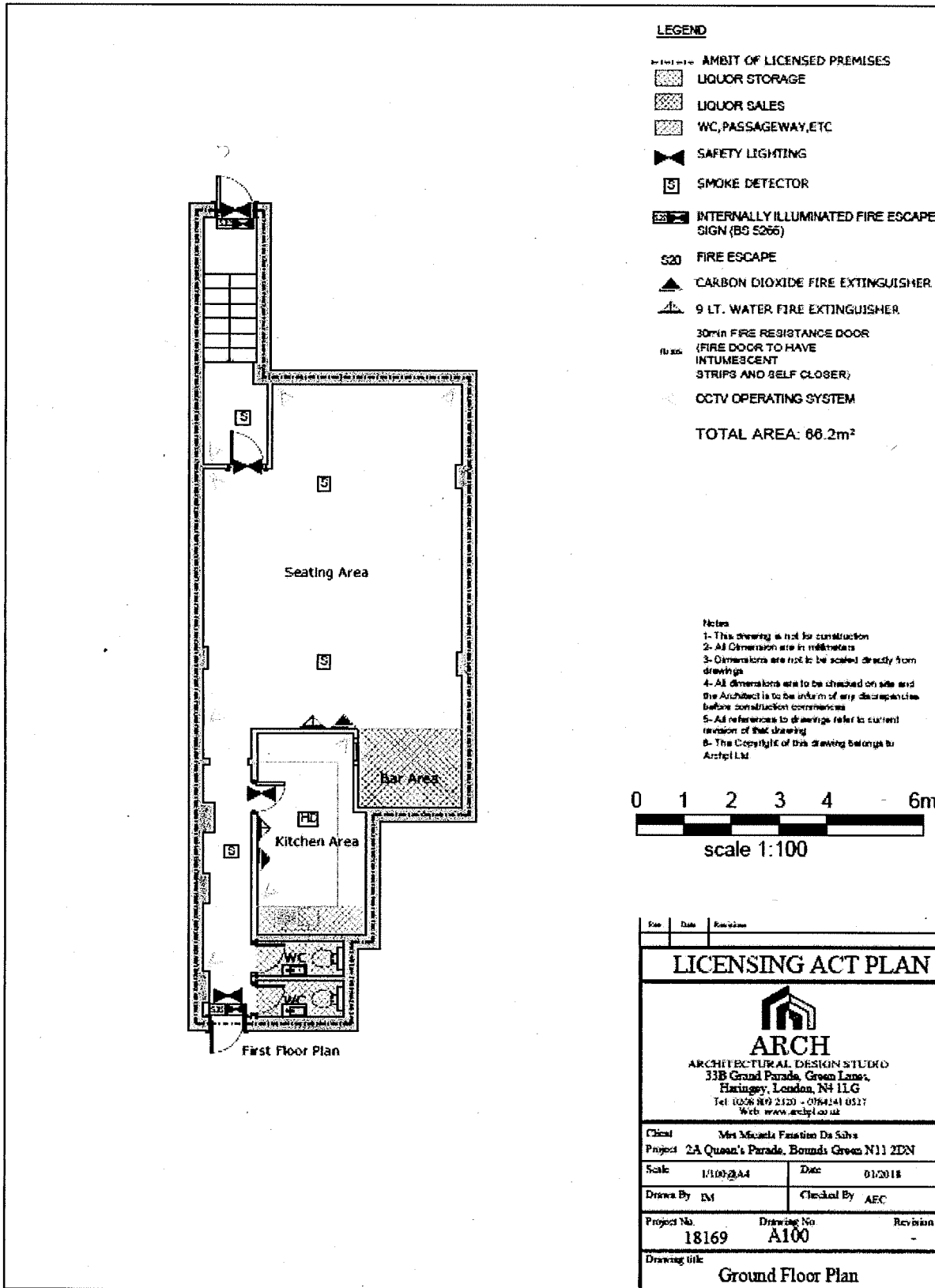
Informative

The Committee noted the undertaking of the Applicant to install soundproofing once the business has been established.

The Committee approached its deliberations with an open mind and only took its decision after having heard all the parties' representations. The Committee considered that the decision was appropriate and proportionate.

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

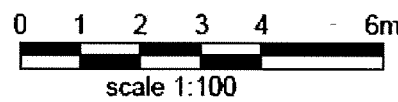
Annex 4 – Plans



LEGEND

- AMBIT OF LICENSED PREMISES
 - LIQUOR STORAGE
 - LIQUOR SALES
 - WC, PASSAGEWAY, ETC
 - SAFETY LIGHTING
 - SMOKE DETECTOR
 - INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
 - FIRE ESCAPE
 - CARBON DIOXIDE FIRE EXTINGUISHER
 - 9 LT. WATER FIRE EXTINGUISHER
 - 30min FIRE RESISTANCE DOOR (FIRE DOOR TO HAVE INTUMESCENT STRIPS AND SELF CLOSER)
 - CCTV OPERATING SYSTEM
- TOTAL AREA: 66.2m²

- Notes
- 1- This drawing is not for construction
 - 2- All Dimensions are in millimeters
 - 3- Dimensions are not to be scaled directly from drawings
 - 4- All dimensions are to be checked on site and the Architect is to be informed of any discrepancies before construction commences
 - 5- All references to drawings refer to current revision of that drawing
 - 6- The Copyright of this drawing belongs to Archpl Ltd



| No. | Date | Revision |
|--|----------|---|
| LICENSING ACT PLAN | | |
|  ARCH ARCHITECTURAL DESIGN STUDIO 33B Grand Parade, Green Lane, Haringey, London, N11 1LG Tel: 0208 809 2120 - 07942141 0517 Web: www.archpl.co.uk | | |
| Client | | Mrs Micaela Frazetto Da Silva |
| Project | | 2A Queen's Parade, Bounds Green N11 2DN |
| Scale | 1/100@A4 | Date: 01/2018 |
| Drawn By | EM | Checked By: AEC |
| Project No. | 18169 | Drawing No. A100 Revision: - |
| Drawing title: Ground Floor Plan | | |

Appendix 2 – Representations from Licensing Authority

**Representation in relation to application for a Variation to Gindunga 2A
Queens Parade, London N22.**

16th October 2019.

The Licensing Authority is making a representation against this application under the licensing objectives.

Prevention of crime and disorder

Public safety

Prevention public nuisance

The premises has operated over a number of years at this location utilising the upper floor of the building. The applicant is seeking the following hours:

Regulated Entertainment: Recorded Music

Friday & Saturday 1200 to 0500 hours

Provision of Late Night Refreshment

Friday & Saturday 2300 to 0500 hours

Supply of Alcohol

Friday & Saturday 1200 to 0500 hours

For the consumption **ON** the premises

Hours Open to Public:

Friday & Saturday 1200 to 0530 hours

These hours are excessive and due to the history of the venue the hours applied for are not supported by the Licensing authority.

The premises has residential property immediately to the rear and side of the building, the Authority has received 7 complaints against the premises for 2019 with the most recent being lodged on 5th October 2019 at 1am in the morning. The existing licence has conditions requiring sound insulation to have been carried out at the venue, we are not aware that this has been undertaken.

The venue has submitted TENS in recent weeks in an attempt to show that they are able to operate to the late hours without any concerns. This however does not show like for a like as the hours being requested could mean the premises is operational with loud music 17 hours a day 7 days a week. Residents would therefore get 7 hours respite from the operation of the venue once it closed at 5.30am each morning should this licence be granted. This is likely to impact on resident's quality of life and cause noise nuisance.

The Haringey Statement of Licensing Policy

53 LICENSING HOURS

The Council will generally deal with the issue of licensing hours having due regard to the individual merits of each application, considering the potential for nuisance associated with the style, characteristics and activities of the business and type of premises, examining any steps that might reduce the risk of nuisance.

However, although the Council will treat each case on its individual merits, generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control.

80 THE PREVENTION OF PUBLIC NUISANCE

Licensed premises, especially those that operate late at night or in the early hours of the morning, can give rise to a range of nuisances that may potentially impact on people living, working or sleeping in the vicinity of the premises. Principal concerns relate to noise nuisance, light pollution and noxious smells.

This authority expects applicants for premises licences and club premises certificates to have made relevant enquiries about the local area and prepare their operating schedule on the basis of a risk assessment of the potential sources of nuisance posed to the local community by their intended operation. The operating schedule should demonstrate an understanding of the level of risk of nuisance and include positive proposals to manage any potential risks.

The Licensing Authority RA therefore recommends that the current hours of operation are adequate for this venue taking into consideration the impact it already has on the nearby neighbours:

Supply of Alcohol

| | |
|--------------------|--------------------|
| Sunday to Thursday | 1200 to 2230 hours |
| Friday to Saturday | 1200 to 2330 hours |

Late Night Refreshment

| | |
|--------------------|--------------------|
| Friday to Saturday | 2300 to 2330 hours |
|--------------------|--------------------|

Regulated Entertainment- Recorded music

| | |
|--------------------|--------------------|
| Sunday to Thursday | 1200 to 2230 hours |
| Friday to Saturday | 1200 to 2330 hours |

The opening hours of the premises:

| | |
|--------------------|--------------------|
| Sunday to Thursday | 1200 to 2300 hours |
| Friday to Saturday | 1200 to 0000 hours |

We would ask the LSC to reject this variation to increase the hours so significantly
Licensing Authority – Responsible Authority.

Appendix 3 – Representation from Noise EHO

Internal Memorandum: ASB Enforcement Team

Licence Variation

Gindungo Restaurant, 2A Queens Parade, Brownlow Road, Wood Green, London, N11 2DN

Licensing objective:

The Prevention of Public Nuisance.

Commentary

Please accept the statement below as my formal representation.

The applicant requests a variation of the premises licence to extend the permitted hours for all licensed activities until 05:00 hours on Friday's and Saturday's, Bank Holiday Sundays, Christmas Eve and New Year's Eve.

The licensable activities proposed in the internal areas are;

- 1) Sale by retail of Alcohol (On the premises).
- 2) Provision of late-night refreshment.
- 3) Provision of Regulated Entertainment.

In the past 12 months the council has logged 12 noise complaints from residents about noise from loud music emanating from the premises. The council visited affected residences on 4 occasions, but no statutory noise nuisance was witnessed. It was noted that on 2 of these occasions a DJ operating.

In the last 3 months the council has received 3 complaints. No formal enforcement action has been taken by the council in respect of noise complaints as we have not been able to evidence this to date.

The applicant has undertaken remedial works and implemented noise management control measures to promote the licensing objective the Prevention of Public Nuisance. This has included the installation of a noise limiter (as a condition of the current licence) and commissioned the services of an acoustic specialist to identify options for reducing the potential impacts of music noise and vibration from activities on the premises. The council has yet to revisit, inspect the limiter and set the level.

Recommendations

I have considered the above and recommend that the request for an extension to 05:00 be refused. As a 5 hour increase upon the hours currently outlined the premises licence this, if granted, is likely to increase the potential for complaints (and public nuisance).

In the event you are minded to grant permission we request the variation of the licence is given to permit an extension to 03:00 hours instead of 05:00 for all licensed activities on Friday's and Saturday's, Bank Holiday Sundays, Christmas Eve and New Year's Eve. However, this should be also conditional upon the following which should be added to any licence granted:

Condition: A noise limiter set at a level agreed by the Council shall always be used. All entertainments shall utilise the in-house amplification system and the output shall be controlled by the duty manager.

Ms Jennifer Barrett
ASB Specialist Officer (Noise)
Environment and Neighbourhoods
Haringey Council

T.020 8489 5264

E. Jennifer.barrett@Haringey.gov.uk

Appendix 4 – Other parties' representations.



LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

| Personal Details | |
|---------------------------|---|
| Name..... | <div style="border: 1px solid black; padding: 5px; text-align: center;"> HARINGEY COUNCIL LICENSING RECEIVED 16 OCT 2019 </div> |
| Address | |
| Postcode..... | |

| Licence application you wish to make a representation on |
|--|
| <i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i> |
| Application Number... <i>VARIATION TO EXISTING - LN/000019731</i> |
| Name of Licensee... <i>MICHAELA FAUSTINA DA SILVA</i> |
| Name of Premises (if applicable)... <i>GINDUNGO RESTAURANT</i> |
| Premises Address (where the Licence will take effect)... <i>2A QUEENS PARADE, BROWNLOW ROAD, LONDON</i> |
| Postcode... <i>N11 2DN</i> |

| Reason/s for representation |
|---|
| <i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i> |
| <i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i> |

| |
|--|
| The Prevention of Crime and Disorder |
| Public Safety |
| The Prevention of Public Nuisance <i>SEE ATTACHED NOTE</i> |
| The Protection of Children from Harm |

I,.....,hearby declare that all information I have submitted is true and correct.

Signed: _____

Date: 16/10/19

Please send completed form to:

Haringey Council Licensing Team
River Park House,
Level 1 North,
225 High Road,
Wood Green
London, N22 8HQ

Notes in support of representation form

Re: 2A Queens Parade, Brownlow Road, London N11 2DN

We refer to the above application and, being located at 1 Queens Parade (premises adjoining those of the applicants) should be obliged if you would consider our comments below.

1. We note that in the authority's Statement of Licensing Policy, there are four objectives that your policy must promote. In this particular case, we have no comment to make on three of them, just that in regard to "the prevention of public nuisance".
2. As we (usually) only operate from this location during the business hours of 7 am to 7.45 pm (Monday to Friday), we would not expect any interference from the conduct of the applicant's business except for (a) the possible noise level arising from the playing of recorded music and (b) possible debris left on the pavement outside our premises. Whether the former will be an issue for other adjoining business or residential neighbours, that will be for those parties to bring to your attention.
3. Following on from our comments above, an extension of the licence at weekends until 5 am will no doubt require that careful controls are put in place by the licensee to avoid public nuisance issues with close monitoring by the local authority and police force to ensure such issues do not arise.
4. Our experience of this area is that it is a fairly quiet suburban residential area, with little economic activity throughout the night time. With the extended opening hours, we just wonder how much this will impact on the locale and residents e.g. music being played until 5 am, people leaving the premises in the not so early hours, proximity to Bounds Green tube station with trains effectively running all through the weekend (from Friday night to Sunday morning) which clearly has positive aspects (ease of available public transport) but, might also bring in customers from further afield into what is a small venue, with possible adverse consequences (being turned away due to lack of room, drinking on the pavement outside, etc.). We sincerely hope that none of these outcomes occur and the licensee has everything under control, so local residents will have no cause for concern.

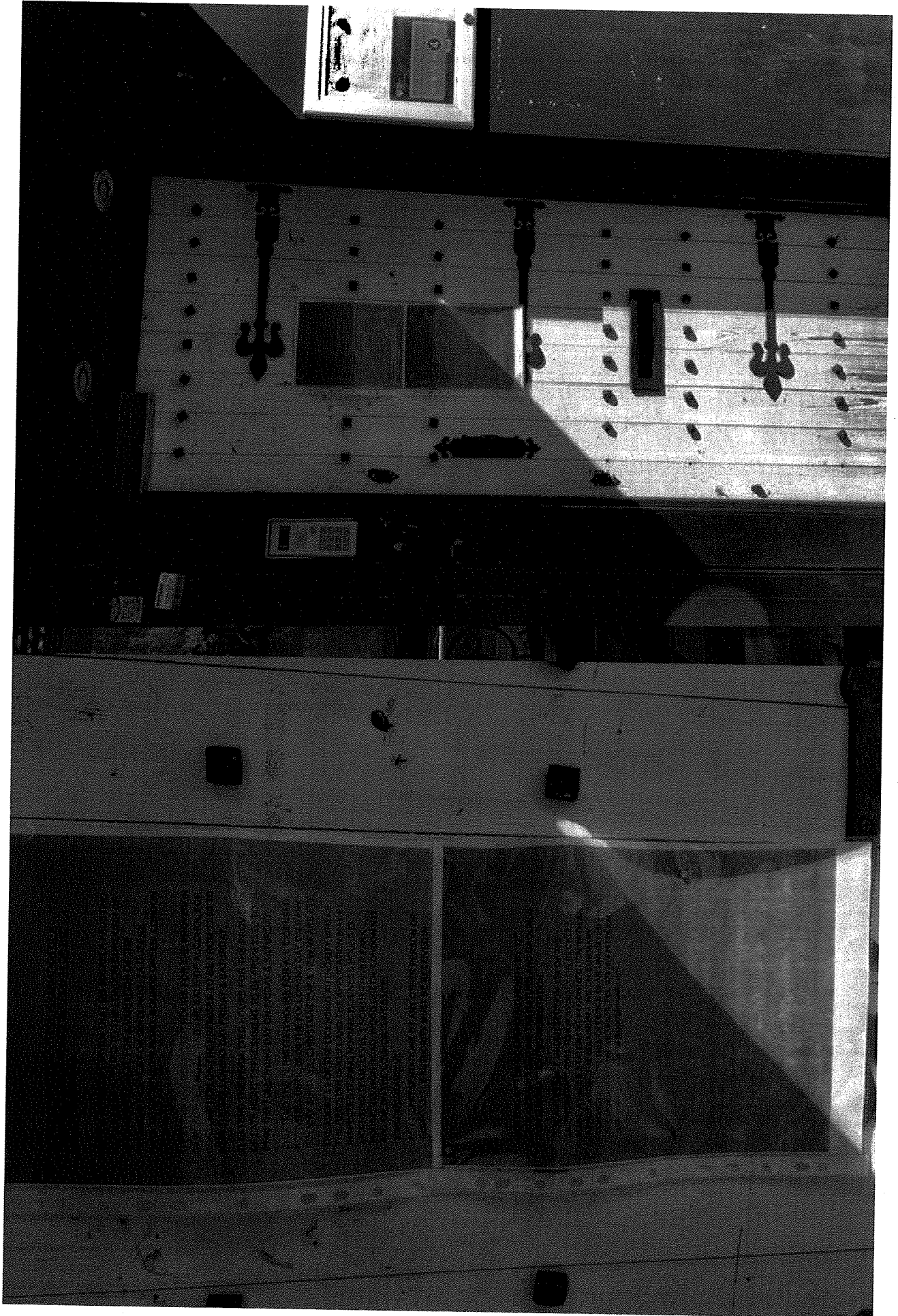
We would just add, that whilst we wish all new businesses every success and reward for their endeavours, having been operating in this location for over 30 years, without undue difficulty with either local residents or businesses, we would hope that this will continue.

It is noted that the previous (and identical) application to vary the Premises Licence was withdrawn, as notified to us by Chanel Roye, Licensing Administrator, in her email of 11 September 2019. Additionally, we cannot readily see any change in the current application to the previous one for licence variation.

Roye Chanel

From: Jennifer Barret <lbhcnecjxb@icloud.com>
Sent: 20 September 2019 13:59
To: Licensing
Subject: Notice check: gindungo
Attachments: ATT00001.txt; ATT00002.txt; ATT00003.txt; ATT00004.txt







LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

| Personal Details |
|------------------|
| Name |
| Address |
| Postcode |

| Licence application you wish to make a representation on |
|--|
| <i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i> |
| Application Number (WK/443738) |
| Name of Licensee (not provided) |
| Name of Premises (if applicable) Gindungo Bar |
| Premises Address (where the Licence will take effect 2A Queens Parade, Brownlow Road, Bounds Green |
| Postcode N11 2DN |

| Reason/s for representation |
|--|
| <i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i> |
| <i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i> |

The Prevention of Crime and Disorder

We've have had to visit the club individually several times when they have been playing music until 5am – which they aren't even licensed for yet - (on one occasion having to call the police as people from inside the club came outside to intimidate us). This call will have been recorded early morning on 5th October 2019 where I was advised to go back to my home in case they got violent. Shortly after this I was contacted by 'Safe Neighbourhood Bounds Green' PCSO to arrange a meeting regarding this incident. We also have recordings of people behaving drunk and disorderly on the street late at night, which can be heard from our property 2 floors up.

Public Safety

I was threatened and intimidated by the owner as well as members of the public attending the event at the bar when I went down to ask them to lower the music. This needless to say makes us feel unsafe and vulnerable in our homes. I was then told that the same level of music would be repeated the following night. Mr and Mrs Raithatha are both retired and over 65 years of age and cannot constantly be feeling afraid to step out of their homes when events are taking place. There are also several families with young children living on the parade. The application also mentioned 'recorded music' when clearly there is a DJ playing music and often increasing the volume/bass as the night goes on.

The Prevention of Public Nuisance

People falling out of the bar at odd times of the night are often heard arguing or fighting with the bouncer and there are cigarette butts/litter thrown outside and around the bar on the pavement. We have reported the noise nuisance several times to the Haringey council noise nuisance team (email evidence available if required) and often have to wait up late into the night to be paid a visit to monitor the music.

The Protection of Children from Harm

There are several families on the parade with children under 5 and young families/ elderly people coming home on the underground at night to be met with drunk and disorderly people outside the bar.

I hereby declare that all information I have submitted is true and correct.

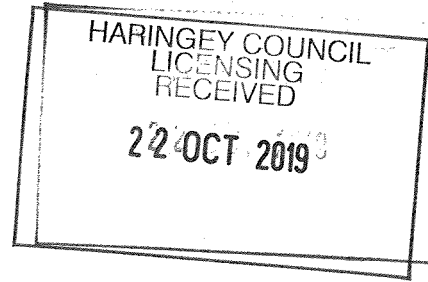
Signed:

Date:

16/10/2019

Please send completed form to:

Haringey Council Licensing Team
 River Park House,
 Level 1 North,
 225 High Road,
 Wood Green
 London, N22 8HQ



Tel: .
Mob:
Email:

Monday 21st October 2019

To whom it may concern in Haringey Licensing Authority Team,

I am writing to you regarding the licensing for; **Gindungo Bar, 2A Queens Parade, Brownlow Road, Bounds Green, London N11 2DN.**

We have been residents at the above-mentioned premises since 1986 and over the past decade have witnessed several bars/restaurants being granted licenses to open up right in the middle of a residential block in Bounds Green.

We have made countless noise nuisance complaints over the past few years, which I am sure can be tracked through your online portal (sent by both myself and my sister, Pooja Raithatha as well as several other residents and business owners). More recently we had to call the police when intimidated by the bar owners and drunk attendees of an event as we had to leave our home at 4am on Friday October 4th 2019, to request that the music be turned off. We are also aware that the owner was not granted permission to be open until this time on this particular weekend.

We are questioning as to why the following has not been taken into consideration when granting this license and incidents we have observed over the past year:

- Why was a bar/music license granted in the first place right in the middle of a residential block? This was bound to cause disruption to the day-to-day lives of the residents and their safety.
- The owner of the bar is required to be on the premises at all times in accordance with the regulations of the license and she cannot be found there the majority of the time, nor is she contactable.
- We were sent an email **on the day** a representation was due, therefore not giving us enough time (until midnight that same day) to gather evidence, further support from other residents in the parade to create a more solid case as to why the license shouldn't be issued. If I was out of the country or unreachable we would have missed this opportunity.
- We have evidence of people sitting out on the pavement in front of the bar drinking and demonstrating anti-social behaviour in the middle of the day – for which I am sure they do not have a permit.

- The addition of yet another restaurant in the parade is adding to the pollution on the streets as well as the rear of the block where rubbish is littered all over the ground and left to rot.

Both my parents are elderly and my father has recently been hospitalized for extreme anxiety and depression – one of the triggers being the loud music coming from the bar below and the many confrontations we have had to engage in with the owner.

Needless to say we are very disappointed in the support we have received from Haringey Council and the disruption it has caused in all our lives over the past several years. We ask that you take this matter more seriously and consider revoking the license for this bar right in the middle of our residential block.

The premises in question was originally a Pizza Shop, which was then split – the upper level being leased to the bar in question and other bars in the past.

We have been suffering for years now and living in fear of having to confront the multiple bar owners being granted this license. Moving away isn't and shouldn't be an option we should even have to consider – especially with parents who are both elderly, retired, unwell and cannot afford to uproot at this time in their lives.

I am gathering a petition with signatures from all residents and other shop owners in the parade who would also oppose this bar being allowed to operate to serve alcohol and play loud music into the early hours of the morning. I can forward this on at a later date as and when required as I was only given a day to fill in the representation form on October 17th 2019.

I have also written to our local Councillors to represent us and am waiting to gather their feedback.

The bar not only causes disturbance to us but is also attracting a crowd of drunk and disorderly people every weekend to an otherwise peaceful and friendly community consisting of several young families and elderly or retired residents.

I look forward to hearing from you regarding the next steps in this matter. You can reach me at the above numbers or email address.

Yours Sincerely,

