

PREMISES LICENCE

Receipt: AG930626

Premises Licence Number: LN/000007371

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: 30th July 2009

Part 1 – PREMISES DETAILS

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

**FUNKY BROWNZ
5 TOTTENHAM LANE
LONDON
N8 9DJ**

Where the Licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the Licence:

Supply of Alcohol

Provision of Regulated Entertainment: Live Music, Recorded Music, Performances of Dance, Anything of a Similar Description to that of Live or Recorded Music or Performances of Dance, Provision of Facilities for Making Music and Dancing and Anything of a Similar Description

Provision of Late Night Refreshment

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

Supply of Alcohol

Sunday to Wednesday 1000 to 0100

Thursday to Saturday 1000 to 0200

Provision of Regulated Entertainment: Live Music, Recorded Music, Performances of Dance, Anything of a Similar Description to that of Live or Recorded Music or Performances of Dance, Provision of Facilities for Making Music and Dancing and Anything of a Similar Description

Thursday 1000 to 0100 (until 0200 if there is a pre-booked function)

Friday & Saturday 1000 to 0200

There is to be no music other than background music and no dancing whatsoever Sunday to Wednesday inclusive.

Provision of Late Night Refreshment

Sunday to Wednesday 2300 to 0100

Thursday to Saturday 2300 to 0200

The opening hours of the premises:

Sunday to Wednesday 1000 to 0130
Thursday 1000 to 0130 (0230 if there is a pre-booked function)
Friday & Saturday 1000 to 0230

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

Supply of alcohol for consumption both **ON** and **OFF** the premises.

Part 2

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

Vaishali Patel
38 Norwood Drive
North Harrow
Middlesex
HA2 7PE

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:

Shrayash Patel
51 Heber Road
Cricklewood
London
NW2 6AB

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

Personal Licence: 497914
Issued by: London Borough of Brent

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.
 - (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.

Annex 1 –Mandatory Conditions

(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
 - (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;

Annex 1 –Mandatory Conditions

(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.

Door supervisor:

All individual(s) at the premises for the purpose of carrying out a security activity must

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of that Act.

Annex 2 – Conditions consistent with the Operating Schedule

The premises will be operated in a similar fashion to that of The Hyde in Hendon.

THE PREVENTION OF CRIME AND DISORDER

A digital CCTV system will be installed to the requirements of the Crime Prevention Officer.

All staff will be trained in licensing law and their social responsibilities as a retailer of alcoholic products.

There shall be no direct access for the public via the intercommunicating doors between the two bar areas.

All licensable activities will cease 30 minutes prior to the close of the premises to allow for a “cool down/drinking up” period.

PUBLIC SAFETY

No glasses or bottles to be taken outside in the smoking area.

Regular checks of the toilets are to be made and recorded with intervals being no greater than one hour.

A full fire and emergency lighting system will be installed in accordance with the Fire Officer’s requirements.

THE PREVENTION OF PUBLIC NUISANCE

The premises will be fully air conditioned and sound proofed to prevent the escape of noise.

External doors and windows will be kept closed when the premises are open to prevent the escape of noise.

THE PROTECTION OF CHILDREN

The Premises Licence Holder has carried out a full risk assessment in relation to children and has established that there are no risks to children at the premises.

Children under the age of 18 will only be allowed on the premises, as long as they are accompanied by their parents or other adults as part of a “family” taking a table meal, or they are attending a pre-booked function other than one where the nature of the function and entertainment is of an adult nature, and or, primarily involving the consumption of alcohol.

All staff will be trained in under age sales prevention.

The Premises Licence Holder will operate the Challenge 21 system.

Acceptable forms of ID are (but not limited to) valid passport, photo card driving licence, PASS approved proof of age card.

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

The Committee was minded to grant the following:-

Hours of Opening

| | |
|---------------------|--|
| Sunday to Wednesday | 10:00 hrs to 01:30 hrs (the following day) |
| Thursday | 10:00 hrs to 02:30 hrs (the following day, only if there is a pre-booked function) or 10:00 hrs to 01:30 hrs (the following day, if there is not a pre-booked function) |
| Friday and Saturday | 10:00 hrs to 02:30 hrs (the following day) |

Late Night Refreshment

| | |
|----------------------|--|
| Sunday to Wednesday | 23:00 hrs to 01:00 hrs (the following day) |
| Thursday to Saturday | 23:00 hrs to 02:00 hrs (the following day) |

Regulated Entertainment (to include live music, recorded music, performance of dance (and anything with a similar description), provision of entertainment facilities for dancing, making music (and anything of a similar description).

| | |
|---------------------|--|
| Thursday | 10:00 hrs to 02:00 hrs (the following day, only if there is a pre-booked function) or 10:00 hrs to 01:00 hrs (the following day, if there is not a pre-booked function) |
| Friday and Saturday | 10:00 hrs to 02:00 (the following day) |

There is to be no regulated entertainment

Sunday to Wednesday

This means that there is to be no music and no dancing therefore no ability to run the venue as a night club.

For the sake of clarity there is to be no music other than background music and no dancing whatsoever on Sunday to Wednesday inclusive.

Supply of Alcohol

| | |
|----------------------|--|
| Sunday to Wednesday | 10:00 hrs to 01:00 hrs (the following day) |
| Thursday to Saturday | 10:00 hrs to 02:00 hrs (the following day) |

The Committee further condition as follows:

- No outside promoters will be permitted at the venue
- No adult entertainment will be permitted at the venue. There will be no display of nudity and the like at the premises irrespective of whether there is a pre-booked function or otherwise.
- No glasses will be taken outside the premises, neither to the rear nor the front of the premises.
- The garden and smokers area (as detailed on the left hand side of the plan) will have no more than 15 people in it at any one time.

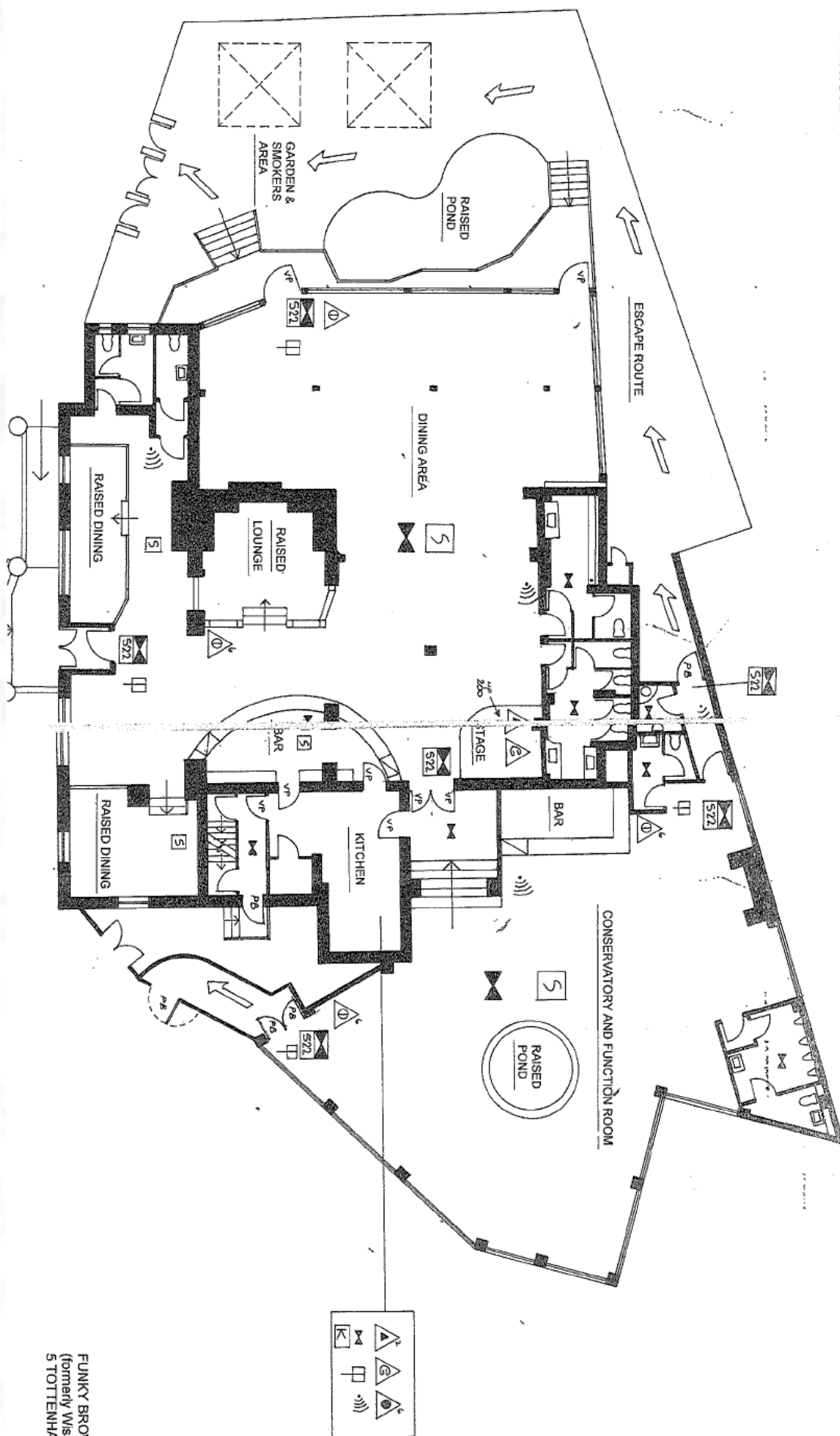
Annex 3 – Conditions attached after a hearing by the licensing authority

- The garden and smokers area (as detailed on the left hand side of the plan) will close at 00:30 on Sunday to Thursday and half an hour prior to closing on a Thursday if there is a pre-booked function and at 01:30 hrs on Friday and Saturday.
- There is to be a minimum of 4 Security Industry Authority (SIA) registered door supervisors from 20:00 hrs to 02.30 hrs the following day on Friday and Saturday and Thursdays if there is a pre-booked function.
- No new entries of patrons to the premises will be permitted after midnight on Friday and Saturday or after midnight on Thursday if there is a pre-booked function.
- Whilst CCTV has been provided in the operating schedule, recordings must be kept for 28 days, and made available upon request by the Police and/or Local Authority.
- All doors and windows will remain closed during the regulated entertainment licensed activities or in any event after 2300 hours. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary adequate and suitable mechanical ventilation should be provided to public areas.
- Entry to the premises will be restricted to particular entrance(s) whilst the premises is being used for regulated entertainment licensed activity.
- Entrance/exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via lobbied doors to minimise noise breakout.
- Regulated entertainment shall conclude at 0200 hours on Thursdays, Fridays and Saturdays to prevent excessive noise breakout as the premises empties.
- The Licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property
- The level of amplified regulated entertainment shall be controlled by means of a limiting device set at a level which upon request may be agreed with the licensing authority.
- No music will be played in, or for the benefit of patrons in external areas of the premises.
- No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior of the premises or near any foyer, doorway, window or opening to the premises.
- Signs shall be displayed in the external areas/on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours.
- All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbour arising from noise.
- A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include where disclosed, the complainants name, location, date and time and subsequent remedial action undertaken. This record must be made available to all times for inspection by Council Officers.
- The Applicant proposes to hold regular residents meeting on the last Sunday of each month between 1800 hours and 1900 hours to discuss any issues arising from the use of the premises.
- Where people queue to enter the premises a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner.

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

- Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner.
- When the premises turn out a licensed door supervisor shall supervise patrons and ensure they leave in a prompt and courteous manner, respecting the neighbours.
- A licensed door supervisor will be positioned on the exit doors to ensure, as far as reasonably practicable, that patrons do not leave drinks.
- A licensed door supervisor will patrol the perimeter of the premises to prevent patrons urinating in public areas in the vicinity of the premises.
- Deliveries and collections associated with the premises will be arranged between the hours of 0800 and 1830 so as to minimise the disturbance caused to the neighbours.
- Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed.

Annex 4 – Plans



FUNKY BROWNS
 (formerly Wishing Well
 5 TOTTENHAM LANE)