

**Report for:** Licensing Sub Committee 21<sup>ST</sup> February 2023

**Item number:** 6

**Title:** New Premises Application – Mother Kellys, Unit 1, Rosa Luxemburg Apartments, 16 Ashley Road, Tottenham, London, N17 9ST.

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

**Ward(s) affected:** Tottenham Hale

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

**1. Describe the issue under consideration**

1.1 This new application is submitted by MKN15 LTD. The application seeks the following:

**Late Night Refreshment**

Sunday to Thursday	2300 to 2330 hours
Friday to Saturday	2300 to 0000 hours

**Sale of Alcohol**

Sunday to Thursday	1000 to 2330 hours
Friday to Saturday	1000 to 0000 hours

Supply of alcohol **ON** and **OFF** the premises.

**Hours open to Public**

Sunday to Thursday	1000 to 0000 hours
Friday to Saturday	1000 to 0030 hours

Non-Standard timings:

- From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day.
- Until 00:00 on Sunday's immediately before Bank Holiday Mondays

**1.2** The application form and plan are attached as Appendix 1. This a newly built property as part of the redevelopment of taking place in Tottenham Hale and specifically in Ashley Road.

**1.3** Representation have been received from:

Other Parties –These are attached as Appendix 3.  
Responsible Authorities – The Police and the Noise Team

**2 Recommendations**

In considering the representations received and what is appropriate for the promotion of the licensing objectives, the steps the Sub-Committee can take are:

- Grant the application as requested
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates
- Reject the whole or part of the application

2.1 Members of the licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

### **3. Background**

3.1 The application states the following: Taproom and bottle shop at ground floor level of the One Berol Link development, with external seating.  
The development is predominantly residential with some commercial units on the ground floor.

### **4. Policy Implications**

4.1 The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.

#### **4.2 Equalities impact**

At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

### **5. Other considerations**

#### **5.1 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

### **6 Use of Appendices**

**Appendix 1- Application form**

**Appendix 2 –Edit on the application form**

**Appendix 3- Residential representation.**

**Appendix 4- Responsible Authorities**

**Background papers: Section 82 Guidance**

**Haringey Statement of Licensing policy**