

Report for: Licensing Sub Committee - 5 March 2026

Item number: 6

Title: Application for a New Premises Licence at: Radial, Unit 1 39b, Markfield Road, Tottenham, Haringey, London, N15 4QT.

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

Ward(s) affected: Tottenham Central

Report for Key/ Non-Key Decision: Not applicable

1. **Describe the issue under consideration.**

1.1 The application is submitted by Ten87 Studios Ltd (Director -Rob Burns) to permit the following: (copy of the application is at App A)

1.2 **The application seeks the following:**

Regulated Entertainment: Live Music & Recorded Music
Monday to Sunday 1200 to 0130 hours

Late Night Refreshment
Monday to Sunday 0900 to 0130 hours

Non-Standard Timings
New Year's Eve from 12:00pm to 06:00am New Year's Day.

Sale of Alcohol
Sunday to Wednesday 1200 to 0200 hours
Thursday to Saturday 1200 to 0400 hours

Non-Standard Timings
New Year's Eve from 09:00am to 05:30am New Year's Day.

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

Hours open to Public
Sunday to Wednesday 0800 to 0200 hours
Thursday to Saturday 0800 to 0400 hours

Non-Standard Timings
New Year's Eve 12:00 to 06:00

1.4 **Representations have been received from:**

Representation from - Met Police - App B
Noise Team – App C
Public Health- App D

1.5 **Recommendation**

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.

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.

2 Background

2.1 The premises is located in the 'Warehouse district' of South Tottenham. There are a number of other units that also operate as a late night event space.

This unit has an external outside space that the applicant wishes to use until the early Morning. The premises as held a previous Premises License, a copy of which is attached at App E.

The Noise Team RA as agreed conditions with the applicant. The Police representation and the Public Health representation remains outstanding.

2.2 The venues previous Premises Licence which is now surrendered permitted the following:

Supply of Alcohol

Late Night Refreshment

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

Live Music & Recoded Music

Sunday to Wednesday 1200 to 0130

Thursday to Saturday 1200 to 0330

New Year's Eve from 1200 to 0600

Supply of Alcohol

Sunday to Wednesday 0900 to 0130

Thursday to Saturday 1200 to 0330

New Year's Eve from 0900 to 0530

Late Night Refreshment

Sunday to Wednesday 0000 to 0200

Thursday to Saturday 0000 to 0400

New Year's Eve from 0000 to 0500

The opening hours of the premises:

Sunday to Wednesday 0800 to 0200

Thursday to Saturday 0800 to 0400

New Year's Eve from 0000 to 0600

2.3 Residents on the Ferry Lane were impacted by music noise from the operation of the business. Residents raised complaints via then Cllr L Reith who advocated for them on complaints during 2019 -2020. The licence was transferred and no further complaints were received from 2020 until the licence was surrendered in 2025. A copy of the surrendered Premises License is attached at App E.

3 Licensing Policy

3.1 The 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.

- 3.2 The objective of the licensing process is to allow for the carrying on of licensable activities whilst promoting and upholding the licensing objectives 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.
- 3.3 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.
- 3.4 Where relevant representations are made, this authority will demand stricter conditions regarding 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.
- 3.5 This Licensing Authority in determining what action to take will seek to establish the cause of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 3.6 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.
- 3.7 In cases Members should make their decisions on the civil burden of proof, that is the balance of probability.
- 3.8 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.
- 3.9 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 expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

4 Licensing hours

4.1 Where relevant representations are made, the Council will consider the proposed hours on their individual merits. Notwithstanding this, the Council may require stricter conditions in areas that have denser residential accommodation to prevent public nuisance. The Council will endeavour to work with all parties concerned in such instances to ensure that adequate conditions are in place. The Council may restrict the hours that certain premises can offer alcohol for sale for consumption off the premises for preventing crime, disorder and nuisance.

5 Powers of a Licensing Authority

- 5.1 The decision should be made about the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Were 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.
- 5.2 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.

6 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 function on, and the need to do all that it reasonably can prevent crime and disorder in its area".

6.1 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

7 Use of Appendices

New Application. App A

Representation from Met Police – App B

Noise RA agreed conditions- App C

Public Health - App D

Copy of previous surrendered licence – App E

Background papers: Section 82 Guidance

Haringey Statement of Licensing policy