

Decision Notice

Application for a New Premises Licence under the Licensing Act 2003 – Mother Kelly's, Unit 1, Rosa Luxemburg Apartments, 16 Ashley Road, Tottenham, London N17 – 21 February 2023

The Licensing Sub Committee carefully considered the application for a new premises licence for Mother Kelly's, Unit 1, Rosa Luxemburg Apartments, Tottenham, London N17. In considering the application, the Sub-Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack and the applicant's and objectors' written and oral representations.

Having considered the application and heard from all the parties, the Sub-Committee decided to grant the application for a new premises licence with the conditions set out below.

Operating times:

Hours open to the public:

Sunday to Thursday	1000 to 2330 hours
Friday and Saturday	1000 to 0030 hours

Non-standard timings:

- From the end of permitted hours on New Years' Eve to start of permitted hours on New Years' Day
- Until 0030 on Sundays immediately before bank holiday Mondays.

Supply of Alcohol

Sunday to Thursday	1000 to 2300 hours
Friday and Saturday	1000 to 0000 hours

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

Non-standard timings:

- Until 0000 on Sundays immediately before bank holiday Mondays

Late Night Refreshment

Friday and Saturday	2300 to 0000 hours
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Non-standards timing:

- From 2300 to 0000 on Sundays immediately before bank holiday Mondays

The following conditions are imposed:

1. Alcoholic and other drinks purchased from the premises may not be taken away from the immediate curtilage of the premises in open containers such as glasses or opened bottles.
2. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.
3. A digital CCTV system to be installed in the premises:
 - (a) Cameras must be sited to observe the entrance doors from both inside and outside.
 - (b) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
 - (c) Cameras must be sited to cover all areas to which the public have access including any outside smoking areas.
 - (d) Provide a linked record of the date, time of any image.
 - (e) Provide good quality images - colour during opening times.
 - (f) Have a monitor to review images and recorded quality.
 - (g) Be regularly maintained to ensure continuous quality of image capture and retention.
 - (h) Member of staff trained in operating CCTV at venue during times open to the public.
 - (i) Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.
4. An incident log shall be kept at the premises, 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
 - (d) Any incidents of disorder
 - (e) Any faults in the CCTV system
 - (f) Any visit by a relevant authority or emergency service
5. All exit routes must be kept unobstructed and maintained with non-slippery and even surfaces. Where chairs and tables are provided, internal gangways shall be kept unobstructed.

6. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.
7. The premises licence holder must ensure that all Personal Licence Holders, those with delegated authority, and staff employed by or contracted to the relevant licensed premises; register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package within 10 days of the Premise Licence application being made or can demonstrate that the ACT eLearning product has been successfully completed by those employed or contracted to the relevant licensed within the preceding 12 month period of the licence being granted (ACT eLearning Certificates are provided on successful on-line completion).
8. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
9. Suitable beverages other than alcohol (including drinking water) shall be equally available for consumption.
10. All refuse and bottles shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of glass bottles outside between 23:00 hours and 07:00 hours.
11. Staff shall actively discourage patrons from congregating around the outside of the premises.
12. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
13. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
14. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.
15. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
16. No one under the age of 18 years shall be permitted to enter the premises unless accompanied by an adult.

17. Except in cases of emergency or staff illness, a personal licence holder is to be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol.
18. At least 1 SIA registered supervisor shall be on duty at the premises at least 3 hours before the scheduled kick off time until close on any day that a Premier League football match is held at the Tottenham Hotspur Stadium.
19. At least 2 SIA registered supervisors shall be on duty at the premises at least 3 hours before the scheduled kick off/event start time until close on any day that a high risk event or match (to be determined and notified by the Metropolitan Police in advance) is held at the Tottenham Hotspur Stadium.
20. At least 3 hours before the scheduled kick off/event start time until close on any day that a Premier League football match is held at the Tottenham Hotspur Stadium the premises licence holder shall use drinking vessels made of toughened glass or plastic and shall be designed not to have a sharp edge when broken.
21. The licence holder shall ensure that the outside area is closed and cleared of customers by 2200 hours. Adequate notices shall be displayed to inform customers of this requirement.
22. The licence holder shall take appropriate measures to ensure that patrons using the outside areas do so in a quiet and orderly manner.
23. The licence holder shall provide residents with a contact telephone number that they can call to raise any concerns.

Informative

The Sub-Committee would encourage the licence holder to engage with the community on a regular basis going forwards, with a view to addressing their concerns.

Reasons

The Sub-Committee gave serious consideration to the submissions by the applicant and to the concerns raised by the objectors. The Sub-Committee was satisfied that the licence should be granted and that the above conditions were appropriate, proportionate and robust enough that the licensing objectives would be promoted.

The concerns about the licensing hours were noted and the hours granted are in line with the Council's policy for licensed premises in close proximity to residential dwellings.

Appropriate conditions have been added to the licence to promote the licensing objective of the prevention of public nuisance, to include the use of the outdoor area ceasing at 2200 hours.

The Sub-Committee acknowledged that the applicant had accepted the conditions proposed by the Police and the noise team, and the commitment that the applicant had made to engage with the community.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.

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