



Third Supplementary - Alcohol and Entertainment Licensing Sub-Committee

Tuesday 9 October 2018 at 10.00 am

Members Suite - 4th Floor, Brent Civic Centre,
Engineers Way, Wembley, HA9 0FJ

Membership:

Members

Councillors:

Ahmed (Chair)
Hector
W Mitchell Murray

Substitute Members

Councillors:

Allie, Chohan, Kennelly, Long, Maurice, McLeish and
RS Patel

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 4011; Email: devbai.bhanji@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

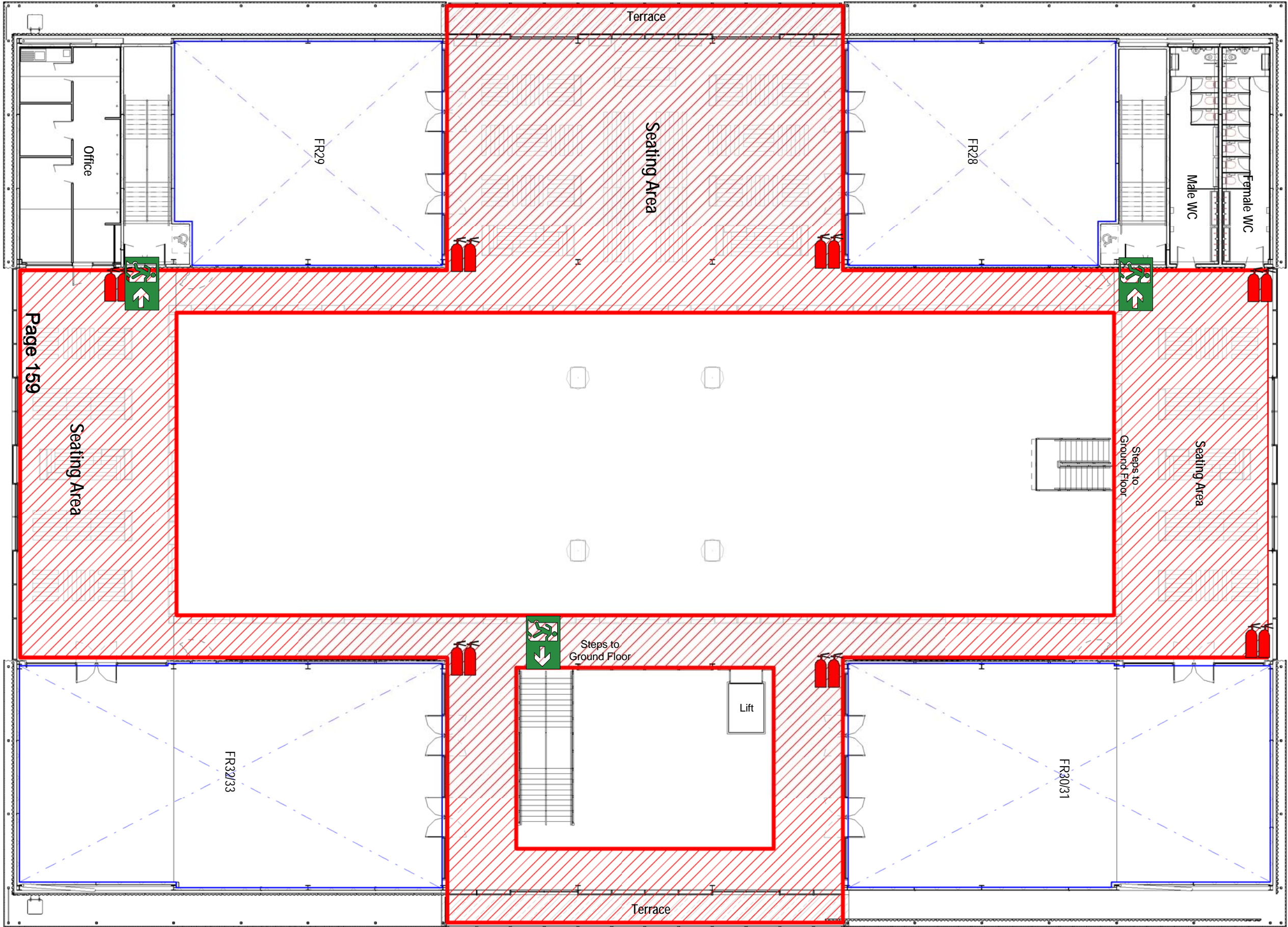
Item	Page
5 Application for New Premises Licence by Boxpark Trading Ltd for the premises known as Boxpark Wembley, Atrium Communal Space, 18 Olympic Way, Wembley, HA9 0JT, pursuant to the provisions of the Licensing Act 2003	159 - 186



Please remember to ***SWITCH OFF*** your mobile phone during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.

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BUILDING DESIGN PARTNERSHIP SHALL HAVE NO RESPONSIBILITY FOR ANY USE MADE OF THIS DOCUMENT OTHER THAN FOR THAT WHICH IT WAS PREPARED AND ISSUED. ALL DIMENSIONS SHOULD BE CHECKED ON SITE. DO NOT SCALE FROM THIS DRAWING

ANY DRAWING ERRORS OR DIVERGENCIES SHOULD BE BROUGHT TO THE ATTENTION OF BUILDING DESIGN PARTNERSHIP AT THE ADDRESS SHOWN BELOW.

DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING BEFORE WORK COMMENCES:

- THE CDM DESIGN ISSUES REGISTER
- THE BDP RISK SERIES OF DRAWINGS
- THE PROJECT CDM RISK REGISTER

NOTES


 **DEMISE OF INDIVIDUAL TENANT OPERATING UNIT.**
(The blue line denotes the current known configuration of tenant units but maybe subject to change in the future to be confirmed by Boxpark.)

NOTE: Individual operating tenants will be responsible for providing fire fighting extinguishers & other equipment to meet their operating requirements TBA between Boxpark, Local Authority & Building Control. To be specified by the individual tenant Fit-out design team.

Each tenant unit to have smoke detectors with flashing beacon & sounder & heat detector. (Refer to Fire Strategy Report & Tenant Fit-out Guide.)

This will be written into the tenant fitout guide and will be a mandatory requirement.

 Denotes area for the provision of licensable activities

 **INDICATIVE LOCATIONS FOR LANDLORD FIRE EXTINGUISHERS:** (Final Quantity, Size, Type and Locations to be installed are to be agreed and confirmed between Boxpark, Building Control and the Fire Authority.) To comply with BS5306-0-3 &0.

P05	First floor unit updates as client request	PaC	-	26/07/18
P04	Units 30 & 31 separated	PaC	?	13/07/18
P03	Correction to unit demise	PaC	GE	11/07/18
P02	Updated with comments received from Gregg Latchams (inc sheet name)	PaC	GE	11/07/18
P01	First Issue	PaC	GE	10/07/18

REVISION	DESCRIPTION	DRAWN	CHECKED	DATE
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CLIENT

BOXPARK

BDP.

11 Ducie Street
PO Box 85
Piccadilly Basin
Manchester
M60 3JA
United Kingdom

T +44 [0]161 828 2200
www.bdp.com

PROJECT TITLE
BOXPARK Wembley

BDP JOB NUMBER
P2007903

DRAWING TITLE Communal Space Layout Plan Event Space First Floor	SCALE @ A3 1 : 200
	DATE FIRST ISSUED Jul 18
	REVISION P05

DRAWING NO.
BPW-BDP-(0-)AP032

EMERGENCY SIGNAGE:
INDICATIVE LOCATIONS SHOWN ON THIS DRAWING TO BE REVIEWED BETWEEN BOXPARK, BUILDING CONTROL & LICENSING AUTHORITY FIRE OFFICER TO AGREE FINAL SPECIFICATION FOR CONSTRUCTION.

Final installation & positioning of illuminated and non-illuminated emergency signage to be located in close proximity to emergency lighting system to ensure adequate illumination to comply with the British Standards. To be confirmed by contractor and agreed with Building Control & Licensing Officer.

Signage & Equipment shown on this drawing maybe subject to change following consultation with the parties above. It is therefore the responsibility of Boxpark & the Main Contractor to inform the licensing authority of any changes that are different to what is shown on this drawing.

Location, type and quantity of fire fighting equipment are subject to agreement between the client and fire officer.

PLEASE READ THIS DRAWING IN CONJUNCTION WITH:
Fire Engineers Report:
BM456

Fire strategy drawing:
BPW-BDP-(67)AE010

Communication, safety and protection Systems:
BPW-BDP-ZZ-00-PL-E-75_50-0001
BPW-BDP-ZZ-01-PL-E-75_50-0001

Security Systems:
BPW-BDP-ZZ-00-PL-E-75_40-0001
BPW-BDP-ZZ-01-PL-E-75_40-0001

Lighting Drawings:
BPW-BDP-ZZ-00-PL-E-70_80-0001
BPW-BDP-ZZ-01-PL-E-70_80-0001

IT IS THE RESPONSIBILITY OF BOXPARK MANAGEMENT TO KEEP THE ARCHITECTURAL & M&E LAYOUT DRAWINGS RELATED TO THE LICENSING APPLICATION UP TO DATE FOR THE LIFESPAN OF THE BUILDING.

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From: Ewen Macgregor
Sent: 05 October 2018 16:10
To: Joshi, Ketan <Ketan.Joshi@brent.gov.uk>
Cc: Business Licence <business.licence@brent.gov.uk>; Barrett, Jennifer <Jennifer.Barrett@brent.gov.uk>
Subject: RE: BOXPARK WEMBLEY

Afternoon Ketan

I have spoken to my clients.

The noise consultant report – to which the condition below refers – also contains two further tables for “less frequent events” which need to be factored in to the condition

Can I suggest that your condition is amended so that it reads as follows:

Music played at the premises shall not create a public nuisance at or within the site boundary of any residential property. Prior to the commencement of regulated entertainment, tests shall be carried out to verify noise levels of the proposed entertainment so that they do not exceed the following:

1. For frequent events – the levels as set out in table 3 of the Environmental Noise Assessment Report Rev PO2 (dated November 2017 and prepared by BDP Consultants
2. For less frequent events – the levels as set out in table 4 of the Environmental Noise Assessment Report Rev PO2 (dated November 2017 and prepared by BDP Consultants
3. Absolute entertainment noise limits for less frequent events - the levels as set out in table 5 of the Environmental Noise Assessment Report Rev PO2 (dated November 2017 and prepared by BDP Consultants
4. A copy of the report referred to above shall be annexed to the premises licence

Tables 4 and 5 are set out below:

Table 4: Proposed entertainment noise criteria for less frequent events

Event frequency	Proposed external Music Noise Level (MNL)¹ criteria at 1 metre from the façade of any existing or known future residential premises for events held between the hours of 0900 and 2300 hours
Up to 3 days a year	The MNL should not exceed 75dB(A) over a 15 minute period.
Up to 12 days a year, not more than 3 consecutive days.	The MNL should not exceed the background ² noise level by more than 15 dB(A) over a 15 minute period.
Up to 30 days a year, not more than once in a single week	MNL should not exceed the background noise by more than 5dB(A) over a fifteen minute period.

Table Notes:

1) In this instance, the MNL is defined as the measured L_{Aeq} at a particular location resulting from music and vocals during a concert or sound checks and not affected by other local noise sources.

2) In this instance, the background noise is defined as the arithmetic average of the hourly L_{A90} measured between 19:00 and 23:00 hours.

3) The proposed criteria in Section 4.1.1 should be used in any scenario where the criteria proposed in this table is found to be more onerous.

Table 5: Proposed absolute entertainment noise limits for less frequent events, based on the criteria presented in Table 4

Event frequency	Proposed external Music Noise Level (MNL)¹ criteria at 1 metre from the façade of any existing or known future residential premises for events held between the hours of 0900 and 2300 hours
Up to 3 days a year	The MNL should not exceed 75dB(A) over a 15 minute period.
Up to 12 days a year, not more than 3 consecutive days.	The MNL should not exceed $L_{Aeq15min}$ 67 dB.
Up to 30 days a year, not more than once in a single week	The MNL should not exceed $L_{Aeq15min}$ 57 dB.

Table Notes:

1) In this instance, the MNL is defined as the measured L_{Aeq} at a particular location resulting from music and vocals during a concert or sound checks and not affected by other local noise sources.

2) The proposed criteria in Section 4.1.1 should be used in any scenario where the criteria proposed in this table is found to be more onerous.

I look forward to hearing from you.

Best wishes

Ewen Macgregor
Associate Director
Head of Regulatory and Licensing
Gregg Latchams
DDI: +44 (0)117 9069 211

From: Ewen Macgregor
Sent: 05 October 2018 13:17
To: 'Joshi, Ketan'
Cc: Business Licence; Barrett, Jennifer
Subject: RE: BOXPARK WEMBLEY

Thanks Ketan

I am taking instructions

I will come back to you asap

Best wishes,

Ewen Macgregor
Associate Director
Head of Regulatory and Licensing
Gregg Latchams
DDI: +44 (0)117 9069 211

From: Joshi, Ketan [<mailto:Ketan.Joshi@brent.gov.uk>]
Sent: 05 October 2018 13:09
To: Ewen Macgregor
Cc: Business Licence; Barrett, Jennifer
Subject: RE: BOXPARK WEMBLEY
Importance: High

Dear Ewen

Apologies for the delay.

We have considered your proposal for a revision of condition 2:

2. ~~Music played at the premises will not be audible at or within the site boundary of any residential property~~

The premises shall be operated so that the level of noise does not exceed the levels referred to as proposals, or set out, within the submitted 'Environmental Noise Assessment Report Rev.P02' (dated November 2017) prepared by BDP Acoustics. Prior to the commencement of the use, or within a timetable as agreed with the Local Planning Authority, tests shall be carried out to verify compliance with these levels and the results of these tests shall be submitted to and approved in writing by the Local Planning Authority. If the specified levels have been exceeded, details of the measures which will be taken to remedy this breach will be submitted to and

approved in writing by the Local Planning Authority and implemented in full prior to the commencement of use of the development.

We agree with the essence of the condition but do not agree that the wording is suitable for the purposes of inclusion as a condition on a premises licence. As previously advised, planning, public nuisance and statutory nuisance are mutually exclusive areas of regulation. Therefore, it is not usually desirable to incorporate a planning condition into a licensing condition. However, your clients have requested a slightly more prescriptive condition and as a compromise we propose the following wording of the condition which we believe still maintains the integrity of what your clients desire without the complexity of directly involving the Local Planning Authority:

Music played at the premises shall not create a public nuisance at or within the site boundary of any residential property. Prior to the commencement of regulated entertainment, tests shall be carried out to verify noise levels of the proposed entertainment so that they do not exceed the following:

- (a) For existing residential premises (07:00 to 23:00 hours): 48dB LAeq15min at the façade of the residential premises.
- (b) For known future residential premises (07:00 to 23:00 hours): 38dB LAeq15mins inside the property, assuming windows closed.

If the specified levels have been exceeded, details of the measures which will be taken to remedy this breach shall be submitted to and approved in writing by the Nuisance Control Team and implemented in full prior to the commencement of further regulated entertainment.

The condition has been drafted in accordance with Table 3 in Environmental Noise Assessment Report Rev.P02' (dated November 2017) prepared by BDP Acoustics:

We propose to adopt the criteria presented in the table below for everyday events containing entertainment noise which end before 23:00 hours.

Table 3: Proposed entertainment noise criteria for frequent events

<i>Existing residential premises (07:00 to 23:00 hours)</i>	<i>Known future residential premises (07:00 to 23:00 hours)</i>
48 dB LAeq15min at the façade of the residential premises.	38 dB LAeq15mins inside the property, assuming windows closed.

Please advise whether your clients are in agreement with the above revised condition and respond with confirmation. Once I receive your response agreeing to the condition, I will withdraw my representation.

Regards

Ketan Joshi
Environmental Health Officer
Regulatory Services

From: Ewen Macgregor
Sent: 05 October 2018 11:11
To: Joshi, Ketan <Ketan.Joshi@brent.gov.uk>
Cc: Business Licence <business.licence@brent.gov.uk>
Subject: BOXPARK WEMBLEY
Importance: High

Morning Ketan

Many apologies for chasing but I am conscious that there is a hearing next Tuesday and I am keen to agree what conditions we can in advance of that/understand the areas of disagreement.

If you could confirm that would be helpful.

With many thanks,

Ewen Macgregor
Associate Director
Head of Regulatory and Licensing
Gregg Latchams
DDI: +44 (0)117 9069 211

From: Ewen Macgregor
Sent: 04 October 2018 09:38
To: 'Joshi, Ketan'
Cc: 'Business Licence'
Subject: RE: BOXPARK WEMBLEY

Morning Ketan

I wonder if you have had a chance to look at this yet?

I look forward to hearing from you.

Best wishes,

Ewen Macgregor
Associate Director
Head of Regulatory and Licensing
Gregg Latchams
DDI: +44 (0)117 9069 211

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From: Ewen Macgregor
Sent: 27 September 2018 10:02
To: 'Joshi, Ketan'
Cc: 'Business Licence'
Subject: RE: BOXPARK WEMBLEY

Morning Ketan

Apologies for chasing this but hoping that we can get agreement on this?

If you could let me know – happy to discuss on the phone. I have called a couple of times but your phone goes over top voice mail

I look forward to hearing from you

With best wishes

Ewen Macgregor
Associate Director
Head of Regulatory and Licensing
Gregg Latchams
DDI: +44 (0)117 9069 211

From: Ewen Macgregor
Sent: 25 September 2018 12:59
To: 'Joshi, Ketan'
Cc: Business Licence
Subject: BOXPARK WEMBLEY
Importance: High

Good afternoon Ketan

I appreciate that we have agreed to conditions in relation to the above but on further discussions with my client they have asked that the conditions be revised as set out below.

The revisions are based on, and are consistent, with a condition on the planning permission (attached). I have also attached the environmental noise assessment report which is referred to in the planning permission:

Application references 13058, 13059, 13060, 13061, 13062 (Areas FR28, GF06, FR29, FR30/FR31, FR30/FR33)

1. Save for access and egress to and from the premises, and in the event of an emergency, or power failure when sliding doors will default to the open position, all doors will remain closed during licensed activities
2. Music played at the premises will not be audible at or within the site boundary of any residential property

The premises shall be operated so that the level of noise does not exceed the levels referred to as proposals, or set out, within the submitted 'Environmental Noise Assessment Report Rev.P02' (dated November 2017) prepared by BDP Acoustics. Prior to the commencement of the use, or within a timetable as agreed with the Local Planning Authority, tests shall be carried out to verify compliance with these levels

and the results of these tests shall be submitted to and approved in writing by the Local Planning Authority. If the specified levels have been exceeded, details of the measures which will be taken to remedy this breach will be submitted to and approved in writing by the Local Planning Authority and implemented in full prior to the commencement of use of the development.

3. Music is not to be played outdoors at any time
4. Signs shall be displayed in prominent areas informing patrons of residential nature of the area and to conduct their behaviour accordingly

Application reference 13063 (Atrium Communal Space)

1. Save for access and egress to and from the premises, and in the event of an emergency, or power failure when sliding doors will default to the open position, all doors will remain closed during licensed activities
2. ~~Music played at the premises will not be audible at or within the site boundary of any residential property~~

The premises shall be operated so that the level of noise does not exceed the levels referred to as proposals, or set out, within the submitted 'Environmental Noise Assessment Report Rev.P02' (dated November 2017) prepared by BDP Acoustics. Prior to the commencement of the use, or within a timetable as agreed with the Local Planning Authority, tests shall be carried out to verify compliance with these levels and the results of these tests shall be submitted to and approved in writing by the Local Planning Authority. If the specified levels have been exceeded, details of the measures which will be taken to remedy this breach will be submitted to and approved in writing by the Local Planning Authority and implemented in full prior to the commencement of use of the development.

3. Music is not to be played outdoors at any time
4. Signs shall be displayed in prominent areas informing patrons of residential nature of the area and to conduct their behaviour accordingly
5. When the premises turn out, a door supervisor shall supervise patrons and ensure that they leave in a prompt and courteous manner, respecting local residents

I hope that this can be agreed

I am happy to discuss this with you should you wish.

I look forward to hearing from you

With many thanks and apologies for having to come back to you on this.

Best wishes,

Ewen Macgregor
Associate Director
Head of Regulatory and Licensing
Gregg Latchams
DDI: +44 (0)117 9069 211

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From: Michael.J.Sullivan@met.pnn.police.uk [mailto:Michael.J.Sullivan@met.pnn.police.uk]
Sent: 02 October 2018 11:32
To: ewen.macgregor; Patel, Yogini <Yogini.Patel@brent.gov.uk>; Legister, Linda <Linda.Legister@brent.gov.uk>; Business Licence <business.licence@brent.gov.uk>
Subject: RE: BOXPARK WEMBLEY

Dear Ewen

Please find my response attached

Regards

PC368QK

Michael Sullivan

Brent Police Licensing Team

From: Ewen Macgregor
Sent: 01 October 2018 09:20
To: Sullivan Michael J - QK <Michael.J.Sullivan@met.police.uk>
Cc: 'Figueiredo, Susana' <Susana.Figueiredo@brent.gov.uk>
Subject: BOXPARK WEMBLEY
Importance: High

Good morning Michael

Please see attached three schedules of conditions that we have been discussing with Susana Figueiredo (copied in)

All of these conditions are agreed save for noise conditions which appear at the following numbers on the attached:

- **Atrium 21 & 33**
- **Beatbox 19**
- **FR 28, 29, 30&31, 32&33**

I have emailed Ketan Joshi from the council noise team about the above and am hoping that I will have a response from him today in relation to this.

Whilst we have been able to agree a substantial number of the conditions that you originally requested be attached to the various licences, I appreciate that you may have additional conditions that you would like to see attached to the licence over and above those attached and it would be helpful if you could set these out in an email to me so that we can identify those areas where there is a dispute and those areas where we can reach agreement.

I look forward to hearing from you.

With best wishes,

Ewen Macgregor
Associate Director
Head of Regulatory and Licensing

From: Figueiredo, Susana [<mailto:Susana.Figueiredo@brent.gov.uk>]
Sent: 28 September 2018 22:57
To: Ewen Macgregor
Subject: BOXPARK WEMBLEY

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Dear Ewen,

I cannot find the email which states you agree to all of the conditions for all 6 applications. I now have been working on this over some time, but it would be helpful to have clarification up to the point at which we are now at.

With the exception of the two you mention below with regards to noise and bin emptying, my comments are as follows:-

Noise

I am also unsure which noise conditions you haven't agreed to out of the ones I have added into my representations.

Bin Emptying

With regards to bin emptying, I have amended all of the documents which reflects today's date and shows 23.00hrs – 07.00hrs.

Please let me know which conditions you agree to making reference to each document and which noise conditions are outstanding and I will then be able to confirm that I agree so far.

Kind Regards

Susana Figueiredo
Licensing Enforcement Officer
Planning, Transportation & Licensing
Brent Council

From: Ewen Macgregor
Sent: 24 September 2018 14:15
To: Figueiredo, Susana <Susana.Figueiredo@brent.gov.uk>
Subject: BOXPARK WEMBLEY
Importance: High

Good afternoon Susana

Many apologies for the delay in getting back to you but I have been awaiting instructions.

I have a couple of comments which I hope can be incorporated in to the agreed conditions:

Noise (Atrium 21 & 33; Beatbox 19; FF 19)

The planning permission – copy attached – is subject to the following condition (at 21 on the attached):

The premises shall be operated so that the level of noise does not exceed the levels referred to as proposals, or set out, within the submitted 'Environmental Noise Assessment Report Rev.P02' (dated November 2017) prepared by BDP Acoustics. Prior to the commencement of the use, or within a timetable as agreed with the Local Planning authority, tests shall be carried out to verify compliance with these levels and the results of these tests shall be submitted to and approved in writing by the Local Planning Authority. If the specified levels have been exceeded, details of the measures which will be taken to remedy this breach will be submitted to and approved in writing by the Local Planning Authority and implemented in full prior to the commencement of use of the development.

I attach a copy of the report referred to in the above condition.

The reason for imposing the condition was stated as being "In the interests of the amenities of neighbouring residential occupiers and those in the surrounding area."

Given that what we are trying to achieve with the noise condition on the licence is exactly the same can I suggest that your proposed conditions as set out in the brackets above) are removed and placed with the above condition so that there is a level of consistency between planning and licensing?

Bin Emptying (Atrium 22; Beatbox 20; FF 20)

The restriction on planning in relation to the same issue prohibits the activity between 2300 and 0700 which I thought we had agreed? (condition 9 on the attached planning permission)

Could the condition please be amended to reflect this?

I look forward to hearing from you.

With best wishes,

Ewen Macgregor
Associate Director
Head of Regulatory and Licensing
Gregg Latchams

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Ewen

I will take each application separately

Atrium Communal Space – Boxpark, 18 Olympic Way, Wembley, HA9 0JT'

Prevention of Crime and Disorder

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.

Agreed

2. 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 images or data with the absolute minimum of delay when requested.

Agreed

3. The CCTV system shall provide coverage of the entrance to the premises, and shall be capable of obtaining clear facial recognition images of every person entering the premises.

Agreed

4. Door supervisors of a suitable gender mix, shall be employed on any day when the premises are open for the sale of alcohol.

You did not have this condition in your response, but an alternative worded condition to the council's reps, I feel that this will cover the condition you have suggested?

5. A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.

Agreed

6. Customers will not take open drink containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority.

Agreed

7. No drinks shall be served other than in plastic or toughened glasses

I am happy to amend this to include recyclable cardboard

8. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent 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) 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.

Agreed

- 9. A personal licence holder shall be present on the premises and supervise the sale of alcohol for all Promoted ticketed events.

Agreed

Protection of Children from Harm

- 10. A “Challenge 25” policy shall be adopted and adhered to.
- 11. A sign stating “No proof of age – No sale” shall be displayed at the point of sale.
- 12. No children under the age of 18 shall be allowed on the premises after 2100 hours unless accompanied by an adult.

All Agreed

The Prevention of Public Nuisance

- 13. Notices asking customers to leave quietly shall be conspicuously displayed at all exits

Agreed

- 14. No noise or vibration shall be detectable at any neighbouring noise sensitive premises. The level of music shall be arranged so as not to cause a nuisance to local residents.

Agreed

- 15. No entry or re-entry shall be permitted after 21.00 hours

You have not agreed this condition, but have not suggested an alternative?

16. All doors and windows shall remain closed during any licensable activity anywhere a door is used for patrons to enter or leave the premises the door shall be lobbied and fitted with a self-closing device.

Not Agreed – I am willing to amend the wording to read - All doors and windows shall remain closed during any licensable activity anywhere a door is used for patrons to enter or leave.

17. A noise limiter set at a level agreed by Brent Council's Licensing Unit Shall be used at all times.

Agreed

18. There shall be a dispersal policy for the premises agreed with the relevant responsible authorities and approved by an authorised officer of the Licensing Authority

Agreed

Wembley Stadium Football Event Day Conditions

- (a) Customers shall not be allowed to congregate outside the premises.

Agreed

- (b) No drinks shall be served in glass containers.

Agreed

- (c) The DPS or deputy shall work in partnership with the Police and if necessary comply with any direction given by a senior Police Officer on duty at the event.

Agreed

- (d) The premises will stop the sale of Alcohol (1) one hour before the advertised kick off time, and will not resume the sales of alcohol until (15) fifteen minutes after the kick off time.

Not Agreed, I am unwilling to remove this condition for the reasons set out in my first rep letter and the statement from Sergeant Tungate which highlights the serious concerns police have regarding policing events at the national stadium.

- (e) On Football event days at Wembley stadium the venue will only take one set of supporters (Fan Zone) on the production of a valid ticket for the game, the designated team will be allocated by the Metropolitan Police after a risk assessment has been conducted.

Not Agreed in full – again I am unable to amend this condition due to upholding the licensing objective< prevention of crime and disorder.

- (f) The venue will Not show live sport on football event days.

Not Agreed – I have stated my reasons for this condition, and feel that the videos of disorder at other boxpark venues highlight the anticipated disorder if this was allowed to happen, police would struggle to maintain order whilst also having to police a 90,000 crowd at the stadium.

(g) The smoking area will be fenced off and will not be visible from Olympic Way, no alcohol will be allowed in the smoking area. (The smoking area will be supervised by SIA and no more than 50 people will be allowed within the area at any time)

Not Agreed, however you have suggested an alternative where people will be allowed out on to a first floor balcony, and there is mention of a risk assessment but you have not provided me with a copy?

(h) A personal licence holder shall be present on the premises and supervise the sale of alcohol on football event days

Agreed

'FR28 – Boxpark, 16 Olympic Way, Wembley, HA9 0JT', 'FR29 – Boxpark, 16 Olympic Way, Wembley, HA9 0JT', 'FR30-31 – Boxpark, 16 Olympic Way, Wembley, HA9 0JT', 'FR32-33 – Boxpark, 16 Olympic Way, Wembley, HA9 0JT', 'GF06 – Boxpark, 16 Olympic Way, Wembley, HA9 0JT'

These applications do not outline any business plan and I believe that a variation will be submitted when a company takes on the unit, I have added restaurant conditions as this is a possibility, and the applicant has put very little detail in the schedule to cover the alternatives, I feel there is no room at the moment to negotiate as I simply do not know what type of business is going to set up within the unit, this can be amended when it is known and conditions appropriately put on the licence,

Prevention of Crime and Disorder

CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council.

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 images or data with the absolute minimum of delay when requested.

The CCTV system shall provide coverage of the entrance to the premises, and shall be capable of obtaining clear facial recognition images of every person entering the premises.

. Door supervisors of a suitable gender mix, shall be employed on any day when the premises are open for the sale of alcohol.

A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.

Customers will not take open drink containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority.

No drinks shall be served other than in plastic or toughened glasses

An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent 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) 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.

Protection of Children from Harm

A "Challenge 25" policy shall be adopted and adhered to.

A sign stating "No proof of age – No sale" shall be displayed at the point of sale.

No children under the age of 18 shall be allowed on the premises after 2100 hours unless accompanied by an adult.

The Prevention of Public Nuisance

Notices asking customers to leave quietly shall be conspicuously displayed at all exits

No noise or vibration shall be detectable at any neighbouring noise sensitive

premises. The level of music shall be arranged so as not to cause a nuisance to local residents.

No entry or re-entry shall be permitted after 21.00 hours

All doors and windows shall remain closed during any licensable activity and where a door is used for patrons to enter or leave the premises the door shall be lobbied and fitted with a self-closing device.

A noise limiter set at a level agreed by Brent Council's Licensing Unit shall be used at all times.

There shall be a dispersal policy for the premises agreed with the relevant responsible authorities and approved by an authorised officer of the Licensing Authority.

Restaurant Conditions

Alcohol shall only be supplied as an accompaniment to a substantial meal, and seated at a table.

Substantial food and non-intoxicating beverages shall be available during the whole of licensed hours in all parts of the premises where alcohol is provided.

The supply/sale of alcohol shall be by waiter or waitress service only.

Customers must not be allowed to sit, stand or be served from the bar area or

any other staff area used for the preparation of alcoholic beverages.

Signs must be displayed at suitable points along the bar reading, 'Service is by Waiter / waitress service only. Customers are not permitted to sit, stand or be served from the bar.'

Wembley Stadium Football Event Day Conditions

- (a) Customers shall not be allowed to congregate outside the premises.
- (b) No drinks shall be served in glass containers.
- (c) The DPS or deputy shall work in partnership with the Police and if necessary comply with any direction given by a senior Police Officer on duty at the event.
- (d) The premises will stop the sale of Alcohol (1) one hour before the advertised kick off time, and will not resume the sales of alcohol until (15) fifteen minutes after the kick off time.
- (e) On Football event days at Wembley stadium the venue will only take one set of supporters (Fan Zone) on the production of a valid ticket for the game, the designated team will be allocated by the Metropolitan Police after a risk assessment has been conducted.
- (f) The venue will Not show live sports on football event days at Wembley Stadium.
- (g) The smoking area will be fenced off and will not be visible from Olympic Way, no alcohol will be allowed in the smoking area. (The smoking area will be

supervised by SIA and no more than 50 people will be allowed within the area at any time)

- (h) A personal licence holder shall be present on the premises and supervise the sale of alcohol on football event days.

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WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Mr Alan John Tungate

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Sergeant

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Date: 03/10/2018

I am the Public Order & Resources Command supervisor with responsibility for the planning of policing operations at Wembley National Stadium. I have been asked to provide a statement on the match day operations and specifically the issues relating to licensed premises and ingress to the stadium.

With the exception of the 2017 season where Tottenham Hotspur were resident, Wembley National Stadium does not benefit from a home team and the benefits that brings in terms of knowledge and appreciation of the geography and procedures. In the main, events held at Wembley Stadium see substantial crowds attending many of whom will be new to the area. In relation to football, the games held are either International fixtures involving the National team or finals of tournaments. These would include the FA Cup Semi Finals and Finals, the Football League Play Off finals and the UEFA / FIFA Qualifier fixtures. As an example, the FA Cup Semi Finals see a capacity crowd of 90000, consisting of 35,000 per team and 20,000 hospitality guests. Along with the large crowds, the notice period of the participating teams is also short as qualifying rounds progress. For the Football League Play offs the participants are known only 12 days in advance. Football games undertaken are subject to an intelligence assessment, this assesses the likelihood of pre-planned or spontaneous acts of disorder between the groups of supporters and leads to a match categorisation from A (Low risk) through to C (High risk of disorder). Whilst the international games are predominantly Cat A, the majority of other games of recent years have been either a Cat B or Cat C leading to a significant policing deployment and the implementation of crowd management strategies. From a licensing perspective the multitude of public houses in the area of the stadium are sectorised and allocated to fans of particular team supporters. The team supporters located in the west of the stadium utilise the license establishments along Wembley High Road whilst those supporters in the east are directed ahead of the game to the area to the north of the ground in the area of Wembley Park Underground stadium. This segregation is a key tool in the prevention of disorder for the 2 – 3 hours of pre match drinking and allows supporters to enjoy themselves in a much more relaxed environment without the, often, unwanted interaction with rival supporters.

The current threat level to the UK is Severe. This is the highest level possible without there being an active incident underway and means that a terrorist attack is highly likely. A football match or other event, taking place generates a number of other aggravating factors; a crowded place, televised event, place of entertainment and at an iconic London venue. As a result of those factors the security overlay for entry to the stadium is high and multi layered increasing the amount of time it takes to get from transport hub or licensed premises to one's allocated seat. Ticket holders regularly underestimate this time and messages are regular to

Witness Signature:

Signature Witnessed by Signature:

Continuation of Statement of:

encourage an early ingress. As a condition of their match day licenses, all licensed premises have a requirement to close 60 minutes before the advertised kick off time. Without this condition a late walk up to the stadium is, in my opinion, inevitable and would put a greater pressure onto the search regime, lead to larger crowded places outside the turnstiles and, increased numbers missing the start of the event. This late pressure causes challenges for both the stadium safety team and the police Match Commanders, as decisions have to be made to lessen the search regime or manage the upset and anger as kick off passes.

My final comment would be regarding ticketless fans in the area. There are three phases to a football operation, pre-game, during match and post-game. Once the fans are located into the stadium ahead of the game it allows the policing operation to also relocate. Ticketless fans lead to a market for touts, attempts to enter the stadium by subterfuge but importantly a demand for greater policing deployments both inside and outside the ground. For high profile football matches where a trophy is being contested, the area sees, currently, the presence of ticketless fans, fans who attempt to gain entrance to the ground once the stadium opens its doors for egress. The joint strategy for Police and other affected partners is to actively discourage the attendance at the game of ticketless fans, another reason for the closure of the bars ahead of the game. Any licensed premises in the area showing the event taking place in the stadium will be contradictory to this strategy and its presence and facility will become rapidly known amongst supporter groups. Alongside the increased risk to the licensing objections being satisfied there is also the pressure on the egress. A capacity crowd can lead to a egress time of 60 – 80 minutes depending on the transport operation and time of day. Any additional fans located in the area will only delay this egress further and add to the frustrations.

Submitted for consideration.

Witness Signature: 

Signature Witnessed by Signature:

Page 2 of 2

Boxpark Committee Response

Jason Eglash,
Head of Crowd Safety and Lead Safety Officer, The FA,
Wembley Stadium,
HA9 0WS

As Head of Crowd Safety at the Football Association, with responsibility for the public safety of those attending events at the Stadium, I have been asked to respond to the Boxpark application, with particular focus on the impact of this application on event day operations relating to Wembley Stadium.

In the current application, there are a number of operational issues that could impact the safety of hosting major events at Wembley Stadium, which can be summarised as: encouraging a later and more compressed ingress profile; the setting of a precedent in allowing the sale of alcohol within 60 minutes of an event start; and crowd management on Olympic Way during event egress. Any relaxation of the standard licence condition to close public house establishments no later than 60 minutes before the advertised event start would not be supported by the FA.

Allowing the sale of alcohol up until the start of an event encourages a later walk-up to the turnstiles, which would pressurise the search teams, both for the Stadium and the Metropolitan Police, that contribute to the safety of major events. Turnstiles and searches can operate at maximum flow rates and the compressing of more people into a shorter ingress profile would inevitably result in longer wait times on the Stadium concourse, impacting crowd flow around the external concourse, compounding delays to spectators attempting to enter the Stadium. At high crowd densities searches may have to be scaled back to enable a higher flow through the turnstiles, to mitigate the likelihood of an increasingly-agitated delayed crowd.

As a condition of match day licences, all licenced premises in the immediate area currently have a requirement to close 60 minutes before the advertised event start. Should one premise be licenced to serve alcohol within 60 minutes of an event start, a dangerous precedent would be set to other licenced establishments in the area. The effect of this would be to worsen the negative impacts of a compressed and late ingress profile which I have set out above.

From a Stadium perspective, there is no inherent issue with the sale of alcohol during the event. It is suggested, that this should however be conditional on the applicant being able to demonstrate, through a detailed venue operating plan, as well as the licencing objectives, how crowd segregation would be managed as well as plans to mitigate the risk of overcrowding and public order issues.

The Stadium is concerned that the opening of Boxpark during the main egress period may present a safety risk to the crowd management operations on Olympic Way. Wembley Park Station is used by up to 45,000 people per hour, and crowd management arrangements on Olympic Way are critical to the safe egress operation of the Stadium. The Stadium will need to be satisfied that the applicant has developed a detailed operating plan that enables the safe access to Boxpark whilst not impacting on the crowd flow on Olympic Way. Plans should include how Boxpark patrons can access the Olympic Way managed queues, as well as how Boxpark patrons can access the Boxpark site without impinging on the clear width required for a safe and comfortable spectator egress to Wembley Park Station. Access and egress for Boxpark would need to be via Fulton Road rather than Olympic Way.

To summarise, there are a number of operational concerns about this application, which pertain to the serving of alcohol within 60 minutes of the planned event start and the crowd management on Olympic Way during Stadium egress. These can be mitigated by not allowing the sale of alcohol within 60 minutes of event start and the production of detailed operational plans to alleviate the Boxpark access concerns set out above. **Jason Eglash**

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