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POLICE**

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TERRITORIAL POLICING

The Licensing Authority

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Your ref: 19811

Our ref: 313/20/2965NW

Brent Borough Licensing Department

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Date: 13th October 2020

Police representation to the new Premises Licence application for “York House, 21 Empire Way, Wembley, London, HA9 0PX”.

I certify that I have considered the application shown above and **I wish to make representations** that the likely effect of the grant of the application is detrimental to the Council’s Licensing Objectives for the reasons indicated below.

I am of the opinion that the risk to the Council’s objectives can be mitigated by removing the requested variations or attaching conditions to the Licence as shown below.

If these conditions were accepted in full **I would** withdraw my representation.

**Police Officer: Gary Norton
Licensing Constable PC 2965NW**

An officer of the Metropolitan Police, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a ‘Responsible Authority’ under the Licensing Act 2003.

The application has been made for a premises licence under section 17 of the act.

The Police representations are concerned with all four licensing objectives: crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.

The development prospectus plans for the residential private apartments, amenities, entertainment and events space are lavishly presented. Whilst it is encouraging to see regeneration of the building and its possible alternative uses regarding licensable activities on the 15th and 16th floors, police licensing have concerns over some aspects of the enterprise. Both floors appear to have a fluid design strategy to offer different spaces and areas for their social and private hire functions. Key licensable activities (in parts A,B,E,F,H,I & J) of the application repeatedly refer to a 24 hour licence for residents and their bone fide

guests. If granted a “round the clock” license for supply of alcohol, live and recorded music etc to residents and their bone fide guests, there are great concerns there is no cut off point each evening. Coupled with the reference in their proposed condition 14. “When SIA Security are deployed...”, we wonder who will deem it necessary when SIA are used, when the residents themselves can procure such entertainments 24/7? Are SIA even part of the plan to govern this element of the residential component? The only other reference SIA appears to be in relation to football fans attending on match days, but for reasons of public safety, prevention of crime, disorder and public nuisance, having SIA present would seem like a pre-requisite for the premises. This is especially true of venue hire, where due diligence on checking the true nature of the booking could lead to misconstrued use.

A real example of this was a licenced venue (typically used for similar functions to those reflected in the York House promotional brochure) on Barnet in 2019, where the venue was hired out for a party function. However, it was a pop up nightclub promotion that through social media created far more disgruntled potential customers on the door without a ticket; a promotor who wasn’t concerned by how many he would let in thereby risking public safety; and a hostile frustrated crowd waiting to pay on the door to get in. This resulted in half the available night duty units on a Saturday night, a dog van and helicopter attending to try and monitor and deal with the situation over several hours.

What processes will be in place when hiring the venue and what checks are made regarding potential private bookings?

Does the applicant oversee these functions themselves, as part of a contractual obligation, or are can the venue space simply be hired and the customer then uses outside unknown 3rd parties to facilitate the function?

Is it envisaged that this 24/7 resident licence aspect will be utilised at all times? Or any specific frequency? How would this work for a resident?

What processes and procedures will be in place to assist staff in identifying who is actually a resident, or of more concern, a bone fide guest?

With regards to condition 15, No noise or vibration shall be detectable at any neighbouring noise sensitive premises, does this include the residents of York House who aren’t upstairs partying above? Will sound-proofing extend to protect the residents who reside close to the 15th and 16th floor?

Whilst it is commendable that consideration has been given to the premises being located in the Wembley Stadium footprint and its operation on Match days, certain key conditions are noticeably absent from the proposed conditions. Police would require the inclusion of the key conditions such as these two key :

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.

No drinks shall be served in glass containers. Given the application reference to condition 28, without further clarification regarding segregation of residents, their bone fide guests and football fans, this is necessary condition to assist with licensing objectives.

With regards to condition 28. "The premises will not show live domestic televised football matches on football event days save for residents and their bona fide guests." It requires some formal plan and structure as to how you would segregate and monitor the residents from the football fans who might have come to use the premises prior to going to the game. Licensing would like to know how this would take place to avoid possible disorder.

Wembley Stadium Event Day conditions are necessary to promote the licensing objectives. Police resources are fully stretched on event days at Wembley and with the addition of another large venue such as York House opening up in the footprint of the National stadium this will only further stretch police resources. Police would like to ask how crowds of fans who turn up, for example from a couple of coaches, would be granted prompt access to avoid any unnecessary large congregations standing outside the premises? With this being an already heavy footfall on event days we would want to avoid confrontations between passing fans of opposing teams.

Police ask that the sales of alcohol stop one hour before the designated kick off time to allow for fans to make their way in to the ground in an orderly manner and assist in the enhanced searching policy that is now in place before entering the stadium. This is a tried and tested solution.

If the applicant could answer the queries I have raised on here, I can then think about formalising some suitable licensing conditions, or the amendment of some of those proposed, to move the application forward towards an agreement. Until that time, I oppose the application based on the concerns raised, but remain open to negotiating a solution.

Yours Sincerely,

Gary Norton 2965NW
Licensing Constable – Brent Police.