

Regulatory Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJBy email: business.licence@brent.gov.uk**Date:** 16 February 2024**Our ref:** 04929/48/NT/NB/JTh/29877923v3

Dear Sir/Madam,

**Application for a Premises License Reference 30611
“Olympic Garden”, 3 Olympic Way, Wembley, Brent, HA9 0DL**

This representation is submitted on behalf of our client, the Football Association (the FA), which owns and operates Wembley National Stadium (WNS). WNS is located at the southern end of Olympic Way, approximately 400 metres from the subject premises. **The FA opposes this licence application.**

Within this application, HEB Commercial Limited is seeking a premises licence under Section 17 of the Licensing Act 2003 for “Olympic Garden”, a venue to be created within external areas at 3 Olympic Way. The application relates to the supply of alcohol and licensable activities including films, live music and recorded music, between the hours of 10:00-22:00 daily.

Any proposed development and licensable activities in close proximity to WNS should be thoroughly examined to ensure there are no adverse effects which could affect the Stadium and its operations, and full compliance with the four licensing objectives. The FA and WNS have identified a number of important issues and areas of concern with this application which require careful consideration.

1. Current Lawful Planning Use of the Premises

Having regard to the site’s existing use, the operation of the premises for licensable activities requires both planning permission and licensing consents. A related application for planning permission for the ‘*Proposed temporary change of use (for a period of 3 years) of front forecourt to outdoor bar area (Use Class E) with associated temporary structures and outdoor seating*’ (LBB reference 24/0356) has very recently been submitted. This application is also within its consultation period, and its acceptability has not yet been established.

While it is not essential for a premises to have the necessary planning permission in place in advance of an application for a licence, this is normal and good practice as the lawful planning position and any restrictions can then be considered when determining the premises licence application. This application for a premises licence is therefore premature, and should be withdrawn until an application for planning permission has been positively determined.

2. Public Safety

The property is located directly off Olympic Way, which links WNS with Wembley Park Underground Station. Olympic Way is therefore a very important principal pedestrian route which is vital for the safe

movement of spectators and effective crowd management, especially on WNS event days when approximately 90,000 visitors can attend the area.

The applicant has not disclosed the maximum number of people the venue can safely accommodate and how the number of patrons in attendance will be monitored and managed, but the operation of a licenced premises adjacent to Olympic Way is a concern. Irrespective of the physical capacity of the site, consideration must be given to ensuring both the safe egress of patrons and full evacuation in the event of an emergency. If evacuation was required when Olympic Way is already crowded, evacuation times could be unacceptably compromised. A maximum capacity figure which has regard to normal event day crowds and queuing on Olympic Way should therefore be requested and attached to any licence issued.

While the FA recognises the applicant's intention to prevent queuing patrons from encroaching onto Olympic Way on football event days (Section f, para. 26 (i)), this should be extended to *all* event days at the Stadium. Details of how this will be managed and address the venue's capacity must be provided by the applicant. These measures may involve works which will require planning permission, such as the installation of a crowd-loaded fencing system (no less than 1.8m high) around the site boundary for use on event days, to ensure effective crowd management along the Olympic Way corridor on event days.

3. Prevention of Crime and Disorder, and Public Nuisance

If a licence is issued, the applicant's proposals to use SIA licenced door supervisors and the use of at least two additional SIA security staff on football event days must be required. Limited details are however provided as to how SIA security will prevent crime and disorder at the venue. The application states that "*The use of additional SIA security on Wembley Stadium Football Event Days and non-football Event Days shall be subject to a risk assessment.*" No risk assessment has been submitted with the application, and it is unclear from the information submitted what assessment criteria are being considered, so the FA cannot comment further at this time. The FA expects a proactive approach to mitigating security risks, including a detailed stewarding plan, queue management and implementing suitable search procedures. In common with other local venues, it would be appropriate to close the 'uncovered area' on the plan on event days and prevent post-match trading to reduce the risk of disorder. The FA suggests that the views of the Council's Public Safety team should be sought and regarded as an important consideration.

In summary, when considering this application which the FA opposes, the Council is asked to give due consideration to the above concerns and the national and international significance of the Stadium and its operational requirements, including in particular the need to maintain public safety and security.

WNS would welcome further dialogue about these issues with the applicant and the Council.

Please confirm receipt of this letter and contact Nick Baker or Joe Thompson should you wish to discuss.

Yours faithfully,



Lichfields

Copy Tom Legg, WNS