

**Olympic Garden**

**3 Olympic Way**

**Application for New Premises Licence**

**Outline Submissions on behalf of the Applicant**

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**1. The Application**

The application is for a time limited licence (up to 2 years) for premises located at 3 Olympic Way.

The proposed opening hours and hours for the provision of licensable activities are modest, and set out below:

- Opening Hours  
On each day of the week – from 1000 to 2230
- Provision of licensable activities  
On each day of the week – from 1000 to 2200

**2. The Applicant**

The Applicant is HEB Commercial Limited (**HEB**).

HEB hold the premises licence for the Novotel 5 Olympic Way. These premises opened in 2014 and there have been no regulatory issues at these premises since they opened.

HEB is the owner of the business at the Novotel and has engaged Accor to manage and operate the hotel.

The hotel is operated in line with all of the Accor operating and staff training policies. These will adapted and adopted for the Olympic Garden as appropriate.

It is worthy of note that the Accor Security policy states the following:

*“The Security Policy is reviewed and updated as and when necessary, through advice and liaison with the Crowded Places Business Information Exchange (CP BIE) and associated sub groups. CP BIE is co-sponsored by the Metropolitan Police Counter Terrorism Unit, Centre for the Protection of National Infra-Structure and National Counter Terrorism Security Office. Accor is committed to be play a significant and constituent part of CPIE.”*

All staff receive training commensurate with their duties and these will be extended to include the application premises.

The hotel most recently hosted Liverpool FC in advance of their appearance at the Carabao Cup Final on the 25 February 2024.

In attendance at the hearing in support of the application will be:

- Stefano Puccini
  - Novotel Wembley Hotel Manager (from opening) 2104 – 2019
  - Novotel Wembley Hotel Manager – August 2023 to date
- Richard Short - Vice President Health and Security, Northern Europe Accor Hotel Services
  - Chartered Environmental Health Practitioner with 35 years experience in Local Government and Industry. Previous roles include Heading up the Licensing Department in a Local Authority
  - Key experience in matters of safety, security and risk management
  - Worked with Accor hotels for 16 years with all hotels in the portfolio from budget to luxury including advising on security for The Savoy hotel and Raffles London
  - Founding member of the Crowded Places Information Exchange with Counter Terrorism Policing and recently appointed Hotel Industry Lead on that group Accor lead coordinator for Crisis Management across Northern, Central & Eastern Europe and Central Asia

### 3. The Application Premises

The application premises are adjacent to the Novotel, Olympic Way and previously housed HMRC.

Whilst the long-term intention is to convert the former HMRC offices into a hotel in the short term they have made the current application for a licence for the area that sits to the front of the building. This is fenced in by a permanent fence of 2m high

HEB has full, and unincumbered access to the site (and the building that sits on the site), and can, should officers from the responsible authority wish to gain access, provide this access. This is private land and is set back from Olympic Way.

The operation of the premises would not impinge on the 18m clearance down Wembley Way.

The area that is the subject of the application is currently used on event days by independently operated burger/fast food vans and merchandise vendors. These operations will cease in the event that the licence is granted when the premises open.

### 4. Pre-Application consultation and the submission of the application

The hotel manager, Stefano Puccini, first raised the possibility of applying for a licence at this site with Simon Feeney Head of Neighbourhood Management from the London Borough of Brent in about September 2023 whilst discussing the use of the Novotel 8<sup>th</sup> floor terrace for the placement of CCTV to oversee and assist with policing of Olympic Way between Wembley Park Station and Fulton Road, an initiative that the Novotel was more than happy to support.

The feedback at that time was positive and it was suggested to him that he meet with the licensing officer and Susana Figueredo.

An initial meeting with Esther Chan and Susana Figueredo was held on the 9<sup>th</sup> October 2023.

Following this meeting, Mr Puccini engaged TLT to set up a further pre application meeting.

The officers were emailed on the 13 November and attached to that email were:

- Presenter
- Draft Operating Schedule

It was clear from the draft OS that the intention of the application was to provide licensable activities on each day of the week and not just event days (either football or non football) A site visit was arranged for, and took place on, Friday 17 November to which the police were invited, but were unable to attend.

Further dialogue was entered in to following this meeting and the application was submitted on the 19<sup>th</sup> January 2024.

## 5. The Operating Schedule ('OS')

The OS recognises the fact that the premises are located on Olympic Way, has taken in to account operating schedules for premises located near to/close by the Stadium and makes provision for the differing types of events that take place at Wembley stadium as follows:

- Non event days
- Event days – non football
- Football event days

The OS has been significantly developed, and strengthened since the submission of the application. The revised OS has taken account of the observations made to the applicant during the course of the statutory consultation period and following engagement with those parties who have made representations to the application.

It has been made clear to the applicant that the key risk relates to the egress of spectators from the stadium on football event days. This is specifically attended to in the proposed operating schedule.

In summary

- The licence will run for a period of 24 months
- Opaque screens, of a height of no less than 1.5m shall in place on the frontage of the premises on to Olympic Way.
- The operation of the licence will be subject to the maintenance of a Safety Management Plan which will be shared with the responsible authorities and the Wembley National Stadium
- It is a condition of the licence that the licence holder complies with the SMP
- The premises licence holder will become a member of, and at the request of WNS, be a participant in, the Zone Ex Coordination Group (included at the suggestion of WNS)
- On football event days:
  - The premises will cease selling alcohol 1 hour before the advertised start of the match
  - The premises will close no later than the advertised half time of the match
  - The premises will then not re-open until the start of permitted hours the following day
- Save for event days including football event days when there shall be minimum of 1 member of door security for every 50 customers. the requirement for SIA licensed door supervisors shall be on a risk assessed basis. (amended at the suggestion of WNS)
- The maximum capacity of the premises shall be limited as follows:
  - NON EVENT DAYS - 350
  - EVENT DAYS - NON-FOOTBALL

To be risk assessed depending on the event.

Low-mid risk (to be determined in consultation with the Police) 350

High risk(to be determined in consultation with the police) 275

- EVENT DAYS FOOTBALL - 275

These figures are well within the FRA capacity assessment.

Football event day conditions

The OS contains a number of conditions relating to the provision of licensable activities on Football Event Days in line with other licensed premises in the locality.

The proposed football event day conditions go beyond those which are attached to other licences in proximity of the stadium.

This amendment to the football event day conditions has been as a direct response to a comment from the police, the Responsible Authorities from the Council and WNS who indicated that their primary concern in so far as this application is concerned was in relation to egress of fans from the stadium on football event days.

## 6. Representations

Representations have been received from

- Police
- EHO
- Licensing Authority
- Licensing Enforcement Authority
- Wembley Stadium

The applicant has sought to engage with each of the above representors following receipt of their representations and, in the event that the application is granted, will continue to engage with all responsible authorities, and the stadium, not least with the on going development of the SMP in mind.

Meetings have been held with Police, Licensing Authority, Licensing Enforcement Authority and WNS, following which the OS has been further refined and amended to accommodate the points raised by these parties

We have also held discussions with the EHO.

Whilst the primary concern of those who have made representations to the application are in connection with football event days, the Applicant responds as follows:

- Planning

A number of the representations cite the fact that planning is not in place.

The Applicant is respectful of the Council licensing policy insofar as planning is concerned,

The Sub Committee will be aware that planning and licensing are separate regimes, and that the absence of planning is not, in and of itself a reason to refuse an application.

- PSPO

The application relates to private land and is not the subject of a PSPO

It is a condition of the licence that Customers shall not be permitted to take open drink containers beyond the boundary of the premises.

In discussions that the applicant has had with WNS given the existence of the PSPO they indicated that they welcomed the introduction of locations where supporters could enjoy a pre match drink and something to eat in a controlled environment.

- Football event days

The conditions offered on football event days are more stringent than those which attach to other licensed premises in the locality. The key conditions are outlined above and the totality of the football event day conditions can be found in the OS.

- Noise

The closest neighbours to the premises are the residents of the hotel. The applicant operates and manages the hotel. Operating an overly noisy or disorderly premises would be counter-productive to the applicants first and foremost.

No local residents have opposed the application.

- Public Safety

The premises are owned by the applicant, who has unencumbered access to the premises. Whilst not a matter for the licensing committee (this will be covered by Health and Safety legislation), the applicants as landowners have a statutory obligation to ensure that the building which sits above the proposed premises will be made safe and secure in advance of any licence granted being operated.

The applicants' responsibilities in relation to the safety of the building (and the premises) are specifically dealt with in the Health and Safety at Work etc Act. Notwithstanding this, the applicants have made it a requirement of the SMP condition that it includes a pre-opening schedule of works.

Should any of the responsible authorities wish to come and inspect the site (or indeed the building that sits above the proposed premises) in advance of the licence being brought in to use then this can be arranged by the applicants.

- Egress and congestion

An FRA has been commissioned and is produced with these submissions.

In the event of the need to make an emergency evacuation of the premises, those customers from the Olympic Garden would egress on to the area to the front of the Novotel. This area is set back from Olympic Way and is 12m deep.

This does not conflict with the emergency evacuation procedures for the Novotel Hotel as customers of hotel make their emergency egress to an area towards the rear of the hotel

The premises and emergency egress does not impact on the 18m clearance across Olympic Way

- Security/Terrorism

Comment is made by the police that the building on the site presents a risk in so far as IEDs are concerned and that "this building would have to be searched by specially trained persons on a daily basis to ensure the site is safe".

Since the premises at 3 Olympic Way were acquired by the applicant in 2018 the owners have not been approached by the Police Counter Terrorism Unit nor any other officer to carry out a sweep of the building or to discuss any pressing need for counter-terrorism measures to be introduced.

As stated above, the applicants "Security Policy is reviewed and updated as and when necessary, through advice and liaison with the Crowded Places Business Information Exchange (CP BIE) and associated sub groups. CP BIE is co-sponsored by the Metropolitan Police Counter Terrorism Unit, Centre for the Protection of National Infra-Structure and National Counter Terrorism Security Office. Accor is committed to be play a significant and constituent part of CPIE."

The applicant has significant experience of liaising and engaging with counter terrorism officers in relation to other premises that they operate across the capital.

Should the police/counter terrorism officers wish to carry out site inspections then access to the site can be arranged through the applicant.

- Capacity

A fire risk assessment has been provided to all parties who have made reps to the application and the proposed working capacities, as set out in the OS, are well within those suggested by the FRA.

- Door security

A draft risk assessment and SOP has been provided with these submissions. These will be developed with the support of the responsible authorities and WNS in advance of the premises opening.

The number of door supervisors on event days (both football and non-football) will be a ratio of 1:50, a figure suggested to the applicant by WNS and one which they were happy to adopt. This ratio was very much in line with what the applicant had anticipated employing on event days.

A condition to this effect is incorporated in the operating schedule.