

**From:** Figueiredo, Susana  
**Sent:** 27 June 2017 09:10  
**To:** 'Sue.Dowling@Blandy.co.uk'  
**Cc:** 'john.drury@ssearena.co.uk'; 'sharon.smith@ssearena.co.uk';  
Business Licence

**Subject:** CONSULT - New Premises - THE SSE Arena, Arena Square,  
Engineers Way HA9 0AA - REF:223724255

Dear Sue,

Thank you for your email. I apologise for not getting back to you sooner but it took me a long time to go through your lengthy response.

The term is likely to be detrimental to the Licensing Objectives , is used as standard in all consultation responses.

The Operations Manual *which is a live document and will continue to be developed in line with good industry practice* is therefore changeable and not a **set document** that can be referred to by the Licensing Authority and other responsible authorities to enforce the Premises Licence. As you stipulated, the Local Authority do not even have a copy of this manual and as it is always changing, would never be up to date even if we did. Further, although the Operations Manual supports the application for a Premises Licence, it does not form part of the operating schedule in the form of clear, concise conditions and therefore is **not enforceable**.

As you state, the document is **114 pages long** and therefore not operationally workable for the Local Authority. I do agree, that as an extra reference, it is great to have an Operational Manual but for the purposes of the Premises Licence, this is not sufficient. I do not believe that adding relevant conditions to the Premises Licence makes it **cumbersome**, indeed we have much smaller premises within Brent that have 40 plus conditions embedded and these have proven to be workable. If the premises are already meeting all of the conditions within the Operational Manual, then I do not foresee any concerns in the conditions being accepted. Unfortunately, I do not have the time to trawl through 114 pages of documentation but if the Arena wishes to do so, I welcome them to, in order to check they are happy with the conditions I have asked for, before they accept.

The premises licence, being just that - a premises licence remains with the premises, if the premises is transferred to another, the operations manual that the SSE Arena refer to, will become invalid and there will be no conditions attached to the licence. I believe the inclusion and wording of each of the conditions is important in terms of understanding exactly what is expected from all parties.

As a Licensing Inspector who has been tasked with consulting on this application, I believe the requested conditions are *necessary and proportionate* for the promotion of the Licensing Objectives. As such my request for the conditions still remain.

I look forward to hearing from you soon.

Kind Regards

Susana Figueiredo  
Licensing Inspector  
Planning, Transportation & Licensing  
Brent Council

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**From:** Sue Dowling [<mailto:Sue.Dowling@Blandy.co.uk>]  
**Sent:** 26 June 2017 11:24  
**To:** Figueiredo, Susana  
**Cc:** Business Licence; John Drury ([john.drury@ssearena.co.uk](mailto:john.drury@ssearena.co.uk)); Sharon Smith ([sharon.smith@ssearena.co.uk](mailto:sharon.smith@ssearena.co.uk))  
**Subject:** RE: CONSULT - New Premises - THE SSE Arena, Arena Square, Engineers Way HA9 0AA - REF:223724255

Dear Susana

Thank you for your email this morning and the copy Representation.

As a start would you clarify why you consider that the grant of the application is likely to be detrimental to the Licensing Objectives as you do not set out in your letter the rationale for this belief.

I will take instructions on your Representation but it does occur to me that it might be helpful for you to review a complete copy of the Operations Manual relating to the Premises (including the procedures followed by the catering organisation (Levy s). My clients will be very happy to drop a complete copy over to you, or to take you through the relevant sections of the current Manual in person, if you have availability. The Manual itself does run to over 114 pages (dealing in depth with all the matters listed in its Contents section 10(i) of the Application file) so it may help to have a steer through all the procedures it already contains and which have been effectively followed for years.

My clients will of course be best placed to run through your suggested requirements but having looked through them myself, I am reasonably confident that most (if not all) of the various procedures suggested already form part of their operation (and have done for many years under the current Premises Licence) or apply in slightly modified form (e.g. challenge 21 as per your Licensing Statement rather than Challenge 25). If any particular procedure listed in your letter does not currently apply, there is likely to be a clear rationale for this the Arena s operations being highly sophisticated in terms of professionalism; efficiency and safety.

Further, with respect, we do not agree that all of the operational procedures should be listed as Licence Conditions as this will not promote the Licensing Objectives for a venue of this nature, for the reasons stipulated below.

My clients will be keen to avoid the Premises Licence **duplicating** matters of operation which apply to the venue's Events **whether or not** the Event involves licensable activities particularly as:

1. It already operates numerous procedures following its Operations Manual. This is a live document and must be capable of change so it can be updated to reflect good practice as and when needed. It has been carefully crafted over many years taking into account input from LBB officers and also taking into account other recognised guidance/Industry standards for example from the NAA. It has been designed to make the procedures effective and crucially understandable so that it is a user-friendly tool for different members of staff carrying out different functions. Many of those functions will be relevant **even if no licensable activities** were being conducted at a particular event;
2. The Premises Licence itself should not be unnecessarily cumbersome; long and unwieldy - as this will only make it more difficult with which to comply in practice.
3. Any licence conditions should only be incorporated on the Licence if they are *necessary* and *proportionate* for the promotion of the Licensing Objectives.

In operational terms the licensable activities proposed under this new proposed licence are **severely curtailed** (rather than increased) when compared with the Premises Licence in operation over the last 11 years. Further, the Venue enjoys an exceptional record in terms of its operations (licensable and non-licensable) and it must flow from this that the current Licence conditions (under 180755) should (once tweaked) essentially suffice. Accordingly, any proposed conditions need to be fit for purpose and not over-burdensome.

We will revert as soon as possible but please do not hesitate to let me know if you would like John/Sharon to drop the Operations Manual around to you or to visit/meet with you to discuss its full contents. I have copied them into this email so that you can also make contact with them directly if that is easier.

Best regards

Sue

**Sue Dowling**

Partner

Employment; Business Immigration; Venue Licensing

For and on behalf of Blandy & Blandy LLP

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