

From: Richard Arnot [<mailto:Richard.Arnott@wardhadaway.com>]
Sent: 09 February 2018 09:44
To: McDonald Nicola - QK <Nicola.McDonald@met.pnn.police.uk>
Subject: Our client COOP and Olympic Way, Wembley [WH-WH.FID2753631]

Hi Nicola,

I have tried calling a couple of times . Can you give me a ring when you're free and we'll try to make progress with conditions.

Kind Regards

Richard

From: McDonald Nicola - QK
Sent: 13 February 2018 12:34
To: 'Richard Arnot' <Richard.Arnott@wardhadaway.com>
Subject: Our client COOP and Olympic Way, Wembley [WH-WH.FID2753631]

Richard

Apologise for missing you I am not always office based.

I have taken in to consideration your change your proposed conditions but can not agree to all the wording. That and my experience working in the area of the shop I recommend the following conditions that are proportionate, clear and practicable for your client.

Regards

Nicola

A CCTV system shall be installed and maintained in a good working order at the premises.

CCTV cameras shall be installed to cover the entrance of the premises.

The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.

A summary of the premises licence including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises (*this does not have to be the Part B*)

An age verification scheme, such as Challenge 25, shall be implemented at the premises.

A suitable intruder alarm complete with panic button shall be fitted and maintained.

All staff should receive training in their responsibilities under the Licensing Act 2003
Training documents shall be kept for each individual member of staff and made available for inspection by the Police of an authorised officer of Brent Council upon request.

No high strength beers, lagers, and ciders above 6.0% ABV shall be stocked or sold.

No single cans or bottles of beer, lager or cider shall be sold.

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:

- All crime reported to the venue
- Any complaints received
- Any faults in the CCTV system
- Any refusal of the sale of alcohol
- Any visit by a relevant authority or emergency service

On major event days at Wembley Stadium the following shall apply:

Customers shall not be allowed to congregate outside the premises.

Sale of alcohol shall cease one hour before designated kick-off time and not re-commence until 15 minutes after the actual kick off.

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.

No alcohol or "alcopop" type drinks shall be displayed or sold in glass containers with the exception of wines and spirits.

No more than 4 cans of alcohol shall be sold per customer.

A door supervisor shall be employed

From: Richard Arnot [<mailto:Richard.Arnott@wardhadaway.com>]

Sent: 14 February 2018 09:26

To: McDonald Nicola - QK <Nicola.McDonald@met.pnn.police.uk>

Subject: Our client COOP and Olympic Way, Wembley (Without Prejudice) [WH-WH.FID2753631]

Hi Nicola,

It would be helpful if we can have a chat about your proposed conditions but here are my thoughts.

Firstly, thanks for agreeing to most of what we have proposed by way of amended conditions.

So far as ABV is concerned, we understand the issue with street drinkers and the need to remove the sort of products that they are attracted to from the equation. My version of the condition, which is regularly agreed with your Police Licensing colleagues throughout London (and I haven't come across anybody with the exception of yourself who has an issue with the logic of what we're trying to achieve) does that. It is , however , also sufficiently sophisticated to avoid prohibiting the sale of other products that would be of no interest to street drinkers, if only because of cost. Your version would prohibit the sale of craft and speciality products etc. and this would take the condition way beyond its intended purpose. As you might be aware, the lawfulness of ABV conditions is questionable in any event but we're prepared to accept what is almost now standard elsewhere in London.

I accept that there is no definition of ' premium product ' but, by giving examples of what a premium product might be, we are setting out a framework for that definition. We would not for an example, as a consequence, be able to argue that high strength cheap ciders are premium (not that we would have any desire to do so). And for information, the Licensing Authority (with whom we're also discussion conditions) have no problem with accepting an exception for premium products.

The LA also accept, I understand , the very basic point that the Licensing Act is concerned only with the regulation of the sale and consumption of alcohol (and the provision of certain entertainments). The preamble to the Act is explicit in this regard. This being so, conditions can only qualify what the Act allows. This being so, the incident log (in terms of conditions on the licence) ought only to record matters as related to the permitted licensable activity. A simple example being that you would oblige us to record ' all complaints received ' . Conditions must always be read literally so if, for instance, a customer complained about an out of date yoghurt, it would have to be recorded in our incident record. Equally, if the fire service attend to check smoke alarms it would have to be recorded too even though that visit has nothing to do with our licensable activity.

I appreciate that defining ' major events ' is problematic. However, need to have a stab at a definition otherwise the condition is uncertain and could, arguably be unenforceable as a consequence. We understand the need to account for the Stadium but again conditions needs to be appropriate and proportionate, and achievable.

You would require us to prevent customers from congregating outside the premises. We would have no lawful basis for moving customers on who are on the public highway outside our premises. What if, for example, a group of perfectly sensible middle chaps where standing chatting outside the store? Your condition would require staff to tell them to move on. And if they said no...?

I think that a conversation would be helpful so please give me call . We're keen to work with you but we need to discuss workable, and lawful, conditions.

Kind Regards,

Richard