



Supplementary - Alcohol and Entertainment Licensing Sub-Committee

Tuesday 9 October 2018 at 10.00 am

Members Suite - 4th Floor, Brent Civic Centre,
Engineers Way, Wembley, HA9 0FJ

Membership:

Members

Councillors:

Ahmed (Chair)
Hector
W Mitchell Murray

Substitute Members

Councillors:

Allie, Chohan, Kennelly, Long, McLeish, Maurice and
RS Patel

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 4011; Email: devbai.bhanji@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
4 Application for a Variation to a premises Licence by Punch Partnerships (PTL) Limited for the premises known as The Swan, 789 Harrow Road, Wembley, HA0 2LP, pursuant to the provisions of the Licensing Act 2003	1 - 2
10 Application for New Premises Licence by Boxpark Trading Ltd for the premises known as Boxpark Wembley, GR06 Beatbox, 18 Olympic Way, Wembley, HA9 0JT, pursuant to the provisions of the Licensing Act 2003	3 - 8



- Please remember to ***SWITCH OFF*** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.

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From:
Sent: 26 September 2018 21:56
To: Legister, Linda
Subject: Re: The Swan 789 Harrow Road HA0 2LP

Licensing Act 2003
The Swan 789 Harrow Road HA0 2LP – Variation Application

Dear Linda
Please see my response in bold below
Kind Regards

On 21 Sep 2018, at 11:26 am, Legister, Linda <Linda.Legister@brent.gov.uk> wrote:

Dear Madam

Licensing Act 2003
The Swan 789 Harrow Road HA0 2LP – Variation Application

Further to your objection to the above application, we have heard from the agent representing the applicant who would like to know if you would be willing to withdraw your objection based on the following information that has been agreed:

.WOULD IT BE POSSIBLE THAT ANOTHER REAPPLICATION LATER WOULD BE ACCEPTED FOR 2am FRIDAY AND SATURDAY AND 1.30 ON A THURSDAY ?

- Removal of the extension of the 'Live Music' aspect of the application. The premises currently have a Live Music licence until 1am, this will remain the same.
- The following conditions have been agreed:
 - All doors and windows will remain closed during regulated entertainment. Where a door is used for patrons to enter or leave the premises the door will be fitted with a self-closing device and staff told to ensure that it is not propped open. Alternatively a member of staff shall be positioned at the door to ensure it is opened for as brief a period as possible.
 - Licensable activities shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.
 - Whilst regulated entertainment takes place patrons will be encouraged to leave via a lobbied door to minimise noise breakout.

.WHAT ARE THE PERCUSSIONS IF THIS IS NOT MAINTAINED AS I APPRECIATED EXTRA STAFF WILL BE REQUIRED AND CUSTOMERS ARE NOT ALWAYS GOOD WITH CHANGE WHEN THEY ARE HAVING A GOOD TIME

Outside Areas

- No music will be played in, or for the benefit of patrons in the beer garden or other external areas of the premises.
- No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises.
- Signs shall be displayed in the beer garden/on the frontage instructing patrons to recognise the residential nature of the area and conduct their behaviour accordingly – The management reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours.
- The beer garden/frontage will be closed and patrons requested to come inside the main structure of the premises at 23.00 hours. After 23.00 only

patrons wishing to smoke will be permitted to use the external areas and drinks will not be permitted to be consumed in the external area.

○

.WHILE I WISH THE SWAN TO BE SUCCESSFUL AND MAXIMISE ITS INCOME AND PROFITABILITY , I AM MINDFUL OF THE IMPACT ON THE WIDER COMMUNITY OF CLOSE BY RESIDENTS, AND MAINTAINING A GOOD LOCAL ENVIRONMENT. THESE ARE MY

Please let me know whether or not you would like to withdraw your objection. If you decide you want to continue with your objection **I WOULD SAY CONCERNS** the application will be heard by the licensing committee on **9 October 2018**.

Regards

Linda Legister
Licensing Applications Officer

I request that all residents affected by the licence changes of late music at the weekend should have a dedicated contact person at the Swan and the company owning the public house to contact if there is a breach of conditions and excess levels of music and unacceptable sound that impacts on a reasonable expectation of sound levels.

I have also a concern that there are drug dealers in Rugby and Eaton Avenues waiting for local clients

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Mr Alan John Tungate

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Sergeant

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Date:

I am the Public Order Command supervisor with responsibility for the planning of policing operations at Wembley National Stadium. I have been asked to provide a statement on the match day operations and specifically the issues relating to licensed premises and ingress to the stadium.

With the exception of the 2017 season where Tottenham Hotspur were resident, Wembley National Stadium does not benefit from a home team and the benefits that brings in terms of knowledge and appreciation of the geography and procedures. In the main, events held at Wembley Stadium see substantial crowds attending many of whom will be new to the area. In relation to football, the games held are either International fixtures involving the National team or finals of tournaments. These would include the FA Cup Semi Finals and Finals, the Football League Play Off finals and the UEFA / FIFA Qualifier fixtures. As an example, the FA Cup Semi Finals see a capacity crowd of 90000, consisting of 35,000 per team and 20,000 hospitality guests. Along with the large crowds, the notice period of the participating teams is also short as qualifying rounds progress. For the Football League Play offs the participants are known only 12 days in advance. Football games undertaken are subject to an intelligence assessment, this assesses the likelihood of pre-planned or spontaneous acts of disorder between the groups of supporters and leads to a match categorisation from A (Low risk) through to C (High risk of disorder). Whilst the international games are predominantly Cat A, the majority of other games of recent years have been either a Cat B or Cat C leading to a significant policing deployment and the implementation of crowd management strategies. From a licensing perspective the multitude of public houses in the area of the stadium are sectorised and allocated to fans of particular team supporters. The team supporters located in the west of the stadium utilise the license establishments along Wembley High Road whilst those supporters in the east are directed ahead of the game to the area to the north of the ground in the area of Wembley Park Underground stadium. This segregation is a key tool in the prevention of disorder for the 2 – 3 hours of pre match drinking and allows supporters to enjoy themselves in a much more relaxed environment without the unwanted interaction with rival supporters.

The current threat level to the UK is Severe. This is the highest level possible without there being an active incident underway and means that a terrorist attack is highly likely. A football match or other event, taking place generates a number of other aggravating factors; a crowded place, televised event, place of entertainment and at an iconic London venue. As a result of those factors the security overlay for entry to the stadium is high and multi layered increasing the amount of time it takes to get from transport hub or licensed premises to one's allocated seat. Ticket holders regularly underestimate this time and messages are regular to

Witness Signature:

Signature Witnessed by Signature:

Continuation of Statement of:

encourage an early ingress. As a condition of their match day licenses, all licensed premises have a requirement to close 60 minutes before the advertised kick off time. Without this condition a late walk up to the stadium is, in my opinion, inevitable and would put a greater pressure onto the search regime, lead to larger crowded places outside the turnstiles and, increased numbers missing the start of the event. This late pressure causes challenges for both the stadium safety team and the police Match Commanders, as decisions have to be made to lessen the search regime or manage the upset and anger as kick off passes. My final comment would be regarding ticketless fans in the area. There are three phases to a football operation, pre-game, during match and post-game. Once the fans are located into the stadium ahead of the game it allows the policing operation to also relocate. Ticketless fans lead to a market for touts, attempts to enter the stadium by subterfuge but importantly a demand for greater policing deployments both inside and outside the ground. For high profile football, matches where a trophy is being contested, the area sees now the presence of ticketless fans, fans who attempt to gain entrance to the ground once the stadium opens its doors for egress. The joint strategy for Police and other affected partners is to actively discourage the attendance at the game of ticketless fans, another reason for the closure of the bars ahead of the game. Any licensed premises in the area showing the event taking place in the stadium will be contradictory to this strategy and its presence and facility will become rapidly known amongst supporter groups. Alongside the increased risk to the licensing objections being satisfied there is also the pressure on the egress. A capacity crowd can lead to a egress time of 60 – 80 minutes depending on the transport operation and time of day. Any additional fans located in the area will only delay this egress further and add to the frustrations.

Witness Signature:

Signature Witnessed by Signature:

Page 2 of 2

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of PC368QK Michael Sullivan URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: Police Officer.....

This statement (consisting of: **1**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:



Date:

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Constable of 14 years' experience, all of which I have worked on the London Borough of Brent, I am currently attached to the licensing unit for the Borough, I have been authorised via a delegated authority to represent the Borough Commander of the London Borough of Brent and for the Commissioner of the Metropolitan Police Service to act on Licensing matters.

I am making this statement in relation to the new applications for BoxPark Olympic Way Wembley, there are a total of six new licence applications, which all have very little detail in the application of what type of business is going to be run from the individual units, this makes it impossible for representations to be made under the licensing act that will uphold the four licensing objectives. I have been informed once and a business takes over a unit a full variation will be applied for.

Boxpark is within meters of the national Stadium and I have concerns about the proposed running of the businesses on Stadium Event days, as the conditions I have proposed have all but been rejected by the applicant, the implementation of event day conditions is pivotal in reducing disorder, and public safety the conditions are part of the policing plan which incorporates the stadium and the Wembley footprint.

Boxpark have produced a promotional video which shows people sitting watching live sport in a controlled environment, however the reality is that at large sporting events within the open spaces within their Croydon and Shoreditch franchise have descends into drunken disorder on a large scale, the added complication to this new application is that this will be happening on the doorstep of the national stadium.

I have attached some footage and a report found on youtube of recent disorder at Boxpark during the world cup games, I exhibit this as MJS/1.

Signature:



Signature witnessed by:

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WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Paul Jennings

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Paul Jennings PC43060* Date: 21/09/2018

I am a Police Constable based on the Central Football Unit at Lambeth Headquarters and am employed as the Metropolitan Police Service Dedicated Football Officer for Crystal Palace. I have been a fulltime football officer since 2010 and have worked on intelligence serials at Football since 2004. I have been a police officer since 2002 and have policed football on public order serials since 2003.

Box Park Croydon is a food, drink, entertainment and retail space constructed out of shipping containers within a mixed-use development adjacent to East Croydon Station. Due to being over 1½ miles from Selhurst Park this venue is not particularly busy with football supporters for Crystal Palace home fixtures. However Box Park Croydon has proved to be very popular for high profile televised fixtures such as the Champions League Final and England fixtures during the World Cup Finals. Tickets for the England fixtures sold out quickly. During the England matches there was a boisterous and lively atmosphere. This resulted in vast quantities of alcohol, as well as the containers these drinkers were served in, being thrown in the air during the rowdy celebrations. This received high profile coverage on national television. Footage of some of these celebrations is readily available from a variety of online sources.

Witness Signature: *Paul Jennings PC43060*

Signature Witnessed by Signature:

Witness contact details

URN

Name of witness: Paul Jennings

Home Address:

E-mail address: Paul.Jennings@met.pnn.police.uk

Home Telephone Number:

Postcode:

Mobile: 07810637845

Work Telephone Number:

Preferred means of contact (specify details for vulnerable/intimidated victims and witnesses only):

Gender: Male

Date and place of birth: 10/02/1975

Former name:

Ethnicity Code (16 + 1):

DATES OF WITNESS NON-AVAILABILITY:**Witness care**

- a) Is the witness willing to attend court? If 'No', include reason(s) on form **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case) If 'Yes' submit **MG2** with file in anticipated not guilty, contested or indictable only cases.
- d) Does the witness have any particular needs? If 'Yes' what are they? (Disability, healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?).

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me Yes ☐ No ☐
- b) I have been given the Victim Personal Statement leaflet Yes ☐ No ☐
- c) I have been given the leaflet "Giving a witness statement to the police..." Yes ☐ No ☐
- d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) Yes ☐ No ☐ N/A ☐
- e) I consent to my medical record in relation to this matter being disclosed to the defence Yes ☐ No ☐ N/A ☐
- f) I consent to the statement being disclosed for the purposes of civil, or other proceedings if applicable, e.g. child care proceedings, CICA Yes ☐ No ☐ N/A ☐

'I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court.'

Signature of witness:

PRINT NAME: Paul Jennings PC 430CO

Signature of parent/guardian/appropriate adult:

PRINT NAME:

Address and telephone number (of parent etc.), if different from above:

Statement taken by: PC 430CO JENNINGS

Station: Lambeth HQ

Time and place statement taken: 1330 hours Friday
21/09/2018 at Lambeth HQ