

Michael Soselia
Barnab Limited
41A St Stephens Terrace
SW1 8DL

Also sent via email: licensing@barnab.xyz

1 August 2024

Ref: 32210

Dear Mr Soselia,

Licensing representation against the premises licence application in respect of Stadium Yard Bar, located at 3 Kingswood Road, HA9 8JR.

The above-mentioned application has been made pursuant to section 17 of the Licensing Act 2003.

I confirm that I am the delegated officer of the Licensing Authority, in whose area the above-mentioned premises is situated, and who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

I certify that I have carefully considered the above premises licence application, and consequently, I wish to make a representation on the grounds that if the application were to be granted as submitted, it would likely have a detrimental effect on two out of the four below licensing objectives:

- **the prevention of crime and disorder;**
- public safety;
- **the prevention of public nuisance;**
- the protection of children from harm.

Operating Schedule

The premises licence application seeks the following permitted licensable activities and opening hours:

The supply of alcohol (on and off the premises): Sunday to Thursday, 09:00 - 23:00, Friday & Saturday, 09:00 - 23:59

Opening Hours: Sunday to Thursday, 09:00 - 23:00, Friday & Saturday, 09:00 - 23:59

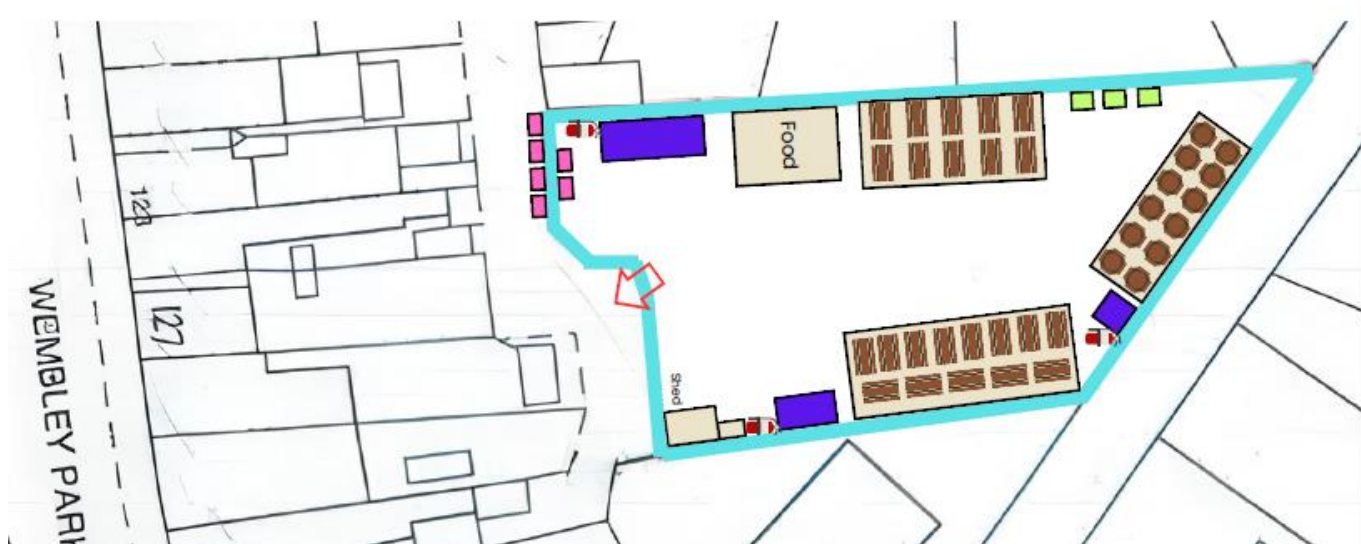
The application refers to 'occasional live music'; however, providing that it takes place between 08:00 and 23:00 and that there are fewer than 500 people in attendance, it is not deemed licensable pursuant to Section 177A of the Licensing Act 2003. This is due to the Live Music Act 2012 and other statutory amendments that have altered what is considered licensable under the Licensing Act 2003 in respect of live and recorded music.

The Licensing Authority notes that the premises licence application has been made in line with other existing premises licences within the local area (i.e., similar conditions), albeit with a slightly earlier terminal hour for licensable activities and closing time.

Location

The premises is located at the end of Kingswood Road, which is a service road that runs parallel to Wembley Park Drive. Public access to this road is made by turning onto Elmside Road via Wembley Park Drive. The nearest noise-sensitive properties are located on Elmside Road, which is a residential cul-de-sac with about 14 dwellings. Additionally, there are two blocks of flats directly behind the premises on Brook Avenue.

The proposed premises licence is roughly 21 meters from the rear of the nearest property on Elmside Road and about 40 meters from the nearest block of flats on Brook Avenue.





Background

The applicant is Mr. Abhay Thakkar, who is also named as the designated premises supervisor. Mr. Thakkar is one of the listed company directors of First Class Sports Bar Limited, which holds the premises licence for Stadium Sports Bar, 125 Wembley Park Drive. This premises is directly adjacent to the proposed premises licence of this application, situated on the other side of the service road.

This proposed premises licence area has historically been used for licensable activities during Wembley Stadium event days. This year, there have been at least 12 Temporary Event Notices (TENs).

In each instance, the premises user sought licensable activities of the sale by retail of alcohol and regulated entertainment. Ten of these TENs were for the hours between 09:00 and 22:00, with the latter two having a terminal hour of 23:00.

Summary

The Licensing Authority is concerned about the breakout of noise, given that the premises is located entirely outside and is within the immediate vicinity of residential dwellings. As alcohol consumption increases, the volume levels of conversation also rise, which could disturb residents towards the latter part of the evening. Furthermore, 09:00 start time could also disturb residents during the weekend. While I appreciate that the application states an earlier closing time compared to other licensed premises in the area, this is negated by the fact that the licensable area is entirely outside.

To mitigate this, I would be most grateful if the permitted hours and opening hours were reduced as detailed below:

The supply of alcohol: Monday to Sunday, 10:00 - 22:00
Opening Hours: Monday to Sunday, 10:00 – 22:30

In respect of the above licensing objective, I would also like to see the condition 'CD8: *There shall be no admissions or re-admission to the premises after 22:00 hours*' reduced by an hour.

Otherwise, it's effectively unenforceable and redundant. As such, I would like to see it changed to 'CD8: *There shall be no admissions or re-admission to the premises after 21:00 hours.*'.

The application states that the licence is "to accommodate patrons attending events at Wembley Stadium" This stipulation, however, is not explicitly included as a condition. Consequently, I would like to see the below condition added to the other conditions put forward by your client:

"The premises shall only undertake licensable activities on Wembley Stadium event days".

As part of the business model caters towards traveling fans attending domestic football matches at Wembley Stadium, at least eight times a year (League Cup Final, x2 FA Cup Semi-Finals, FA Cup Final, x3 EFL Play-Off Finals, National League Play-Off Final, etc.), there is a heightened risk of disorder. To negate this public risk factor, I would like to see your client add the following conditions in addition to other conditions put forward within the application:

During Wembley Stadium football event days, the premises shall only take one set of football supporters (Fan Zone) on the production of a valid match day ticket. The designated team shall be allocated by the Metropolitan Police after a risk assessment has been conducted.

During Wembley Stadium football event days, the premises shall cease the sale of alcohol one hour before the commencement of the main billed event and/or advertised kick off time. The sale of alcohol shall not resume until 15 minutes after the start of the main billed event and/or advertised kick off time.

A minimum of 2 SIA licensed door supervisors shall be on duty 5 hours before the commencement of the main billed event time and/or advertised kick off time.

At least 1 SIA licensed door supervisors shall remain on duty until at least 30 minutes after the premises is closed for licensable activities.

All SIA licenced door supervisors shall wear clothing that can be clearly and easily identified.

A log shall be kept of the SIA door supervisors working on day night to include their full name, date of birth, Security Industry Authority licence number, company and booking on-off times. A copy of SIA door supervisor log shall be available upon request by Police and authorised officers from Brent Council.

Customers shall not be permitted to take any drinks outside the area defined on the premises plan.

The premises shall not show any live televised domestic or international football matches.

The DPS or relevant duty manager shall work in partnership with the Police and if necessary, comply with any direction given by a senior Police Officer, or Licensing Authority, on duty at the event. These directions may include:

a. Cease the sale of alcohol for a specified amount of time. This shall be monitored, and the supply of alcohol reinstated as soon as is possible.

b. Closing the entire premises for a specified amount of time. This shall be monitored, and the premises reopened as soon as possible.

No person under the age of 18 shall be admitted unless accompanied by a responsible adult

No person under the age of 18 shall be permitted entry or allowed to remain at the premises after 21:00 hours.

Customers shall not be allowed to congregate outside (licensable area) the premises, save for ingress to the premises along Kingswood Road.

Clear and legible notices shall be prominently displayed at the exit requesting patrons to respect the needs of residents when leaving the premises.

Finally, I note that your client has put forward that they would like to permit both on and off sales of alcohol. Given the nature of the business, and that it is to cater towards patrons attending Wembley Stadium, I am concerned that this could encourage street drinking and subsequently increase the risk of disorder. This is especially pertinent for football fans, who might wish to have a beer for the short walk to the stadium. I would therefore also like to see the supply of alcohol changed to 'on sales' only.

Having carefully scrutinised the application, I wouldn't have any issues with this new premises licence application being granted provided that the above conditions are added, the condition relating to re-entry is reduced by an hour, the provision of "off sales" removed and agreement of reducing the hours for licensable activity/opening hours.

It should be noted that this is a "holding rep" on the basis that your client agrees to the above. If your client does not agree to any of the proposals I have set out, then my representation will be upheld, and the application will be determined by way of a Licensing Sub-Committee hearing.

Nonetheless, should your client agree to the above, then I can confirm that I would withdraw the representation made against the application.

Yours sincerely,

A handwritten signature in black ink that reads "E. Maldoom". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Edwin Maldoom
Licensing Enforcement Officer