

Business Licence
Regulatory Services
Brent Council
Engineers Way
Wembley
HA9 0FJ

13 January 2025

Ref: 33756

Dear Business Licence,

Licensing representation against the premises licence application in respect of Butlers Sports Lounge, 19 Fulton Road, HA9 0GA.

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 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 without further amendments or clarification, it would likely have a detrimental effect on two 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 to permit the below licensable activities:

Films, Live Music, Recorded Music, Anything of a similar description: Monday to Sunday, 09:30 – 00:30

Late night refreshment: Monday to Sunday, 23:00 - 01:00

The supply of alcohol (on the premises only): Monday to Sunday, 09:30 - 00:30

The opening hours: Monday to Sunday, 09:30 - 01:30.

The Licensing Authority notes that this premises licence application is similar to other premises licences and provisional statements within the Wembley Park footprint, albeit with a later terminal hour for licensable activities and closing time applied for in this instance.

The applicant has proposed several conditions that are consistent with the promotion of the four licensing objectives. These include:

- Recorded staff training
- Robust CCTV measures
- SIA measures
- An incident log
- Noise mitigation signage
- A Challenge 25 Age Verification Policy
- Specific conditions for Wembley Stadium Event Days

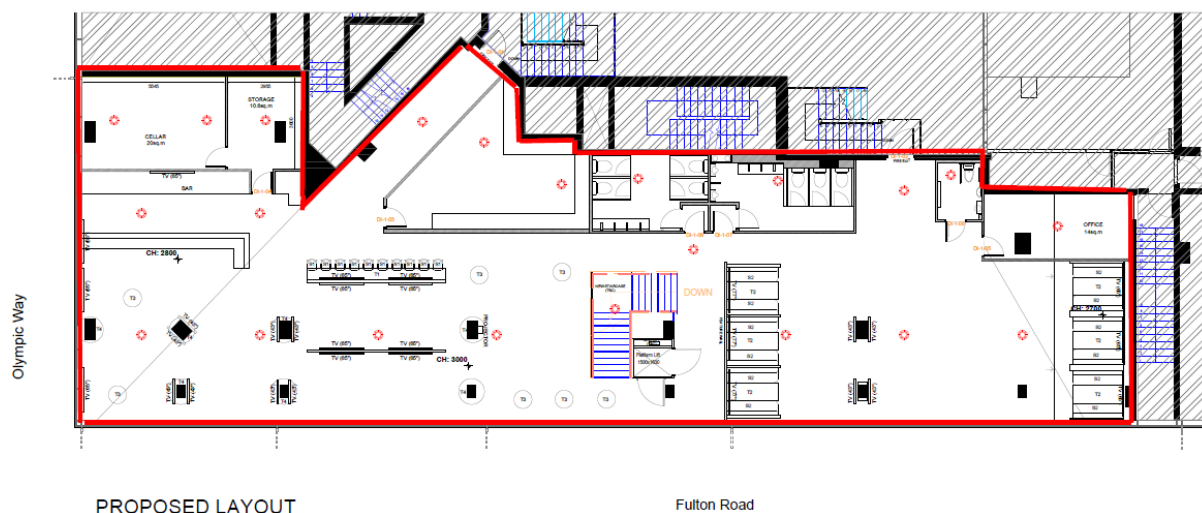
Location

The application states that the premises will be located on Fulton Road, Wembley. However, it is unclear whether it is situated on the ground or first floor. The inclusion of steps on the premises plan suggests that it would be on the first floor, but this hasn't been explicitly clarified by the applicant.

The building that the premises will form part of includes a hotel, a ground floor shop, and other commercial units. Hotel rooms, including nine with balconies overlooking Fulton Road, are located directly above the premises.

The premises is situated just off Olympic Way, the main thoroughfare between Wembley Park Underground Station to Wembley Stadium. Consequently, the area can have significant footfall on event days due to the large crowds traveling to and from the stadium.

On both event and non-event days, the surrounding area is a mixture of commercial units and a modern apartment complexes.





Concerns

The concerns regarding this application primarily relate to the licensing objectives of 'the prevention of public nuisance' and 'public safety' being undermined without further clarification and amendment to the operating schedule.

The proposed later terminal hours raise concerns about potential noise disturbances from patrons queuing, entering, or leaving the premises, especially as hotel rooms sit directly above. Alcohol consumption can increase conversational noise levels, and the current reliance on signage alone may be insufficient to mitigate against the potential issues, particularly given the later hours applied for.

Furthermore, the provision of live and recorded music until 00:30 may result in noise breakout, particularly if the building's sound insulation is inadequate and subsequently might disturb hotel guests and local residents.

In addition, the lack of clarity within the application, supporting documents, and subsequent correspondence raises several public safety concerns. Without sufficient detail, it is difficult to determine key aspects of the application. As such, there are several questions that require further clarification.

To address these concerns, the Licensing Authority requests that the applicant clarifies the below information:

1. Confirm whether the premises is on the ground or first floor.
2. Clarify how patrons will access the premises and how queues will be managed, especially on Wembley Event Days.
3. Specify the location of the smoking area and clarify if this area will be open to patrons after a certain time.
4. Confirm whether the lobby entrance is shared with other businesses or solely for this premises.
5. Confirm if there is a specific evacuation plan for emergency situations.
6. Clarify if they intend to open or close after the conclusion of any event that takes place at Wembley Stadium.
7. Clarify if they intend to carry out searches of patrons on Wembley Event Days.

It is also noted that the applicant has referenced "Football Event Days" in their proposed conditions but has not accounted for other large-scale events, such as boxing or concerts, that carry similar risks. As such, the Licensing Authority believes that Wembley Stadium Event days conditions should apply to all events, rather than just football.

Summary

After reviewing the premises licence application and supporting documentation, the Licensing Authority has no objection to the application being granted, provided that the applicant addresses the concerns outlined within this representation. This includes agreeing to amendments to the operating schedule, specifically, a reduction to the operating hours, and accepting the proposed conditions detailed at the rear of this representation.

If the applicant fails to provide adequate clarification or assurances regarding the points raised, and no agreement can be reached on the proposed amendments, the Licensing Authority will uphold its representation. In such a case, the application will be heard by the Licensing Sub-Committee for determination.

However, should the applicant agree to the requested amendments to the operating schedule and provide the necessary information to provide some clarification, the Licensing Authority will withdraw its representation.

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

Amendment to the Operating Schedule

The Licensing Authority would like to see the following hours adopted to mitigate against any potential noise issues:

Films (Indoors), Live Music (Indoors), Recorded Music (Indoors), Anything of a similar description (Indoors): Sunday to Thursday, 09:30 – 23:00, Friday & Saturday, 09:30 – 00:00

Late night refreshment (Indoors): Sunday to Thursday, 23:00 – 23:30, Friday & Saturday, 23:00 – 00:00

The supply of alcohol (on the premises only): Sunday to Thursday, 09:30 – 23:00, Friday & Saturday, 09:30 – 00:00

The opening hours: Sunday to Thursday, 09:30 – 23:30, Friday & Saturday, 09:30 – 00:30

Annex Two Conditions

The Licensing Authority would like to see applicant agree to the following conditions to form Annex Two of the premises licence.

The Prevention of Crime and Disorder

1. The premises shall operate and maintain a digital colour CCTV system. The CCTV system shall continually record whilst the premises are open for licensable activities and all recordings shall be kept for 31 days.
2. The CCTV system shall display on any footage, the correct date and time of the recording.
3. The CCTV system shall be capable of obtaining clear images of every person entering or leaving the premises with further CCTV cameras covering the internal areas stipulated on the premises plan. Additional CCTV cameras shall cover the entrance lobby, queue and smoking area.
4. A member of staff who is conversant with the operation of the CCTV system shall always be available at the premises whilst the premises are open to the public. CCTV footage shall be made available for viewing upon request the Police and any authorised Officers from Brent Council.
5. CCTV footage shall be provided on either removable media (i.e., USB, hard drive, CD etc..) or via digital transfer within 24 hours of request by Police and any authorised Officers from Brent Council.
6. Signage stating that CCTV is in operation shall be clearly and prominently displayed at the premises.
7. 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 shall record the following:
 - a. any incidents of crime and disorder.
 - b. any ejections from the premises.
 - c. any seizures of drugs or offensive weapon
 - d. any complaints received.

- e. any faults in the CCTV system
 - f. any visit by a relevant authority or emergency service.
8. Any entries into the log shall be made within 12 hours of any incident and shall contain the time/date of the incident, the nature of the incident, a description of the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.
 9. Staff training shall be undertaken by all members of staff involved with licensable activities at the premises. Additionally, all staff shall undergo refresher training every 12 months which shall also be recorded. Staff training shall include the following topics:
 - a. age verification policy.
 - b. refusals and conflict management
 - c. CCTV operation (If deemed appropriate by management)
 - d. permitted hours and relevant conditions.
 10. Training records shall include the time/date of the training, staff members name, training topic and must be signed off by the relevant staff member and the respective premises licence holder/designated premises supervisor/duty manager.
 11. A copy of staff training shall be available upon request by Police and authorised officers from Brent Council.
 12. Customers shall not be permitted to take open drink containers into any external area.
 13. All drinks must be served into either toughened glass, polycarbonate material or any other type of non-glass drinking vessel.
 14. There shall be at least one SIA-licenced door supervisor employed on any day when the premises is open to the public for licensable activities.
 15. The premises licence holder shall undertake a risk assessment to determine the need for additional SIA-licenced door supervisors to be on duty from 20:00 on any occasions when the premises will remain open until/past midnight.
 16. When SIA door supervisors are employed, the premises licence holder shall ensure the following:
 - a. They are a suitable mix of gender.
 - b. They wear clothing that makes them clearly and easily identifiable.
 - c. A log is maintained for each shift, recording the full name, date of birth, SIA licence number, company name, and booking on/off time for all supervisors. This log shall be made available upon request by Police and authorised officers from Brent Council.

The Prevention of Public Nuisance

17. Notices asking customers to leave quietly shall be conspicuously displayed at all exits. Additional signage shall also be displayed in prominent areas informing patrons of residential nature of the area and to conduct their behaviour accordingly.
18. The placing of bottles into receptacles outside the building shall not be permitted between 23.00hrs hours and 07.00 hours.

19. Ingress and egress notwithstanding, all doors and windows shall remain shut during any regulated entertainment.
20. Music shall not be permitted in any external smoking area.

Public Safety

21. The premises licence holder shall produce an Evacuation Plan, Crowd Management Plan, Entry/Exit Plan. These plans will be reviewed on a yearly basis and shall be made available to officers of Brent Council and the Police upon request.
22. All entry and exit points (including fire exits) shall be free from any obstructions.
23. The premises licence holder shall ensure that an in date first aid kit shall always be available at the premises with a trained first aider on duty whilst the premises is undertaking licensable activities.

The Protection of Children from Harm

24. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, or proof of age card with the PASS Hologram.
25. A Challenge 25 notice shall be conspicuously displayed at the point of sale.
26. A logbook shall be kept recording all refused sales of alcohol. The log shall contain the time/date of the refusal, a description of the customer, the name of the staff member who refused the sale, the reason the sale was refused and any other relevant observation. The refusals register shall be made available for inspection upon request of an authorised officer of a Brent Council and the Police.
27. No children under the age of 18 shall be allowed on the premises after 21.00 hours unless accompanied by a responsible adult.

Wembley Stadium Event Days

28. 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.
29. During Wembley Stadium football event days, the premises shall not show any live televised domestic or international football matches.
30. During Wembley stadium event days, a personal licence holder shall be always present whilst the premises are undertaking licensable activities.
31. During Wembley Stadium event days, all drinks shall be decanted into either toughened glass, polycarbonate material or any other type of plastic or non-glass drinking vessel.

32. During Wembley Stadium event days, 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.
33. During Wembley Stadium 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.
34. During Wembley Stadium event days, alcohol shall only be supplied as an accompaniment to a substantial meal, whilst seated at a table, by either a waiter/waitress.
35. During Wembley Stadium event days, signage shall be displayed at suitable points in the premises stating that alcohol shall only be supplied ancillary to a seated table meal.
36. During Wembley Stadium event days, vertical drinking shall not be permitted at the premises and all alcohol shall be consumed by seated patrons
37. During Wembley Stadium event days, the smoking area will be fenced off by barriers and patrons shall be supervised at all times by SIA licenced supervisors.
38. During Wembley Stadium event days, customers shall not be allowed to congregate outside the premises, with the exception for ingress and the smoking area.
39. On Wembley Stadium event days, the DPS shall undertake a risk assessment which shall take the below points into consideration:
 - a. The minimum number of SIA licensed supervisors that shall be on duty during the event
 - b. The start time and finish time for each SIA licenced supervisor.
 - c. The number of SIA licenced supervisors that will be on the door, supervising the smoking area and based in the bar.
40. During Wembley Stadium event days, there shall be a suitable mix of genders of SIA licenced door supervisor on duty.
41. During Wembley Stadium event days, the premises shall undertake a clicker system to monitor the number of people present inside the premises.