

# Licensing Sub-Committee

## Supplementary Agenda A

Wednesday 8 February 2023 at 6.30 pm

This meeting will be held remotely

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### MEMBERSHIP

Administration:	Opposition:
Councillor Paul Alexander (Vice-Chair) Councillor Patrick Walsh	Councillor Dominic Stanton

**CONTACT OFFICER:** Charles Francis  
Committee Co-ordinator  
Governance and Scrutiny  
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### Public Notice

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Speaking at Licensing meetings is restricted to those who have submitted a representation and registered to speak.

# Licensing Sub-Committee Supplementary Agenda A

8 February 2023

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7. MARQUEE CHELSEA FOOTBALL CLUB - OUTSIDE THE WEST STAND TOWARD BRITANNIA GATE - ADDITIONAL INFORMATION FROM RESIDENTS AND CASE SUMMARIES FROM A RESIDENT AND THE APPLICANT	3 - 16

# Agenda Item 7

## Liquor License Appeal

To whom it may concern

My name is Alain Gottesman. I bought a property in Ifield Rd 18 years ago, a charming location, with trees and gardens, a wonderful location for families and the elderly.

It is unbelievable that the new owner of the Chelsea Football Club has made a terrible decision to apply for licenses that will damage the lives of over 200,000 people in the worst way.

It took us over 17 years to make our neighbourhood a safe place to live without any drug and gang crime.

### **2022/01464/LAPR - Marquee**

#### **The prevention of crime and disorder**

This license will bring gangs into our neighbourhood who bring with them crime associated with alcohol and they will compete in their gangs to sell drugs. This will bring knife crime and rapes.

#### **The securing of public safety**

The A&E at Chelsea and Westminster Hospital are already stretched and the police are over stretched due to shortage of manpower, this license will bring pain and suffering to the community.

#### **The prevention of public nuisance safety**

It will also create noise and anti-social behaviour.

Do you want to be remembered and be responsible to make the wrong choice, or to be the one who saved our neighbourhood.

Regards

Alain Gottesman

Alain Gottesman  
Ifield Road  
Chelsea  
SW10 9AZ

(Signature)

Alain Gottesman

## **2022/01464/LAPR - Marquee**

We wish to share our collective concerns with the proposed expansion of the liquor license at Chelsea Football Club (CFC). We are recent arrivals on Ifield Road, and purchased our property in significant part based on the quiet enjoyment that we share with our neighbours on Ifield Road. That quiet enjoyment of our residential neighbourhood is interrupted occasionally by alcohol-fueled crowds and noise on the day of a CFC match. We are deeply concerned that extending the CFC liquor license will bring inalterable, negative changes to our peaceful neighbourhood.

### **Public Nuisance**

Alcohol-fueled neighbourhood disruption of quiet enjoyment (particularly noise and littering)

### **The prevention of crime and disorder**

We are also concerned about crime (particularly vandalism and burglary);

### **The securing of public safety**

Safety (we have many elderly neighbours and young children), and the inevitable strains on public services (sanitation, accident and emergency care, and police).

With thanks for your kind consideration.

Mark Appel  
Audrienne Spiteri-Gonzi  
Emma Spiteri-Gonzi  
10, Ifield Road  
London SW10 9AD

**From:** Briony Eastman  
**Sent:** 06 February 2023 18:38  
**To:** Licensing HF: H&F <[licensing@lbhf.gov.uk](mailto:licensing@lbhf.gov.uk)>  
**Subject:** 2022/01464 Marquee additional comments from Objector Briony Eastman

Subject: 2022/01464 Marquee additional comments from Objector Briony Eastman

Dear [licensing@lbhf.gov.uk](mailto:licensing@lbhf.gov.uk)

Please add this to my Representation for 2022/01464 Marquee on Concourse CFC.  
It is a summary of what I will be saying during the 5 minutes at the hearing on Wednesday, 8th Feb, 18:30 by zoom.  
Please acknowledge receipt of this email and that you will add it.

I will explain that I can see the CFC grounds from my doorstep for 29 years and am proud of the Blues.

I received a letter from the Applicant's solicitor which was very confusing; certain explanations but not legally binding conditions on the proposed licensing application.

The Applicant has been negligent in providing a one-page Plan that shows presumably extant trees, giving the Committee the wrong impression.

As well, the Plan does not show certain extant houses directly on the perimeter. How can the Committee decide things with incorrect Plans?

I want to help the Committee make sense of these mistakes because I know these houses directly on the perimeter of CFC where the Marquee will be placed, and have been inside several of them.

There is simply no way the proposed Premises License holder could uphold the Licensing objective Prevention of Noise and Nuisance for a permanently temporary enormous entertainment tent to be set out on the widest part of the Concourse.

I will ask the Committee to uphold the Rule of Law and reject this Application.

Thank you.

Briony Eastman

**BEFORE HAMMERSMITH AND FULHAM LONDON BOROUGH COUNCIL  
LICENSING SUBCOMMITTEE**

**APPLICATION FOR A PREMISES LICENCE**

**CONCOURSE OUTSIDE OF THE WEST STAND TOWARD BRITANNIA GATE - CHELSEA  
FOOTBALL CLUB, STAMFORD BRIDGE, FULHAM ROAD, LONDON SW6 1HS**

**LICENSING ACT 2003**

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**CASE SUMMARY  
(HEARING 8 FEBRUARY 2023)**

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***Introduction***

1. This Case Summary is lodged on behalf of Kate Reardon of Britannia Road, London SW6, who has made written representations on application by Chelsea Football Club Holdings Limited for a premises licence to provide licensable activities inside a marquee on the concourse within the club grounds.
2. She is supported by those named below, who did not make representations because they had not seen any notice displayed at the premises, many of whom have made valid representations on a subsequent application in respect of the concourse only. **These further supporting documents are set out in the supplementary agenda bundle of Kate Reardon at pages 3-47.** There will also be further names to be added to this list that have been submitted to the council.

**James and Eileen Marchbanks - 1, Britannia Road SW6 2JR**

**Jo Gidden - 1, Britannia Road SW6 2JR**

**Kate Thornton - 1, Kempson Road SW6 4PU**

**Luo Aaron - 1, Hillary Close SW6 1EA**

**Thaddeus Beczak - 1, Britannia Road, London SW6 2RJ**

**Rupert Hume-Kendall - 1, Kempson Road SW6 4PU**

**Dr Adrienn Tomor - 1, Kempson Road SW6 4PX**

**Christian Kortlang - 1, Fulham Road SW6**

**Sarah Long** - Musgrave Crescent SW6 4PT

**Michael Ridley** - Musgrave Crescent SW6 4QE

**Caroline Marston** - Kempson Road SW6 4PX

**Deirdre Cooper** - Hillary Close, Fulham Road SW6 1EA

**Adriana Ennab and Johannes Graf von Schaesberg** - Hillary Close SW6 1EA

**Sarah Hardy** - Musgrave Crescent, London SW6 4PT

**Malika Amleng** - Kempton Road SW6 4PX

**Lucy Valpy** - Lucas House, Kings, Chelsea

**Amabel Ealovega** - Harwood Road SW6 4PY

**Benjamin Ealovega** - Harwood Road SW6 4PY

**Nicholas Courtney** - Kempston Road SW6 4PX

**Carol Begley** - Moore Park Road SW6 2HH

**Ysenda Maxtone Graham** - Avalon Road SW6 2EX

**Kitty Jenks** - Novello Street SW6 4JB

**Belinda Coats** - Kempson Road SW6 4PU

**Emma Vickers** - Kempson Road SW6 4PU

## **Overview**

3. The above named live in very close proximity to the application site and will be referred to collectively in this Case Summary as 'the Residents'. A Google Earth view of the site is attached **in the supplementary agenda of Kate Reardon at page 2 of 47** with some of their homes and distances indicated. It will be seen that the proposed marquee is exceedingly close to the residents at Hillary Close and at one point the corner of the marquee as proposed will be no more than a few feet away from the garden and bedrooms of the Hillary Close residents.
  
4. The Residents' principal concerns go to the scale of the Applicant's proposals, which, if permitted, will inevitably have a substantial adverse impact on their residential amenity. **Their statements are included in the supplementary agenda of Kate Reardon at pages 3- 47** to this Case Summary sets out the emails from some of the most affected residents named above. Furthermore, there is also a further application made by the same Applicant in respect of the extended use of the concourse around the ground for live music and the sale of alcohol for up to 29,999 people and it is

submitted that this application also has to be seen as very much linked to the other application in terms of the significantly increased adverse impacts on the amenity.

5. It is submitted that the proposed numerous events in the marquee site, which could amount to one every week or weekend, will cause significant noise nuisance at a level resulting in sleep disturbance (including the waking up of small children) and adults perhaps having to wear earplugs when going to bed, given the very close proximity of the marquee to bedrooms in Hillary Close and even as far as Britannia Road. The proposed late hours of termination, up to 01:30, will also increase substantially the nuisance factor to local residents, as can clearly be seen in the letters they have submitted in support of our client.
6. The Courts have long recognised the rights of householders to the quiet enjoyment of their homes, now found in Article 8 of the European Convention on Human Rights. In Hampstead and Garden Properties v Diomedous [1968], McGarry J was dealing with music from a restaurant. He said -

*"It is the home rather than the meal table which must prevail. A home in which sleep is possible is a necessity, whereas loud music as an accompaniment is for those who enjoy it a luxury".*
7. The Judge's comment is no less pertinent to music played at, for example, wedding receptions, hen parties, popup bars, barbeques, corporate events or any other of the proposed range of entertainments which might be proposed under the application. Reference is made in the application to pre-reception spaces, a post-reception space and "prebooked Christmas-related events", as well as events related to World Cup competitions and perhaps even European Championship competitions.
8. The supporting emails from some of the most affected residents are contained in the supplementary bundle. Having regard to the obvious vulnerability of their houses and gardens to noise nuisance from this site, they suggest that it is utterly unrealistic to expect events of the kind proposed and on the scale proposed in the application to take place without undermining the 'prevention of public nuisance' licensing objective. However, they also refer throughout their supporting evidence to the protection of children and public safety. They have also made reference to other noise which will be associated with events held in the marquee, including the noise of up to 400 people exiting into their street or past their residences at 01:30 in the morning, causing disturbance to sleep, and also the sheer volume of vehicles that will be needed to ferry people away given that the Tube station at Fulham Broadway will be closed at that hour. They are already very aware of all the difficulties caused by black cabs, limousines and Uber vehicles manoeuvring in their street in Britannia Road and parking up for significant periods of time before people exit the club, with radio systems playing in cars or drivers talking to each other in the street. This will be an enhanced problem during the later hours proposed by this application.

### ***Location Plan***

9. A premises licence plan was submitted with the application to the authority and, whilst it shows the location of the marquee, it fails to show the houses immediately on the

opposite side of the wall from the concourse, which will be directly affected by loud music and customers consuming alcohol. Hillary Close is a matter of a few meters away from the proposed location of the marquee. **The submitted Google Earth aerial photograph shows the proximity of Hillary Close residents to the proposed site when read together with the application plan. This photograph is included in the supplementary agenda of Kate Reardon at page 2 of 47.** The residents of Britannia Road and the other streets referred to in App 2 are also in extremely close proximity to the marquee and any loud music played within it will travel down Britannia Road to the disturbance of residents. Further, if that noise does not disturb them then the egress of 400 people at 01:30 will almost certainly have a deleterious effect upon the Residents' quiet enjoyment of their properties at this very sensitive hour of the early morning.

10. There is already in place a premises licence, number 2020/00772/LAPR, in respect of the concourse area upon which the marquee is proposed to stand. This licence is time-limited in a way which reflects earlier planning permissions for the venue in 1999. The hours for the sale of alcohol are limited to 10:00-21:30 and, by way of condition, such sales of alcohol may only take place on match days at the club during the three hours immediately before the kick-off of the match and during the period of ten minutes before half-time of the match and ceasing at the end of the match. There current proposal, therefore, represents a significant increase in the number of hours for which usage is permitted on the concourse and extends that use over a period greater than the number of home match days at the club. The Applicant's lawyer has suggested that there be only 28 such events in a marquee on this concourse during the year and that, combined with 20 possible temporary event notices, would take the number up to 48 in total, representing almost one event almost every weekend of the year. This application, therefore, moves significantly beyond what has been permitted to take place on this area of the concourse previously given the far later hour of operation, the injection of loud music effectively outdoors given a marquee provides little protection against sound escape, and a significant increase in numbers of up to 400 people.

#### ***Consultation and Community Involvement***

11. Given all of the above, one might have expected this Applicant to have engaged in widespread consultations with local residents living in the streets immediately adjacent to the club and particularly those in Britannia Road and Hillary Close. However, no such consultation has been offered or proposed, giving a particularly unpromising vision of the future under the new management of the club. The Hammersmith and Fulham Statement of Licensing Policy calls for consultation with local residents and for engagement with them at an early stage and prior to applications being made. Even further proposed conditions which have arisen out of discussions with Police and Environmental Health have not been discussed with local residents, which the Council would almost certainly have expected on any project as large as the one proposed in this application. The residents are aggrieved by this lack of involvement and consultation, which runs counter to the policies of Hammersmith and Fulham, which seek to engage communities in the development of such proposals. For all these reasons it is suggested that the application be withdrawn and the Applicants return to

the drawing board to consider whether there is any more suitable proposal in a very different location which could form the basis of a discussion with the community.

### ***Intended Uses***

12. There is a paucity of information in the application as to the proposed styles of operation in the marquee. We are not enlightened as to whether there will be performances by live bands or DJs or any other kind of musical entertainment. What we do know is that any of these types of event will be run at significant volume levels and that there will inevitably be escape from the marquee, which is not a building constructed of bricks and mortar, to the residents living in Hillary Close and in Britannia Road. No measures have been set out to address this issue and no acoustic report has been presented to residents until the very last minute on 6<sup>th</sup> February. There is little time for residents to examine this report but it is hoped to have an acoustic expert look at it and report in time for the committee meeting. We will comment further at the hearing.
13. With regard to alcohol sales, it is not made clear whether there will be any bars in the marquee for which sales will take place. There is a reference in the application form to the marquee being used for both pre-reception and post-reception events relating to occasions in the great hall of the west stand. However, there is no indication as to whether there will be standalone events within the marquee in addition to those taking place in the great hall. There have been no proposed conditions set out in respect of these matters and for these reasons the application is unreliable.
14. There is a further reference in the application form to the marquee being used for World Cup-related events. Because of the timing of the application, the club has indicated that those proposals cannot go ahead as the World Cup has now passed. However, there is again no indication as to whether it is proposed that the marquee be used for future World Cup events or European Championship events and no conditions are proposed to address this issue.

### ***Statement of Licensing Policy***

15. The sub-committee will be very familiar with its own licensing policy. The Residents respectfully draw attention to the following paragraphs in particular:
  - (a) Policy 11: Consideration of our residents

*"The licensing authority expects that any licence applicant will give due consideration to the needs of Hammersmith and Fulham residents and any negative impacts from licensable activities and business operations and with reference to activities taking place in their premises and how these may impact in the direct locality and further afield."*

*"Population densities in this borough are high, with many residential premises located above or in close proximity to licensed premises. This means that the*

*public nuisance and crime disorder objectives will be of paramount concern when evaluating operating schedules. Licensing committees will place high regard on the control measures put in place by the applicant to ensure that our residents are protected from the potential detrimental effects of any licensed premises".*

(b) The prevention of public nuisance

*"The licensing authority will require the applicant to demonstrate within the operating plan how they intend to prevent nuisance arising, prevent disturbance and protect amenity so far as appropriate to ensure that the licensing objectives are met. Where there is a relevant representation regarding extended hours, the licensing authority will not permit an extension unless it is satisfied that the licensing objectives would be met."*

It highlights sensibly the matters to which it will have regard and many are relevant to this application as follows:

- (i) Dispersal policies
- (ii) Proximity of residential accommodation
- (iii) Types of use proposed and the numbers
- (iv) The steps taken to prevent noise escaping
- (vii) Smoking areas
- (ix) Staff leaving
- (xi) Provisions for public transport in the locality
- (xii) Disturbance from other vehicles
- (xix) Any other activity giving rise to nuisance
- (xx) Relevant representations from police and environmental health officers.

### **Conclusions**

16. In the operating schedule section of the application there are no proposals but simply a reference to an appendix of model conditions and some further conditions which may have been agreed with environmental health officers without any reference whatsoever to residents. In respect of the very serious concerns about public nuisance, the hours, the capacity and the proximity to local residents which is all part of the licensing policy statement, the applicant merely offers the following in bold type:
- **Notices to be put up reminding people to leave quietly** – a condition very often honoured in the breach than in the undertaking as committee members will be aware.

- **Amplified music not to be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity** - However, there is no sufficient acoustic report to back this proposed condition and there is no definition of what “unreasonable disturbance” to the occupants will consist. No research on this point has not been attempted and the acoustic report does not address this issue and cannot address it successfully without any reference at all to the residents who are making objections in this case. They have been singularly excluded from the whole process, notwithstanding the fact that representations were submitted during the consultation period.

**“If officers of the Council witness noise at a level which causes unreasonable disturbance to the occupants of any properties in the vicinity then a meeting will be called with the responsible authority officers to discuss noise attenuation measures”** – this depends very much upon officers being around at the precise moment in time when the so called “unreasonable disturbance” is being caused to the occupants of properties in the vicinity. It further proposes no decisive action but rather suggests meetings with the responsible authority officers again excluding those most affected by noise disturbance namely the residents.

**“A noise management plan should be submitted to and approved in writing by the Noise and Nuisance Team, the plan to include details relating to the control of noise from patrons entering and leaving the premises as well as controls to ensure that noise from use and activities within the premises does not cause nuisance to neighbours”** - Again, there has been no consultation with Residents immediately adjacent to the stadium including those a mere few feet away from the proposed marquee in Hillary Close and those who will be affected by the noise in Britannia Road. There should be a noise management plan drafted and placed before the committee as there are in many countless applications for events, nightclubs and any venue offering music. There is simply no analysis of the nature and style of events that are to be held within the marquee and the impact in terms of sound levels that this will have on the Residents of Hillary Close and Britannia Road and there has been no reaching out to the community in this respect. In our respectful submission, an independent expert should be appointed by both parties to discuss firstly whether such a marquee holding events until 0100 hours with live music, recorded music and the sale of alcohol, can feasibly exist in any event on this concourse given it is so close to Hillary Close and Britannia Road and would be operating so late into the early hours of the morning.

**Not only do the Residents feel that this is an inadequate response, having regard to the scale of the proposals and the Council’s policy respecting residential amenity, but they are genuinely concerned that the applicant could have thought it was adequate. The sub-committee is invited to share that concern. It gives an unpromising vision of the future should this application be granted.**

17. Chelsea Football Club is situated in the middle of what Hammersmith and Fulham Council have described as a mixed use area which ranks between a town centre and an exclusively residential area. It means that whilst there are considerable activities connected with the football club, particularly at weekends when there are home

matches, there are, nevertheless, very quiet streets just off Fulham Road including Britannia Road which will be directly impacted by this marquee proposal. Those supporting Kate Reardon's representation have indicated this in the supporting emails and particularly those in Hillary Close adjoining the ground. Residents who have moved to this area are well acquainted with the club and expect noise including music and crowd noise on matchdays and have, of course, learned to live with this activity and objection is not made here in regard to the normal activities of the football club.

18. However, this application for a marquee and the sister application for an event space on the concourse accommodating 29,999 people represents a significant increase in the order of magnitude of disturbance and nuisance caused to the Residents. The new activities proposed would take place very close to family homes with young children as well as homes which some have chosen specifically for how quiet and peaceful they are notwithstanding that they run onto Fulham Road. Whilst it is admitted that there are many licensable activities contained within the football complex it is submitted this is simply the wrong place for an all year round multi-function entertainment and hospitality suite of the kind proposed even. Even on the reduced proposals from the applicant's solicitor, which indicate that events will be held on no more than 28 days per year, (notwithstanding the fact that 20 temporary event notices could take this up to 48 events) it still means that there will be at least one event every one or two weeks in the outdoor part of the ground at 0100 hours in the morning for 400 people which is simply a licensing bridge too far.

Gareth Hughes  
Barrister  
Keystone Law  
Chancery Lane  
Monday 6 February 2023

**From:** Matthew Phipps  
**Sent:** 07 February 2023 13:07  
**To:** Mckenna Lorna: H&F  
**Subject:** RE: CFC residents case summary for members

Dear Sir/Madam

I thought it would be helpful to the Licensing Sub-Committee to set out some observations about the application in advance of the premises licence hearing now listed for Wednesday 8pm

Gareth Hughes who is recently instructed to represent one of the five objectors, kindly advised me on Monday evening that he was likely to prepare and serve on the Licensing Sub-Committee a submission or document on behalf of his client and so I trust it appropriate to provide something similar.

### **Nature of the application**

This is an application for a Marquee to be positioned on a limited number of occasions in the Western Concourse of the Stamford Bridge ground. The space will act as a function suite, and support activities in the Great Hall (already licensed within the West stand licence).

### **Hours of operation**

The hours of operation mirror the premises licences that already regulate licensable activities across the various elements of the stadia at Stamford Bridge. The one exception is the Under the Bridge Nightclub licence that has later hours. However most if not all of the other premises licences match that requested within this application. There is no extension to hours here.

### **Pre-application Consultation**

Prior to the submission of the application, we engaged with the Licensing Authority, the Metropolitan Police and the Environmental Health Service through the formal LBHF Licensing application procedure. This involved dialogue and discussion on email, in conversation and ultimately a visit and site inspection. Further advice was provided by the licensing service which recommended conditions to form part of the licence application, which in their view would promote the licensing objectives. These were all incorporated within the application prior to submission.

None of the responsible authorities have objected to this application. The committee and legal advisor will be familiar with paragraph 9.12 of the Guidance issued under section 182 Licensing Act ('The Guidance') (updated in December 2022, but which also appeared in the 2018 version that preceded it) which reads:

*Each responsible authority will be an expert in their respective field, and in some cases, it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have a good working relationships with those operating in their local area. The police should usually therefore be the licensing authorities' main source of advice on matters relating to the promotion of the crime and disorder licensing objective.*

### **Structure of the marquee**

We anticipate that it may be said that the fabric of the marquee is a concern as it will only have limited sound attenuating qualities. Our clients are entirely cognisant of that fact which in turn controls and restricts the volumes at which any entertainment may be played. In simple terms those volumes, given the structure of the marquee, will need to be modest. It would be, I submit, disingenuous to suggest there is no music level that would be low enough to prevent public nuisance, if indeed that is now suggested.

## **Capacity**

We propose that the capacity of these premises is limited to no more than 400. However, when the premises is laid out to tables and chairs the capacity will reach no more than 200.

If, as is anticipated, the premises were to operate the marquee in conjunction with the great hall as a reception space before a function, then 400 would be the limit.

To be clear it is not proposed that this premises will provide an additional 400 persons within the Western concourse or stand, to the capacities already permitted by the existing licences, when operating in conjunction with that space it will act as a meeting point and a meal congregation space, as when the Great Hall is laid out to tables and chairs the space allowing congregation away from the tables is limited.

## **Egress**

After 10pm there is no egress through the Western concourse and out through Britannia Gate. All egress will be directed along (and within) the South Stand up to the corner of the East Stand by the Millennium Hotel.

We should add that all facilities available within the Western concourse that you would expect, such as lavatories, will be available whenever the marquee is in use. No external lavatories or facilities will be provided.

## **Security and stewarding.**

The Licensing Sub-Committee will note that there are a number of conditions attending to issues of security and stewarding. Our clients have many years' experience of monitoring and supervising customers across a variety of spaces and licences at Stamford Bridge. They undertake risk assessments for all of their events, whether match days, or other non-football related events. Engagement with all the various responsible authorities is significant and commonplace.

## **Matchdays**

It is not proposed that this marquee would be in situ on matchdays, the licence can be conditioned accordingly.

## **28-day limit**

Whilst the objector's representative may seek to suggest that the premises may wish to utilise temporary event notices in addition to the 28 days proposed to limit the operation of this marquee, we would observe that planning restrictions would prohibit that. No additional temporary event notices will be applied for, nor could they, utilising this marquee space.

## **Events within the marquee**

Chelsea FC are not going to be hiring the space for external promoters to conduct their own events. All events within the marquee will be under the auspices of Chelsea Football Club and managed by them accordingly.

## **Environmental Protection Legislation**

All licensable activities are essentially overlayed with a secondary layer of regulation, namely the environmental protection legislation, to which Chelsea Football Club would be entirely observant. Whilst the licensing authority will be concerned with public nuisance, statutory nuisance would not be permitted to be created by the operation of these premises via legislation outside the scope of licensing matters. The Guidance refers expressly to how licensing and other legislation need not duplicate these functions (para 1.19).

## **Conditions**

The operating schedule, as touched on above, is comprehensive. For the avoidance of doubt, it touches on a variety of matters including comprehensive CCTV conditions, comprehensive training conditions, comprehensive door security risk assessment and engagement conditions, incident report register, the requirement that a personal licence holder be present at all times sales of alcohol take place, noise management plan and proactive noise assessments being conducted during operations and a suitable and appropriate age control, namely Challenge 25.

## **Noise Management Plan**

We invite the committee's attention to the Noise Management Plan which has been produced in accordance following the advice provided by the Environmental Health Service. Practical sensible matters are provided herein attending to the primary concerns about noise escape and public nuisance.

## **Risk**

The Licensing Act 2003 and The Guidance is not concerned with eradicating all risk and concerns that may be directed toward a licence premises operator. The proper test is to consider whether the licensing objectives will likely be undermined by the licensable activities. It is legitimate to look at proposed premises licence holder in order to consider whether the licence conditions will be observed, and the licensing objectives promoted. There is nothing, respectfully, to suggest that Chelsea Football Club are anything other than legitimate, upstanding and committed stakeholder who use their very considerable talents to deliver activities to the very highest standards.

## **Resident representations**

Whilst we are entirely respectful of the fact that there are five representations to this application and the committee will have seen the responses to each of those representations provided within the licensing committee papers, it is significant to note that a substantial focus of these objections appears to be to protect against the marquee operating on match days.

Indeed, none of the representations raise issues of concern about the operation of the premises outside of matchdays. The numerous functions and other activities associated with Stamford Bridge, outside of home games, are essentially absent from the objector's commentary. It is neither legitimate nor appropriate for such issues to now be raised, if indeed they are.

## **Additional letters of objection**

It may be suggested that the various letters that have been provided by Ms Reardon will disclose "representations" objecting to the application. They do not. The application was correctly advertised in both the press and on site with notices displayed at a number of perimeter points.

A secondary application for the licensing of the external plaza has caused some consternation in the local community and a significant number of representations have been received to that application. As this Committee will understand, that is a separate application and the representations to that other application are not relevant to this application.

## **Conclusion**

We trust the above is of some assistance to the committee and look forward to addressing you in full at the hearing.

Matthew

Matthew Phipps  
Partner  
Head of Licensing England and Wales for TLT LLP