

Licensing Sub-Committee

Supplementary Agenda A

Tuesday 28 May 2024 at 2.00 pm

This meeting will be held remotely

Watch the meeting live: [youtube.com/hammersmithandfulham](https://www.youtube.com/hammersmithandfulham)

MEMBERSHIP

Administration:	Opposition:
Councillor Bora Kwon Councillor Wesley Harcourt	Councillor Dominic Stanton

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Public Notice

This meeting will be held remotely. Members of the press and public can watch the meeting live on YouTube: [youtube.com/hammersmithandfulham](https://www.youtube.com/hammersmithandfulham)

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

Date Issued: 22 May 2024

Licensing Sub-Committee Supplementary Agenda A

28 May 2024

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BEFORE THE LONDON BOROUGH OF HAMMERSMITH & FULHAM LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR PROVISIONAL STATEMENTS

OLYMPIA DEVELOPMENT

**PROVISIONAL STATEMENT OLYMPIA
'OVERARCHING' SUBMISSION**

Introduction

1. This submission is aimed at assisting the London Borough of Hammersmith and Fulham (LBHF) licensing committee, officers and the local resident objectors who are parties to the above matter, now listed for determination on 7th May 2024.
2. Whilst each application must be dealt with on its merits, the nature of the Olympia development means that there are multiple provisional statement applications to be determined. For this reason, whilst each application will be supported by its own documentation, there is a significant amount of information and evidence that is applicable across all applications. For this reason, we have produced an 'Overarching' Submission which contains this common material.
3. In essence it summarises the submissions that the applicant will make to the Licensing Sub-Committee and introduces the documents that will be relied upon by the applicant that are applicable across all of the provisional statement applications.

Applications

4. The following matters are to be determined at this hearing:
 - a. Reference: 2024/00257/LAPRP
Premises: 1 Olympia Way - Olympia London Development Olympia Exhibition Centre
Hammersmith Road London W14 8UX

- b. Reference: 2024/00314/LAPRP
Premises: Live Lounge Banquet & Conference Facilities Olympia Exhibition Centre
Hammersmith Road London W14 8UX
- c. Reference: 2024/00307/LAPRP
Premises: Unit 1A (unit 2 Level 2) - Olympia London Development Olympia Exhibition
Centre Hammersmith Road London W14 8UX
- d. Reference: 2024/00308/LAPRP
Premises: Unit 1B (unit 2 Level 2) - Olympia London Development Olympia Exhibition
Centre Hammersmith Road London W14 8UX
- e. Reference: 2024/00309/LAPRP
Premises: Unit 2A (unit 2 Level 2) - Olympia London Development Olympia Exhibition
Centre Hammersmith Road London W14 8UX
- f. Reference: 2024/00316/LAPRP
Premises: Unit 2b Mezzanine Restaurant - Olympia London Development Olympia
Exhibition Centre Hammersmith Road London W14 8UX
- g. Reference: 2024/00302/LAPRP
Premises: Restaurant (Unit 3, Level 2, Mezzanine And Rooftop Bar) OLDe Olympia
Exhibition Centre Hammersmith Road London W14 8UX
- h. Reference: 2024/00301/LAPRP
Premises: Restaurant Level Unit 3A (right Side Unit 3, Level 2) - OLDe Olympia
Exhibition Centre Hammersmith Road London W14 8UX

Appendices

- 5. The following appendices are included with this submission:
 - 1. Introduction to Olympia
 - 2. Report on policy
 - 3. Residential engagement report
 - 4. Westfield permitted hours research report
 - 5. Public Realm Document
 - 6. Transport report
 - 7. Planning permission commentary

Provisional statement applications & purpose of this submission

6. The key material features of the provisional statement regime are (paraphrased):
- *The arrangements are designed for premises which are being, or are about to be, constructed, altered or extended, for use for one or more licensable activities. (s 29(1)(a) & (b))*
 - *The applicant must be over 18 and have an interest in the premises. (s 29(2)(a) & (b))*
 - *An application must be accompanied by a schedule of works, which must include a statement including particulars of the premises to which the application relates, the licensable activities for which the premises are to be used, and plans of the work being or about to be done at the premises. (s 29(5) & (6))*
 - *Where representations are made determination of the application should be approached on the basis of the decision it would ordinarily make on a 'standard' licensing application if, on the work being satisfactorily completed, it had to decide whether to grant a premises licence in the form described in the provisional statement application' (ss 18(3)(b) and 31(3)(b))*

7. As the s 182 Guidance (April 2018) makes clear:

'8.97 Any decision of the licensing authority on an application for a provisional statement will not relieve an applicant of the need to apply for planning permission, building control approval of the building work, or in some cases both planning permission and building control.'

8. After receiving and considering relevant representations, the 2003 Act empowers a licensing authority to indicate, as part of the statement, that it would consider certain steps to be appropriate for the promotion of the licensing objectives when, and if, an application were made for a premises licence following the issuing of the provisional statement. The applicant, or any person who has made relevant representations, may appeal only in respect of the *terms* of any provisional statement issued. For the purposes of this submission, 'terms' can be read as meaning the conditions and hours of operation as applied for.
9. On the granting of the provisional statements any appointed operator would be required to make application for new premises licences for each unit. This process requires further consultation with the responsible authorities and wider public. A public notice would have to be displayed on the premises and in the local press. The responsible authorities and members of the public would have a further opportunity to contribute to the application process at this stage, save where:

- a. The same, or substantially the same, representations about the application could have been made at the provisional statement stage but were not; and
 - b. There has been no material change in circumstance relating either to the premises or the area in proximity of the premises since the provisional statement was made
10. The provisional statement procedure was introduced into the 2003 Act regime to encompass those instances – of which the present case is one – where the logistics of a major new scheme require a qualified assurance before building works take place, that the necessary licences will, in principle, be available upon completion.
11. Whilst it is a characteristic of the provisional statement regime that often not as much can be known about the proposed operations as is the case in traditional applications, this is not always the case, nor is it an impediment to applying under the provisional statement regimen. It may not surprise the Licensing Sub-Committee to note that there has been significant interest from operators in taking on units within the Olympia development, with some operators earmarked for specific units - as you will see for some of the applications.
12. It is fair to say that the quality of the development will, in any event, largely be driven by the developer having regard to the required character and reputation of the scheme. It should also be said that, when officers and committees consider what future use and operations may be like if the incumbent were to leave any new development, the present case is, essentially, no different. The key control lies in the conditions that impose obligations on the operator, whomsoever they may be.
13. Lastly, should there be any lingering concern that ‘in principle’ licences are being approved then it is worth bearing in mind that such applications are but one element in what is, in effect a ‘quadruple lockstep’, comprising:
 - a. planning conditions;
 - b. provisional statement conditions;
 - c. premises licence conditions (in due course); and finally
 - d. the comprehensive review and enforcement procedures and protocols.

History of Olympia

14. Olympia Exhibition Centre, also known as Olympia London, has a 130+ year history as one of the UK’s leading exhibition centre facilities and has established itself as a regular annual location for major shows and exhibitions. The Olympia Exhibition Centre comprises eight main buildings within the land bounded by Hammersmith Road to the south, Olympia Way to the east, Maclise Road to the north and Beaconsfield Terrace Road & Blythe Roads to the

west. The eight buildings are distinct in terms of age, architectural appearance and physical form, although all of the buildings are associated with the historic use of the site.

15. The licensing committee will be familiar with the Olympia site.
16. The following bullets are drawn from the Design and Access Statement that accompanied the planning application for the Olympia development (Masterplan) as a whole, previously submitted to LBHF. This document has not been re-submitted in full here, as it runs to some 430 pages.
 - Olympia was originally conceived in the early 1880s as the National Agricultural Hall, a larger version of the Royal Agricultural Hall in Islington. The building followed in the tradition of large scale exhibition halls popularised by the Great Exhibition in 1851 which became the inspiration of various imitators in London and elsewhere in the United Kingdom and around the world.
 - The National Agricultural Hall (Olympia) had the following ideals and objectives:
 - To provide healthy amusement and reinvigorate by brilliant demonstrations the national love of athletic exercises and contests of skill,
 - To raise the tone of popular taste by entertainments and displays which will be of the purest and highest character,
 - to educate the masses eye and even “classes” by exhibitions of art, science and industry.
 - During World War I Olympia was requisitioned as a temporary civil prison camp for German nationals and other potential hostile aliens. From 1915 onwards the hall spent the rest of the war as an army clothing store.
 - Joe Lyons the official caterer for Olympia regularly produced luncheons and dinners for thousands, including the Feast of Eight Thousand in 1925.
 - Olympia was taken over by the army a second time in January 1940 reviving its role as a prison camp.
 - Musical entertainment was a feature through the 20th century with both Jimmy Hendrix and Pink Floyd playing in the 1960s. Crufts, the dog show, became a regular annual event.

- Ad hoc extensions and improvements have been made over time, sometimes without the benefit of a co-ordinated and holistic vision for the entire site.

17. The exhibition and conference industry has been evolving and continues to evolve in the 21st century. This has raised significant challenges for Olympia; it needs significant investment, expansion and diversification in order to adapt and respond to modern requirements and ensure that it continues to deliver the economic, employment, tourism and other benefits that it has done historically. Attached at **appendix 1** is an introduction to the development of Olympia as a whole, marked Olympia Introduction.

LBHF “suggested” hours.

18. LBHF licensing policy sets out suggested closing hours for a variety of premises types. Each application must be considered on its merits and each individual application submission will specify whether the application falls within these suggested hours. These premises fall within the mixed use categorization, as set out in the licensing officer’s report.

New Year’s Eve

19. It has been proposed across all the units being licensed that a blanket application is made for licensable activities to be extended to 02:00 on New Year’s Eve, with the premises closing to non-residents 30 minutes thereafter. The relevant activities are dependent on what is being applied for in each individual provisional statement.

Pre Application consultation

20. The applicant undertook pre-application consultation prior to the application being submitted. That licensing related engagement first commenced in November of last year. The applicant engaged comprehensively with the police and the Licensing Authority in anticipation of the submission of this application. These included exchanges of a draft application an operating schedule of conditions and supporting materials.

21. Formal pre-application consultation was then undertaken. A copy of the pre application report from LBHF is contained within the main agenda. In response to that engagement several Teams meetings were held between the Licensing Authority lead and the Metropolitan Police where all parties, collectively, developed the proposed operating schedule now before the licensing committee.

Responsible Authorities

22. Engagement with LBHF and the Responsible Authorities has been significant. In so far as the licensing application is concerned it has included an “all parties” meeting hosted by LBHF licensing team, in which the applicants explained the proposals and specifics. Officers

attended with questions and queries. There are no outstanding representations from the responsible authorities to the applications. This is a point of some significance.

Residential engagement

23. The applicant has undertaken very significant engagement with residents. This is attended to in the residential engagement report included at **appendix 3**, marked Residential engagement report. This engagement is embedded within the planning permission and has been developed by the applicant across the last several years. The Licensing Sub-Committee will note from the report that the applicant has sought to engage repeatedly and comprehensively with residents through the course of the development cycle, over the last five-plus years. There have been dozens of on-site drop-in meetings, remote meetings, newsletters, a dedicated website, an enquiries line and enquiries email address amongst many other touch points. It should be noted that the proposals for the site have developed to take into account resident's comments and concerns over this period. It would be unfair for residents to suggest the engagement with residents has been pyrrhic. This is addressed in the Residential engagement report.
24. The applicant has also sought to engage with local councillors throughout the last several years.
25. It is worthy of note, given the extensive consultation prior to and in relation to these applications, that there are only 12 resident representations against the provisional statements.

Conditions

26. There is a significant schedule of conditions included within each of the provisional statement applications and these will be set out in full in the licensing committee papers. These conditions attend to all four of the licensing objectives. The operating schedules proposed are, on any view comprehensive and cover a miscellany of matters. The Licensing Sub-Committee will note that a number of the recommendations within the licensing policy are included as conditions within the application. Each has been drafted to include a suite of conditions that are of general application to all the applications where appropriate to do so.
27. Additional bespoke conditions may be included in the individual provisional statement applications where it was appropriate and proportionate to the activities contemplated to do so.
28. More specific details in relation to conditions will be addressed in the individual application submissions.

Health and Safety

29. LBHF, through the Health and Safety officer, made enquiries seeking to ensure that the premises will be safe, legal and compliant. The Applicant provided a response to those points, in simple terms confirming that the premises will be built to a standard that complies with LBHF (and national) requirements. These issues included, Fire Safety, Disability access, safety certification & assessment, accident reporting and appropriate training. Following that engagement, the Health and Safety officer has not seen fit to serve a representation.

Environmental Health & Police

30. Comments were received from Environmental health and the Metropolitan Police in relation to some of the provisional statement applications submitted. For completeness, further detail is provided where required in the individual provisional statement documents.

Observations in relation to the Responsible Authorities

31. The responsible Authorities do not seek to criticise, nor object to the applications or the proposed operating schedule. By granting this licence, the licensing authority are by no means giving a “blank cheque” to the applicants for the provisional statements, nor to the operators when they make their final premises licence application. All of the conditions on the face of the premises licence will oblige compliance, and as the committee and officers will expect; continued dialogue, discussion and transparency with the Responsible Authorities throughout the life of the licence.

National guidance

32. The licensing committee will be familiar with section 9:12 of the national guidance issued under Section 182 of the Licensing Act 2003. This states:

“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 nighttime economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority’s main source of advice on matters relating to the promotion of the crime and disorder licensing objective.”

33. The committee will note that a some of the representations express concern about crime and disorder and antisocial behaviour. We submit that the position of the Metropolitan Police is of very real significance here.

Representations

34. The representations that have been included within the licensing committee report address a variety of issues. Some pertain to individual provisional statements, whilst others relate to the Olympia development as a whole. We entirely respect the fact that these are included so that the Licensing Sub-Committee has the whole picture, however we would observe that where there are general representations that do not make particular reference to the use and occupation of any individual premises, these can be of little merit in terms of evidencing likely issues from *that particular* application.
35. We have included below responses to the concerns raised as they related to the development as a whole. Where representations have been received and can be identified as relating to single application or to a specific sub-set of premises, those will be dealt with in the relevant individual submissions.

Westfield Shopping Centre

36. A number of representations seek to equate the two developments. Whilst it may well be said that the two developments are not easily said to be similar, and each application should be determined on its individual merits, we attach a brief report at **appendix 4**, marked Westfield permitted hours research report, following investigation of the LBHF licensing register. This discloses that the assessment by many representors that Westfield premises are limited to 10pm (9pm) is respectfully, wrong.
37. Having investigated the LBHF licensing register, the licences permit trade until later, for instance midnight. Whether they chose to close earlier is respectfully a matter for commercial operations, not licensing. It is also worthy of note that there are 90 or approximately 50+ licensed premises (believed 62) in this development. It is also important to note that Westfield is in proximity to residents, we anticipate in an area designated as a mixed residential commercial area.

Noise

38. Some of the representations articulate concern about noise escape from the premises. It is not the applicant's view that noise nuisance can reasonably be suggested to likely occur from the limited facilities at these units. Building control and planning obligations further mitigate against this risk. A noise impact assessment report was submitted with the various planning applications which dealt with the larger question of amenity across the whole development.

Food and drink

39. Each application will have a different offer. These are set out in the individual documents.

Entertainment

40. Some of the representations articulate concern about entertainment. Some of the provisional statements apply for regulated entertainment and some do not. For some, the regulated entertainment is key to the operation and for others it is ancillary to other activities. Each individual submission will deal with the issue as relevant to that application. As a general observation however, where regulated entertainment is a primary or integral part of the offer, such as with the Live Lounge application, additional provision for noise attenuation measures and to ensure that there is no music outbreak has been included.

Transport

41. The site is highly accessible, with a public transport accessibility level (PTAL) rating of between 5 and 6A, defined as very good to excellent. Public transport facilities include both overground and underground train networks at Kensington Olympia which is within 20 metres of the site on the opposite side of Olympia Way. Multiple nearby high frequency bus networks and cycle provision routes also surround the site. In addition, a number of underground stations are within walking distance from the site, Baron's Court and West Kensington being particularly close. There are further transport links further afield (but easily walkable) that provide additional transport away from Olympia. Reference to this issue is raised in the officer report . A transport report is attached at **appendix 6**.
42. Dialogue with both LBHF TFL and the GLA regarding the proposed mix of uses and transport access and parking considerations in the context of the wider Olympia development has been comprehensive.
43. Olympia, as a major event space in London, has been attracting significant crowds to events since the nineteenth Century. The transport links have developed to deal with the mass transport needs of large metropolitan crowds for such events. We submit that they are ideally designed to cope with the next stage of Olympia's storied history. With respect to the contention that this development may increase car traffic, it is not accepted that this will lead, if true, to any undermining of the licensing objectives. As regards *a harmful and unmanageable increase in car parking demand*, also touched on in the policy, it is not accepted that this high threshold can fairly be said to be met by the concerns articulated, nor can it as fairly allow for the conclusion that the licensing objectives will as a result be undermined.. The expansion of ULEZ and the significant growth in electric vehicles attend to the emissions concern, also raised in the policy.

Disability access

44. Each individual application will have different levels of provision depending on location within the development. However, the Olympia site as a whole has been designed to ensure that there is good access for persons with disabilities throughout.

Planning permission

45. All planning permissions and listed building consents were approved from September 2019 (and onwards) for the re-development of Olympia, now known as the Olympia Masterplan Development. This development comprises the restoration of the existing historic buildings as well as the provision of high-quality new buildings for a variety of exhibition, arts and cultural uses, as well as complimenting retail, food and beverage, office, co-working and hotel accommodation alongside new public spaces. Various planning applications have been granted in the interim period attending to various buildings and the public realm space. All these proposed operations have featured in those considerations. A commentary on the planning permission issue is attached at Appendix 7.

Public realm

46. The owners and operators of the Olympia development, recognising the importance of professional management and peaceful coexistence with their neighbours, have also established Olympia Estates Services. This is a management company dedicated to the operation of the estate, as a whole, on their behalf. This decision reflects a commitment to direct oversight and accountability in addressing the needs of both the estate and the local community. The objective is to manage Olympia as a resource for the developer, as a service for its occupants and as a draw for visitors. The aim is to provide a safe, secure, well run and engaging environment for all stake holders. This will include management of issues such as security (through a contracted specialist manned guarding service partner who will provide manned security and fire watch in the communal areas of the estate 24 hours a day), incident management, noise, logistics, maintenance, cleaning, waste management and landscaping. A report, attending to these issues, marked Public Realm, is attached at appendix 5, it is respectfully submitted that it is important to contextualise the application within this overarching framework.

Controls

47. Some of the representations invite the committee to ensure that strict controls such as limiting opening hours, restricting outdoor music, enforcing noise control measures, ensuring public safety protocols, and implementing littering and vandalism controls are in place if a licence is to be granted. Each application contains such measures, either directly where relevant, or as part of the development as a whole when outside of the individual applications' immediate control.

Lease and management formalities

48. It is right to highlight that there are legal obligations between the applicant and each operator looking to take on a site within the development, requiring them to deliver to a variety of exacting standards. Compliance with the licence conditions apart, there are additional obligations on ensuring safe, secure, and appropriate delivery of the operation. These obligations ultimately allow for the applicant to terminate the agreement if standards are not met.

Obligations on tenants

49. Below are examples of the wording the Applicant includes in their management and lease agreements:

- *shall not allow odours to escape from the Property into any other area of the Estate and or any other nearby or adjoining land and shall, subject to the terms of this Lease, install all equipment reasonably necessary for these purposes.*
- *shall procure that all extractor plant installed within the Property or forming part of the Tenant's Plant for the benefit of the Property now or in the future for the extraction of air from the Property for which the Tenant is responsible shall treat odours in accordance with industry best practice.*
- *shall not use the Property for any purpose or activity which is illegal, immoral, noisy, noxious, dangerous, or offensive or which may be or become a legal nuisance to or cause damage to the Landlord or any other person or which might be harmful to the Property or the Building*
- *No sound from loudspeakers or other artificially generated noise shall be created within the Property which can be heard outside the Property, to a level which ...is excessive.*

Risk

50. We submit that licensing is about proportionality. We are not able to eradicate every last possible risk. Nor would any other premises licence applicant/holder. However, we do invite the Licensing Sub-Committee to consider that these operations, with these conditions, are unlikely to undermine the licensing objectives.

LBHF licensing policy

51. Attached at Appendix 2 is a summary drawing attention to those paragraphs within the licensing policy that may be of particular significance and/or relevance to the licensing committee when they come to determine the matter.

Determination

52. We submit that the licensing authority's determination should be evidence based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is

intended to achieve. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems identified.

53. We submit that the licensing sub-committee can only really make such a finding based on admissible materials submitted to it. What the licensing committee cannot be asked to do is speculate, as the High Court made clear in *R (Daniel Thwaites) v Wirral Borough Magistrates Court (2008) EWHC838 (Admin)*.

Conclusion

54. In balancing the legitimate policy concerns expressed it will be right and proper for the Licensing Sub-Committee to consider the unique type and nature of scheme proposed. In so doing it will be invited to conclude, based on experience, that if allowed to proceed a development of this type would be (far) more likely than not to enhance the observance of the licensing objectives.
55. We urge the Licensing Sub-Committee to consider each individual application for a provisional statement on its' merits- but also to consider the development overall in terms of the creation of jobs, income generation and provision of a world class facility for residents and visitors alike.
56. Provisional statements allow for a secondary consideration of the matters, should anything substantive change between now and each final application for a premises licence. As such, given the robust nature of the operating schedules accompanying each application, this Licensing Sub-Committee, the responsible authorities and residents alike can take comfort that the timings, activities and standards of operation set out therein cannot substantially change without all parties having a second opportunity to scrutinise the proposal.

MATTHEW PHIPPS
TLT SOLICITORS

OLYMPIA™

OLYMPIA IS TRANSFORMING

The £1.3 billion regeneration of Olympia is set to be London's newest cultural landmark. A destination for art, culture, entertainment, education, exhibitions, music, food, drink and work.

*



“

We are excited to be a part of the regeneration of this London icon – from the enhancement of the exhibition halls, to the addition of incredible offices, new performance and hospitality venues and creating new public spaces for all to enjoy – a new destination in the making.

”

— Thomas Heatherwick





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01 MASTERPLAN

◀ *Newly pedestrianised Olympia Way*

In London, experience-seeking city dwellers are yearning for spontaneity, serendipity and singular moments. The stage is set for a new destination that quickens pulses, entices visitors and thrums with energy. Here's what we're planning.

HISTORY



▶ Bertram Mills Circus, 1924

Olympia has been home to the best of global innovation, culture and entertainment for over 130 years. From Britain's first cinema and the world's first computer exhibition to Victorian circuses and London Fashion Week.

With a projected 2 million visitors a year, Olympia London will continue to provide world class exhibition and venue space reflecting its tremendous heritage.



▲ Vivienne Westwood, London Fashion Week, 2009



◀ Chris Eubank vs Gary Stretch, 1991

▼ Aero & Motor Boat Exhibition, 1911



▼ Motorcycle & Cycle Show, 1921



OLYMPIA WILL BE...

2.5
acres of new
public realm

4,000
capacity
Live Music
Venue

New
restaurants,
bars and
eateries

Gym

550,000
sq ft of incredible
offices with
state of the
art amenities

1,575 seat
Performing
Arts
Theatre

School
for the
creative
arts

4
major exhibition
halls 26,000
person capacity

2
globally renowned
international
lifestyle hotels

OUR PARTNERS

Entertainment

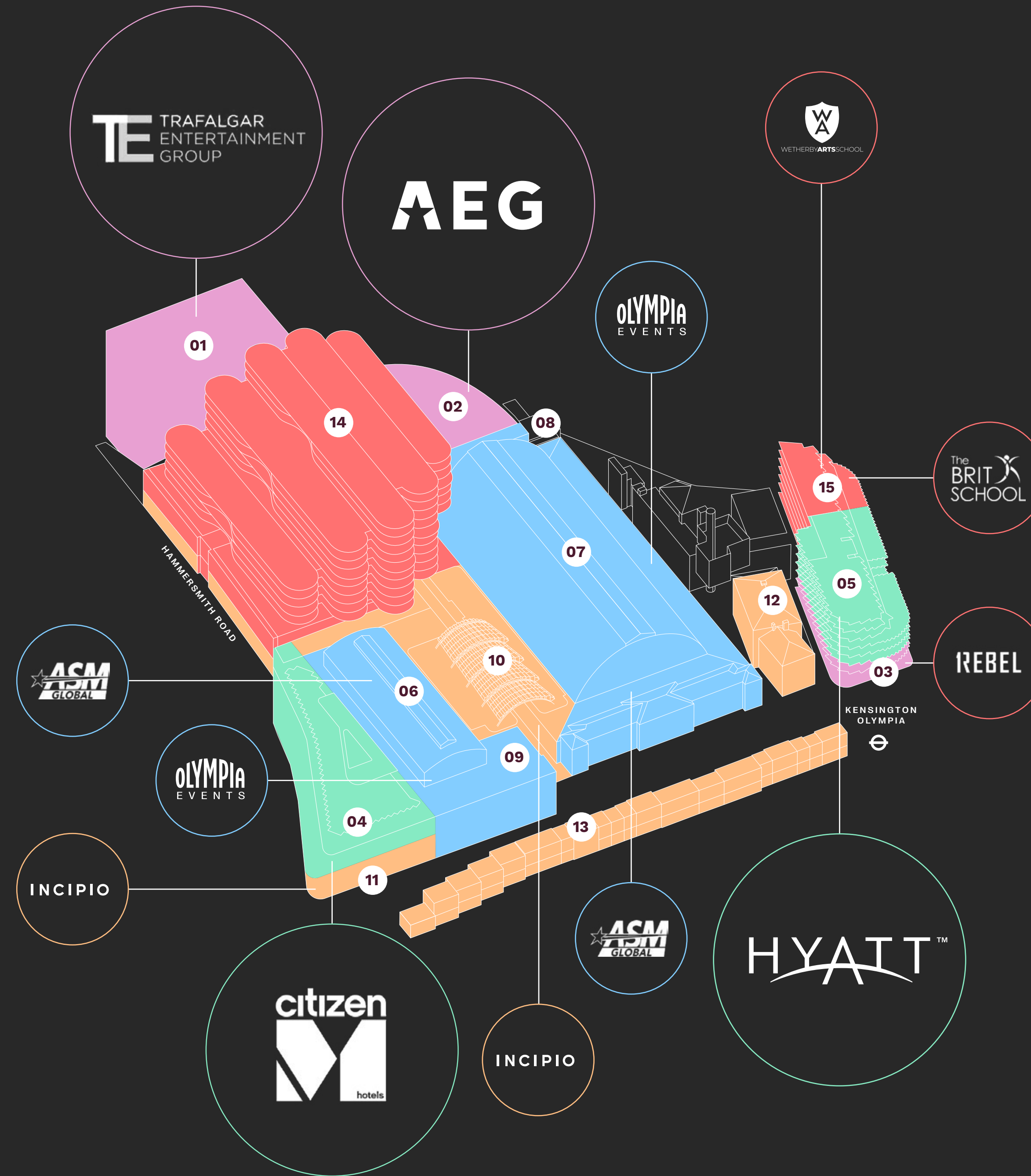
- 01 OLYMPIA THEATRE**
1,575 seat venue
- 02 OLYMPIA MUSIC VENUE**
4,000 capacity venue
- 03 GYM**
8,500 sq ft

Hotels

- 04 CITIZEN M**
146 rooms
- 05 HYATT REGENCY**
204 rooms

Exhibitions

- 06 NATIONAL HALL**
5,000 capacity
- 07 GRAND HALL**
10,000 capacity
- 08 WEST HALL**
5,000 capacity
- 09 CENTRAL HALL**
6,000 capacity



Eat Drink Shop

- 10 OLYMPIA ROOF GARDEN**
Food and market hall
 - 11 RESTAURANT**
 - 12 PILLAR HALL**
Restaurant and jazz club
 - 13 OLYMPIA WAY**
Eateries, restaurants, gallery space
- Community non-profit spaces dedicated to performing arts

Offices & Studios

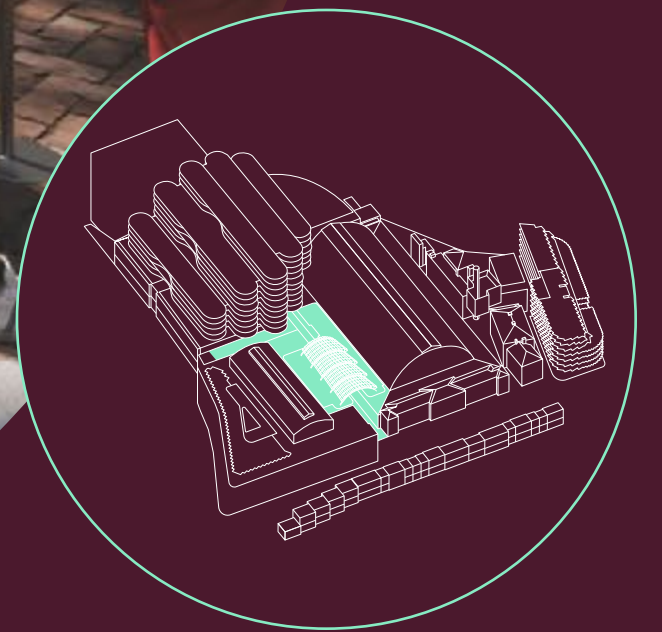
- 14 ONE OLYMPIA**
Signature offices
Rooftop terraces
Meeting & breakout areas
Conferencing
Tech hub and event space
- 15 EMBERTON HOUSE**
Office, educational use, performing arts school, community theatre

RAISING THE ROOF (GARDEN)

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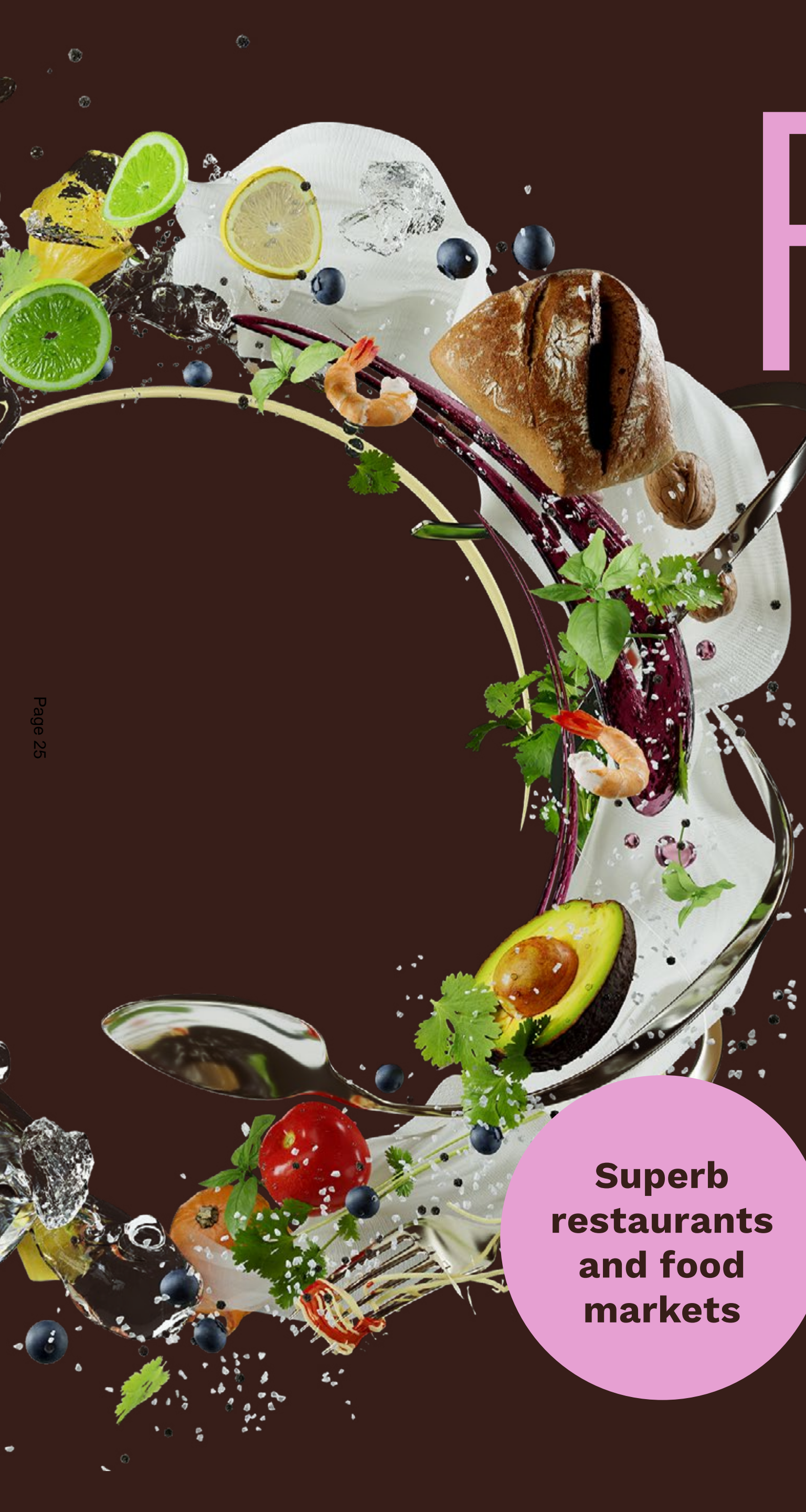
With spectacular views over London, the glass canopied roof garden designed by internationally celebrated Heatherwick Studio will offer an incredible selection of food and drink set within lush landscaped terraces.

Olympia Roof Garden ▶





Olympia Roof Garden ▶



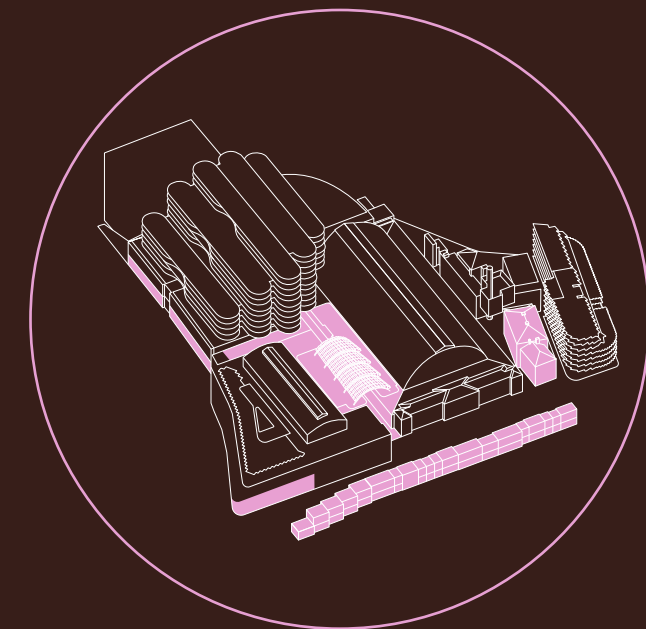
FOOD & DRINK

Olympia Square ▶



Olympia will feature world-leading offerings in food and drink. New bars, restaurants and eateries will boost London's status as a culinary capital. Meanwhile, pop-ups, artisan food and street markets will represent unmissable offerings for gathering foodies.

**Superb
restaurants
and food
markets**



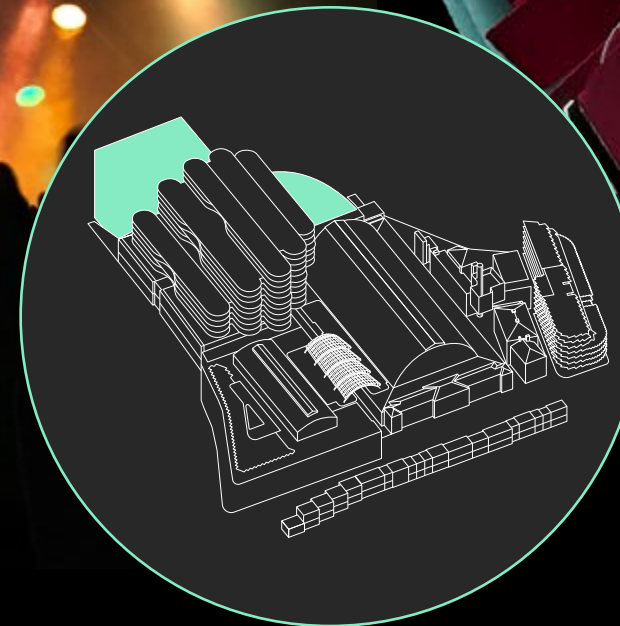
Built in 1886, the Grade II listed Pillar Hall will be re-transformed into its former glory as an incredible restaurant and live performance venue.*



ARTS & CULTURE



◀ Olympia Theatre



AEG
PRESENTS

TRAFALGAR
ENTERTAINMENT

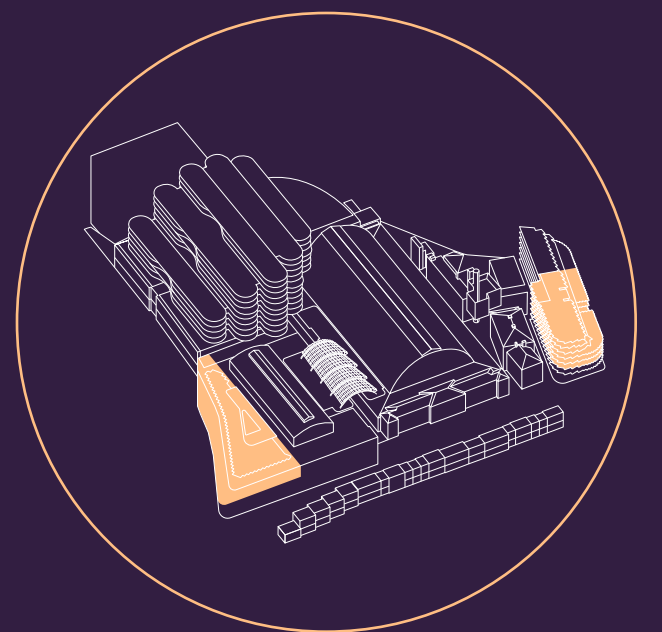
Olympia will build on the heritage of art and culture of its west London locale. Music, performance and the visual arts will be pivotal to the experience here. Two major venues – a 1,575 seat theatre run by Trafalgar Entertainment and the 4,000 capacity AEG Presents music venue will attract the most prestigious names in the arts and entertainment industries.



STAY HERE

Olympia will be the home of two new globally renowned lifestyle hotels; citizenM and Hyatt Regency.

Business and leisure travellers alike will enjoy seamless, intuitive service alongside memorable dining experiences as well as flexible spaces to work, collaborate or relax.



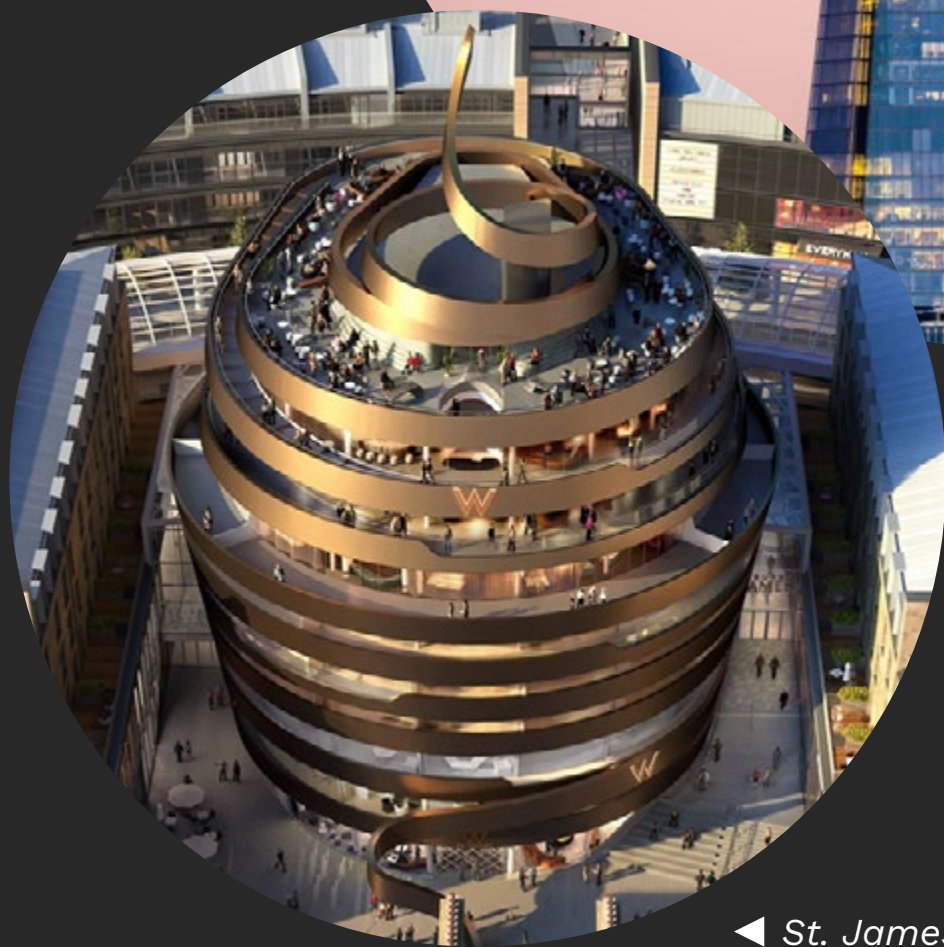
02 TEAM



◀ Coal Drops Yard, London



▲ The Shard, London



◀ St. James Quarter, Edinburgh



Vauxhall Sky Gardens, London ▶

The Future Olympia Team is made up of one of London's most talented, innovative and forward-thinking masterplan teams to re-imagine and bring forward Olympia into the 21st Century and prepare it for the 22nd Century.

DEVELOPERS

YOO CAPITAL

Yoo Capital is a privately held real estate investment firm that has invested in over £2 billion AUM focused on special opportunities across the UK.

By combining institutional investment disciplines, design-led creativity, and creative financial solutions, the firm delivers transformational place-making assets in edge of prime and infill zones, adding tremendous value to its assets and generating strong returns whilst mitigating risk for its investors. The in-house team has 30 years private equity, creative asset management and development capabilities with over £9bn of transactional experience.



DEUTSCHE FINANCE INTERNATIONAL

DFI is a pan-European private equity firm with €3 billion of assets under management, which specialises in customer centric and operational real estate. It pursues differentiated and thematic value add and select opportunistic strategies in order to deliver consistent and superior risk-adjusted returns through deep value investing, capitalising on trends and transforming under-managed and under-invested assets and operating companies through active asset management.

The firm acts as the investment adviser to its discretionary funds and co-investment partners, and has a global institutional client base that includes pension funds, insurance companies, financial institutions and family offices.

DFI is independently managed by its Founding Partners with a dedicated best-in-class multidisciplinary team operating across offices in London, Munich, Madrid and Luxembourg. It benefits from being part of the Deutsche Finance Group (“DFG”), a global investment management firm that specialises in private market real estate and infrastructure investments. DFG currently has €9.6 billion of assets under management and is headquartered in Munich. DFG is privately owned and regulated by the Federal Financial Supervisory Authority of Germany, BaFin.

DELIVERY TEAM

AGENTS DETAILS

Developers

YOOCAPITAL

 **DEUTSCHE FINANCE INTERNATIONAL**

Architects

Heatherwick studio

SPPARC

Contractor

LAING O'ROURKE

Project Manager

GT GARDINER & THEOBALD

Structural Engineer

 **Robert Bird Group**
Member of the Surbana Jurong Group

M&E Consultant



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OLYMPIA™

Olympia Estate Services



Public Realm Management Plan

1st May 2024

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Introduction

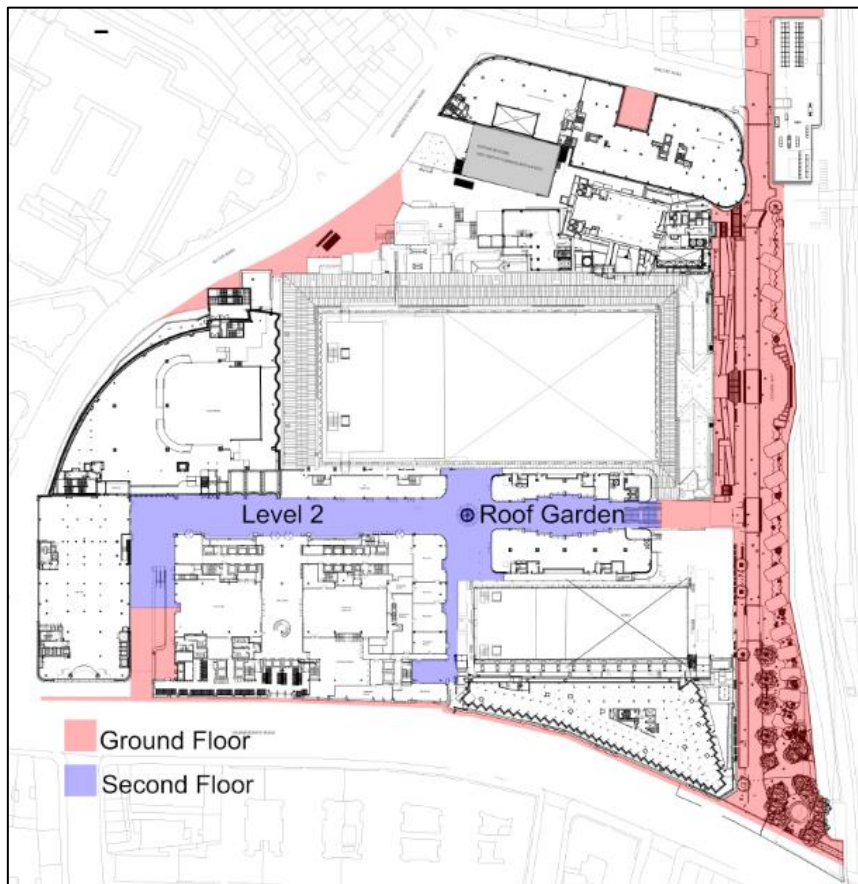
The Olympia Estate is being redeveloped to build upon its existing historical exhibition facilities and provide new ones comprising the following:

- Exhibition Centre
- School
- Hotels (2)
- Theatre
- Music venue
- Food & Beverage (13 units)
- Gym
- Community Theatre

The redeveloped Olympia scheme will providing space for education, work, entertainment, events and overnight accommodation for thousands of people daily.

The Public Realm

The public realm, defined as privately owned areas of the estate which are accessible to the public and where OES deliver public realm management services, are highlighted in the illustration below. In addition, there will be security patrols around the entire perimeter of the estate.



Statement Of Management Intent

This document serves as a formal guide, outlining the measures undertaken by the owners of Olympia to provide public realm management services and ensure that the estate's public realm operations do not negatively impact the surrounding community. Recognising the importance of professional management and peaceful co-existence, the owners have established Olympia Estates Services, a management company dedicated to the operation of the estate on their behalf. This decision reflects a commitment to direct oversight and accountability in addressing the needs of both the estate and the local community.

Through Olympia Estates Services, the owners aim to maintain the balance between the estate's activities and community well-being, ensuring that all parties benefit mutually. This document details the approach and objectives of Olympia Estates Services in fostering a harmonious relationship with its occupiers and the local community.

Olympia Estate Services (OES)

The main goal of OES's management philosophy is to offer an efficient and attentive management service. Our objective is to manage Olympia as a resource for the owner, as a service for its occupants and as a draw for our visitors and local community. We intend to provide a safe, secure, well run and engaging environment for all our stakeholders.

The Olympia Estate includes several primary land uses, which are managed and overseen by the following members of the leadership team:

Estate Operations

Andrew Thomson, the Director of Operations at OES, brings considerable operational experience to the OES team. Andrew is a specialist in the mobilisation and management of complex, high-profile mixed-use properties. His previous roles include Director of Operations at Hammerson PLC and more recently Director of Property Management at REM, operators of The Shard. Using his extensive experience, Andrew is focused on building the operational capabilities of OES, with a strategic emphasis on building a best-in-class team and robust operational systems.

Hospitality Operations

As OES's Director of Hospitality, Abe Berry is at the helm of the food and beverage services at Olympia. His background is rooted in the development and administration of F&B and hospitality operations, with a track record of involvement in internationally acclaimed projects. Abe's experience spans significant positions at Hyatt Hotels, the initiation of MGM Park in Las Vegas, and a leadership role in F&B at Makeready. Abe will use his extensive experience to work with the numerous operators at Olympia to guide and oversee their operations and integration into the Estate and local community. His expertise in expansive F&B transformations is instrumental in reinstating Olympia as a pivotal element of West London's community and a key player in the cultural fabric of London.

Exhibition Operations

As the CEO of Olympia's exhibition and conference operations managed by ASM Global, Andy O'Sullivan brings a wealth of operational expertise from his work on large mixed-use properties.

Andy is well respected in the live industry for his extensive experience and leadership across events, sports, and entertainment venues. His career has included significant roles, such as Vice President of IMG's European Stadium & Arena operations, contributing to the inauguration of the Wembley National Stadium, and serving as the Venue Director for Tottenham Hotspur Stadium. Andy's comprehensive knowledge of managing large venues plays a crucial role in the proficient handling of events of varying scales, with a keen focus on the intricacies of facility management, including security, cleaning, and the overall orchestration of significant events.

Security

The safe and secure operation of the estate is of paramount importance to us so we will take a highly proactive stance in this area.

Resourcing

The Head of Security will have overall responsibility for the security of the estate, collaborating with the major occupiers to ensure that the estate security team and the individual occupier security teams work together to provide a unified service. They will also be responsible for the proactive maintenance of relationships with statutory authorities.

The estate will be provided with security staff through a contracted specialist manned guarding service partner who will provide manned security and fire watch in the communal areas of the estate.

The estate areas will be patrolled 24 hours a day, 7 days a week, 365 days per year. The estate's life safety and CCTV systems respectively will be monitored from the central security control room, which will also be manned 24/7/365. During peak times and major events staffing levels will be augmented as appropriate.

Events at Olympia will be pre-planned with additional stewarding staff provided to manage queuing, access and egress, provided as necessary.

Incident Management

OES Security will operate in strict compliance with the Estate Security Policy, currently under development to counteract risks highlighted by the Estate Security Risk Assessments and to cater to other security and operational needs of the estate. This policy will include a set of comprehensive Standard Operating Procedures (SOPs) for managing all foreseeable risks. Estate Team members will undergo extensive training in incident management, adhering to these SOPs, which will dictate the escalation process for incidents to senior management. This ensures that key management figures are readily available to offer strategic and tactical support.

Antisocial Behaviour

Anti-social behaviour towards our occupiers and other visitors or members of the local community will not be tolerated at Olympia. Security staff will be trained to address it and where necessary, escalating to the emergency services.

Visitor Arrival & Departure

Event Management Calendar

An events calendar will be managed to ensure that where possible event start and finish times are staggered. This will minimise the numbers simultaneously queuing for event entry.

Event Queueing

In order to minimise the impact on local residents of visitors queuing for events at Olympia, the scheme has been designed to accommodate queues within the boundary of the estate public realm. With 3,025m² available at L2 and a further 2,900m² available on Olympia Way. In aggregate, designated queueing zones accommodate over 6,000 people, more than the combined capacity of both the Theatre and Live Music venues combined.

Queue management is the contractual responsibility of the respective operators to undertake, working closely with the Estate security team, with all operations under the supervision of the Head of Security.

Peak Time Dispersal of Departing Visitors

As outlined above, every effort will be made to stagger event finish time thereby reducing the peak rate of departures. As outlined in the Transport Management Plan, Olympia is well served by a diverse range of transport options with stations on diverse lines located to the North, South, East and West and further improvements in the rail service have been secured with TfL. As has been demonstrated for many years by the Olympia London exhibition business, this provides both resilience and huge capacity for crowd dispersal during peak periods of visitor egress. Clear wayfinding signage will be provided, along with live information related to disruption to tube / rail services.

Noise

As part of the planning process the developers of Olympia have agreed to meet set noise criteria. Specialist acoustic consultants have collaborated with us throughout the project to ensure that these levels are achieved.

Likewise clear restrictions on noise levels have been included in occupier leases whereby obligations are imposed upon them to ensure they are met. We have reiterated these requirements in our occupier fit out guide and oblige those occupiers who have the potential to cause an issue, to design their fitouts in ways that comply with these restrictions. Noise levels will be monitored by OES to ensure that restrictions are observed and where required, acted upon.

Logistics

As part of the development a new Logistics Centre is being created, accessed from Hammersmith Road via Blythe Road. This will serve the vast majority of estate occupiers. This new logistics facility will remove the vast majority of estate and exhibition traffic from Beaconsfield Terrace, Maclise Road and the residential roads around the Olympia estate, thereby containing associated noise within the buildings of the estate. The arrival and departure of all delivery traffic will be managed using an online booking system 'Voyage Control' through

which, time windows for loading / unloading of each vehicle will be allocated. The Logistics Centre will be manned during the hours of operation with additional marshals deployed to Blythe Road during peak periods.

The exception to the above arrangements are:

- Deliveries to Pillar Hall and a small proportion of deliveries to Grand Hall, which will continue to be served via “L Yard” located to the rear of the scheme between Emberton House and Grand Hall.
- Deliveries to Emberton House, which has a dedicated loading bay on Maclise Road.
- Deliveries to units on Olympia Way where controlled, shared delivery bays are provided.

Maintenance, Cleaning & Landscaping

Maintenance

The public realm will be maintained by a permanent team of site-based engineers led by our in-house Head of Technical services.

Members of the team will be on site 7 days a week and will be supported by specialist subcontractors.

An online helpdesk and fault reporting system will be implemented to enable issue resolution to be tracked and performance monitored.

Cleaning

The public realm area will be cleaned by a site based janitorial team working extended hours in order to maintain cleanliness and removal of litter. This will include frequent routine cleaning of hard landscaping along with ad hoc response to reactive cleaning tasks such as spillages and graffiti. This team will be augmented during periods of peak activity along with specialist contractors to conduct specialist periodic cleaning tasks. In addition, periodic deep cleaning of the public realm will be scheduled.

Waste Management & Collection

In order to maximise recycling and minimise vehicle movements waste will be managed centrally by sub-contractors of OES on behalf of all occupiers on the whole estate.

The vast majority of waste will be consolidated and compacted within the new internal logistics centre on levels 0 and B1. This will be a controlled environment that will help to contain noise. Waste collections each day will be pre 10 pm, with regular scheduled collections planned outside of peak congestion periods.

Waste for Emberton House and Pillar Hall plus a proportion of Grand Hall will however be serviced from “L Yard” located to the rear of the scheme between Emberton House and Grand Hall. This area has been used for waste management for many years with existing protocols in place that limit collections and use of compactors to pre 8pm.

Landscaping

There will be extensive planting on the estate which will be maintained by a specialist landscaping contractor.



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1. OVERVIEW

- 1.1 This document has been prepared in support of Olympus Property Holdings Ltd (Olympia hereafter) licensing application for THE 8 PROVISIONAL STATEMENT applications listed for determination 7 May 2024
- 1.2 Olympia is committed to continual engagement with the local community and has consulted extensively on the masterplan application, subsequent planning applications and the licensing application that this document supports.
- 1.3 Over the last seven years, Olympia has:
 - Held almost 40 engagement events in seven years
 - Sent regular invitations to a postal database of 7,000 and an email database of 500
 - Held four public consultation events on the masterplan, with hundreds of conversations taking place and 200 feedback forms being submitted
- 1.4 For the licensing applications, Olympia has:
 - Sent a detail leaflet on the applications venue by venue, with an invitation to a consultation event.
 - Hosted a consultation event with information on the licensing application and members of the team available to answer questions and provide information
 - Hosted a follow-up drop-in providing another opportunity to learn about the licensing application.

2. MASTERPLAN ENGAGEMENT

- 2.1 The first public consultation for the Olympia Masterplan project was held on Wednesday 20 September, Thursday 21 September and Tuesday 26 September 2017 in the Pillar Hall on Olympia Way. Invitations were sent to approximately 4,000 people and 155 people attended, kicking off an engagement process that continues seven years later.



First consultation event held in 2017

- 2.2 In total, four public consultations were held before the Masterplan planning application was submitted. For the latter three over 6,600 invitations were sent out and between 131 and 218 people attended each event. Across all four public consultations, almost 200 feedback forms were handed in and countless follow up meetings took place.
- 2.3 The Olympia scheme was created in response to community feedback on what it was like to live near the existing exhibition and what improvements were needed in the area. Local residents observed that traffic could be difficult around the build up and break down of shows as cars parked in residential streets and along Olympia Way. There was also a feeling that the exhibition business wasn't for them; without a ticket to a show, there was no public access. At the same time, the London Borough of Hammersmith and Fulham published its Industrial Strategy, which set out its aspirations for Borough's economic development. The principles for the Olympia Masterplan were set using this information. The design team began by looking at an alternative and improved logistics centre and ways that the whole estate could be opened to the public.
- 2.4 As a result of feedback from the public consultations, the designs for the buildings changed. The proposed new theatre was significantly changed as a result of feedback on the first architectural iteration. There were also

changes to the design of the public realm, the office architecture and the design of the 'National' hotel along Hammersmith Road.

Continued Engagement

- 2.5 After planning permission was submitted and later granted, Olympia continued to hold regular engagement events. On average, meetings took place just over once a quarter with approximately 30 dedicated events since 2019. Over 7,000 people were invited to each event by letter drop and approximately 500 people were invited by email. Over the years, the events have covered a range of topics from planning amendments to construction updates and exhibition business news. Each event was attended by between 50 and 100 people. Engagement continued during the Covid-19 pandemic, with the events moving online or to socially distanced in-person meetings when the rules allowed.

3. LICENSING

- 3.1 Invitations to a public consultation event were sent to approximately 7,000 addresses on 12th January 2022. The invitations included information on the event and detailed information on the licensing applications themselves. These can be viewed in Appendix I.
- 3.2 The consultation event took place on Tuesday January 23rd between 4pm and 7.30pm. The information on display can be found in Appendix II.
- 3.3 Other information was on display at this consultation event, including a construction update and updated designs for Olympia Way. Members of the team from the exhibition business, Olympia estate business, construction team and Yoo Capital were on hand to answer questions and provide updates.
- 3.4 Approximately 70 people attended this consultation event and seven feedback forms were filled in. Most of the comments focused on the Olympia Way designs and only one touched on licensing.
- 3.5 A further public engagement event took place on the 7th March between 4pm and 7.30pm. While this event was an update rather than consultation, material on the licensing application was available and displayed.
- 3.8 Olympia will continue to engage with the local community in the run up to the launch of the wider estate and beyond. It is anticipated that drop-ins will continue to be held on a quarterly basis and a new newsletter has been launched, providing updates to residents online and in print. As more operators are announced, they will be introduced to the local community.
- 3.9 As a result of the consultation events held recently on licensing, and in introducing the operational team, further work has been undertaken to address resident concerns. We will continue to listen to feedback and make amendments as parts of the estate open and become operational.
- 3.10 Recently, the changes have involved working with tenants in detail to look at ways to reduce impact from noise and light. For example, the office building lighting has been changed to work on sensors. This will reduce light pollution, improve energy efficiency and minimise disruption to neighbours from light in the evening.

DEAR NEIGHBOUR

OLYMPIA

We wish you all a Happy New Year. As we look ahead to 2024, we would like to invite you to a drop-in event, which will cover:

- a licensing application, which we have provided more detail below and overleaf;
- our construction timeline for 2024;
- key events for the exhibition business in the next quarter;
- an updated planning application changing the shops along the railway of Olympia Way to smaller kiosks.

As ever, please do let us know if you are unable to attend at the times advertised and we will arrange to meet with you at your convenience. Please contact us on 07539 096459 or via updates@olympia.co.uk.

OLYMPIA LICENSING

As you will be aware a significant part of the development includes a variety of leisure/food and drink operations. Although our coffee shops and bakery style operations will not require a formal premises licence, those that permit the sale of alcohol and/or regulated entertainment will have a requirement for a licence on top of the planning permission already granted.

HOURS

The licence applications will be seeking permission to accommodate a wind down/drinking up time across all units. As you will be aware our planning permissions prohibit operations after 12.00 am. The majority of the licenses will be for the sale of alcohol up to 11pm or 11.30pm. Level 2 or the 'sky garden' is the only exception to this and will apply for a license up to midnight (this excludes the music arena and theatre). For the avoidance

Drop in Event
Tuesday 23rd January 2024
4pm – 7.30pm
Marketing Suite
Maclise Road Surface Carpark
at the north end of Olympia Way

of doubt, none of the licence applications will be seeking any extension beyond the planning permissions already obtained.

AREAS — The units requiring licences are:

HOTELS

Two hotels are currently under construction, a Citizen M hotel on the corner of Olympia Way and Hammersmith Road that will have an ancillary bar/restaurant and room service, and a Hyatt Regency Hotel on the corner of Maclise Road and Olympia Way which has a bar and room service proposal.

MUSIC ARENA

There will be a 4,000 capacity music arena is proposed at the north west corner of the estate. This will require permissions for regulated entertainment (live and recorded music) and the sale of alcohol no later than 11pm (in line with the current planning consent).

THEATRE

The Trafalgar Entertainment Group theatre on the corner of Lyons Walk and Hammersmith Road will require a premises licence both for alcohol and entertainment.

ONE OLYMPIA WAY

The former Pizza Express (now One Olympia Way) will require a premises licence. This will seek a permission for the sale of alcohol for a restaurant/bar premises.

PILLAR HALL

The Pillar Hall is being transformed into a bar/restaurant, café and events space which will also require a premises licence.

LEVEL 2

On level 2 there will be a number of bars and restaurants.

In the south side there will be three operations, one called the National Terrace, second called the South Terrace, and the third called the South Terrace Mezzanine. These will all operate as café/bar/restaurants, laid out to tables and chairs, requiring the sale of alcohol and regulated entertainment (recorded music) in the operations.

The north terrace will also have three units, the North Terrace, the North Terrace Mezzanine, both acting as bar/café/restaurants with the accompanying permissions.

GYM

There will be a ground and basement gym underneath the Hyatt Regency Hotel. This is likely to have a small ancillary bar for gym users.

LIVE LOUNGE

Finally, servicing the office space there will be a conference centre and what we are currently calling the 'Live Lounge'. This will be a café/restaurant/bar space predominantly accommodating the office users above, a bar, café, food offer, with a stage facilitating conference style events as well as music and presentations.

APPLICATIONS

Our intention is to submit all the individual permissions with proposed conditions bespoke to each unit outlined at the end of January. The conditions will cover issues such as CCTV, staff training, counter-terrorism protections, drink

spiking, door supervisors, incident and refusals books, safeguarding, customer capacities, first aid, noise management, challenge 25 etc.

LICENSING OFFICERS

We have already begun to engage with the LBHF licensing team and the Metropolitan Police.

APPLICATION TIMETABLE

Once the applications are submitted there will be a 28-day consultation period led by Hammersmith and Fulham Council. During that time representations may be submitted to the various applications. If objections are received then the matters will be considered by a LBHF licensing committee within, we believe, three to six weeks after the end of the consultation period.

We believe that the applications will appropriately control the permitted activities, but we are keen to hear from you if you have any concerns or suggestions. We would welcome your feedback at our drop in session highlighted above or if you prefer please don't hesitate to email us at updates@olympia.co.uk in advance of the proposed meeting.

We look forward to hearing from you.

Best wishes
The Olympia Team



"Licensable Activities" in this context shows the latest terminal hour on the licence (excl LNR).

Premises Name	Address	Licence Number	Permitted Hours
Busaba Eathai	Unit 1027, Westfield London Shopping Centre, Ariel Way, London, W12 7GA	2024/00247/LAPR	Opening Hours Mon - Sun 0900 - 0100 Licensable Activities Mon - Sun 0900 - 0100
"Fatty Foodie Ltd"	Unit 1034, Westfield London Shopping Centre, Ariel Way, London, W12 7GA	2024/00226/LAPR	Opening Hours Mon - Sun 0930 - 0030 Licensable Activities Mon - Sun 0930 - 0000
Byron Burger	Unit 3123-3125, Westfield London Shopping Centre, Ariel Way, London, W12 7GF	2024/00208/LAPR	Opening Hours Mon - Sun 0930 - 0030 Licensable Activities Mon - Sun 0930 - 0030
"Westfield Europe Ltd"	Unit 1029, Westfield London Shopping Centre, Ariel Way, London, W12 7GB	2024/00176/LAPR	Opening Hours Mon - Sun 0930 - 0030 Licensable Activities Mon - Sun 0930 - 0000
"Westfield Europe Ltd"	Unit 1032, Westfield London Shopping Centre, Ariel Way, London, W12 7GA	2024/00099/LAPR	Opening Hours Mon - Sun 0930 - 0130 Licensable Activities Mon - Sun 0930 - 0130
Rosa's Thai	Unit 1075, Westfield London Shopping Centre, Ariel Way, London, W12 7GB	2023/01944/LAPR	Opening Hours Mon - Sun 0930 – 0030 Licensable Activities Mon - Sun 0930 - 0000
Copper Chimney	Unit 1028, Westfield London Shopping Centre, Ariel Way, London, W12 7GA	2020/00218/LAPR	Opening Hours Mon - Sun 0800 – 0030 Licensable Activities Mon - Sun 0800 - 0000
Flat Iron	Unit 1053a, Westfield London Shopping Centre, Ariel Way, London, W12 7GB	2022/00180/LAPR	Opening Hours Mon - Sun 0700 – 0000 Licensable Activities Mon - Sun 1100 - 2330
Salt Yard	Unit 1026, Westfield London Shopping Centre, Ariel Way, London, W12 7GA	2022/0441/LAPR	Opening Hours Mon - Sun 0900 – 0030 Licensable Activities Mon - Sun 0930 - 0000
The Bull Free House	Unit 1033 , Westfield London Shopping Centre, Ariel Way, London, W12 7GA	2022/00558/LAPR	Opening Hours Mon - Sun 0930 – 0030 Licensable Activities Mon - Sun 0930 - 0000
The Real Greek	Unit 1073, Westfield London Shopping Centre, Ariel Way, London, W12 7GB	2020/00675/LAPR	Opening Hours Mon - Sun 0930 – 0030 Licensable Activities Mon - Sun 0930 - 0000
Mandaloun	Unit 1031, 1 Ariel Way, London W12 7SL	2014/01612/LAPR	Opening Hours Mon - Sun 0800 – 0030 Licensable Activities Mon - Sun 0930 - 0000

Premises Name	Address	Licence Number	Permitted Hours
Gourmet Burger Kitchen	Unit 1072, Westfield London Shopping Centre, Ariel Way, London, W12 7GA	2023/00766/LAPR	Opening Hours Mon - Sun 0930 - 0030 Licensable Activities Mon - Sun 0930 - 0000
Bill's	Unit 1071, Westfield London Shopping Centre, Ariel Way, London, W12 7GA	2022/02063/LAPR	Opening Hours Mon - Sun 0930 - 0030 Licensable Activities Mon - Sun 0930 - 0000
All Star Lanes	Unit SU0220A, Westfield London Shopping Centre, Ariel Way, London, W12 7HB	2022/01863/LAPR	Opening Hours Sun - Thu 0700 - 1130 Fri - Sat 0700 - 0130 Licensable Activities Sun - Thu 0700 - 1100 Fri - Sat 0700 - 0100
Wahaca	Unit 1074, Westfield London Shopping Centre, Ariel Way, London, W12 7GB	2022/02135/LAPR	Opening Hours Mon - Sun 0930 - 0030 Licensable Activities Mon - Sun 0930 - 0000
Sticks 'N' Sushi	Unit 1035, Westfield London Shopping Centre, Ariel Way, London, W12 7GA	2023/00735/LAPR	Opening Hours Mon - Sun 0930 - 0130 Licensable Activities Mon - Sun 0930 - 0130
Zizzi	Unit 1076, Westfield London Shopping Centre, Ariel Way, London, W12 7GB	2023/01625/LAPR	Opening Hours Mon - Sun 0930 – 0030 Licensable Activities Mon - Sun 0930 - 0000

BEFORE THE LONDON BOROUGH OF HAMMERSMITH & FULHAM LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR PROVISIONAL STATEMENTS

OLYMPIA DEVELOPMENT

LICENSING POLICY COMMENTARY

This report seeks to highlight those paragraphs within the LBHF licensing policy 2022-27 that may be of particular significance to the licensing committee when determining this licence application.

We have identified page numbers within the licensing policy at the end of the sentence quoted.

Foreword:

- Hammersmith & Fulham continues to rise to the challenges of our time, together. Ongoing investment means that our business environment and residential landscape is rapidly changing and we're excited to share the amazing opportunities with everyone. (Page 3)
- We make no secret that we want to make our borough the best place to do business in Europe and to ensure that everyone benefits, not just a favoured few. In Hammersmith & Fulham, we want to use the power of local government to create a borough able to compete with the best in the 21st century and transform our borough into an inclusive global economic hotspot. (Page 3)
- We believe that a diverse, vibrant and safe nighttime economy (6pm to 6am) has a key role to play in supporting this growth. That's why we've created a new modern business-friendly licensing policy for Hammersmith & Fulham. (Page 3)
- With the many advantages that Hammersmith & Fulham has to offer now, it's no surprise investors are already eyeing up the borough for growth and new business ventures. (Page 3)
- Recognising that the pandemic has had a devastating effect on many retail and hospitality businesses, we are improving the public realm to make it a better place for people to shop,

eat, drink, relax and enjoy local arts and facilities. We want to create a vibrant, safe and considerate night-time economy. (Page 3)

- We have exceptional transport links - (Page 4)
- Hammersmith and Fulham Council has been recognised as leading the way in our approach to partnership working to support our night-time economy. Our Night-Time Economy Working Group includes officers from across the council including resident engagement and external partners from the police and local business improvement districts (BIDs) to identify issues that impact the borough. (Page 4)
- We believe that well-managed businesses and responsible operators are the key to addressing this (*ASB etc*) problem. (Page 4)
- Our Licensing Policy supports our licensed sector and the cultural, leisure, hospitality, and entertainment options within it available to Hammersmith & Fulham residents. (Page 8)
- In making decisions on licensing applications and imposing conditions, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned relating to the four Licensing Objectives. (Page 11)
- Every application made to the Licensing Authority will be considered on its own merits. (Page 12)
- Prospective holders of new licences, and those seeking variations to existing licences, are advised to consult with the Licensing Authority and the various responsible authorities at the earliest possible stage in order to reduce the risk of any dispute arising. (Page 13)
- Operators of licensed premises will have to comply with planning, environmental health, trading standards, fire safety, licensing and building control legislation when opening or adapting licensed premises. (Page 14)
- The Licensing Authority may consider specific restrictions on hours of sale and operation in certain circumstances.
- Where there is a relevant representation, the Licensing Authority will consider each particular case on its merits having regard in particular to the following matters:

a) Whether the licensed activities are likely to have an adverse impact especially on local residents and, if there is potential to have an adverse impact, what, if any, appropriate measures will be put in place to prevent it;

b) Whether there will be a substantial increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area;

c) Whether there is a suitable level of public transport accessibility to and from the premises at the appropriate times;

d) Whether the activity will be likely to lead to a harmful and unmanageable increase in car parking demand in surrounding residential streets suffering high levels of parking stress or on roads forming part of the Strategic London Road Network or the London Bus Priority Network leading to a negative impact on the Licensing Objectives relating to the prevention of crime, disorder, anti-social behaviour (ASB), nuisance and vehicle emissions;

e) Whether there have been any representations made by Responsible Authorities, or other relevant agency or representative.

- The Licensing Authority will closely scrutinise extended hours applications to ensure that the Licensing Objectives are met. In determining an application the licensing committee might decide that the circumstances are such that a restriction on hours is the only appropriate means to achieve the Licensing Objectives. If an 'hours' restriction is imposed, the Licensing Authority will normally require that customers should be allowed a minimum of thirty minutes to consume alcohol.
- In determining representations to an application which incorporates an external area to the premises, the licensing committee might decide that the circumstances are such that a restriction on hours in that area is the only appropriate means to achieve the promotion of the Licensing Objectives.(Page 21)
- To act as a guide for new or existing operators we have set out the suggested closing times for licensed premises below:
- Type of premises - Mixed use areas
 - Restaurants and cafes – Fri-Sat 1m, Mon-Thurs Midnight, Sun 11pm
 - Public House – Bars -Fri-Sat 1am, Mon Thurs -Midnight, Sunday 11pm

- In determining an application where there has been a relevant representation the Licensing Authority will, where appropriate, take into account the cumulative effect of the number, type and density of licensed premises already existing in the area. (Page 22)
- In coming to any decision regarding cumulative impact the Licensing Authority will consider other mechanisms outside of the licensing regime which may also be available to address this issue, these include but are not limited to:
 - Planning controls (where development or change of use is involved, or where trading hours are limited by planning conditions)
 - Police and other enforcement of the normal law concerning disorder and anti-social behaviour.
 - Prosecution or other enforcement of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk
 - Prosecution or other enforcement of any personal licence holder or member of staff at such premises who is selling to underage persons or selling illegal alcohol or tobacco • Police powers to close down instantly any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises, for up to 24 hours.
 - The power of the police, other responsible authorities, a local resident, business or Councillor to seek a review of the licence or certificate in question.
 - Police and Local Authority power to issue a Closure Notice for up to 48 hours where serious anti-social behaviour is taking place at licensed premises under the Anti-social Behaviour, Crime and Policing Act 2014.
- To ensure that residents are protected from the negative impact of late-night local licensing activities the Licensing Authority may decide to adopt an Area Specific Cumulative Impact Policy in relation to a specific area; where the number, type and density of premises providing licensable activities is having a serious negative impact on the local community and local amenities. (Page 23)

- At any stage, following the grant of a premises licence, a Responsible Authority, such as the police or the fire authority, or other persons, may apply for a licence to be reviewed because of a matter arising at the premises in connection with any of the four Licensing Objectives.
(Page 29)
- Despite Licensing and Planning being under different legislation, the Licensing Authority will ensure that the licensing regime is in line with the planning regime in Hammersmith & Fulham as far as is possible (Page 31)

Pre Application Advice Report

**To : Mr Matthew Phipps, TLT LLP, 20 Gresham Street
London, EC2V 7JE**

**From: Licensing, London Borough of Hammersmith and Fulham
First Floor, 45 Beavor Lane, London, W6 9AR**

Licensing Act 2003

Application Type: Provisional Statement

Premises Address and Application Numbers:

- 2024/00300/LAPRP - Pillar Hall
- 2024/00263/LAPRP - National Terrace
- 2024/00261/LAPRP - Roof Garden Gin Bar
- 2024/00264/LAPRP - Roof Garden North Terrace
- 2024/00265/LAPRP - Roof Garden North Terrace (Mezzanine)
- 2024/00265/LAPRP - Roof Garden South Terrace
- 2024/00266/LAPRP - Roof Ground South Terrace (Mezzanine)
- 2024/00253/LAPRP - Gym - Ground and Basement

Mr Matthew Phipps (Solicitor for TLT solicitors) made a request for pre-application advice in relation to a proposal to apply for a number of licences to cover the redevelopment of Olympia London.

The extensive redevelopment of Olympia London will require up to twenty new premises licences, which will initially be applied for by way of provisional statements in the majority of cases (eighteen applications).

Given the scale of the proposals the advice for these applications has taken place on an ad hoc basis, over a number of virtual meetings, and through email exchanges. Police licensing colleagues have also been involved in the initial discussions which started in December 2023.

This pre application report concerns eight provisional statement applications for the areas mentioned above.

Officers involved in the pre application advice:

- Mr Adrian Overton (Licensing Service Manager)
- PC Kris Cardwell (Police Licensing Officer)

It was agreed that a pre application fee would not be needed for each of the 20 applications, and as such four formal pre application requests were made (and paid for) on the 18th December 2023, to cover the main application types within the development. The pre application advice which concerns these particular premises is as follows:

- 2023/08877/LIAPAD - A proposal for a number of new food and beverage units within the development at Olympia Exhibition Centre, requiring a applications for provisional statements to be submitted to the local authority.

The applicant also produced a spreadsheet, attached separately to this advice report, which outlines each of the applications and the areas covered. Mr Overton and PC Cardwell gave feedback on the different operating schedules for each of the applications.

There were no major concerns raised with the applications from either Mr Overton or PC Cardwell during the pre application process. In particular it was noted that a comprehensive operating schedule was being proposed, with over twenty conditions for each of the applications (including CCTV, staff training and various other management procedures). It was also noted that any licensable activities were broadly linked with the provision of food with the exception of the Gym. However, it was not felt this would cause an issue given the primary use of the premises.

The Premises

This venue currently benefits from a premises licence (2019/01690/LAPR) which covers all areas of Olympia London, where the sale of alcohol or regulated entertainment takes place.

Proposed new licences

The applicant is proposing to initially make provisional statements for eighteen of the twenty areas outlined in the attached spreadsheet.

Officers' Advice

1. Any application for a new premises licence would need to be submitted to this Licensing Authority. Please click on the following link to apply for a premises licence / variation by post or online

[Premises licences applications and guidance notes](#). The application should be submitted with plans showing the proposed layout of the new licence. Details regarding the information required when submitting plans can be found via the above link under 'Guidance for applicants – Site plan requirements'.

2. Applications for a new premises licence and / or a provisional statement must be advertised as follows :

Site Notice

By displaying a notice in at least one place at or on the site of the premises concerned for not less than **28 consecutive days** starting on the day following the submission of the application to the Council's Licensing Team. The notice must contain the following information:

- Details of the new area and the hours for the licensable activities sought in this area.
- Ensure that it is clear which type of application is being made by marking on the notice whether it is a new grant, variation, or provisional statement. Please note that the site notice must be printed on light blue paper of at least A4 size. The text on the notice must remain in a Size 16 font Times New Roman or similar.

A copy of the site notice should be submitted as part of your application to ensure the correct information is being displayed. Please be advised that if the notice is checked and found to contain errors, or if it is not displayed, you will be asked to make the relevant amendments and restart the 28 day consultation period.

The site notice template can be found here - [Public Notice](#)

Newspaper advertisement

You must publish a notice in a local newspaper circulating in the Hammersmith and Fulham area on at least one occasion during the period of 10 working days starting on the day after the day on which the application was submitted to this department.

A link to the newspaper advert template can be found as follows:

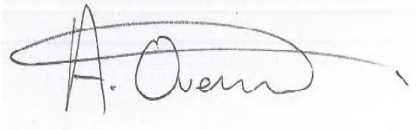
https://www.lbhf.gov.uk/sites/default/files/section_attachments/newspaper_advert.pdf

A newspaper advert can be placed in the following paper:

Ealing Gazette - 01895 45100 -

<http://www.trinitymirrorsouthern.co.uk/contact-us/>

Thank you for meeting with me, I hope the above is of assistance.

A handwritten signature in black ink, appearing to read 'A. Overton', with a long horizontal flourish extending to the right.

Adrian Overton
Licensing Service Manager

Disclaimer

The advice given is from the Council's Licensing Team, acting in their role as a Responsible Authority under the provisions of Section 13 of The Licensing Act 2003.

This pre-application advice will not give applicants any exemptions from the licensing process. Responsible Authorities, including the Licensing Team, may still make a representation against the application and the case may still need to be heard at Licensing Sub-Committee for a decision to be made.

The advice given does not include views from other responsible authorities such as the Police, Fire Authority, etc. Determining any application that is subject to representations will be the function of the Licensing Sub-Committee who will consider the application and the representations on its own merits and determine the application accordingly on the basis of whether it promotes the licensing objectives.

BEFORE THE LONDON BOROUGH OF HAMMERSMITH & FULHAM LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR A PROVISIONAL STATEMENT

Provisional Premises Licence application number: 2024/00263/LAPRP

Premises name: National Terrace - Olympia London Development

Premises address: Olympia Exhibition Centre Hammersmith Road London W14 8UX

**PROVISIONAL STATEMENT: SECOND OVERARCHING
SUBMISSION**

Introduction

1. This submission is aimed at assisting the London Borough of Hammersmith and Fulham (LBHF) licensing committee, officers and the local resident objectors who are parties to the above matter, now listed for determination on 28 May 2024.
2. This document is a second overarching submission aimed at assisting the parties on matters that are relevant across the development, rather than specific to individual applications. It endeavours to pick up and address matters previously raised in earlier hearings as regards Olympia and issues that might reasonably be presumed to be addressed on both the 28th and 29th May. Where a matter or issue is particular to a specific application then the issue is addressed within the specific application submission, also within the supplementary agenda).
3. This document is to be read in conjunction with the following:
 - a. The Olympia 'Overarching Submission' and attachments

Appendices

4. The following documents have been appended to this submission:
 - a. Report authored by Simon Joynes - acoustician
 - b. Report authored by Rob Adnit – acoustician

Tenants / Operators

5. Olympus have undertaken a significant exercise in seeking to partner with suitable 'best of breed' international and local operators, in order to ensure operators deliver the finest food & beverage and entertainment operations within the development. Where there was competition

from more than one proposed operator for a particular unit, Olympus effectively chose the operators they deemed to be most competent, commercially appropriate and capable of delivering something special to the overall scheme.

6. The applicant believes that the mix will provide a diverse and exciting range of operations that complement one another, with high professional standards a focus for all operators. This is an important element for the applicant, as the interaction between the various premises and the standards that the applicants are looking to introduce across the whole development, has been and remains a clear focus and requirement.
7. It is important to note that all operations will be “managed” by the applicants through their property/ management agreements with the ultimate individual unit operators. This will continue through engagement with the public realm operational management team (see Public Realm documentation). Clearly there will need to be a degree of co-operation and “buy in” from the operators, not least to ensure that the high standards demanded across the development as a whole are maintained. This is why the applicants have invested heavily in understanding who the ultimate operators are, their history, track record and how they measure against other key indicators.

Planning

8. As part of the development, planning criteria were collaboratively established between Olympia and the London Borough of Hammersmith and Fulham (LBHF).
9. In summary, where amplified sound is incidental to the use, such as background music, the agreed noise limit is 10 decibels below the typical lowest daytime and/or nighttime ambient noise level, as appropriate. On this basis, LBHF were satisfied that occupiers of the surrounding residential premises would not be adversely affected by noise.
10. Areas within the scheme where amplified sound is a primary component of the use or activities the agreed noise limit is 5 decibels below the typical lowest daytime-typical nighttime ambient noise levels, as appropriate.

Environment and sustainability matters

11. As part of the overall scheme, the developers have worked to ensure that environment and sustainability are at the heart of the re-development. This has included the following focusses:
 - a. The complete regeneration and re-purposing of existing assets and estate
 - b. 100% of Olympia's waste output to be diverted from landfill with 98% recycled at local waste management plants and the remaining 2% recovered as waste for energy

- c. Low carbon and renewable technologies within the development set to achieve a minimum 35% carbon reduction, to include:
 - i. Centralised heat network
 - ii. Combined heat and power plant to lower CO2 emissions
 - iii. Mechanical cooling from heat pumps
 - iv. LED lighting
- d. BREEAM (Building Research Establishment Environmental Assessment Methodology) 'excellent' rating target on new construction
- e. Smart battery management system ('BMS') with linked boiler plant to include central time control, weather compensation and metering and optimised are systems to use free cooling in mid-season and heat recovery in winter
- f. 50,000 square feet of roof terrace space with a 416,000 square feet of green roof to provide a feeding resource for birds and invertebrates.
- g. 2.5 acres of public realm for the wider society.

Arrivals and departures

12. Event bookings will be managed via a centrally held calendar, which will dictate the mix of events which can run simultaneously on any given date and time. This calendar will be shared with emergency services and LBHF via a safety advisory group meeting and any concerns discussed.

13. Departure of customers will be managed by the individual operations and operators alongside the Olympia Public Realm teams. The different styles and types of operations will ensure that key factors such as activities and dwell times have significant effects on likely arrival and departure patterns, which in turn assist with the management of departure from the development as a whole.

Conclusion

14. Each provisional statement application within the overall Olympia development has been supported by a robust operating schedule and limited hours and activities. Each application has sought to provide a realistic and appropriate indication of what the developers are looking for with each unit to be licensed.

15. The overall development is being built with the highest environmental and sustainability standards to the fore, with operators from the various units being asked to buy into these standards and reflect them in their operations where practicable.

16. Provisional statements allow for further consideration and determination should anything substantive change between now and each final application for a premises licence. As such,

this committee, responsible authorities and residents alike have comfort that the timings, activities and standards of operation set out therein cannot substantially change without all parties having a second opportunity to scrutinise the proposal.

MATTHEW PHIPPS
TLT SOLICITORS

Olympia Licensing Applications Supporting Document

Reference: 2024/00263/LAPRP

Premises name: National Terrace - Olympia London Development, Olympia Exhibition Centre, Hammersmith Road, London, W14 8UX

Reference: 2024/00261/LAPRP

Premises: Roof Garden Gin Bar - Olympia London Development, Olympia Exhibition Centre, Hammersmith Road, London, W14 8UX

Reference: 2024/00264/LAPRP

Premises: Roof Garden North Terrace - Olympia London Development, Olympia Exhibition Centre, Hammersmith Road, London, W14 8UX

Reference: 2024/00265/LAPRP

Premises: Roof Ground North Terrace Mezzanine - Olympia London Development, Olympia Exhibition Centre, Hammersmith Road, London, W14 8UX

Reference: 2024/00266/LAPRP

Premises: Roof Garden South Terrace - Olympia London Development, Olympia Exhibition Centre, Hammersmith Road, London, W14 8UX

Reference: 2024/00267/LAPRP

Premises: Roof Ground South Terrace Mezzanine - Olympia London Development, Olympia Exhibition Centre, Hammersmith Road, London, W14 8UX



JOYNES NASH
ACOUSTIC CONSULTANTS

Client Olympus Holdings Ltd
Date: 19th May 2024
Author: Simon Joynes
Status: Client Draft
Version: 1.1

Signature:



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The opinions and interpretations presented in this report represent our reasonable technical interpretation of the data made available to us. However, due to the uncertainty inherent in the estimation of all parameters, we cannot, and do not guarantee the accuracy or correctness of any interpretation and we shall not, except in the case of gross or wilful negligence on our part, be liable or responsible for any loss, cost damages or expenses incurred or sustained by anyone resulting from any interpretation made by any of our officers, agents or employees. Joynes Nash accepts no responsibility for data provided by others.

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About The Team

Peter Nash BSc(Hons), MSc, CEnvH, MCIEH, MIOA, TechIOSH

Peter Nash has 16 years' experience as a Local Authority Environmental Health Officer, up to Technical Manager Level and has 15 years of Professional Practice within the Environment Industry. He holds a BSc(Hons) in Environmental Health, the IOA Diploma in Acoustics and Noise Control and an MSc in Applied Acoustics. He is a Chartered Environmental Health Practitioner and registered with the Environmental Health Registration Board. Peter is a Member of the Chartered Institute of Environmental Health, and a Member of the Institute of Acoustics. He has appeared as an expert witness in a number of significant noise nuisance and planning cases, public inquiries and appeals.

Simon Joynes BSc(Hons), MSc, CEnvH, MCIEH, AMILM, AMIOA

Simon Joynes has over 20 years' experience in both Private Sector and Local Government. He has acted as a senior advisor and has significant experience in the technical aspects and practical application of environmental law, including acting as an expert witness in courts and planning enquiries and the preparation and reviewing of environmental reports and mitigation strategies. (Air Quality, Land Contamination, Acoustics, Water Quality, Odour Management & Industry Regulation). He holds a BSc (Hons) Environmental Health, MSc in Contaminated Land Remediation, the IOA Diploma in Acoustics and Noise Control, Certificates of Competence Environmental Impact Assessments. He also holds affiliations with the Chartered Institute of Environmental Health, the Institute of Acoustics and is an Associate Member of the Institute of Leadership and Management.

An introduction to Joynes Nash

Joynes Nash is a leading consultancy for the live events industry. We have extensive experience of live music events and a proven track record of working with event organisers to enhance the audience's experience, whilst preserving the image of events and venues.

Our consultants experience has ranged from relatively small scale to major events staged both in urban and residential environments, providing for tens of thousands of people. Projects and clients have included Junction 2, Carfest (North and South), Garage Nation Festival, BBC Introducing, Guards Polo Club, Tramlines Festival, Liverpool Sound City, Red Bull Music Academy. We are also responsible for looking after the interests of venues such as Donington Park Racing Circuit, Saracens Rugby Club and Tobacco Dock with respect to live events.

We consider despite the many technical challenges that events bring, that relationships between all interested parties are of paramount importance and that each and every one of these understands situations clearly. We therefore approach each event not in isolation, but carefully consider the public image of events, the venues and the thoughts of the wider community to make events successful and to secure venues for future years.

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1. Introduction

Joynes Nash has been tasked with providing an independent review of the submissions pertaining to Land Use Planning and Licensing for the Olympia redevelopment. This review is aimed at considering the submissions in the context of the wider development, using professional experience to make informed judgement about the risks associated with the operational phase of the development, with the primary focus on the use of the rooftop area.

2. Pertinent Matters

Whilst it is accepted that Planning and Licensing are separate regimes, there is inevitably some links between the two. Indeed, s.182 guidance at Para 9.45 considers such scenarios by suggesting that committees and officers should consider discussion with their planning counterparts prior to determination with the aim to agreeing mutually acceptable operating hours and scheme designs.

Licensing committees are not bound by decisions made by planning committees, and vice versa, there is an understanding that *statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency.*

Therefore, whilst the planning and licensing regimes involve consideration of different (albeit related) matters, it is acknowledged that they are intrinsically linked and that a consistency of approach between different strategic policies is adopted to ensure that the licensing objectives are promoted.

It is also common that regulatory officers with respect to technical matters provide the same role for both regimes. Indeed, Environmental Health (who largely provide the noise control function within Local Authorities) and Planning are both statutory consultees for the purposes of The Licensing Regime.

Importantly Planning is considered generally a much higher threshold of control for noise issues than that under the licensing act. With respect to any assessment of impact of planning, we refer to the terms such as 'detrimental to amenity' and aiming to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. This differs to the concept of public nuisance expressed within the Licensing Act. Noise that may be detrimental to the amenity of residents may well not reach the threshold of public nuisance, however noise which is a public nuisance will exceed the threshold of being detrimental to the amenity of residents.

3. Licensing Policy Hammersmith and Fulham – Policy Statement

The LBHF Statement of Licensing Policy considers in its introduction the relationship between the various responsible authorities. It states that:

“To achieve these objectives the Licensing Authority will use its full range of powers and engage all relevant responsible authorities. The Licensing Authority will enter into appropriate partnership arrangements, working closely with the police, the fire authority, Trading Standards, Environmental

Health, Planning, home office, safeguarding children authority, Public Health, local businesses, community representatives and Hammersmith & Fulham residents and other stakeholders in meeting these objectives “

It is further mentioned at Policy 13 where it considers that despite planning and Licensing being under different legislation, the licensing authority will ensure that the licensing regime is in line with the planning regime as far as is possible.

It is therefore concluded that operators of licensed premises will have to comply with planning, environmental health, trading standards, fire safety, licensing and building control legislation when opening or adapting licensed premises.

Likewise, it is reasonable assumed that the Licensing Authority will seek to avoid confusion and duplication by not imposing licence conditions relating to matters that are required or controlled under other legislation, except where they can be exceptionally justified to promote the Licensing Objectives.

4. History to the Development

The application site was subject to Planning Permissions Reference 2019/03100/FUL, 2018/03101/LBC and 2018/03102/OUT.

The application was supported by an appropriate Environmental Impact Assessment (EIA). The process of Environmental Impact Assessment in the context of town and country planning in England is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the '2017 Regulations'). These regulations apply to development which is given planning permission under Part III of the Town and Country Planning Act 1990.

EIAs make sure that project decision makers think about the likely effects on the environment at the earliest possible time and aim to avoid, reduce or offset those effects. This ensures that proposals are understood properly before decisions are made through the proportionate evaluation of risks.

In the context of this proposal, the impact of noise from the site was considered in detail when determining the application. Chapter 9 of that submission deals specifically with Noise and considered noise generating activities associated with uses within the proposed development, namely:

- Proposed Land uses including the new theatre and live music (i.e G-Gate, West Hall, as well as provision of external amenity areas.
- Any potential noise breakout from internal uses, including the theatre and live music venue.

Para 9.70 of the EIA considers the use of external amenity space within the Olympia Estate. As remains the current position, no proposed external public address (PA) systems or live music are currently planned as Part of the Development. It further states that on that basis, a meeting held between a London Borough of Hammersmith and Fulham on the 2nd August 2018, that where these elements are not present in outdoor amenity areas, significant levels of noise from their use is not expected.

To put that statement into context, the considered approach to EIA's is that they are proportionate to the risk, based on constant evaluation of baseline data and technical assessment on issues with the potential to cause significant effects.

In coming to that conclusion at Para 9.70, the applicant and regulatory authorities reached a consensus that people noise other than where specified, could be scoped out of the Environmental Impact Assessment. That infers that the risk of impact from such was negligible, and below a level which required due consideration to assist the decisions makers in assessing the projects wider impacts.

Likewise, with regard to the final planning decision on this development, this was taken in accordance with Local Plans and Policies and the officers report concluded that impacts of noise and vibration have been satisfactorily assessed in the submitted Environmental Statement against the following Policies:

- London Plan Policy 7.15 states that development proposals should seek to reduce noise by minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, a development and promoting new technologies and improved practices to reduce noise.
- Local Plan Policy CC11 seeks to control the noise and vibration impacts of developments, requiring the location of noise and vibration sensitive development 'in the most appropriate locations'. Design, layout and materials should be used carefully to protect against existing and proposed sources of noise, insulating the building envelope, internal walls floors and ceilings, and protecting external amenity areas. Noise assessments providing details of noise levels on the site are expected 'where necessary'.
- Local Plan Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there will be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.

5. Critical Risks of Noise from People within Licenced Premises

In order to try and put the risks into context, Joynes Nash Ltd has considerable experience of numerous venues across the UK. In terms of applications for the various regulatory regimes, the operational management of the premises and the investigation of noise issues arising from such on behalf of operators and regulatory authorities. These have included Collins Theatre, Islington, The Print Works, Rotherhithe, Tobacco Dock, Wapping, Roof East, Stratford which are not too dissimilar in operation. Likewise, numerous pub gardens operate in very close proximity to neighbouring properties all across the UK without incident or concern.

Indeed, the prediction of crowd noise is a problem faced by acoustic consultants. Although consultants are frequently required to predict noise emissions from activities involving crowds of people, there are no reliable prediction methodologies available. This is largely attributed to the difficulty in isolating each of the factors known to impact upon the level of noise generated by a crowd.

With respect to the proposed licensed premises there is considerable distance between the venues and the closest existing residential receptors. The nearest residential unit is some 78m from the edge of the National Terrace Unit on the other side of Olympia Way and the railway tracks.



Likewise from the edge of the Gin Bar Unit or terrace above it the nearest residential is some 96metre.



In terms of what factors influence crowd noise, the key issues are an individual's voice effort, the total number in the crowd, whether the noise from individuals is synchronised or random with time and whether the crowd noise is directional or has a diffused orientation.

Voice effort refers to phenomena where talkers increase their voice effort in the presence of increasing background noise to maintain communication, in this instance subjectively a low risk due to the nature of the offering and lack of regulated entertainment. Crowd numbers remain small, and speech remains likely to be in a diffuse orientation so not concentrated on specific receptor positions. Moderate risk may be caused from synchronised noise from verbal communications, such as in response to sports screenings on limited occasions, but this is entirely within the control of the applicant by reducing such stimuli and therefore subjectively the overall risk remains low.

It is also perfectly acceptable for the situational context within which the crowd is placed to be managed by the venue, such as is their control over other factors such as how much alcohol is being consumed, the size of individual groups within any larger gatherings etc. This can be achieved through the application of proactive management techniques and indeed where necessary influencing the environment, such as the playing of ambient background music to create a calming atmosphere. Taking all of the above into context, given the type of premises proposed, the single operator and the distance to receptors the risk from operational noise from the roof garden subjectively is considered low.

This accords with professional experience of the aforementioned venues where the crowd noise was never a key consideration, that providing a relatively low 'hub-bub' or noise which is not intrusive. In contrast it was largely always the regulated entertainment which provided for the unacceptable intrusion, which is not applicable in this instance.

Likewise, when assessing people noise, it is important for any noise assessment to consider the context of the location where any impact occurs and an assessment in consideration of existing background levels. Olympia is a mixed urban area, has a history of noise associated with entertainment provision, crowd noise in and vibrant and active area with increased ambient noise levels. Nothing in this application looks to change the character of the area.

6. In Summary

Planning and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. That decision has already been taken by the Local Authority on the basis of a Planning Application. It can therefore be concluded that the Council has made a decision at planning that all is satisfactory against a more restrictive noise criterion.

The local planning authority is a responsible authority and able to make representations. If there are relevant matters that it wishes to put to the licensing committee it is able to do so. There have been none, which implies that the Authority have stood by their earlier decisions. This remains the same for the Environmental Health Officer who has subsequently withdrawn their objection.

The risk of noise disturbance from customer vocal noise from well managed premises is very low in this instance. Should the unfortunate situation arise where a premises is not well managed and noise issues become apparent then as with all licenced premises the licence review route will be open to the responsible authorities and local residents. This is on top of any action the Local Authority may take through the Statutory Nuisance regime.

Having established that the applicants submissions have already considered the impact on the amenity of local residents of the development, it would be inconsistent and contrary to the Councils own statement of licensing policy for anybody presiding over a decision to revisit the topic of noise from patrons when the context and potential for noise disturbance remain the same.

There remains no objectional reason that this application cannot be determined as applied for.

BEFORE THE LONDON BOROUGH OF HAMMERSMITH & FULHAM LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR A PROVISIONAL STATEMENT

Provisional Premises Licence application number: 2024/00263/LAPRP

Premises name: National Terrace - Olympia London Development

Premises address: Olympia Exhibition Centre Hammersmith Road London W14 8UX

**PROVISIONAL STATEMENT: NATIONAL TERRACE
SUBMISSION**

Introduction

1. This submission is aimed at assisting the London Borough of Hammersmith and Fulham (LBHF) licensing committee, officers and the local resident objectors who are parties to the above matter, now listed for determination on 28 May 2024.
2. This document is to be read in conjunction with the following:
 - a. The Olympia 'Overarching Submission' and attachments
 - b. The Olympia 'Supplementation Overarching Statement' and attachments
 - c. The representation and presenter (Decks) included in the representation as submitted by the proposed operator Incipio

Location of National Terrace within the overall development

3. National Terrace is sited in the Roof Garden development, a largely covered by a large glass canopy. It is located between the National Hall to the south and the Grand Hall to the north. To the west is the One Olympia office and studio development. The main access is onto Olympia Way. An overview plan can be found in the Olympia Introduction within the Overarching submission. Full details of the location can be found in the plans submitted with this application.

Brief Description of premises

4. The National Terrace is intended to operate as:
 - A Champagne & sparkling wine terrace.
 - A premium hospitality experience
 - Food menu (served via food unit within South Terrace) will feature dishes similar to charcuterie boards and a variety of small plates.

Planning – Noise / amenity

5. Planning permissions earlier obtained, overlaid on this application site, can be summarised as follows:
 1. As part of the development, planning criteria were collaboratively established between Olympia and the London Borough of Hammersmith and Fulham (LBHF).
 2. In summary, where amplified sound is incidental to the use, such as background music, the agreed noise limit is 10 decibels below the typical lowest daytime and/or nighttime ambient noise level, as appropriate.
 3. On this basis, LBHF were satisfied that occupiers of the surrounding residential premises would not be adversely affected by noise.

Environmental Health representation

6. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Report from Joynes Nash

7. It is not proposed to repeat or extensively quote the report of Mr Joynes here. However, that report may fairly be summarised as follows.
 - Customer noise from occupation and congregation was considered within a planning context, albeit through the lens of residential amenity, rather than public nuisance.
 - Planning concerns are generally considered a higher threshold of control for noise issues than Licensing Act considerations.
 - The lack of a representation from either the planning team, or now that the regulated entertainment element has been addressed, the Environmental Health team, is significant and instructive.

To quote Mr Joynes' report

'The risk of noise disturbance from a well-managed premises purely from customer vocal noise is very low, if the premises is not well managed and noise issues arise from its use then as with all licenced premises then the licence review route will be open to the responsible authorities and local residents. This is on top of any action the Local Authority may take through the Statutory Nuisance regime.'

Proposed hours of operation

8. The proposed hours of operation and activities are as follows:

Opening Hours

On each day of the week 08:00 to 00:00

Hours for the provision of licensable activities

- Sale of alcohol (on and off sales) - from 10:00 to 23:30 on each day of the week
- Provision of late night refreshment – 23:00 to 23:30 on each day of the week

Seasonal/ non-standard timings

All licensable activities extended to 02:00 for New for New Year's Eve, with the premises closed 30 minutes thereafter.

9. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Schedule of proposed conditions

10. the following conditions have been proposed as part of this application:

General – all four licensing objectives

1. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

2. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.
3. The premises shall operate predominantly as a champaign and sparkling wine bar, with an ancillary food offer.
4. Substantial refreshment shall be provided at the premises as a minimum between the hours of 13:00 and 21:00.
5. Any off sales shall be taken off the premises in sealed containers only.

Staff training

6. The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers responsible for selling alcohol receive an induction in the legality and procedure of alcohol sales prior to undertaking the sale of alcohol. This training shall include the contents of the premises licence; times of operation, licensable activities and all conditions. Training documents shall be signed and dated, and training records be made available to police and authorised council officers on request. The records shall be retained for at least 12 months.
7. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

Prevention of Crime and Disorder

8. Customer carrying open alcohol beverage containers shall not be admitted to the premises.

CCTV

9. High-Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities or customers are on the premises and;
 - at least one camera will show a close-up of the entrance/entrances to the premises, to capture a clear, image of anyone entering.

- shall cover any internal or external area of the premises where licensable activities take place.
- recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
- footage shall be provided free of charge to the Police or authorised Council officer within 24 hours of a request or within any other agreed timeframe.
- a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times the premises is open to the public. This staff member will be able to show Police or authorised officers of the Licensing Authority footage with the minimum of delay when requested.
- Appropriate signage shall be displayed in prominent positions, informing customers CCTV is in operation.

Door security

10. The provision of SIA door security shall be on a risk assessed basis.

11. Where SIA door supervisors are employed, the following conditions will apply
 - a. The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound or electronic register kept for that purpose:
 - (i) Full name,
 - (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),
 - (iii) The time they began their duty
 - (iv) The time they completed their duty.
 - (v) This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 28 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.

Incident Register

12. An incident log shall be maintained by the premises that details incidents of note that occur in the premises. This shall include, as a minimum, incidents of crime and/or disorder and ejections. The log shall be available for inspection at any reasonable time by an authorised officer of the licensing authority.

Refusals book

13. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the refusal, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book shall be made available to the police and authorised council officers on request.

Safeguarding

14. The premises will adopt the Ask Angela (or similar) scheme. All staff will be trained in the process to be adopted when any customer “asks for Angela”. Should the customer “ask for Angela” the matter will be recorded in the incident log.
15. The Premises shall have a policy to ensure the welfare and safeguarding of vulnerable patrons. Staff shall be able to support and assist people who feel unsafe, vulnerable or threatened. Should customers approach the venue for assistance, these incidents shall be recorded in the incident log. This policy shall be made available to police or authorised officers of the Licensing Authority upon request.
16. A written policy dealing with allegations of drink spiking shall be drawn up and implemented at the premises. Staff responsible for front of house service will be trained in the policy.

Public Safety

17. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
18. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.
19. Customer capacities shall be limited to those set out in the Fire Risk Assessment.
20. The Licensee shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises.

Prevention of Public Nuisance

21. The premises will make suitable provision for smokers.
22. Music shall not be played at such a level that it is likely to cause a public nuisance.
23. Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.

Protection of Children from Harm

24. The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
25. At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card or any other form of ID approved by the Home office for the purpose of age verification of sales of alcohol, to prove that he/she is over the age of 18
26. All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
27. No striptease, no nudity and all persons to be decently attired at all times.

Conclusion

11. This is a provisional statement application within the overall Olympia development, supported by a robust operating schedule and limited hours and activities.
12. Provisional statements allow for further consideration and determination should anything substantive change between now and each final application for a premises licence. As such, this committee, responsible authorities and residents alike have comfort that the timings, activities and standards of operation set out therein cannot substantially change without all parties having a second opportunity to scrutinise the proposal.

MATTHEW PHIPPS
TLT SOLICITORS

BEFORE THE LONDON BOROUGH OF HAMMERSMITH & FULHAM LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR A PROVISIONAL STATEMENT

Reference: 2024/00261/LAPRP

Premises: Roof Garden Gin Bar - Olympia London Development Olympia Exhibition Centre Hammersmith Road London W14 8UX

**PROVISIONAL STATEMENT: GIN BAR
SUBMISSION**

Introduction

1. This submission is aimed at assisting the London Borough of Hammersmith and Fulham (LBHF) licensing committee, officers and the local resident objectors who are parties to the above matter, now listed for determination on 28 May 2024.
2. This document is to be read in conjunction with the following:
 - a. The Olympia 'Overarching Submission'
 - b. The Olympia 'Supplementation Overarching Statement'

Location of the 'Gin Bar' within the overall development

3. The 'Gin Bar' is sited in the Roof Garden development, a largely covered by a large glass canopy. It is located between the National Hall to the south and the Grand Hall to the north. To the west is the One Olympia office and studio development. The main access is from Olympia Way. An overview plan can be found in the Olympia Introduction within the Overarching submission. Full details of the location can be found in the plans submitted with this application.

Brief Description of premises

4. The premises is intended to operate as a bar (with dining) linked to the North Terrace. The premises has been designed to be:
 - Intimate, designed to cater for events / functions

- Limited menu to be available from the restaurant on the North Terrace on level 2

Planning – Noise / amenity

5. Planning permissions earlier obtained, overlaid on this application site, can be summarised as follows:
 1. As part of the development, planning criteria were collaboratively established between Olympia and the London Borough of Hammersmith and Fulham (LBHF).
 2. In summary, where amplified sound is incidental to the use, such as background music, the agreed noise limit is 10 decibels below the typical lowest daytime and/or nighttime ambient noise level, as appropriate.
 3. On this basis, LBHF were satisfied that occupiers of the surrounding residential premises would not be adversely affected by noise.

Environmental Health representation

6. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Report from Joynes Nash

7. It is not proposed to repeat or extensively quote the report of Mr Joynes here. However, that report may fairly be summarised as follows.
 - Customer noise from occupation and congregation was considered within a planning context, albeit through the lens of residential amenity, rather than public nuisance.
 - Planning concerns are generally considered a higher threshold of control for noise issues than Licensing Act considerations.
 - The lack of a representation from either the planning team, or now that the regulated entertainment element has been addressed, the Environmental Health team, is significant and instructive.

To quote Mr Joynes' report

'The risk of noise disturbance from a well-managed premises purely from customer vocal noise is very low, if the premises is not well managed and noise issues arise from its use then as with all licenced premises then the licence review route will be open to the responsible authorities and local residents. This is on top of any action the Local Authority may take through the Statutory Nuisance regime.'

Proposed hours of operation

8. The hours of operation and activities are as follows:

Opening Hours

On each day of the week 08:00 to 00:00

Hours for the provision of licensable activities

- Sale of alcohol (on and off sales) from 08:00 to 23:30 on each day of the week
- Provision of late night refreshment – 23:00 to 23:30 on each day of the week

Seasonal/ non-standard timings

All licensable activities extended to 02:00 for New for New Year's Eve, with the premises closed 30 minutes thereafter.

9. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Schedule of proposed conditions

10. The following conditions have been proposed as part of this application:

General – all four licensing objectives

1. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
2. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.
3. Any off sales shall be taken off the premises in sealed containers only.
4. Private events will be recorded in an events log, to include name of person/organisation making the booking, number of expected guests, times of event and any additional measures taken to promote the licensing objectives- including any provision of door supervisors in line with the door supervisor condition contained herein.

Staff training

5. The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers responsible for selling alcohol receive an induction in the legality and procedure of alcohol sales prior to undertaking the sale of alcohol. This training shall include the contents of the premises licence; times of operation, licensable activities and all conditions. Training documents shall be signed and dated, and training records be made available to police and authorised council officers on request. The records shall be retained for at least 12 months.

6. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

Prevention of Crime and Disorder

7. Customer carrying open alcohol beverage containers shall not be admitted to the premises.

CCTV

8. High-Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities or customers are on the premises and;
 - at least one camera will show a close-up of the entrance/entrances to the premises, to capture a clear, image of anyone entering.
 - shall cover any internal or external area of the premises where licensable activities take place.
 - recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
 - footage shall be provided free of charge to the Police or authorised Council officer within 24 hours of a request or within any other agreed timeframe.
 - a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times the premises is open to the public. This staff member will be able to show Police or authorised officers of the Licensing Authority footage with the minimum of delay when requested.

- Appropriate signage shall be displayed in prominent positions, informing customers CCTV is in operation.

Door security

9. The provision of SIA door security shall be on a risk assessed basis.
10. Where SIA door supervisors are employed, the following conditions will apply
 - a. The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound or electronic register kept for that purpose:
 - (i) Full name,
 - (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),
 - (iii) The time they began their duty
 - (iv) The time they completed their duty.
 - (v) This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 28 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.

Incident Register

11. An incident log shall be maintained by the premises that details incidents of note that occur in the premises. This shall include, as a minimum, incidents of crime and/or disorder and ejections. The log shall be available for inspection at any reasonable time by an authorised officer of the licensing authority.

Refusals book

12. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the refusal, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book shall be made available to the police and authorised council officers on request.

Safeguarding

13. The premises will adopt the Ask Angela (or similar) scheme. All staff will be trained in the process to be adopted when any customer “asks for Angela”. Should the customer “ask for Angela” the matter will be recorded in the incident log.
14. The Premises shall have a policy to ensure the welfare and safeguarding of vulnerable patrons. Staff shall be able to support and assist people who feel unsafe, vulnerable or threatened. Should customers approach the venue for assistance, these incidents shall be recorded in the incident log. This policy shall be made available to police or authorised officers of the Licensing Authority upon request.
15. A written policy dealing with allegations of drink spiking shall be drawn up and implemented at the premises. Staff responsible for front of house service will be trained in the policy.

Public Safety

16. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
17. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.
18. Customer capacities shall be limited to those set out in the Fire Risk Assessment.
19. The Licensee shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises.

Prevention of Public Nuisance

20. The premises will make suitable provision for smokers.
21. Music shall not be played at such a level that it is likely to cause a public nuisance.
22. Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.

Protection of Children from Harm

23. The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
24. At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card or any other form of ID approved by the Home office for the purpose of age verification of sales of alcohol, to prove that he/she is over the age of 18
25. All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
26. No striptease, no nudity and all persons to be decently attired at all times.

Conclusion

11. This is a provisional statement application within the overall Olympia development, supported by a robust operating schedule and limited hours and activities.
12. Provisional statements allow for further consideration and determination should anything substantive change between now and each final application for a premises licence. As such, this committee, responsible authorities and residents alike have comfort that the timings, activities and standards of operation set out therein cannot substantially change without all parties having a second opportunity to scrutinise the proposal.

MATTHEW PHIPPS
TLT SOLICITORS

BEFORE THE LONDON BOROUGH OF HAMMERSMITH & FULHAM LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR A PROVISIONAL STATEMENT

Reference: 2024/00265/LAPRP

Premises: Roof Ground North Terrace Mezzanine - Olympia London Development Olympia Exhibition Centre Hammersmith Road London W14 8UX

**PROVISIONAL STATEMENT:
ROOF GARDEN NORTH TERRACE MEZZANINE
SUBMISSION**

Introduction

1. This submission is aimed at assisting the London Borough of Hammersmith and Fulham (LBHF) licensing committee, officers and the local resident objectors who are parties to the above matter, now listed for determination on 28 May 2024.
2. This document is to be read in conjunction with the following:
 - a. The Olympia 'Overarching Submission'
 - b. The Olympia 'Supplementation Overarching Statement'

Location of Roof Garden North Terrace Mezzanine within the overall development

3. The Roof Garden North Terrace Mezzanine is sited in the Roof Garden development, a largely covered by a large glass canopy. It is located between the National Hall to the south and the Grand Hall to the north. To the west is the One Olympia office and studio development. The main access is onto Olympia Way. An overview plan can be found in the Olympia Introduction within the Overarching submission. Full details of the location can be found in the plans submitted with this application.

Brief Description of premises

4. The premises are intended to trade as a premium and intimate rooftop bar and restaurant and linked to the restaurant on the North Terrace.

- Part of the most premium offering within Olympia Roof Gardens.
- Serving food from the North Terrace restaurant.
- Open from lunch onwards this will be a hidden but highly sought after restaurant offering within Olympia.
- A selection of inventive cocktails and ingredients using premium whiskey, gin and sake.

Planning – Noise / amenity

5. Planning permissions earlier obtained, overlaid on this application site, can be summarised as follows:
 1. As part of the development, planning criteria were collaboratively established between Olympia and the London Borough of Hammersmith and Fulham (LBHF).
 2. In summary, where amplified sound is incidental to the use, such as background music, the agreed noise limit is 10 decibels below the typical lowest daytime and/or nighttime ambient noise level, as appropriate.
 3. On this basis, LBHF were satisfied that occupiers of the surrounding residential premises would not be adversely affected by noise.

Environmental Health representation

6. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Report from Joynes Nash

7. It is not proposed to repeat or extensively quote the report of Mr Joynes here. However, that report may fairly be summarised as follows.
 - Customer noise from occupation and congregation was considered within a planning context, albeit through the lens of residential amenity, rather than public nuisance.
 - Planning concerns are generally considered a higher threshold of control for noise issues than Licensing Act considerations.
 - The lack of a representation from either the planning team, or now that the regulated entertainment element has been addressed, the Environmental Health team, is significant and instructive.

To quote Mr Joynes' report

'The risk of noise disturbance from a well-managed premises purely from customer vocal noise is very low, if the premises is not well managed and noise issues arise from its use then as with all licenced premises then the licence review route will be open to the responsible authorities and local residents. This is on top of any action the Local Authority may take through the Statutory Nuisance regime.'

Proposed hours of operation

8. The proposed hours and activities are as follows:

Opening Hours

On each day of the week 08:00 to 00:00

Hours for the provision of licensable activities

- Sale of alcohol (on and off sales) - from 10:00 to 23:30 on each day of the week
- Provision of late night refreshment – 23:00 to 23:30 on each day of the week

Seasonal/ non-standard timings

All licensable activities extended to 02:00 for New for New Year's Eve, with the premises closed 30 minutes thereafter.

9. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Schedule of proposed conditions

10. The following conditions have been offered as part of the application:

General – all four licensing objectives

1. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
2. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time
3. Substantial refreshment by way of hot food shall be provided at the premises as a minimum between the hours of 13:00 and 22:00.
4. Any off sales shall be taken off the premises in sealed containers only.

Staff training

5. The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers responsible for selling alcohol receive an induction in the legality and procedure of alcohol sales prior to undertaking the sale of alcohol. This training shall include the contents of the premises licence; times of operation, licensable activities and all conditions. Training documents shall be signed and dated, and training records be made available to police and authorised council officers on request. The records shall be retained for at least 12 months.
6. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

Prevention of Crime and Disorder

7. Customer carrying open alcohol beverage containers shall not be admitted to the premises.

CCTV

8. High-Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities or customers are on the premises and;
 - at least one camera will show a close-up of the entrance/entrances to the premises, to capture a clear, image of anyone entering.
 - shall cover any internal or external area of the premises where licensable activities take place.
 - recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
 - footage shall be provided free of charge to the Police or authorised Council officer within 24 hours of a request or within any other agreed timeframe.
 - a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times the premises is open to the public. This staff member will be able to show Police or authorised officers of the Licensing Authority footage with the minimum of delay when requested.

- Appropriate signage shall be displayed in prominent positions, informing customers CCTV is in operation.

Door security

9. The provision of SIA door security shall be on a risk assessed basis.
10. Where SIA door supervisors are employed, the following conditions will apply
 - a. The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound or electronic register kept for that purpose:
 - (i) Full name,
 - (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),
 - (iii) The time they began their duty
 - (iv) The time they completed their duty.
 - (v) This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 28 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.

Incident Register

11. An incident log shall be maintained by the premises that details incidents of note that occur in the premises. This shall include, as a minimum, incidents of crime and/or disorder and ejections. The log shall be available for inspection at any reasonable time by an authorised officer of the licensing authority.

Refusals book

12. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the refusal, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book shall be made available to the police and authorised council officers on request.

Safeguarding

13. The premises will adopt the Ask Angela (or similar) scheme. All staff will be trained in the process to be adopted when any customer “asks for Angela”. Should the customer “ask for Angela” the matter will be recorded in the incident log.
14. The Premises shall have a policy to ensure the welfare and safeguarding of vulnerable patrons. Staff shall be able to support and assist people who feel unsafe, vulnerable or threatened. Should customers approach the venue for assistance, these incidents shall be recorded in the incident log. This policy shall be made available to police or authorised officers of the Licensing Authority upon request.
15. A written policy dealing with allegations of drink spiking shall be drawn up and implemented at the premises. Staff responsible for front of house service will be trained in the policy.

Public Safety

16. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
17. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.
18. Customer capacities shall be limited to those set out in the Fire Risk Assessment.
19. The Licensee shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises.

Prevention of Public Nuisance

20. The premises will make suitable provision for smokers.
21. Music shall not be played at such a level that it is likely to cause a public nuisance.
22. Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.

Protection of Children from Harm

23. The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
24. At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card or any other form of ID approved by the Home office for the purpose of age verification of sales of alcohol, to prove that he/she is over the age of 18
25. All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
26. No striptease, no nudity and all persons to be decently attired at all times.

Conclusion

11. This is a provisional statement application within the overall Olympia development, supported by a robust operating schedule and limited hours and activities.
12. Provisional statements allow for further consideration and determination should anything substantive change between now and each final application for a premises licence. As such, this committee, responsible authorities and residents alike have comfort that the timings, activities and standards of operation set out therein cannot substantially change without all parties having a second opportunity to scrutinise the proposal.

MATTHEW PHIPPS
TLT SOLICITORS

BEFORE THE LONDON BOROUGH OF HAMMERSMITH & FULHAM LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR A PROVISIONAL STATEMENT

Reference: 2024/00264/LAPRP

Premises: Roof Garden North Terrace - Olympia London Development Olympia Exhibition Centre Hammersmith Road London W14 8UX

**PROVISIONAL STATEMENT:
ROOF GARDEN NORTH TERRACE
SUBMISSION**

Introduction

1. This submission is aimed at assisting the London Borough of Hammersmith and Fulham (LBHF) licensing committee, officers and the local resident objectors who are parties to the above matter, now listed for determination on 28 May 2024.
2. This document is to be read in conjunction with the following:
 - a. The Olympia 'Overarching Submission'
 - b. The Olympia 'Supplementation Overarching Statement'

Location of Roof Garden North Terrace within the overall development

3. The Roof Garden North Terrace is sited in the Roof Garden development, a largely covered by a large glass canopy. It is located between the National Hall to the south and the Grand Hall to the north. To the west is the One Olympia office and studio development. The main access is onto Olympia Way. An overview plan can be found in the Olympia Introduction within the Overarching submission. Full details of the location can be found in the plans submitted with this application.

Brief Description of premises

4. The premises can be briefly described as a premium and intimate rooftop bar & restaurant and linked to the mezzanine above.
 - Part of the most premium offering within Olympia Roof Gardens.

- Drinks including premium whiskey, gin and sake.

Planning – Noise / amenity

5. Planning permissions earlier obtained, overlaid on this application site, can be summarised as follows:
 1. As part of the development, planning criteria were collaboratively established between Olympia and the London Borough of Hammersmith and Fulham (LBHF).
 2. In summary, where amplified sound is incidental to the use, such as background music, the agreed noise limit is 10 decibels below the typical lowest daytime and/or nighttime ambient noise level, as appropriate.
 3. On this basis, LBHF were satisfied that occupiers of the surrounding residential premises would not be adversely affected by noise.

Environmental Health representation

6. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Report from Joynes Nash

7. It is not proposed to repeat or extensively quote the report of Mr Joynes here. However, that report may fairly be summarised as follows.
 - Customer noise from occupation and congregation was considered within a planning context, albeit through the lens of residential amenity, rather than public nuisance.
 - Planning concerns are generally considered a higher threshold of control for noise issues than Licensing Act considerations.
 - The lack of a representation from either the planning team, or now that the regulated entertainment element has been addressed, the Environmental Health team, is significant and instructive.

To quote Mr Joynes' report

'The risk of noise disturbance from a well-managed premises purely from customer vocal noise is very low, if the premises is not well managed and noise issues arise from its use then as with all licenced premises then the licence review route will be open to the responsible authorities and local residents. This is on top of any action the Local Authority may take through the Statutory Nuisance regime.'

Proposed hours of operation

8. The proposed hours and activities are as follows:

Opening Hours

On each day of the week 08:00 to 00:00

Hours for the provision of licensable activities

- Sale of alcohol (on and off sales) - from 10:00 to 23:30 on each day of the week
- Provision of late night refreshment – 23:00 to 23:30 on each day of the week

Seasonal/ non-standard timings

All licensable activities extended to 02:00 for New Year's Eve, with the premises closed 30 minutes thereafter.

9. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Schedule of proposed conditions

10. The following conditions have been offered as part of the application:

General – all four licensing objectives

1. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
2. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time
3. Any off sales shall be taken off the premises in sealed containers only.
4. Private events will be recorded in an events log, to include name of person/ organisation making the booking, number of expected guests, times of event and any additional

measures taken to promote the licensing objectives- including any provision of door supervisors in line with the door supervisor condition contained herein.

Staff training

5. The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers responsible for selling alcohol receive an induction in the legality and procedure of alcohol sales prior to undertaking the sale of alcohol. This training shall include the contents of the premises licence; times of operation, licensable activities and all conditions. Training documents shall be signed and dated, and training records be made available to police and authorised council officers on request. The records shall be retained for at least 12 months.

6. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

Prevention of Crime and Disorder

7. Customer carrying open alcohol beverage containers shall not be admitted to the premises.

CCTV

8. High-Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities or customers are on the premises and;
 - at least one camera will show a close-up of the entrance/entrances to the premises, to capture a clear, image of anyone entering.
 - shall cover any internal or external area of the premises where licensable activities take place.
 - recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
 - footage shall be provided free of charge to the Police or authorised Council officer within 24 hours of a request or within any other agreed timeframe.

- a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times the premises is open to the public. This staff member will be able to show Police or authorised officers of the Licensing Authority footage with the minimum of delay when requested.
- Appropriate signage shall be displayed in prominent positions, informing customers CCTV is in operation.

Door security

9. The provision of SIA door security shall be on a risk assessed basis.
10. Where SIA door supervisors are employed, the following conditions will apply
 - a. The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound or electronic register kept for that purpose:
 - (i) Full name,
 - (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),
 - (iii) The time they began their duty
 - (iv) The time they completed their duty.
 - (v) This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 28 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.

Incident Register

11. An incident log shall be maintained by the premises that details incidents of note that occur in the premises. This shall include, as a minimum, incidents of crime and/or disorder and ejections. The log shall be available for inspection at any reasonable time by an authorised officer of the licensing authority.

Refusals book

12. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the refusal, a description of the

customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book shall be made available to the police and authorised council officers on request.

Safeguarding

13. The premises will adopt the Ask Angela (or similar) scheme. All staff will be trained in the process to be adopted when any customer “asks for Angela”. Should the customer “ask for Angela” the matter will be recorded in the incident log.
14. The Premises shall have a policy to ensure the welfare and safeguarding of vulnerable patrons. Staff shall be able to support and assist people who feel unsafe, vulnerable or threatened. Should customers approach the venue for assistance, these incidents shall be recorded in the incident log. This policy shall be made available to police or authorised officers of the Licensing Authority upon request.
15. A written policy dealing with allegations of drink spiking shall be drawn up and implemented at the premises. Staff responsible for front of house service will be trained in the policy.

Public Safety

16. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
17. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.
18. Customer capacities shall be limited to those set out in the Fire Risk Assessment.
19. The Licensee shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises.

Prevention of Public Nuisance

20. The premises will make suitable provision for smokers.
21. Music shall not be played at such a level that it is likely to cause a public nuisance.

22. Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.

Protection of Children from Harm

23. The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
24. At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card or any other form of ID approved by the Home office for the purpose of age verification of sales of alcohol, to prove that he/she is over the age of 18
25. All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
26. No striptease, no nudity and all persons to be decently attired at all times.

Conclusion

11. This is a provisional statement application within the overall Olympia development, supported by a robust operating schedule and limited hours and activities.
12. Provisional statements allow for further consideration and determination should anything substantive change between now and each final application for a premises licence. As such, this committee, responsible authorities and residents alike have comfort that the timings, activities and standards of operation set out therein cannot substantially change without all parties having a second opportunity to scrutinise the proposal.

MATTHEW PHIPPS
TLT SOLICITORS

BEFORE THE LONDON BOROUGH OF HAMMERSMITH & FULHAM LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR A PROVISIONAL STATEMENT

Reference: 2024/00266/LAPRP

Premises: Roof Garden South Terrace - Olympia London Development Olympia Exhibition Centre Hammersmith Road London W14 8UX

**PROVISIONAL STATEMENT:
ROOF GARDEN SOUTH TERRACE
SUBMISSION**

Introduction

1. This submission is aimed at assisting the London Borough of Hammersmith and Fulham (LBHF) licensing committee, officers and the local resident objectors who are parties to the above matter, now listed for determination on 28 May 2024.
2. This document is to be read in conjunction with the following:
 - a. The Olympia 'Overarching Submission'
 - b. The Olympia 'Supplementation Overarching Statement'

Location of Roof Garden South Terrace within the overall development

3. The Roof Garden South Terrace is sited in the Roof Garden development, a largely covered by a large glass canopy. It is located between the National Hall to the south and the Grand Hall to the north. To the west is the One Olympia office and studio development. The main access is onto Olympia Way. An overview plan can be found in the Olympia Introduction within the Overarching submission. Full details of the location can be found in the plans submitted with this application.

Brief Description of premises

4. The Premises will offer multiple food offerings and a large bar to cater for Olympia visitors looking for an accessible, affordable offering. This will include:
 - All four food offerings managed internally - supported by the centralised production unit (CPU).
 - An offering that is designed with the wide range of users in mind from exhibition visitors, concert goers and office workers to local residents and everyone in between.
 - Utilising new technology & large screens to offer a memorable dining experience.
 - Incorporating seasonal events celebrating global occasions into the venue to help keep the space fresh and exciting.

Planning – Noise / amenity

5. Planning permissions earlier obtained, overlaid on this application site, can be summarised as follows:
 1. As part of the development, planning criteria were collaboratively established between Olympia and the London Borough of Hammersmith and Fulham (LBHF).
 2. In summary, where amplified sound is incidental to the use, such as background music, the agreed noise limit is 10 decibels below the typical lowest daytime and/or nighttime ambient noise level, as appropriate.
 3. On this basis, LBHF were satisfied that occupiers of the surrounding residential premises would not be adversely affected by noise.

Environmental Health representation

6. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Report from Joynes Nash

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 - Planning concerns are generally considered a higher threshold of control for noise issues than Licensing Act considerations.

- The lack of a representation from either the planning team, or now that the regulated entertainment element has been addressed, the Environmental Health team, is significant and instructive.

To quote Mr Joynes' report

'The risk of noise disturbance from a well-managed premises purely from customer vocal noise is very low, if the premises is not well managed and noise issues arise from its use then as with all licenced premises then the licence review route will be open to the responsible authorities and local residents. This is on top of any action the Local Authority may take through the Statutory Nuisance regime.'

Proposed hours of operation

8. The proposed hours and activities are as follows:

Opening Hours

On each day of the week 08:00 to 00:00

Hours for the provision of licensable activities

- Sale of alcohol (on and off sales) – from 10:00 to 23:30 on each day of the week
- Provision of late-night refreshment – 23:00 to 23:30 on each day of the week

Seasonal/ non-standard timings

All licensable activities extended to 02:00 for New for New Year's Eve, with the premises closed 30 minutes thereafter.

9. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Schedule of proposed conditions

10. The following conditions have been offered as part of the application:

General – all four licensing objectives

1. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
2. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time
3. Substantial refreshment by way of hot food shall be provided at the premises as a minimum between the hours of 13:00 and 22:00.
4. Any off sales shall be taken off the premises in sealed containers only.

Staff training

5. The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers responsible for selling alcohol receive an induction in the legality and procedure of alcohol sales prior to undertaking the sale of alcohol. This training shall include the contents of the premises licence; times of operation, licensable activities and all conditions. Training documents shall be signed and dated, and training records be made available to police and authorised council officers on request. The records shall be retained for at least 12 months.
6. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

Prevention of Crime and Disorder

7. Customer carrying open alcohol beverage containers shall not be admitted to the premises.

CCTV

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 - at least one camera will show a close-up of the entrance/entrances to the premises, to capture a clear, image of anyone entering.
 - shall cover any internal or external area of the premises where licensable activities take place.

- recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
- footage shall be provided free of charge to the Police or authorised Council officer within 24 hours of a request or within any other agreed timeframe.
- a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times the premises is open to the public. This staff member will be able to show Police or authorised officers of the Licensing Authority footage with the minimum of delay when requested.
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Door security

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10. Where SIA door supervisors are employed, the following conditions will apply
 - a. The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound or electronic register kept for that purpose:
 - (i) Full name,
 - (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),
 - (iii) The time they began their duty
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 - (v) This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 28 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.

Incident Register

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Refusals book

12. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the refusal, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book shall be made available to the police and authorised council officers on request.

Safeguarding

13. The premises will adopt the Ask Angela (or similar) scheme. All staff will be trained in the process to be adopted when any customer “asks for Angela”. Should the customer “ask for Angela” the matter will be recorded in the incident log.
14. The Premises shall have a policy to ensure the welfare and safeguarding of vulnerable patrons. Staff shall be able to support and assist people who feel unsafe, vulnerable or threatened. Should customers approach the venue for assistance, these incidents shall be recorded in the incident log. This policy shall be made available to police or authorised officers of the Licensing Authority upon request.
15. A written policy dealing with allegations of drink spiking shall be drawn up and implemented at the premises. Staff responsible for front of house service will be trained in the policy.

Public Safety

16. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
17. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.
18. Customer capacities shall be limited to those set out in the Fire Risk Assessment.
19. The Licensee shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises.

Prevention of Public Nuisance

20. The premises will make suitable provision for smokers.
21. Music shall not be played at such a level that it is likely to cause a public nuisance.
22. Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.

Protection of Children from Harm

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24. At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card or any other form of ID approved by the Home office for the purpose of age verification of sales of alcohol, to prove that he/she is over the age of 18
25. All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
26. No striptease, no nudity and all persons to be decently attired at all times.

Conclusion

11. This is a provisional statement application within the overall Olympia development, supported by a robust operating schedule and limited hours and activities.
12. Provisional statements allow for further consideration and determination should anything substantive change between now and each final application for a premises licence. As such, this committee, responsible authorities and residents alike have comfort that the timings, activities and standards of operation set out therein cannot substantially change without all parties having a second opportunity to scrutinise the proposal.

MATTHEW PHIPPS
TLT SOLICITORS

BEFORE THE LONDON BOROUGH OF HAMMERSMITH & FULHAM LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR A PROVISIONAL STATEMENT

Reference: 2024/00267/LAPRP

Premises: Roof Ground South Terrace Mezzanine - Olympia London Development Olympia Exhibition Centre Hammersmith Road London W14 8UX

**PROVISIONAL STATEMENT:
ROOF GARDEN SOUTH TERRACE MEZZANINE
SUBMISSION**

Introduction

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2. This document is to be read in conjunction with the following:
 - a. The Olympia 'Overarching Submission'
 - b. The Olympia 'Supplementation Overarching Statement'

Location of Roof Garden South Terrace Mezzanine within the overall development

3. The Roof Garden South Terrace Mezzanine is sited in the Roof Garden development, a largely covered by a large glass canopy. It is located between the National Hall to the south and the Grand Hall to the north. To the west is the One Olympia office and studio development. The main access is onto Olympia Way. An overview plan can be found in the Olympia Introduction within the Overarching submission. Full details of the location can be found in the plans submitted with this application.

Brief Description of premises

4. The Premises will offer the following:

- A rooftop restaurant and bar with bookable areas including semi private spaces for dining and drinks.
- Mixed offer, from lunch to after show/work drinks to a destination drinks led venue on the evenings and weekends.
- The mezzanine rooftop will feature a pergola structure, bar, and restaurant.
- Proposed food offering will include chicken skewers, mini tacos, fresh salads, etc.

Planning – Noise / amenity

5. Planning permissions earlier obtained, overlaid on this application site, can be summarised as follows:
 1. As part of the development, planning criteria were collaboratively established between Olympia and the London Borough of Hammersmith and Fulham (LBHF).
 2. In summary, where amplified sound is incidental to the use, such as background music, the agreed noise limit is 10 decibels below the typical lowest daytime and/or nighttime ambient noise level, as appropriate.
 3. On this basis, LBHF were satisfied that occupiers of the surrounding residential premises would not be adversely affected by noise.

Environmental Health representation

6. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Report from Joynes Nash

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Proposed hours of operation

8. The proposed hours and activities are as follows:

Opening Hours

On each day of the week 08:00 to 00:00

Hours for the provision of licensable activities

Sale of alcohol (on and off sales) – from 10:00 to 23:30 on each day of the week

Provision of late-night refreshment – 23:00 to 23:30 on each day of the week

Seasonal/ non-standard timings

All licensable activities extended to 02:00 for New for New Year's Eve, with the premises closed 30 minutes thereafter.

9. Following discussions with Mr Boniface from the Public Protection (noise team) at LBHF and the withdrawal of regulated entertainment from this application, the Public Protection team has withdrawn their representation. We understand therefore that there are no outstanding responsible authority representations in relation to this application.

Schedule of proposed conditions

10. The following conditions have been offered as part of the application:

General – all four licensing objectives

1. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

2. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time
3. The premises shall operate predominantly as a bar/restaurant.
4. Substantial refreshment by way of hot food shall be provided at the premises as a minimum between the hours of 13:00 and 21:30.
5. Any off sales shall be taken off the premises in sealed containers only.

Staff training

6. The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers responsible for selling alcohol receive an induction in the legality and procedure of alcohol sales prior to undertaking the sale of alcohol. This training shall include the contents of the premises licence; times of operation, licensable activities and all conditions. Training documents shall be signed and dated, and training records be made available to police and authorised council officers on request. The records shall be retained for at least 12 months.
7. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

Prevention of Crime and Disorder

8. Customer carrying open alcohol beverage containers shall not be admitted to the premises.

CCTV

9. High-Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities or customers are on the premises and;
 - at least one camera will show a close-up of the entrance/entrances to the premises, to capture a clear, image of anyone entering.
 - shall cover any internal or external area of the premises where licensable activities take place.

- recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
- footage shall be provided free of charge to the Police or authorised Council officer within 24 hours of a request or within any other agreed timeframe.
- a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times the premises is open to the public. This staff member will be able to show Police or authorised officers of the Licensing Authority footage with the minimum of delay when requested.
- Appropriate signage shall be displayed in prominent positions, informing customers CCTV is in operation.

Door security

10. The provision of SIA door security shall be on a risk assessed basis.

11. Where SIA door supervisors are employed, the following conditions will apply

- a. The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound or electronic register kept for that purpose:
 - (i) Full name,
 - (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),
 - (iii) The time they began their duty
 - (iv) The time they completed their duty.
 - (v) This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 28 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.

Incident Register

12. An incident log shall be maintained by the premises that details incidents of note that occur in the premises. This shall include, as a minimum, incidents of crime and/or disorder and ejections. The log shall be available for inspection at any reasonable time by an authorised officer of the licensing authority.

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18. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.
19. Customer capacities shall be limited to those set out in the Fire Risk Assessment.
20. The Licensee shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises.

Prevention of Public Nuisance

21. The premises will make suitable provision for smokers.
22. Music shall not be played at such a level that it is likely to cause a public nuisance.
23. Any outside areas are to be monitored and supervised by management and staff, when occupied, during the hours that the premises are open to the public.

Protection of Children from Harm

24. The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.
25. At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall provide that before any sale of alcohol any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card or any other form of ID approved by the Home office for the purpose of age verification of sales of alcohol, to prove that he/she is over the age of 18
26. All customer-focussed bar staff shall receive initial training in relation to age-related sales, sales to intoxicated persons and age challenge procedures prior to being allowed to work at the premises. Refresher training shall be conducted every 12 months. The DPS shall keep records of such training for a period of at least 18 months.
27. No striptease, no nudity and all persons to be decently attired at all times.

Conclusion

11. This is a provisional statement application within the overall Olympia development, supported by a robust operating schedule and limited hours and activities.
12. Provisional statements allow for further consideration and determination should anything substantive change between now and each final application for a premises licence. As such, this committee, responsible authorities and residents alike have comfort that the timings, activities and standards of operation set out therein cannot substantially change without all parties having a second opportunity to scrutinise the proposal.

MATTHEW PHIPPS

TLT SOLICITORS

From: [Boniface Simon: H&F](#)
To: [Matthew Phipps; Licensing HF: H&F](#)
Cc: [Mckenna Lorna: H&F](#)
Subject: RE: National terrace
Date: 21 May 2024 11:33:50
Attachments: [image001.png](#)

Good morning,

The Council's EPP Team are withdrawing their representation/objection to this license based on the applicants amendments to their application (below).

Kind regards

Simon

Simon Boniface

Team Leader – Public Protection (Nuisance Team Central).

Environmental Health & Public Protection

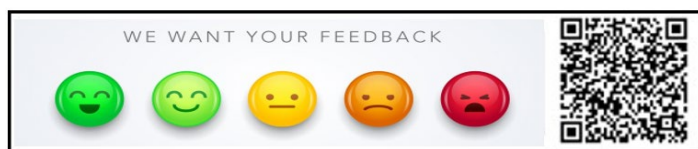
The Environment

London Borough of Hammersmith & Fulham

Simon.boniface@lbhf.gov.uk

www.lbhf.gov.uk/business

[Hammersmith & Fulham – Environmental Health and Public Protection Customer Satisfaction Survey](#)



From: Matthew Phipps <Matthew.Phipps@TLT.com>
Sent: Thursday, May 16, 2024 1:30 PM
To: Boniface Simon: H&F <Simon.Boniface@lbhf.gov.uk>
Subject: National terrace

Simon,

The application requests this:

Recorded music–to 23:30 on each day of the week

I've spoken to the client and the proposal now is to withdraw the regulated entertainment elements, which I think like resolves matters between us.

Best wishes

Matthew Phipps
Partner
Head of Licensing England and Wales
for TLT LLP
D: +44(0) 0333 00 60201

M Scotland. TLT (NI) LLP is a limited liability partnership registered in Northern Ireland under ref NC000856 whose registered office is at [River House](#), 48 - 60 High Street, Belfast, BT1 2BE. TLT (NI) LLP is regulated by the Law Society of Northern Ireland under ref [9330](#).

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From: [Boniface Simon: H&F](#)
To: [Matthew Phipps; Licensing HF: H&F](#)
Cc: [Mckenna Lorna: H&F](#)
Subject: RE: Gin bar
Date: 21 May 2024 11:33:29
Attachments: [image001.png](#)

Good morning,

The Council's EPP Team are withdrawing their representation/objection to this license based on the applicants amendments to their application (below).

Kind regards

Simon

Simon Boniface

Team Leader – Public Protection (Nuisance Team Central).

Environmental Health & Public Protection

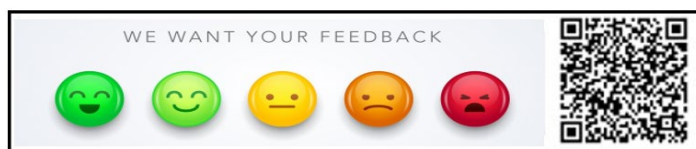
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From: Matthew Phipps <Matthew.Phipps@TLT.com>
Sent: Thursday, May 16, 2024 1:29 PM
To: Boniface Simon: H&F <Simon.Boniface@lbhf.gov.uk>
Subject: Gin bar

Simon,

The application requests this:

Recorded music; Live music – 08:00 to 23:30 on each day of the week

I've spoken to the client and the proposal now is to withdraw the regulated entertainment elements, which I think like resolves matters between us.

Best wishes

Matthew Phipps
Partner
Head of Licensing England and Wales
for TLT LLP
D: +44(0) 0333 00 60201

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From: [Boniface Simon: H&F](#)
To: [Matthew Phipps; Licensing HF: H&F](#)
Cc: [Mckenna Lorna: H&F](#)
Subject: RE: Roof garden North Terrace mezzanine
Date: 21 May 2024 11:32:55
Attachments: [image001.png](#)

Good morning,

The Council's EPP Team are withdrawing their representation/objection to this license based on the applicants amendments to their application (below).

Kind regards

Simon

Simon Boniface

Team Leader – Public Protection (Nuisance Team Central).

Environmental Health & Public Protection

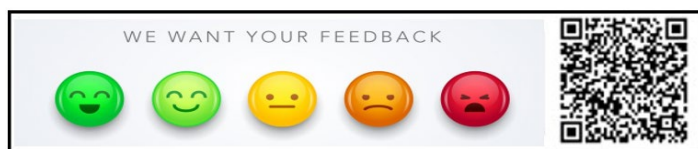
The Environment

London Borough of Hammersmith & Fulham

Simon.boniface@lbhf.gov.uk

www.lbhf.gov.uk/business

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From: Matthew Phipps <Matthew.Phipps@TLT.com>
Sent: Thursday, May 16, 2024 1:29 PM
To: Boniface Simon: H&F <Simon.Boniface@lbhf.gov.uk>
Subject: Roof garden North Terrace mezzanine

Simon,

The application requests this:

Recorded music – 10:00 to 23:30 on each day of the week

I've spoken to the client and the proposal now is to withdraw the regulated entertainment elements, which I think like resolves matters between us.

Best wishes

Matthew Phipps
Partner
Head of Licensing England and Wales
for TLT LLP
D: +44(0) 0333 00 60201

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From: [Boniface Simon: H&F](#)
To: [Matthew Phipps; Licensing HF: H&F](#)
Cc: [Mckenna Lorna: H&F](#)
Subject: RE: Roof Garden North Terrace
Date: 21 May 2024 11:32:25
Attachments: [image001.png](#)

Good morning,

The Council's EPP Team are withdrawing their representation/objection to this license based on the applicants amendments to their application (below).

Kind regards

Simon

Simon Boniface

Team Leader – Public Protection (Nuisance Team Central).

Environmental Health & Public Protection

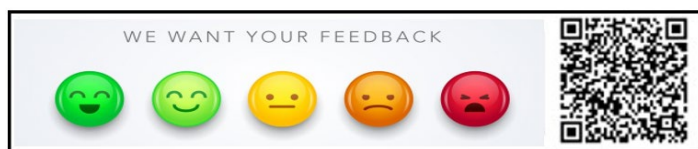
The Environment

London Borough of Hammersmith & Fulham

Simon.boniface@lbhf.gov.uk

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From: Matthew Phipps <Matthew.Phipps@TLT.com>
Sent: Thursday, May 16, 2024 1:28 PM
To: Boniface Simon: H&F <Simon.Boniface@lbhf.gov.uk>
Subject: Roof Garden North Terrace

Simon,

The application requests this:

Recorded music – 10:00 to 23:30 on each day of the week

I've spoken to the client and the proposal now is to withdraw the regulated entertainment element, which I think like resolves matters between us.

Best wishes

Matthew Phipps
Partner
Head of Licensing England and Wales
for TLT LLP
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From: [Boniface Simon: H&F](#)
To: [Matthew Phipps; Licensing HF: H&F](#)
Cc: [Mckenna Lorna: H&F](#)
Subject: RE: Roof Garden South Terrace Mezzanine
Date: 21 May 2024 11:31:57
Attachments: [image001.png](#)

Good morning,

The Council's EPP Team are withdrawing their representation/objection to this license based on the applicants amendments to their application (below).

Kind regards

Simon

Simon Boniface

Team Leader – Public Protection (Nuisance Team Central).

Environmental Health & Public Protection

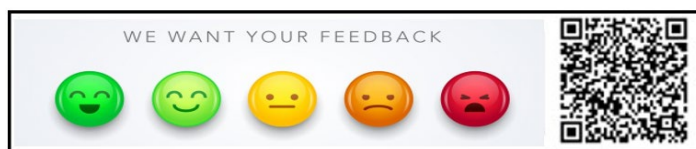
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From: Matthew Phipps <Matthew.Phipps@TLT.com>
Sent: Thursday, May 16, 2024 1:28 PM
To: Boniface Simon: H&F <Simon.Boniface@lbhf.gov.uk>
Subject: Roof Garden South Terrace Mezzanine

Simon,

The application requests this:

Recorded music – 10:00 to 23:30 on each day of the week

I've spoken to the client and the proposal now is to withdraw the regulated entertainment elements, which I think like resolves matters between us.

Best wishes

Matthew Phipps
Partner
Head of Licensing England and Wales
for TLT LLP
D: +44(0) 0333 00 60201
M:
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From: [Boniface Simon: H&F](#)
To: [Matthew Phipps](#); [Licensing HF: H&F](#)
Cc: [Mckenna Lorna: H&F](#)
Subject: RE: Roof Garden South Terrace
Date: 21 May 2024 11:31:01
Attachments: [image001.png](#)

Good morning,

The Council's EPP Team are withdrawing their representation/objection to this license based on the applicants amendments to their application (below).

Kind regards

Simon

Simon Boniface

Team Leader – Public Protection (Nuisance Team Central).

Environmental Health & Public Protection

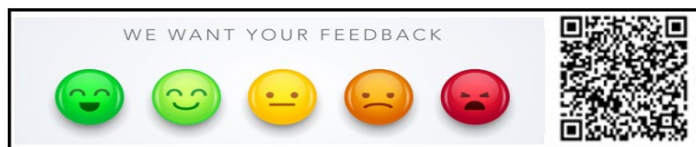
The Environment

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Simon.boniface@lbhf.gov.uk

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From: Matthew Phipps <Matthew.Phipps@TLT.com>
Sent: Thursday, May 16, 2024 1:27 PM
To: Boniface Simon: H&F <Simon.Boniface@lbhf.gov.uk>
Subject: Roof Garden South Terrace

Simon,

The application requests this:

Recorded music – 10:00 to 23:30 on each day of the week

I've spoken to the client and the proposal now is to withdraw the regulated entertainment elements, which I think like resolves matters between us.

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Matthew Phipps

Partner
Head of Licensing England and Wales
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