

**From:** Matthew Phipps  
**Sent:** Wednesday, November 1, 2023 4:32 PM  
**To:** Mckenna Lorna: H&F <Lorna.Mckenna@lbhf.gov.uk>; Overton Adrian: H&F <Adrian.Overton@lbhf.gov.uk>  
**Cc:** Licensing HF: H&F <licensing@lbhf.gov.uk>  
**Subject:** Chelsea Rose and Ball hospitality suite - submission [TLT-TLT.FID9467158]

Dear Lorna/Adrian,

This brief 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, listed for determination on Wednesday 8 November. In essence it summarises the submissions that the applicant will make to the licensing committee and introduces the documents that will be before the committee, as produced by the applicant. Documents within the agenda are marked underlined hereafter.

### **Application**

The application is for a new hospitality suite, requiring a premises licence, for the building in which the Health club has historically been housed. The Health club is closed and has been for some little while. This application simply asks the question as to whether the hitherto unused first floor may legitimately be incorporated within the licensed premises at Stamford Bridge, on match days only. 26 Hospitality suites are already licensed within the Stamford Bridge licences.

The existing Health club premises licence, is contained within the Agenda papers.

### **Pre Application dialogue**

We engaged comprehensively with the police and the licensing authority in anticipation of the submission of this application. This included exchanges of a draft application and operating schedule as well as an onsite meeting. A copy of the pre application report from LBHF is contained within the agenda.

### **Further pre Application dialogue**

The applicant also undertook pre-application consultation and dialogue with local residents, local councillors and the local MP. A copy of the introductory letter and presentation that accompanied that correspondence is included within the agenda.

### **Hours and permitted operational days**

These are limited in the application to the following:

- Sale of alcohol from 10.00 hours to 00.00 hours.
- Late night refreshment from 23.00 hours to 00.00 hours.
- The premises will only operate on match days, will open no earlier than 3 hours before kick-off and will close no later than ninety minutes after the final whistle, notwithstanding the terminal hour (e.g. whichever is earlier).
- Licensable activities will commence no earlier than 3 hours before kick-off and terminate no later than 60 minutes after final whistle, notwithstanding the terminal hour (e.g. whichever is earlier).

### **Conditions**

We suggest that a legitimate and proportionate operating schedule, commensurate to the activities that are being proposed, has been put forward. It includes (but is not limited to) the following conditions:

### **General – all four licensing objectives**

Entrance to “Rose and Ball” will be by pre-booked ticket only.

### **The Prevention of Crime and Disorder**

- 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
- 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.

- The provision of SIA door security and non SIA registered stewards when licensable activities are being provided on the premises shall be risk assessed, and in any event, there will be two SIA door staff at ground floor level entrance and two further SIA door staff circulating on the two floors.
- A personal licence holder or nominated bar supervisor shall be present at all times sales of alcohol are taking place.
- No drinks shall be permitted to be removed from the premises.

### **Public Safety**

- 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.
- Management shall undertake the relevant training in relation to responding and ensuring the welfare and safeguarding of vulnerable patrons. Management shall risk assess the need for all other relevant staff to undertake such training. Written records of the training completed shall be recorded and available to the Police and Authorised Officers from the Local Authority upon request.
- The premises will complete a counter terrorism risk assessment. Such risk assessment will be sent to the licensing authority and Metropolitan Police licensing team for review and comment. Such actions identified within the risk assessment shall be actioned and form part of the operating procedures at the premises. This condition to be of no effect if (and/or when) the Protect Duty/Martyn's Law legislation is introduced (made law).

### **The Prevention of Public Nuisance**

- The licence holder shall ensure that no music from the licensed areas is audible at the boundary of the Stamford Bridge Stadium site.
- A Noise Management Plan shall be submitted to and approved in writing by the Noise and Nuisance Team. The plan shall include details relating to the control of noise from patrons entering and leaving the premises as well as controls to ensure that noise from use and activities within the premises does not cause nuisance to neighbours.
- The premises licence holder shall organise and arrange meetings with residents twice a year. The meetings shall be advertised in good time by appropriate means to residents in the locality. Minutes of such meetings shall be circulated to attendees and the council.

### **The Protection of Children from Harm**

- A Challenge 25 proof of age scheme shall operate at the premises and all staff shall be trained in its implementation. Only photographic ID such as a British driving licence, a current passport or a PASS ID shall be treated as acceptable forms of identification.

None of the responsible authorities have attempted to criticise the operating schedule. If granting this licence, the licensing authority are by no means giving a "blank cheque" to the applicants, all of the conditions on the face of the premises licence will oblige compliance, dialogue, discussion and transparency, as well as the significant additional materials and dialogue undertaken with all of the various officers and authorities that support a Premier League Football club and its operations.

### **National guidance**

The licensing committee's attention is directed toward section 9:12 of the national guidance. 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 responsible authority's main source of advice in relation to the particular licensing objective". ... "The police usually therefore will be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective"*.

### **Further correspondence**

After the receipt of representations, it became apparent that some representors had not previously seen the introductory letter and presentation. Further correspondence was sent, through the licensing service, with the same presentation accompanying the note. A copy of that correspondence is also contained within the agenda.

### **Match day activities**

Chelsea Football Club currently operate some 26 hospitality suites throughout Stamford Bridge on match days. Details about each of these suites, their capacities and the type and style of service are contained within the agenda papers. Marked hospitality Areas.

There are an additional large volume of retail units, some selling food, some soft drinks, some alcohol throughout the Stamford Bridge site. Also contained within the agenda papers, marked general admission and dispense points.

The sale of alcohol is permitted under a variety of premises licenses, many of which have more extensive hours than proposed here and also have more limited, less restrictive, conditions.

### **Additional conditions**

Some of the representations articulate concerns about, particularly, drugs, drink spiking, vulnerable women and children, the use and occupation of the balcony on first floor level, the premises being used on non-match days and the use of the word "public".

A copy of our letter to the licensing service setting out proposed conditions for the committee to consider, is contained within the agenda papers, that attends to all these issues. If the committee concludes that the licensing objectives would be likely undermined absent these additional protective conditions, then we submit that the attachment of those conditions comprehensively addresses those concerns.

The Metropolitan Police have had sight of these conditions and are content with the wording proposed.

### **Entertainment**

Some of the representations suggest that the premises is an entertainment venue. This is, respectfully, incorrect. No regulated entertainment has been applied for here.

### **Noise**

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 this hospitality suite, nonetheless a noise management plan, in addition to the conditions proposed, accompanies the application and is contained within the agenda papers.

In terms of noise escape the plans disclose that the area proposed to be used by the public, bar the walls overlooking the stadium, in which approximately 40,000 persons will later be congregating, are not against any of the walls overlooking residents and are protected by plant rooms and kitchens, which will help insulate against any perceived noise escape.

### **Increased numbers**

A number of the representations express concern about additional numbers of persons attending Stamford Bridge on match days, if this licence is approved. That is to misunderstand the application. What is proposed here, as the correspondence, presenter and application make clear, is that this hospitality suite will allow those who have purchased a hospitality package, including a ticket for the match, be accommodated with food and drink before and after the game. This application will not permit greater numbers of people to be in attendance on a match day.

### **Operational management**

A draft and we would suggest comprehensive Operating Plan for this proposition is contained within the agenda papers.

### **Risk Assessment**

Some of the representations may be said to challenge the degree to which Chelsea correctly risk assesses its operations on site.

Documents are contained within the agenda papers that provide specific detail about some of the protocols and procedures that Chelsea employs. These include the index to the Event Safety Management plan, for the recent Brentford match, as well as specific extracts from procedures, marked retail match day brief, employed in an Aston Villa home match in September of this year. These are but a small portion of the materials that contribute toward the operations on a match day.

The club, as it does with all of its hospitality suites, undertakes a risk assessment as the precise number of security, stewards and staff that will be required in order to deliver an appropriate standard. This, as with so much of the management of such a complicated and significant operation, is to ensure that not just that the licensing objectives are promoted, but also so that supporters are provided with a first-class experience. A specific condition about SIA stewards is proposed within the

application, as agreed with the police and Licensing Authority prior to submission of the application. It is understood by the club that this is a minimum number not a maximum.

All Chelsea stewards have to undergo formal training. Eight senior stewards are trained NSPC designated safeguarding officers. All stewards are DBS checked. The club has two medical rooms, two crowd doctors and 35 first aiders on site during match days. 400+ stewards are engaged on match days, with approximately 2,000 staff on site.

As a business Chelsea Football Club are fully signed up to a variety of training and good practice measures, as you would expect. Vulnerability issues, such as the women's night safety-chartered toolkit issued by the Mayor of London, is fully briefed to the various teams.

Significant conditions of issue for ticket holders and Ground regulations further support the management of attendees on site.

Incidents are recorded and reported, [incident reporting materials](#) are provided within the agenda.

The volume of personal licence holders on site during match days is set out in the agenda at [Personal licence Holders](#) (public notice).

### **Training**

Significant training is provided to all staff and all hospitality focused staff and colleagues. This training includes a welcome module and touches on issues such as dignity, food safety, health and safety, responsible service of alcohol, emergency procedures and environmental essentials as well as counter terrorism awareness. This has been in place at the club for a number of years and all Rose and Ball staff and colleagues will undertake the same training as all the other hospitality areas. An example of the [questions used](#) to test this (alcohol) knowledge is contained within the papers. [Marked responsible alcohol service questions](#).

### **Levy**

CFC work with a catering contractor across their hospitality and retail outlets. Levy are a well known national operator with significant experience and expertise in hospitality. [About us | Levy UK + Ireland](#). They undertake significant training of their teams.

### **Hours**

Some of the representations appear to suggest that the hours of operation or hours in which customers will be accommodated at Stamford Bridge will be extended by this licence (if granted). The hours of operation already permitted across a variety of the licenses on site are more extensive than those proposed here, (many like the existing Health Club licence with a 1am finish time).

Specific details about the hours of operation of a number of the bars and hospitality suites on site is contained within the document marked up, [Match day catering Opening Hours](#), drawn specifically from the recent Chelsea Ladies home match against Tottenham Hotspur.

### **Match days more generally**

Whilst we are entirely respectful of the fact that a number of representations articulate concern about parking and traffic as well as the conduct of supporters on match days, this does not address the particular issue under consideration, namely whether this hospitality suite will undermine the licensing objectives. That said, the club are engaging with LBHF and residents, all of whom are working to find an improvement to these various issues. We understand there is a consultation currently underway in regard to this, initiated by LBHF.

### **Risk**

Licensing is after all about proportionality. We are not able to eradicate every last possible risk. Not is any premises licence applicant/holder. But we do invite the committee to consider that with 26 other hospitality suites operating perfectly legitimately it appears unlikely that this additional unit would operate to any lesser standard

### **Determination**

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.

We would suggest 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)*. We submit that all of the materials produced by the applicant support the proposition that the hospitality suites, in operation on match days, are appropriately risk assessed, managed, supervised and controlled. It is of significance that the representations do not suggest otherwise.

### **Conclusion**

If this application is likely to undermine the licensing objectives, then no doubt it will be refused. But if this application is unlikely to undermine the licensing objectives, if this applicant, this operation, these conditions are sufficiently robust and controlled that the committee can be satisfied, as we say you can be, that there will be no likely undermining of the licensing objectives, then candidly there does not seem to be any good reason to refuse the application.

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