

UPDATE FOR CONSIDERATION AT PLANNING SUB-COMMITTEE Item No.

Reference No: HGY/2024/1008	Ward: Northumberland Park
Address: Tottenham Hotspur Stadium, 748 High Road, London N17 0AL	
Proposal: Minor Material Amendment application under Section 73 of the Town and Country Planning Act for the variation to Condition B9 (Major Non-association Football Events) (MNFES) of the hybrid planning permission HGY/2023/2137 (as amended from HGY/2015/3000) for amendments to allow up to 30 major non-association football events including music concerts; and other associated changes.	
Applicant: Tottenham Hotspur Football Club	

*To note: the numbering as set out in this addendum corresponds with the numbering of each section within the Officer committee report. Additions are in **bold** and deletions ~~struck~~.*

Amendments to the report:

Page 1 - Summary of Key Reasons for Recommendation - Second bullet point:

Clarification - There can only be two weeks every year where there are either 4 consecutive events in a week and/or 5 events in a week.

Page 2 – Summary of Key Reasons for Recommendation - Penultimate bullet point:

Clarification - *If the impact is considered to be significant then LBH could require further mitigation or require the number or concentration of events to be reviewed down from 30 after one year **with a guaranteed minimum of 20 MNFEs***

Page 2 – para 2 – Recommendation:

Delete: ~~following referral to the Mayor of London~~
The application is not referable to the GLA

Page 2 – para 2.1 - Recommendation:

Update - *That the section 106 legal agreement referred to in resolution (2.1) above is to be completed no later than **16 August 2024** or within such extended time as the Head of Development Management or the Assistant Director Planning, Building Standards & Sustainability shall in her/his sole discretion allow*

Page 4 – 2.4 - Review Mechanism

iv (before a) the insertion of “socio-economic impacts”:

Review of impacts (both positive and negative) on local residents and businesses taking into account the following factors (quantified wherever possible to reduce subjectivity):

(a) Socio-economic impacts

(b) ASB/street urination/MNFE toilet provisions

(c) MNFE noise impacts (as currently measured)

(d) Littering/street cleanliness

(e) Car parking/enforcement (linked also to TP/mode share targets but also LBH Code of Enforcement)

(f) Road closures/traffic management issues

(g) Station queue management

(h) General compliance with LAMP

Page 5 – point 9 Free tickets

Clarification - *Minimum 100 tickets per MNFE*

Pages 5, 10, 31, 41 and 57 – 2.4 (10), para 6.5.7, 6.6.28, 6.6.30 & para 6.12.3 - Community Fund:

Correction – this is secured by a Unilateral Undertaking by THFC instead of a Head of Term for a Section 106 planning obligation so is not part of the planning balance.

Page 10 Proposal

For clarity the revised wording of the amended conditions as set out in Appendix 2 on page 94

Page 17 LBH Licensing

Correction - *As such, additional resourcing will be required of £4,000 per event (Officer Response: The existing baseline is for 16 MNFEs so it is not reasonable to require additional payment for this. However, any additional MNFEs will be subject to the a £1,000 fee)*

Page 31 para 6.5.8 Review Mechanism

Correction - *in the worst case scenario would reduce the cap back to ~~16~~ 20 events*

Page 47-48 para 6.8.7 Nuisance and ASB

Correction – ***Regulatory Services advise*** *Increasing the number of MNFEs will require additional resources in the form of 9 officers for larger events larger events, 6 of which would be working between 1pm till 23.30. The cost of enforcing these additional events is estimated as £4,000 per event. Regulatory Services ~~will therefore require~~ have requested mitigation in the form of a revised management and monitoring strategy to be included in the new LAMP to deal with this issue and for adequate resources to be secured as part of this planning permission to deal with these issues*

Page 55 new para 6.9.37a Cumulative Impacts

Measures are already in place to ensure events at the Stadium are coordinated with transport requirements of other major events nearby such as at Drumsheds, Alexandra Palace, Finsbury Park, Emirates Stadium and the London Stadium. For example, there are measures through Planning (including the LAMP), Licensing (sometimes requiring bespoke transport plans) and through the Safety Advisory Group (SAG) via Building Control where transport operators can ensure safe operation. The planning application does not remove any of those safeguards. Whilst an increase in the number of events will apply some extra pressure, those safeguards still exist and will continue to operate. Formal consultees have not raised concerns regarding any possible clashes. The applicant has stated that as a responsible venue operator, it liaises with other venues within the sphere of operation, primarily to avoid direct clashes, and that the risk of potential clashes is also flagged by the Metropolitan Police and/or TfL (within and outside of the SAG process). In respect of Finsbury Park and the annual Wireless festival in particular, the applicant has stated that it would normally block out those dates as not being available to prospective MNFE holders in order to avoid any direct clashes and undue strain on the transport network.

Page 56 para 6.9.38 Cumulative Impacts

TfL comments have highlighted there will be a requirement for additional staffing for the MNFEs for queue management and associated operations. This has been detailed as £675,000 per annum, for at least 10 years for London Underground staffing, £241,548 per annum for 10 years for London Overground staffing and further funding for of £9,290.30 per event for Arriva Trains. However, the applicant has advised that such resourcing should come from their own budget and any increase in users will correspond with associated expenditure. ~~The applicant has referred to the GLA letter of support as an indication that the obligation from TfL is not supported at a strategic level.~~

TfL have since provided additional comments as follows:

Taking on board the applicants concern about the scale and relationship of the suggested contribution to the number of events, we have reviewed the request for resourcing needed per event as follows:

£9,290.30 (index linked) per additional event for LO
£9,000 (index linked) per additional event for LU

An assessment of the merit of these contributions is provided below

Page 56 new para 6.9.38a Cumulative Impacts

When considering potential planning obligations, including financial contributions, it is important to apply the 3 statutory 'tests' which require that planning obligations must be:

- a) necessary to make the development acceptable in planning terms;*
- b directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.*

These are considered in turn as follows:

- a) necessary to make the development acceptable in planning terms;*

The existing stadium planning permission which included a larger-capacity for a wider range of major events than existed previously did not include contributions towards direct staffing costs for public transport operators. Existing events are managed within the capacity of the existing network. Existing planning and non-planning mechanisms and safeguards to coordinate safe travel already exist and would continue to exist and are not removed by this application. These mechanisms include through planning (the LAMP and other transport mechanisms), licensing (such as requiring bespoke transport plans where necessary) and 'safety of sports grounds' legislation (Safety Advisory Group, SAG, meetings chaired by building control) which involve all necessary stakeholders, including transport operators and TfL.

TfL's statement that it absorbs the cost of current events is acknowledged, but it also secures a degree of extra income from fares from additional journeys made to and from existing events, and will do so for future permitted events also.

It is accepted that TfL states that fare revenue is used for operations at the network level, does not cover the full costs, cannot be broken down or ring-fenced to a particular location, has to take account of travelcards, caps,

concessionary fares etc, but this is a matter for how TfL manages fare income and deployment of resource based on known and expected pressures. Events are planned well in advance and the above-mentioned mechanisms for stakeholder involvement mean that resources can be deployed appropriately.

With the above complexities about TfL fare income in mind, an indicative cautious calculation of an average of £2.50 per journey with 10,000 people from a MNFE using the Victoria Line multiplied by 2 journeys each provides an indicative figure of £50,000 per MNFE. For most events it is likely this figure will be higher, with fare income also captured from Overground routes, but is provided to give a cautious indication of the quantum of fare income compared to the scale of the TfL request.

As introduced earlier, London Plan Policy T4 'Assessing and mitigating transport impacts' states that, where appropriate, mitigation will be required to address adverse transport impacts. There is currently no evidence of adverse transport impacts arising from the existing events that are not already mitigated by existing operations and resources, as set out above, which will continue.

Therefore it is not accepted that the requested contributions are necessary to make the development acceptable in planning terms.

b directly related to the development; and

c) fairly and reasonably related in scale and kind to the development.

The £675,000 per annum requested is a flat annual rate and does not reflect the proposal of 'up to' 30 MNFEs per annum, which is likely to fluctuate significantly between years. TfL state the justification for the £675,000 is to cover an additional eight staff plus a supervisor. That request and the additional request for £9,290 per MNFE above the original limit of 16 are not supported by evidence on how these relate to fare income (see above) and how these directly relate or fairly and reasonably relate in scale and kind to the proposal. The request and are not considered to meet these tests.

Whilst TfL has highlighted the principle of securing some contributions at other venues in London, each case must be considered on its own merits, and those examples are not directly related to this proposal, due to different local contexts and circumstances.

Therefore it is not accepted that the requested contributions directly relate or fairly and reasonably relate in scale and kind to the proposal.

It is also relevant that the proposed 'review mechanism' includes 'Station queue management' as one of the key impacts to be assessed, so if there is non-compliance from adverse impacts, either further mitigations will be required to be put in place, or the number of MNFEs is reduced.

CONDITIONS

Page 93

Point of clarification – Stadium site conditions are in **Appendix 2**

APPENDIX – CONSULTATION RESPONSES FROM INTERNAL AND EXTERNAL AGENCIES

Page 100 – table – LBH Licensing (Regulatory Services)

Correction – *Noted and HoT for ~~£4,000~~ £1,000 per event for regulatory enforcement is recommended*

Appendix 1 Final consultation response from Transport for London (TfL) dated 29 July 2024.