

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Caroline Charles

Samantha MacArthur

James Williscroft

A meeting of the Licensing Sub-Committee will be held on:

Date: 2 March 2023

Time: 4.30 pm

Venue: These are virtual meetings and therefore not held in a physical location

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 WH Smith, Station Approach, Wimbledon, SW19 7NL 1 - 44

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. For further advice please speak with the Managing Director, South London Legal Partnership.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the licensing decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3357.

Press enquiries: communications@merton.gov.uk or telephone 020 8545 3181

Email alerts: Get notified when agendas are published
www.merton.gov.uk/council/committee.htm?view=emailer

For more information about Merton Council visit www.merton.gov.uk

You can also access this agenda through the Modern.Gov App or by scanning this QR code with your smartphone



Procedure to be followed at Licensing Hearing

1. The Chair will welcome all parties and all present will be introduced/introduce themselves
2. The Chair will confirm the sub-committee hearing procedures, a copy of which was included in the notice and agenda packs sent to all parties.
3. The Chair will ask the Legal Adviser to inform those present that the sub-committee had a briefing prior to the hearing to confirm the procedure and for clarification on any aspect of the application.
4. The Chair will ask Legal Adviser to confirm the process for questioning and whether there had been any requests for adjournments.
5. The Chair will ask the Licensing Officer if there are any technical issues they feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.
If all conditions are agreed by all parties then the Sub-Committee may go straight to point 14)
6. The Applicant will present their case. Questions can then be asked of the Applicant by the Responsible Authorities, the interested parties and members of the Sub-Committee.
7. The Responsible Authorities will present their case. Questions can then be asked of the Responsible Authorities by the Applicant, the interested parties, and members of the Sub-Committee.
8. Presentation by any interested party. Questions can then be asked of the interested party by the Applicants, the Responsible Authorities and members of the Sub-Committee.
9. The Chair will ask the Licensing Officer for any comments/ clarifications
10. The Chair will ask the Legal Adviser for any comments/clarifications
11. The Chair will invite closing statements by the responsible authorities
12. The Chair will invite closing statements by the interested parties
13. The Chair will invite closing statements by the Applicant
14. The Chair will announce that the Sub-Committee are retiring for private session. The Chair will inform those present that all parties should receive a written copy of the decision notice within 5 working days, The Legal Officer and Clerk will be invited to also retire.

Public Information

Attendance at meetings

The public are welcome to attend meetings of the Council.

Audio/Visual recording of meetings

The Council will film meetings held in the Council Chamber for publication on the website. If you would like to film or record any meeting of the Council held in public, please read the Council's policy [here](#) or contact democratic.services@merton.gov.uk for more information.

Electronic agendas, reports and minutes

Copies of agendas, reports and minutes for council meetings can also be found on our website. To access this, click <https://www.merton.gov.uk/council-and-local-democracy> and search for the relevant committee and meeting date.

Agendas can also be viewed online in the Borough's libraries and on the Mod.gov paperless app for iPads, Android and Windows devices.

Licensing Sub-Committee Report

Subject of hearing: **WH Smith, Station Approach, Wimbledon, SW19 7NL**

Date **2 March 2022**

Time: **4.30pm**

Venue: **Virtual Meeting**

1. Special Policy Area (premises licences and club certificates)

1.1 The premises are in the special policy area, and as such section 9 and appendix 3 of the Council's Statement of Licensing Policy will apply.

2. Type of hearing and powers of the sub-committee

2.1 The sub-committee is required to determine the application by taking such of the steps set out below as it considers appropriate for the promotion of the licensing objectives.

2.2 In making their determination the sub-committee must have regard to the Licensing Act 2003, the licensing objectives, guidance issued by the Secretary of State and Merton's Licensing Policy.

2.3 New premises licence: s18

(i) To grant the licence subject to conditions

(ii) To exclude from the scope of the licence any of the licensable activities to which the application relates

(iii) To refuse to specify a person in the licence as the premises supervisor

(iv) To reject the application.

3. Hearing papers

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundles together with any relevant existing licence. This includes any documents which must be sent to any of the parties to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005. This bundle has been issued to all parties to the hearing.

4. Legal advice to the sub-committee

4.1 A legal officer appointed by the Assistant Director of Corporate Governance and Head of Legal Services will attend the hearing to advise the sub-committee on statutory provision and legal matters.

5. Licensing Officer comments

5.1 This application is in a special policy area on cumulative impact covering Wimbledon Town Centre and as such section 9 and appendix 3 of the Council's Statement of Licensing Policy will apply

- 5.2 This is an application for a new premises licence for an existing premises in the Wimbledon Station building area. This area is shown on the plan attached to the application.
- 5.3 The applicant originally applied for the supply of alcohol for consumption off the premises 06.00 to 21.00 Monday – Friday and 08.00 to 21.00 Saturday and Sunday.
- 5.4 The opening hours of the premises were the same as the times for alcohol above.
- 5.5 A representation was received from Trading Standards 19th January 2023, but after clarification of the proposed conditions and training schedules, Trading Standards withdrew their representation on 27th January 2023.
- 5.6 A representation was received from Councillor Susie Hick on 1st February 2023 and further clarification received on 10th February 2023.
- 5.7 On 2nd February we received a copy of the revised operating schedule from the agent following agreements from the police and Trading Standards. The application was therefore amended to request the sale of alcohol from 07.00 to 21.00 Monday – Saturday and 09.00 to 21.00 on Sunday. However, the application states an 08.00 start for Saturday. They therefore cannot amend this to an earlier time as it was not part of the consultation and must remain an 08.00 start on Saturday as applied for.
- 5.8 A representation was received from Wimbledon East Hillside Resident Association (WEHRA) on 6th February 2023.
- 5.9 On 13th and 14th February 2023, we received copies of two emails from the applicant’s agent that had been sent to all persons who had made a representation against the application, setting out their position and to address concerns raised.
- 5.10 Possible conditions taken from the operating schedule and those agreed with the police and trading standards are listed separately for possible inclusion should the Sub-Committee decide to grant this application. The Sub-Committee can put any conditions on a licence should they decide to grant, that they believe are appropriate for the promotion of the licensing objectives.
- 5.11 All of the documents listed above are attached to the report

For enquiries about this hearing please contact

Democratic Services
Civic Centre
London Road
Morden
SM4 5DX

Telephone: 020 8545 3616

Email: democratic.services@merton.gov.uk

Parties to the hearing

This document forms part of the notice of hearing.
 The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

Applicant	
WH Smith Retail Holdings Ltd	
Statutory Authorities	
Interested Parties	
Cllr Susie Hicks	
Lynne Gordon, WEHRA	

Conditions that could be extracted from the revised application operating schedule agreed with the police

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Merton Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
4. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
5. Alcohol products of beer, lager and cider sold on the premises will be no more than 7% ABV (Alcohol By Volume). The restriction shall not apply in respect of specialist branded premium priced products, for example craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 7% ABV or greater.
6. No miniature bottles of spirits of 5cl or below shall be sold from the premises unless part of a gift pack.
7. No more than 10% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
8. Save for spirit mixers, any spirits will only be displayed for sale from behind the servery counter.
9. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
10. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff

who refused the sale. The record shall be immediately available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.

11. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

14. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol. The premises licence guidance manual will be the basis of alcohol sales training. Records of the training programme shall be maintained and made available to authorised officers upon request.

15. As soon as possible, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.

16. The Premises Licence Holder will liaise/write with the Local Police & appropriate support organisations as agreed with the council from time to time to ban named persons from using the shop to buy alcohol and would request photographs of banned persons so all premises staff are made aware who are banned persons. These records would be kept confidential.

17. An incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record the following;

- (a) All crimes reported to the venue.
- (b) All ejections of patrons.
- (c) All complaints received concerning crime and disorder.
- (d) Any incidents of disorder.
- (e) All seizures of drugs or offensive weapons.
- (f) Any faults in the CCTV system.
- (g) Any visit by a relevant authority in relation to service

Conditions agreed with Trading Standards

1. An effective visual (and/or aural) reminder shall be in place at all points of sale to ensure staff undertake appropriate age checks on potential sales of alcohol (and any other age-restricted product).
2. All staff that undertake the sale or supply of alcohol (and any other age-restricted product) shall receive appropriate refresher training in relation to undertaking appropriate age checks on such, at least every six months.

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We WH Smith Retail Holdings Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description WH Smith Station Approach Wimbledon			
Post town	London	Postcode	SW19 7NL

Telephone number at premises (if any)	n/a
Non-domestic rateable value of premises	£ 64,500 (Band C)

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick as

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| | iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or <input type="checkbox"/> Please tick yes			
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name WH Smith Retail Holdings Limited
Address Greenbridge Road Swindon SN3 3RX
Registered number (where applicable) 00471941
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) c/o Ewen Macgregor of TLT – [REDACTED]
E-mail address (optional) c/o Ewen Macgregor of TLT – [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY			
A	S	A	P		

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY			

Please give a general description of the premises (please read guidance note 1)
Retail store on the approach to Wimbledon Railway Station.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | | |
|---|----------------------------|
| Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Thur			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Fri					
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	06:00	21:00			
Tue	06:00	21:00			
Wed	06:00	21:00			
Thur	06:00	21:00			
Fri	06:00	21:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	08:00	21:00			
Sun	08:00	21:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Not yet supplied	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	06:00	21:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	06:00	21:00	
Wed	06:00	21:00	
Thur	06:00	21:00	
Fri	06:00	21:00	
Sat	08:00	21:00	
Sun	08:00	21:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Please see attached.

b) The prevention of crime and disorder

Please see attached.

c) Public safety

Please see attached.

d) The prevention of public nuisance

Please see attached.

e) The protection of children from harm

Please see attached.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. – paid online
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

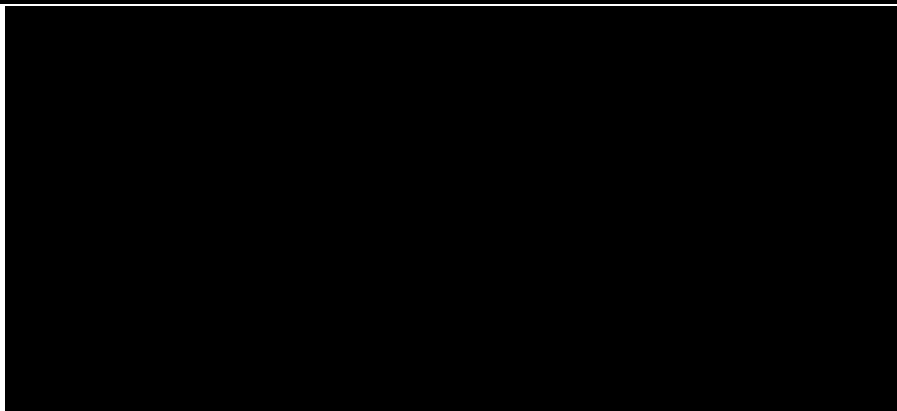
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)



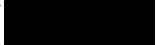

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
--------------------	---

Signature	 Ewen Macgregor for TLT Solicitors
Date	10 th January 2023
Capacity	Solicitor for Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Ewen Macgregor TLT Solicitors 			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) ewen.macgregor@TLTsolicitors.com			

WH Smith
Station Approach
Wimbledon
London
SW19 7NL

Proposed Opening Hours and Operating Schedule

Opening Hours and Hours for the sale of alcohol (off sales only)

Monday to Friday	0600 to 2100
Saturday	0800 to 2100
Sunday	0800 to 2100

Operating Schedule

General

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

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

There shall be no more than 10% of the shop floor area being used to display alcohol.

Prevention of Crime and Disorder

All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

A CCTV system is installed within the premises. Copies of recordings will be kept for 31 days and made available to the Licensing Authority or Responsible Authorities upon request.

Save for spirit mixers, all spirits to be displayed behind checkout areas to which only members of staff have access

A till prompt will be installed which will ask for a staff member to confirm they have checked the age for age restricted products.

A log shall be kept detailing all refused sales of alcohol in either paper or electronic form.

The log should include the date and time of the refused sale and the name of the member of staff who refused the sale.

The log shall be available for inspection at the premises by the police or an authorised officer.

Public Safety

Measures will be in place for the safe evacuation of persons with disabilities in case of fire or emergency

Protection of Children From Harm

An Age Challenge Scheme with an Age Challenge of not less than 25 years is to be in force for persons who appear to be less than 25 and who are attempting to purchase alcohol.

All staff that undertake the sale or supply of alcohol (and any other age-restricted product) shall receive appropriate training in relation to undertaking appropriate age checks on such, before being allowed to sell or supply any alcohol (and any other age-restricted product). Refresher training will be carried out at least every 12 months.

Records of all staff training, relating to the sale or supply of alcohol (and any other age-restricted product), along with any training material used, will be kept and maintained by the Designated Premises Supervisor or the Premises Licence Holder.

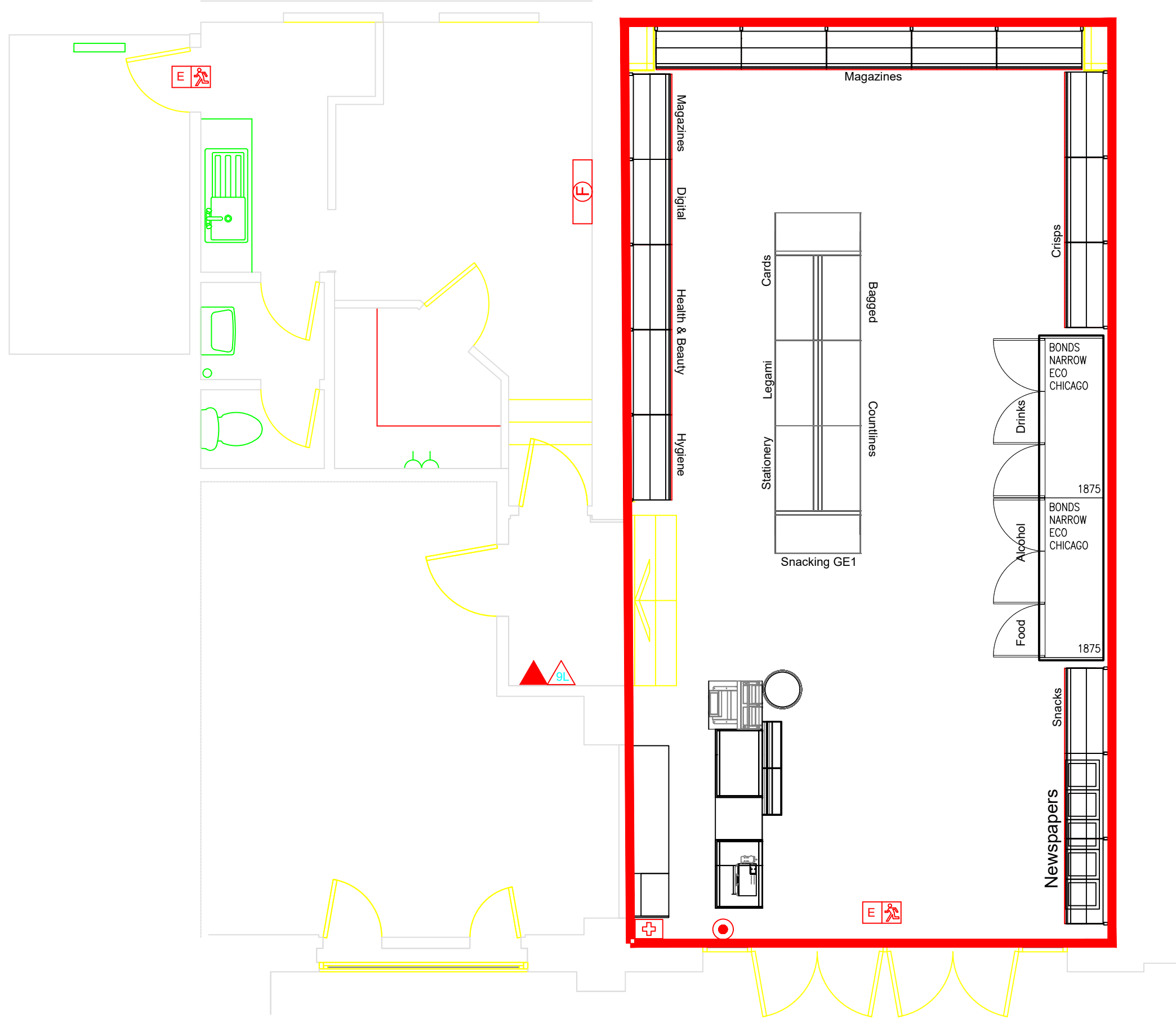
Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the Police.

Valid identification is limited to:

- a) Passport
- b) Photo Driving Licence
- c) PASS Accredited Holographic Proof of Age Card
- d) National including EU Identity Card

All displays of alcohol will be appropriately ticketed to advise purchasers that it is an offence for those under 18 to purchase alcohol.

Prominent notices will be displayed at points of sale advising customers that they may be asked to provide evidence of age.



	SALES FLOOR
	FIRE EXTINGUISHER
	EMERGENCY EXIT
	EMERGENCY LIGHT
	SMOKE DETECTOR - OPTICAL
	VOID SMOKE DETECTOR
	FIRE ALARM CONTROL PANEL
	PA / VA
	FIRE ALARM SOUNDER
	BREAK GLASS

Rev. No	Date	Revision
---------	------	----------

Business
WHSMITH TRAVEL

Site Address
Wimbledon Rail

Drawing Title
Area for provision of licensable activities

Branch No	Site No	Scale	Sheet Size
7685	00510	1:50	A3

Drawn by	Date	Checked by	Approved by
AB	01.12.2022		

DRAWING NUMBER:	Project No	Sheet No	Rev No	Status
TBC	01	A1	FE	

WHSmith PLC
 Travel Store Planning
 Victoria House, 4th Floor
 37-63 Southampton Row
 Bloomsbury Square
 London
 WC1B 4DA

WH Smith

**Station Approach
Wimbledon
SW19 7NL**

Proposed Opening Hours and Operating Schedule

Opening Hours and Hours for the sale of alcohol (off sales only)

- Monday to Saturday 0630 to 2100 (sale of alcohol from 0700)
- Sunday 0900 to 2100

Operating Schedule

CCTV

1. The premises shall install, operate and maintain a digital colour CCTV system
2. The CCTV system will cover, as a minimum, the entry and exit points to the premises.
3. The CCTV system will record clear images permitting the identification of individuals and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.
4. The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
5. The CCTV system will have a constant and accurate time and date generation.
6. The CCTV system will store recordings for a minimum period of 31 days with date and time stamping.
7. Viewable copies of recordings of CCTV will be provided on request to the police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998 (or any replacement legislation)
8. The CCTV system will be capable of downloading images to a recognisable viewable format.

9. Notices shall be prominently displayed advising customers that CCTV is in operation

Alcohol Display

10. There shall be no more than 10% of the shop floor area being used to display alcohol.
11. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
12. Save for spirit mixers, any spirits will only be displayed for sale from behind the servery counter.
13. Alcohol products of beer, lager and cider sold on the premises will be no more than 7% ABV. The restriction shall not apply in respect of specialist branded premium priced products, for example craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 7% ABV or greater
14. Save for gift packs, no alcohol shall be sold from the premises in less than or equal to 5cl measures or bottles
15. All displays of alcohol will be appropriately ticketed to advise purchasers that it is an offence for those under 18 to purchase alcohol.
16. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
17. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Age Verification

18. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as
 - (a) a driving licence,

- (b) passport or
- (c) proof of age card with the PASS Hologram

19. Prominent notices will be displayed at points of sale advising customers that they may be asked to provide evidence of age.

20. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale

Incident Log

21. An incident register/log shall be used, maintained and kept on the premises to record any incident which has an impact on any of the four licensing objectives, or instances when authorised officers from the Council, the Police or the British Transport Police have attended the premises.

22. If the record is in written form, then it should be documented in a bound book similar to an A4 day by day diary and marked refusals.

23. If the record is in written form, it should be documented in a bound book similar to an A4 day to day diary and marked "Refusals"

24. The book/register shall contain details of

- (a) All crimes relating to the premises
- (b) The ejection of persons
- (c) Any complaints received
- (d) Any incidents of disorder
- (e) Any faults with CCTV system
- (f) Any visit by a responsible authority or emergency service

Refusals Log

25. A record, in either electronic or paper form, shall be kept detailing all refused sales of alcohol. The record should include:

- (a) the date and time of the refused sale and the name of the member of staff who refused the sale

- (b) The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open

Training

26. All staff engaged in licensable activity at the premises will receive training and information in relation to the following (select from the following):
- (i) The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
 - (ii) The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
 - (iii) How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
 - (iv) Recognising the signs of drunkenness.
 - (v) The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
 - (vi) Action to be taken in the event of an emergency, including reporting an incident to the emergency services
27. Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 6 month intervals.
28. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority
29. Training records will be retained for at least 12 months.

General

30. The premises licence holder will become part of any community safety initiatives coordinated by the Police and/or Licensing Authority in so far as they relate to the four licensing objectives
31. The premises licence holder will display prominent notices on the premises reminding customers of any Public Spaces Protection Order in force preventing alcohol being consumed in an anti-social manner.
32. Staff will routinely check the premises and area outside the immediate front of the premises during opening hours to ensure that the premises are clean and tidy
33. The premises licence holder shall ensure that any persons highlighted by the Police as a 'street drinker' and is barred from the premises, shall not be sold alcohol.

From: Councillor Susie Hicks
Sent: 01 February 2023 18:33
To: Licensing
Subject: WHSmith application number WK202292275

Dear Licensing Committee members,

I am concerned about the hours proposed in the above application. This is a small venue next to the station, which at present operates as a newsagent. It fronts the little piazza outside the station, which has benches distributed along the shop side of the square. Off sales from 6 am to 9pm 7 days a week seem completely unnecessary, likely to act as a magnet for people with alcohol disorders and conducive to crime and drunkenness in the area around the station.

I am therefore opposed to the granting of this application in its present form.

Best wishes,

Susie

Councillor Susie Hicks
Hillside Ward

From: Councillor Susie Hicks
Sent: 10 February 2023 15:46
To: Licensing
Subject: WK202292275 WH Smith's

Dear David,

Thankyou for your email.

To expand on my objections to the granting of the license sought by WH Smith, I am concerned about public nuisance, increased crime and disorder and a risk to children. The site of the proposed venue is right beside the station, facing towards the area of seating outside the station. It is on the way to and from school for many children, and despite the ID measures proposed, the risk will be that young adults in 6th form buy alcohol for younger friends, or that children will use false ID (of which, when my daughter was at school locally, there was no shortage).

At the moment we already have Krystal's on the corner with a licence from early until late, Little Waitrose over the road similarly. Currently people with alcohol disorders gather outside Tesco's. As a ward councillor I would prefer that they were not encouraged to congregate outside the station, increasing the risk of crime and disorder in the piazza, impacting upon school children and anyone else using the station. I fear the cumulative impact of yet another alcohol licence (from 6am) in this small area will be to increase the likelihood of alcohol related problems in the immediate vicinity.

Best wishes,

Susie

Councillor Susie Hicks
Hillside Ward

From: WEHRA Chair
Sent: 06 February 2023 16:52
To: Licensing
Subject: Application No: WK202292275

Dear Sir/Madam,

Application No: WK202292275

I am writing on behalf of the Wimbledon East Hillside Residents Association (**WEHRA**), in response to the licencing application for premises at **Station Approach, Wimbledon, SW19 7NL which is currently the premises of WH Smith.**

WEHRA is a formal organisation, working together for over 40 years, with the mandate to 'preserve, protect and enhance our community'. We are a stable community consisting of family homes, the majority owner occupied, with many young families with school children, plus empty nesters and older people who have resided here for many years.

WEHRA represents residents living in ten roads (c.800 households) located at northern part of Wimbledon Town Centre. The WEHRA area is close to the major transport links at Wimbledon Bridge and the Town Centre; therefore, this proposed licence will impact the WEHRA area.

THE APPLICATION:

WEHRA notes that the application seeks a **Premises Licence** for the regulated activities of the sale of **alcohol for consumption off the premises**. The **proposed operating hours** are **06.00am to 21.00pm on Monday - Friday and 0800am to 21.00pm at weekends.**

THE LOCATION:

The WH Smith premises are situated in front of public space that forms the main entrance and the ticket hall of Wimbledon main line, tube, and tram stations.

There are several sitting benches located in this public space notably close to the front of the premises.

The station forecourt is busy throughout most of the day, particularly during the main **commuter periods**. This is particularly the case for **schoolchildren** who pass through to the many schools which are situated nearby.

The area also a focal point for the growing number of **beggars** in Wimbledon Town Centre.

WIMBLEDON TOWN CENTRE CUMULATIVE IMPACT ZONE:

Currently there are 2 other retail outlets that have **alcohol off sale only licences** in the immediate vicinity - one in the same parade within approx. 3 metres and the other situated on the opposite side of Wimbledon Hill Road - as indicated on the attached plan:

- **Krystal 08.00am – 23.00pm**
- **Waitrose 07.00 – 23.00pm**

In addition to the above outlets, there are a further 5 retail outlets with alcohol off sales, within a distance of 50 metres, that include several other national and smaller retail outlets e.g., Marks & Spencer , Morrisons, Tesco, Sainsburys and Retail 24. All of these are within easy walking distance of the station entrance as can be seen on the enclosed map. Their licensing hours vary, Retail 24 is from 06.00am to 01.00am and the several others have commencement hours of 0.6.00am/07.00am and terminal hours beyond those stated in the application.

There are also a growing number of restaurants, public houses, bars, and other retail outlets, within 100 meters of the premises that also provide off sales - these are not marked on the map.

The WH Smith premises are within the **Wimbledon Town Centre Cumulative Impact Zone**, to which Merton has applied a **Special Policy** (Paragraph 9 Merton Licencing Policy approved November 2020).

The Special Policy advises applicants to consider **cumulative impact**, when drawing up their operating schedule (Paragraph 10.2 page 16) and expects applicants, to *'demonstrate in the operating schedule that they would not be adding to the cumulative impact.'* (Paragraph 9.4). This application makes no reference the Special Policy in their Operating Schedule, which includes only standard proposals as to CCTV, Age Restrictions etc.

Nor does the Operating Schedule include a rationale for commencement of a licence at 06.00am. Whilst the Special Policy does not set hours, it observes that the operating hours of an outlet, are relevant to the **cumulative impact** and **potential for crime and disorder, and public nuisance**.

As the Council is aware, there has recently been anti-social behaviour, disturbance and nuisance caused by moped take-away delivery drivers congregating along Wimbledon Bridge, in the immediate vicinity of the applicant premises.

Granting yet another alcohol off sales licence only adds to the **cumulative impact** and increases the potential for crime and disorder and public nuisance, in an area that is frequented by the public including children. There are many schools within walking distance of Wimbledon station and the children use this public space when travelling by train, tube, tram to and from school mainly at the beginning and end of the school day.

This WH Smith premises is primarily a newsagent (magazines, comics etc) and confectionary unit and as such is particularly attractive to children. To date, the shop usually only has minimal staffing with shoppers often having to wait until sales staff appear from the storeroom – this type of staffing is not conducive with displays of alcohol even if they are held in sealed units.

THE WEHRA VIEW:

Whilst WEHRA supports a changing business economy, residents, and visitors (including children) must be safeguarded from adverse impacts of anti-social behaviour and the increased risk of crime and disorder, and public nuisance, with the grant of yet another off-sale licence in this already crowded area.

For these reasons, WEHRA must regrettably **object** to this application, which we believe is contrary to the Special Policy, as for the reasons stated above, it adds to the **cumulative impact**.

Further, the proposed operating hours commencing at 6am cannot be said to promote the licensing objectives, including the Prevention of Crime and Disorder and Public Nuisance.

If the licence were to be granted notwithstanding the Council's Special Policy, then we would seek to have reduced sales hours, particularly around those times when the area is full of school children using the transport facilities and effective CCTV surveillance outside the premises on the station forecourt.

Please let us know the date of any licensing hearing.

Yours faithfully,

Lynne Gordon
WEHRA, Chair



From: Ewen Macgregor

Sent: 14 February 2023 12:56

To: WEHRA Chair

Cc: David Ryan

Subject: Application No: WK202292275 - WH SMITH, STATION APPROACH, WIMBLEDON, LONDON, SW19 7NL.

Good afternoon Lynne

By way of introduction I am instructed by WH Smith (**WHS**) in connection with their application for a new premises licence at their premises at Wimbledon Station

I have been forwarded a copy of the representation that you have submitted to the application on behalf of Wimbledon East Hillside Residents Association (**WEHRA**)

I thought that it might be helpful if I were to set out a little of the background to WHS, the proposal at these premises and the revised schedule for conditions (which includes a modification to the proposed hours) that we have agreed with the police. I have also sought to address the issues that you have raised in your representation, by reference to not only the WHS style of operation but the conditions that have been offered, and agreed, with the police.

WHS

You will be familiar with the WHS concept which has developed over the years to keep pace with customers' demands

WHS already operate a number of licensed and unlicensed outlets across the country at transport hubs, both airports and train stations. These are small convenience stores offering a range of newspapers, magazines, food and drinks (including, where licensed, a small offering of alcohol)

WHS first started a process of licensing some of their travel premises back in 2012 and at the present time WHS operates in excess of 40 outlets at travel hubs across the country, at some of the busiest stations in the country, both within London and beyond.

All stores are supported by head office functions that include (but are not limited to) purchasing, legal, security, HR, compliance and risk

All alcohol that is sold by WHS are branded products. They do not, unlike many of the supermarkets, sell own label goods which, as you will be familiar with, tend to be sold at a cheaper price point

I am pleased to say that the existing WHS licensed estate has operated without issue and, across the country, where alcohol is sold their premises are not a source of regulatory concern

WHS Wimbledon

During the course of the consultation we have had a very productive discussion with the police and as a consequence of which have agreed the attached, and revised, schedule of conditions with the police

I am conscious that you have raised the start time for the sale of alcohol as a particular concern in your representation. Following discussions with the police it has been agreed that, whilst the premises will open at 0630 the permitted hours for the sale of alcohol will commence at 0700 on each day of the week, save for Sunday when the permitted hours will commence at 0900. The proposed commencement hour is consistent with other licensed premises in the locality and our WHS is not seeking hours for the sale of alcohol that are any earlier, or later, than that which is already in place.

I have highlighted above that my client does not sell own brand products and the following additional conditions have been agreed with the police in so far as they relate to the display of alcohol:

- There shall be no more than 10% of the shop floor area being used to display alcohol.
- All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
- Save for spirit mixers, any spirits will only be displayed for sale from behind the servery counter.
- Alcohol products of beer, lager and cider sold on the premises will be no more than 7% ABV. The restriction shall not apply in respect of specialist branded premium priced products, for example craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 7% ABV or greater
- Save for gift packs, no alcohol shall be sold from the premises in less than or equal to 5cl measures or bottles
- All displays of alcohol will be appropriately ticketed to advise purchasers that it is an offence for those under 18 to purchase alcohol.
- Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
- Alcohol shall not be sold in an open container or be consumed in the licensed premises.

The premises will also have the benefit of a CCTV system (supplementing the stations own cctv system), staff training, age verification processes, an incident and refusals log

My client has also committed to, and agreed with the police, the following additional conditions:

- The premises licence holder will become part of any community safety initiatives coordinated by the Police and/or Licensing Authority in so far as they relate to the four licensing objectives
- The premises licence holder will display prominent notices on the premises reminding customers of any Public Spaces Protection Order in force preventing alcohol being consumed in an anti-social manner.
- Staff will routinely check the premises and area outside the immediate front of the premises during opening hours to ensure that the premises are clean and tidy
- The premises licence holder shall ensure that any persons highlighted by the Police as a 'street drinker' and is barred from the premises, shall not be sold alcohol.

As a consequence of all of the above the police have kindly confirmed to us that they have no objection to the application and neither they, nor any or the responsible authorities have made a representation to the application

Wimbledon Town Centre CIA

My client is aware of, and sensitive to the existence of the CIA in Wimbledon.

WHS already operates in other parts of the country where there are CIAs. It is their experience of trading elsewhere in the country, where a CIA may be in force, that their particular style of premise does not add to the cumulative impact of licensed premises. Furthermore, experience has shown that their operation does not have an adverse impact on the licensing objectives. This is perhaps unsurprising given the nature of their business, the type and style (and limited range) of alcohol being offered for sale.

My client is of course willing to engage with the WEHRA on an on-going basis and if felt appropriate would submit to a condition that a contact number of the store be provided to WEHRA.

Children

WHS operates a strict C25 policy and notices to this effect will be in place within the premises. You will appreciate that WHS already sell other age restricted products (cigarettes for example) and their staff are used to, and practised, in asking for age verification from customers who they believe may be under the legal age limit for the purchase of age restricted products.

All staff receive age verification training, which is refreshed on a 6 monthly basis.

Till points all have prompts so that when alcohol is scanned through the sale cannot be completed without confirmation, by a member of staff, that the customer is over the age of 18.

These measures are covered by conditions in the operating schedule as follows:

18. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as
 - (a) a driving licence,
 - (b) passport or
 - (c) proof of age card with the PASS Hologram

19. Prominent notices will be displayed at points of sale advising customers that they may be asked to provide evidence of age.
20. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale

Street Drinking

As we have set out above, WHS operates in a number of travel hubs across the country. The products that they sell are not what one might typically associate with, or attractive to, street drinkers.

Specific conditions have been added to the operating schedule to address this particular issue:

- Save for spirit mixers, any spirits will only be displayed for sale from behind the servery counter.
- Alcohol products of beer, lager and cider sold on the premises will be no more than 7% ABV. The restriction shall not apply in respect of specialist branded premium priced products, for example craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 7% ABV or greater
- Save for gift packs, no alcohol shall be sold from the premises in less than or equal to 5cl measures or bottles

WHS has also agreed conditions with the police that

31. The premises licence holder will display prominent notices on the premises reminding customers of any Public Spaces Protection Order in force preventing alcohol being consumed in an anti-social manner.

33. The premises licence holder shall ensure that any persons highlighted by the Police as a 'street drinker' and is barred from the premises, shall not be sold alcohol.

Staffing levels

WHS maintains appropriate levels of staff in all of their premises across their trading estate, not least for the safety and security of their staff. This is, as one would expect of a business of WHS stature, something that is kept under review on a regular and on-going basis

These premises will also be fitted with a remote communication security system which, in addition to other measures being adopted, assists with safety and security on site.

Next steps

I am of course more than happy to discuss this matter with you should you wish. My mobile number below is the best number to contact me on should you wish to speak.

If you do feel that on the basis of what I have set out above you are able to withdraw your representation to the application could I please ask that you let me know, copying in at the London Borough of Merton

I look forward to hearing from you.

With best wishes

Ewen Macgregor
Partner
For TLT LLP

From: Ewen Macgregor
Sent: 13 February 2023 16:30
To: Councillor Susie Hicks
Cc: David Ryan
Subject: Application No: WK202292275 - WH SMITH, STATION APPROACH, WIMBLEDON, LONDON, SW19 7NL.

Good afternoon Cllr Wicks

By way of introduction I am instructed by WH Smith (**WHS**) in connection with their application for a new premises licence at their premises at Wimbledon Station

I have been forwarded a copy of the representation that you have made to the application.

I thought that it might be helpful if I were to set out in a little more detail the background to WHS, the proposal at these premises and the revised schedule of conditions (which includes a modification to the proposed hours) that WHS has agreed with the police

WHS

You will be familiar with the WHS concept which has developed over the years to keep pace with customers' demands

WHS already operate a number of licensed and unlicensed outlets across the country at transport hubs, both airports and train stations. These are small convenience stores offering a range of newspapers, magazines, food and drinks (including, where licensed, a small offering of alcohol)

WHS first started a process of licensing some of their travel premises back in 2012. At the present time they operate in excess of 40 outlets at travel hubs across the country, at some of the busiest stations in the country, both within London and beyond.

All stores are supported by head office functions that include (but are not limited to) purchasing, legal, security, HR, compliance and risk

All alcohol that is sold by WHS are branded products. They do not, unlike many of the supermarkets, sell own label goods which as you will be familiar with tend to be at a cheaper price point

I am pleased to say that their existing licensed estate has operated without issue and their premises are not a source of regulatory concern in those outlets that currently sell alcohol

WHS Wimbledon

During the course of the consultation we have had a very productive discussion with the police and as a consequence of which have agreed the attached, and revised, schedule of conditions with them.

I am conscious that you have raised the start time for the sale of alcohol as a particular concern in your representation. It has been agreed that these will commence at 0700 on all days of the week (previously 0630) and from 0900 on a Sunday. The commencement hour is consistent with other licensed premises in the locality and our client is not seeking hours for the sale of alcohol either earlier or later than that which is already in place.

I have highlighted above that my client does not sell "own brand" alcohol products. The following additional conditions have been agreed with the police in so far as the relate to the display of alcohol:

- There shall be no more than 10% of the shop floor area being used to display alcohol.
- All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
- Save for spirit mixers, any spirits will only be displayed for sale from behind the servery counter.
- Alcohol products of beer, lager and cider sold on the premises will be no more than 7% ABV. The restriction shall not apply in respect of specialist branded premium priced products, for example craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 7% ABV or greater
- Save for gift packs, no alcohol shall be sold from the premises in less than or equal to 5cl measures or bottles
- All displays of alcohol will be appropriately ticketed to advise purchasers that it is an offence for those under 18 to purchase alcohol.
- Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
- Alcohol shall not be sold in an open container or be consumed in the licensed premises.

The premises will also have the benefit of a CCTV system, staff training, age verification processes, an incident and refusals log. It is proposed that all of these measures are conditioned on the licence.

My client has also committed to, and agreed with the police, the following additional conditions

- The premises licence holder will become part of any community safety initiatives coordinated by the Police and/or Licensing Authority in so far as they relate to the four licensing objectives
- The premises licence holder will display prominent notices on the premises reminding customers of any Public Spaces Protection Order in force preventing alcohol being consumed in an anti-social manner.
- Staff will routinely check the premises and area outside the immediate front of the premises during opening hours to ensure that the premises are clean and tidy
- The premises licence holder shall ensure that any persons highlighted by the Police as a 'street drinker' and is barred from the premises, shall not be sold alcohol.

As a consequence of all of the above the police have kindly confirmed to us that they have no objection to the application and that they, nor indeed have any of the responsible authorities, made a representation to the application

Next steps

I am of course more than happy to discuss this matter with you should you wish. My mobile number below is the best contact number for me.

If you do feel that, on the basis of what I have set out above, you are in a position to withdraw your representation to the application could I please ask that you let me know, copying in at the London Borough of Merton

I look forward to hearing from you.

With best wishes

Ewen Macgregor
Partner
For TLT LLP



This page is intentionally left blank