



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (3)**

Meeting Date: **Thursday 15th September, 2016**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP**

Members: **Councillors:**

Melvyn Caplan (Chairman)
Louise Hyams
Rita Begum



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 9.00am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.

**Email: jdeacon@westminster.gov.uk Tel: 020 7641 2783
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown in each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Director of Law in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

Licensing Applications for Determination

1. SAINSBURY'S, UNIT R17, PADDINGTON STATION, PRAED STREET, W2

(Pages 1 - 26)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	Hyde Park / not in cumulative impact area	Sainsbury' s, Unit R17, Paddingto n Station, Praed Street, W2	Variation	16/07713/LIPV

**Charlie Parker
Chief Executive
9 September 2016**

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

POLICY CONSIDERATIONS

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

GUIDANCE CONSIDERATIONS

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

LIVE MUSIC ACT 2012

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES

(As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.



City of Westminster

Agenda Item 1 Licensing Sub-Committee Report

Item No:	
Date:	15 September 2016
Licensing Ref No:	16/07713/LIPV - Premises Licence Variation
Title of Report:	Sainsbury's Unit R17 Paddington Station Praed Street W2 1RH
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Claire Hayes Senior Licensing Practitioner
Contact details	Telephone: 020 7641 7816 Email: chayes@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	21 July 2016		
Applicant:	Sainsbury's Supermarkets Limited		
Premises:	Sainsbury's		
Premises address:	Unit R17 Paddington Station Praed Street London W2 1RH	Ward:	Hyde Park
		Cumulative Impact Area:	No
Premises description:	The premises is a supermarket situated in a unit within Paddington Station selling groceries, household products and alcohol.		
Variation description:	<p>To amend the plans to add an extended entrance.</p> <p>To remove the restriction on opening hours</p> <p>The deletion of condition 5 of the licence to remove the reduced hours on Christmas Day and Good Friday and amend condition 6 relating to sealed containers and consumption off of the premises</p> <p>To add conditions relating to CCTV, securing alcohol outside permitted hours, the amount of area used for the sale and display of alcohol and the keeping of an incident book.</p>		
Premises licence history:	The premises have held a licence since at least 2005.		
Applicant submissions:	No additional submissions have been received		

1-B Current and proposed licensable activities, areas and hours	
Regulated Entertainment	
Recorded music and Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit – unrestricted	No change – unrestricted

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Off		Off – no change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08.00	23.00	No change		Basement, ground and first floor	Addition of an extended entrance on the ground floor.
Tuesday	08.00	23.00				
Wednesday	08.00	23.00				
Thursday	08.00	23.00				
Friday	08.00	23.00				
Saturday	08.00	23.00				
Sunday	10.00	22.30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Christmas Day: 12.00 to 15.00 & 19.00 to 22.30			Removal of seasonal variations to allow alcohol to be sold in line with current permitted hours	
		Good Friday: 08:00 to 22.30				

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08.00	23.00	00.00	00.00	Basement, ground and first floor	Addition of an extended entrance on the ground floor.
Tuesday	08.00	23.00	00.00	00.00		
Wednesday	08.00	23.00	00.00	00.00		
Thursday	08.00	23.00	00.00	00.00		
Friday	08.00	23.00	00.00	00.00		
Saturday	08.00	23.00	00.00	00.00		
Sunday	10.00	22.30	00.00	00.00		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		n/a			n/a	

1-C Layout alteration

To add an extended entrance on the ground floor in conjunction with the redevelopment of Paddington Station. No licensable activities will take place in the additional area. It is proposed that the area will not be used until October 2016.

1-D Conditions being varied, added or removed	
Condition	Proposed variation
To remove condition 5 on the current licence relating to the times for the sale of alcohol to remove the restricted hours on Christmas Day and Good Friday. Please see Appendix 4	To remove

Condition 6 on the current licence which reads: Alcohol shall not be sold in an open container or be consumed in the licensed premises	To be replaced with: All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.	
To add additional conditions relating to		
<ul style="list-style-type: none"> • CCTV • Securing alcohol outside the authorised times for the sale of alcohol • The percentage of the area for sale, exposure and display of alcohol • The keeping of an incident book 		
Please see Appendix 4		
Adult entertainment:	Current position: None	Proposed position: None – No change

2. Representations

2-A Interested Persons			
Name:	Mrs Elizabeth Virgo		
Address and/or Residents Association:	Paddington Waterways & Maida Vale Society 4 Browning House 19-21 Formosa Street London W9 2JS		
Status:	Valid	In support or opposed:	Opposed
Received:	09.08.2016		
<p>Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues). We are concerned with the well-being and sense of community of its residents, including those who live in the vicinity of Paddington Station and those who use the station either for travel or for passing through.</p> <p>We recognise that this proposal is designed to provide services for locals as well as people who are not residents in this area. We realise that a licence already exists but that a new licence is necessary due to the development of this part of Paddington Station.</p> <p>This representation is made on the basis of the likely effect of the application as presented on 'prevention of public nuisance and 'prevention of crime and disorder.</p>			

There is no objection to the grant of a licence, but the application as presented does not go as far as it should in promoting the licensing objectives. The conditions are requested on the basis that they will promote the licensing objectives, due to problems of street drinking in the area.

No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

No miniature bottles of spirits of 20 cl or below shall be sold from the premises.

We will endeavour to attend any hearing which may be held.

Name:		Mr John Zamit	
Address and/or Residents Association:		SEBRA (South East Bayswater Residents' Association) 2 Claremont Court Queensway London W2 5HX	
Status:	Valid	In support or opposed:	Opposed
Received:	11.08.2016		

The South East Bayswater Residents' Association (SEBRA) supports letter from PW&MV Society in respect of above application and also seek conditions on sales of strong beer/ cider and miniatures as we have a 'street drinking problem' in Praed Street and around Paddington.

We would prefer no sales of premium beers/ lagers and if allowed bottle size to be controlled to say 300ml.

We believe already offered in conditions but we require standard conditions on CCTV and lockable (not roller blinds) cabinets where alcohol sold that are locked if store open outside hours allowed for sale of alcohol.

Also assume safe guards (Challenge 25 etc) in place so no sale of alcohol to 'minors' on any self service tills as well as standard manned tills.

Update:

Further correspondence and information between Mr Brown, on behalf of Mr Zamit and Mrs Virgo regarding conditions is attached as Appendix 2

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

Policy OS1 applies:	Applications will generally be granted and reviews determined subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement.
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4. Appendices

Appendix 1	Premises plans current & proposed
Appendix 2	Discussions regarding proposed conditions
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

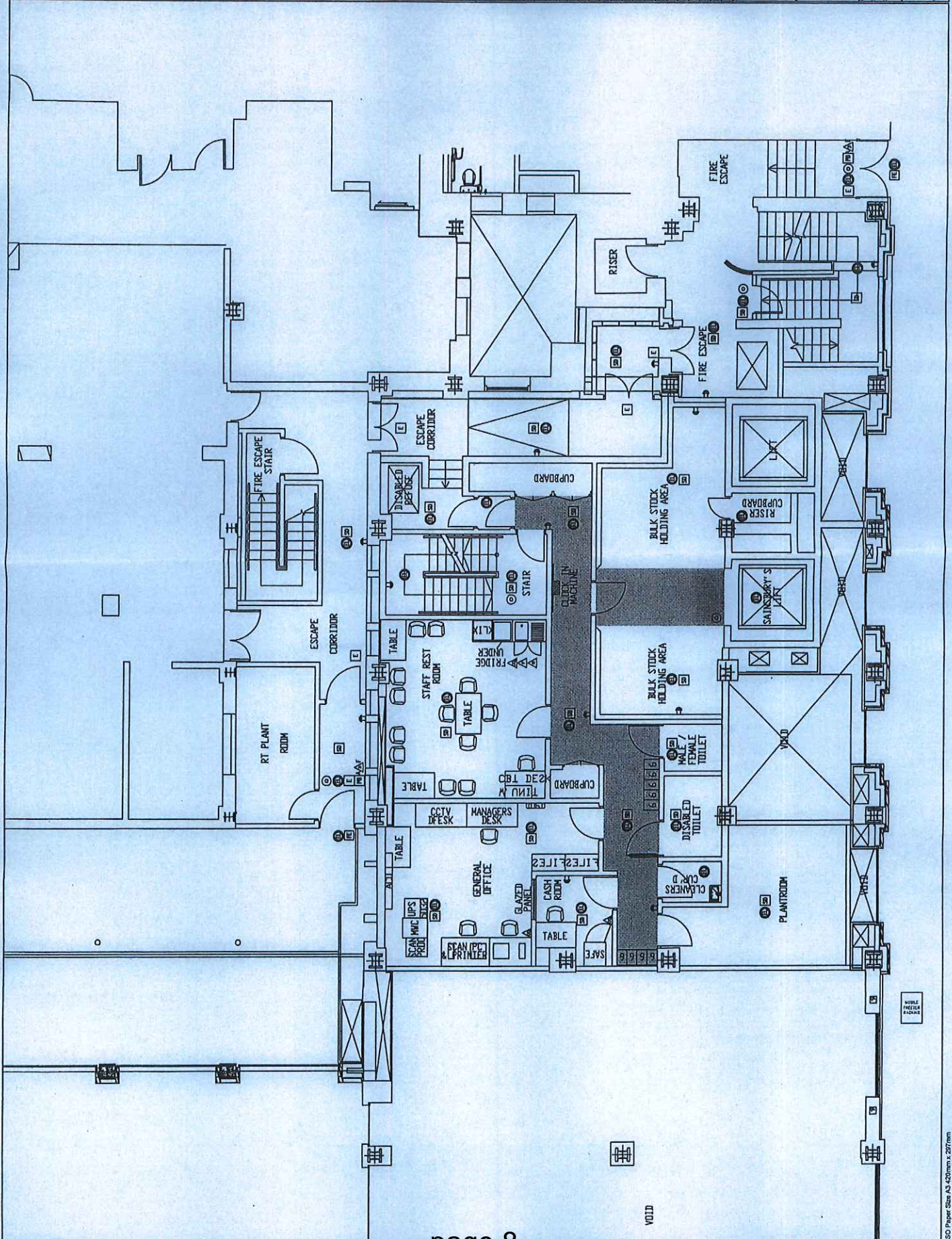
Report author:	Ms Claire Hayes Senior Licensing Practitioner
Contact:	Telephone: 020 7641 7816 Email: chayas@westminster.gov.uk

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application form	21 July 2016
5	Representation received from Ms Virgo on behalf of PWMVS	09 August 2016
6	Representation from John Zamit on behalf of SEBRA and BRA	11 August 2016

NOTES	REVISIONS	LEGEND	4003 PADDINGTON STATION	PROPOSED FIRST FLOOR STORE PLAN	DRAWN BY: JOANNE SURECY CHECKED BY: [] DATE: 30.06.2016 PROJECT: 4003F01-1 Sainsbury's <small>100, The Arcade, London, W1A 1AA</small>
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NOTES

SITE PLAN
Scale 1:2500

REVISIONS

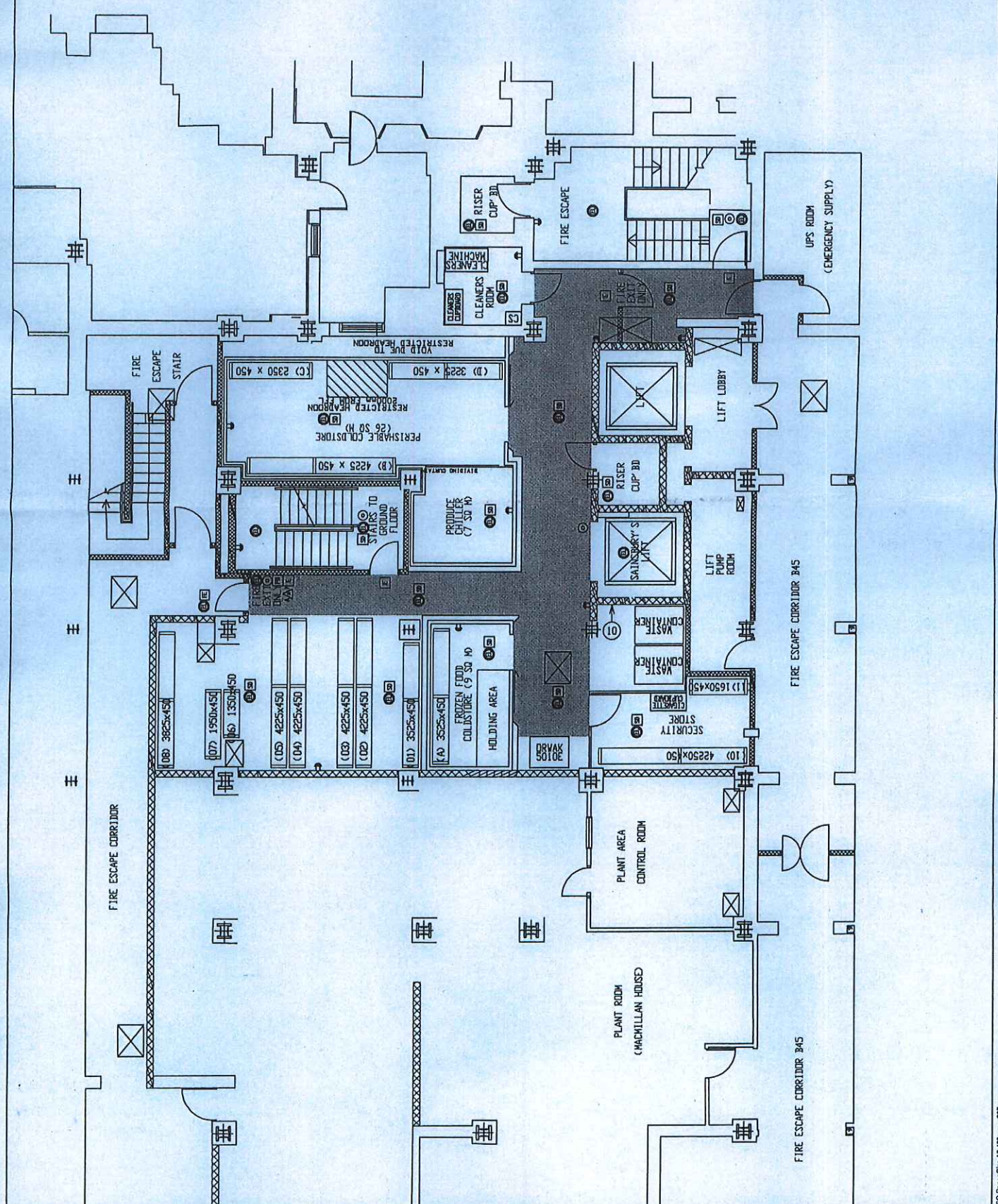
NO.	DESCRIPTION
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4.003
PADDINGTON STATION

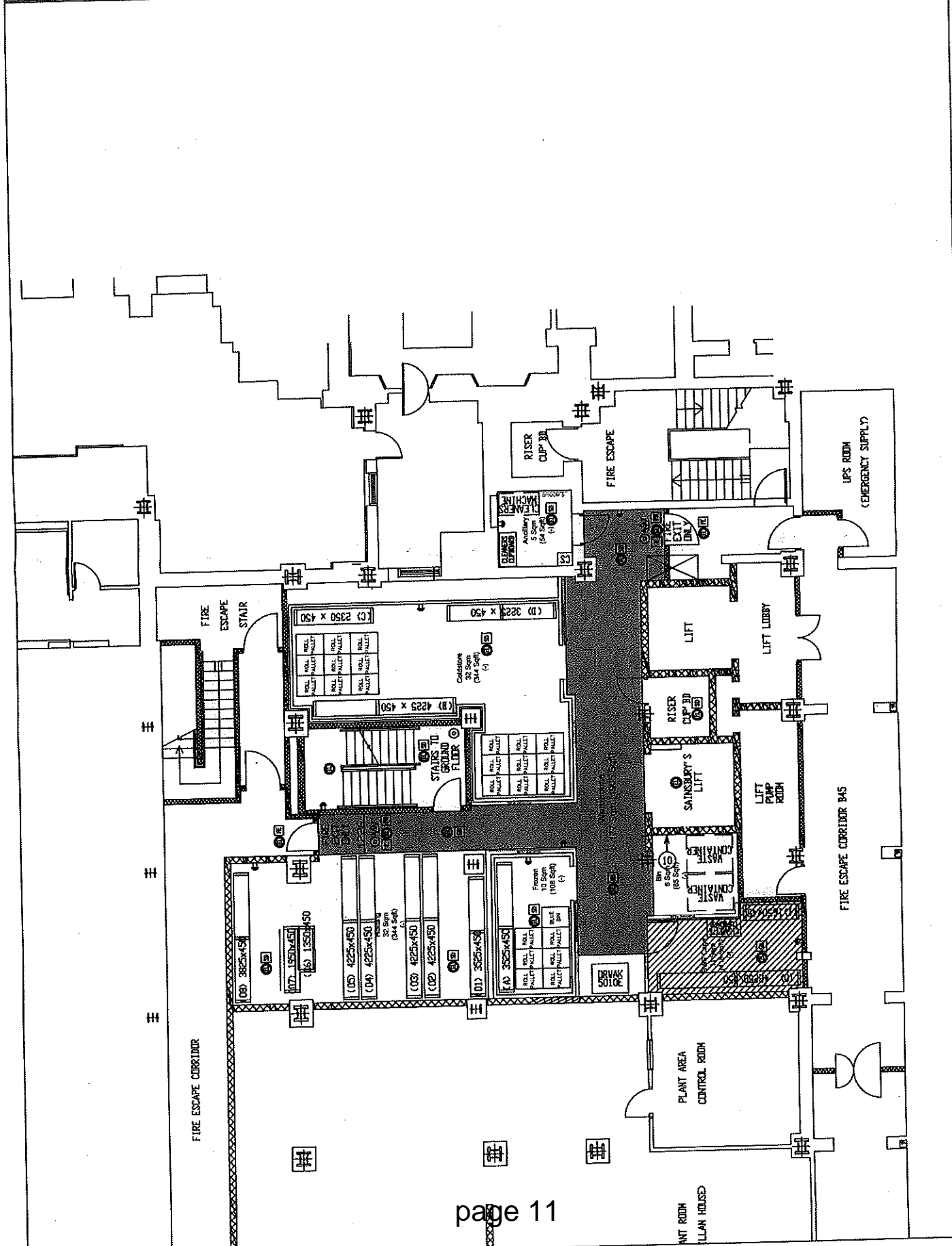
PROPOSED
BASEMENT
STORE PLAN

JOANNE SURGEY
30.06.2016
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Sainsbury's



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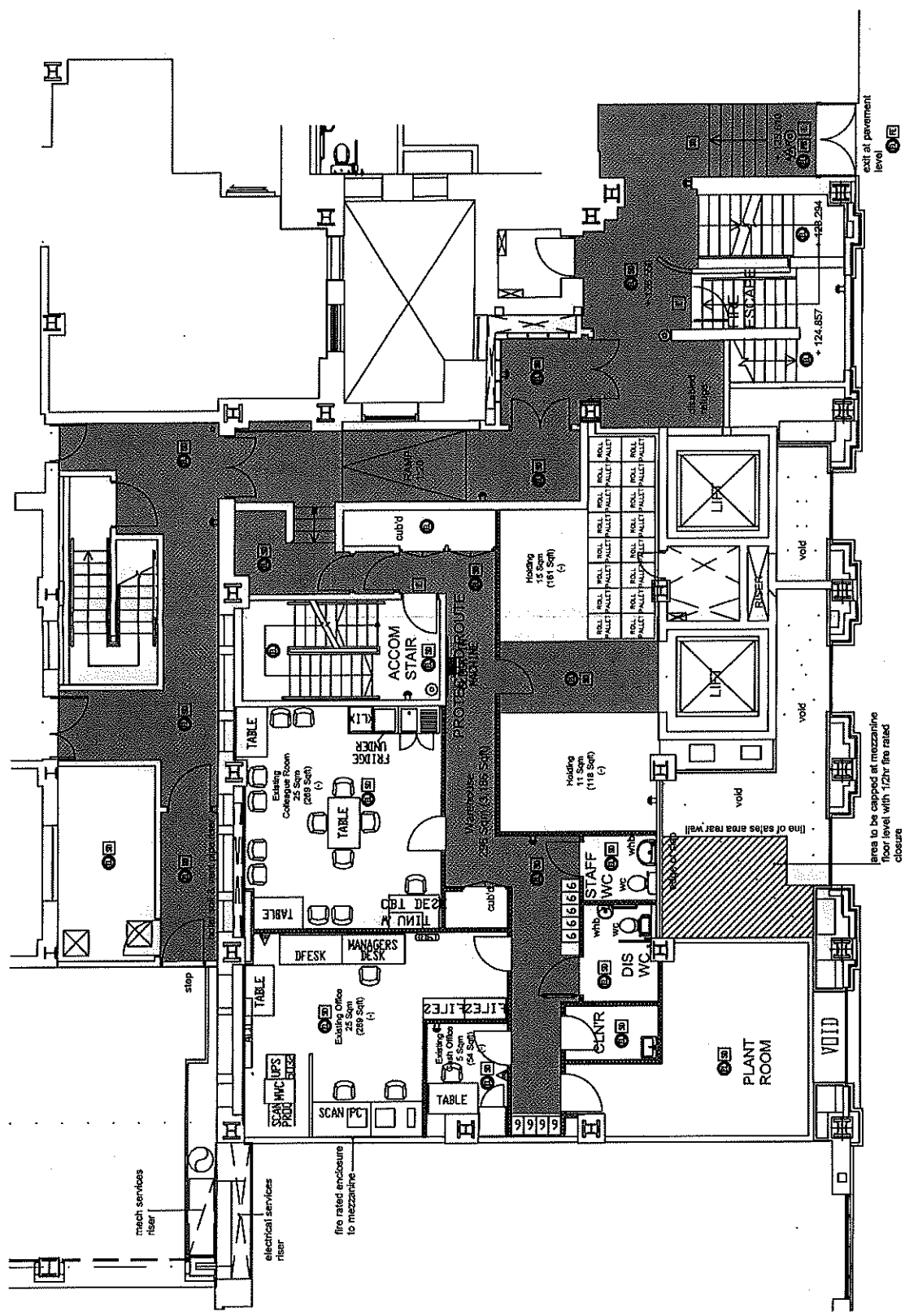
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4003
FADDINGTON
STATION

PROPOSED
FIRST FLOOR
STORE PLAN

DATE	12/10/2011
DRAWN BY	MICHELLE MOSE
CHECKED BY	MARK LLOYD
PROJECT NO.	4003F01-1
SCALE	-

Sainsbury's



Hayes, Claire: WCC

From: licensing licensing <licensing@westminstercab.org.uk>
Sent: 05 September 2016 09:34
To: Hayes, Claire: WCC
Cc: Chairman@SEBRA.org.uk; elizabethvirgo@btinternet.com
Subject: FW: Sainsbury's Paddington Station

Hi Claire,

Please see the email correspondence below.

I very much hope that this application can be resolved without the need for a hearing.

However, I am aware that you will be finalising the LSC Report and so could you please include the correspondence below, which details the additional two conditions requested by PWMVS and SEBRA, and the reasons why they have been requested.

Kind regards,

Richard

Richard Brown
Licensing Advice Project
Citizens Advice Westminster

21a Conduit Place, London W2 1HS

Advice Line: 08444 771 611

Direct Line: 020 7706 6029

Fax: 020 7706 6039

Email: licensing@westminstercab.org.uk

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Please consider the environment before printing this email

From: Robert Botkai <rbotkai@wslaw.co.uk>
Sent: 02 September 2016 11:24
To: licensing licensing
Cc: Elaine Finlay; johnzamid@gmail.com; ELIZABETH VIRGO
Subject: RE: Sainsbury's Paddington Station

Richard

I will take instructions on the conditions requested. Thank you for clarifying.

You are correct that included in the application is a request to remove the embedded restrictions that stipulate different hours for Christmas Day and Good Friday.

We also asked for condition 6 regarding open containers and consumption on the premises to be removed as we consider this to be redundant. This is an off licence only.

With regard to the layout which has prompted the application the only change relates to a new store entrance.

Kind regards

Robert

From: licensing licensing [mailto:licensing@westminstercab.org.uk]
Sent: 01 September 2016 14:51
To: Robert Botkai
Cc: Elaine Finlay; johnzamit@gmail.com; ELIZABETH VIRGO
Subject: RE: Sainsbury's Paddington Station

Robert,

Thank you for your email. I have now taken instructions.

Using the numbering in your previous email to John:

1. The operating schedule includes the Westminster CCTV conditions. **Noted.**
2. The operating schedule includes a "shutters" condition. **Noted.**
3. You will be aware that all self-scan tills are set to block an alcohol sale until specifically approved by a Sainsbury's colleague. This being the case why is a condition sought? **A condition is not now sought.**
4. Why do you ask for no sales of "premium beers/lagers"? **See proposed Model Condition below.**
5. What bottles are you seeking to restrict to 300ml? **See proposed Model Condition below.**

I think there may have been some confusion regarding the 'super strength' condition; there is no intention to prevent premium products from being sold. The proposed condition is therefore MC29:

'No super-strength beer, lagers ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.'

The additional proposed condition is MC85:

'No miniature bottles of spirits of 20cl or below shall be sold from the premises.'

Both conditions are requested to deter street drinking and rough sleeping, which we are instructed are increasingly problematic in this locality and has to be raised by interested parties as it is not always picked up on other statutory authorities.

Could you just confirm what is sought by the application? You state in your correspondence that the application is only to amend the layout. However, the application as submitted was also to extend the opening hours, and to extend the hours for sale of alcohol on Good Friday and Christmas Day. Have these aspects of the application been withdrawn? Could you also confirm whether or not the new store will have a new or different entrance?

In any event, my understanding is that agreement by your client to the two conditions listed above would allow PWMVS and SEBRA to withdraw their representations.

Finally, I can confirm that the M&S application to which you refer was accidentally overlooked by PWMVS and SEBRA; it was not a conscious decision not to make a representation. John and Elizabeth would respectfully point out that they are volunteers who give up their time free of charge for these (and many other) community matters.

I look forward to hearing from you.

Kind regards,

Richard

From: Robert Botkai [<mailto:rbotkai@wslaw.co.uk>]
Sent: 31 August 2016 15:03
To: licensing licensing
Cc: Elaine Finlay; johnzamit@gmail.com
Subject: FW: Sainsbury's Paddington Station

Hi Richard

I hope you are well.

Can we discuss this one please when you have a moment?

I believe the M&S application was June 2016 and the licence has mandatory conditions only. No conditions were offered in the operating schedule, no reps were made and no conditions imposed.

Thanks

Robert

From: johnzamit@gmail.com [<mailto:johnzamit@gmail.com>]
Sent: 31 August 2016 14:25
To: Robert Botkai; elizabethvirgo@btinternet.com
Cc: chairman@SEBRA.org.uk; chayes@westminster.gov.uk; Elaine Finlay; licensing@westminstercab.org.uk
Subject: Re: Sainsbury's Paddington Station

Robert

We also asked for no sale of 'miniatures'

We believe restriction on sale of strong / beer and miniatures required in station and Praed Street area.

Pleased to see conditions on your points 1,2 &3

Please advise me when M&S application approved and conditions on that licence

Many thanks

John

From: Robert Botkai
Sent: Wednesday, August 31, 2016 2:17 PM
To: <mailto:johnzamit@gmail.com> ; <mailto:elizabethvirgo@btinternet.com>
Cc: <mailto:chairman@SEBRA.org.uk> ; <mailto:chayes@westminster.gov.uk> ; Elaine Finlay ; <mailto:licensing@westminstercab.org.uk>
Subject: RE: Sainsbury's Paddington Station

John

Reading your representation again:

1. The operating schedule includes the Westminster CCTV conditions.
2. The operating schedule includes a "shutters" condition.
3. You will be aware that all self-scan tills are set to block an alcohol sale until specifically approved by a Sainsbury's colleague. This being the case why is a condition sought?
4. Why do you ask for no sales of "premium beers/lagers"?
5. What bottles are you seeking to restrict to 300ml?

Please can you explain why no such restrictions were sought in respect of the Marks 7 Spencer also in the Station?

Once again I would hope that you will reconsider the representation here. This is simply an application to amend the layout and it would be a great pity if such an application, necessitated by the redevelopment of the station, result in a hearing before the Sub Committee.

Thanks

Robert

From: Robert Botkai
Sent: 31 August 2016 14:06
To: 'johnzamit@gmail.com'; elizabethvirgo@btinternet.com
Cc: chairman@SEBRA.org.uk; chayes@westminster.gov.uk; Elaine Finlay; licensing@westminstercab.org.uk
Subject: RE: Sainsbury's Paddington Station

John

Apologies but I read your representation as supporting PM&MV Society.

I will, of course, take instructions.

Robert

From: johnzamit@gmail.com [<mailto:johnzamit@gmail.com>]
Sent: 31 August 2016 13:53
To: Robert Botkai; elizabethvirgo@btinternet.com
Cc: chairman@SEBRA.org.uk; chayes@westminster.gov.uk; Elaine Finlay; licensing@westminstercab.org.uk
Subject: Re: Sainsbury's Paddington Station

Robert

SEBRA also objected to application but do not seem to have direct response from you.

We consider two additional conditions we requested very reasonable especially where premises are located.

I have cc in Richard Brown of CAB as he will be representing/ assisting us and PW&MV Society

Best regards

John

John Zamit
Chairman
SEBRA (South East Bayswater Residents' Association)
2 Claremont Court
Queensway
LONDON
W2 5HX

Tel: 020 7727 6104
Mobile: 07768 068277

Email: Chairman@SEBRA.org.uk
Website: www.sebra.org.uk

From: Robert Botkai
Sent: Wednesday, August 31, 2016 12:10 PM
To: <mailto:elizabethvirgo@btinternet.com>
Cc: <mailto:chairman@SEBRA.org.uk> ; <mailto:chayes@westminster.gov.uk> ; [Elaine Finlay](#)
Subject: Sainsbury's Paddington Station

Dear Ms Virgo

My firm represents Sainsbury's and we have submitted the application to vary the premises licence for its store at Paddington Station. I have received a copy of your representation and a representation from SEBRA supporting yours.

I would like to ask you to please reconsider your representation on this occasion.

Our client has an existing premises licence. It has had to apply for a variation to the layout of the store due to the redevelopment of the Station. It is not looking to extend in any way the licensable activities or the permitted hours. We have included in the operating schedule a set of proposed conditions that we believe update the licence in line with Westminster's policy statement.

We understand that the Marks & Spencer also at the Station have been in the same position ie with an existing licence for the same hours. They too applied to vary their licence (in June 2016) to reflect the development and received no representation from you, SEBRA or indeed any other party. Marks & Spencer offered no conditions so far as we are aware its operating schedule. The variation was granted with no new conditions imposed.

The police, having considered the above, have accepted the position and have withdrawn their representation. I should be grateful if you too and then SEBRA will also withdraw on the basis that this is not a new licence application but simply a variation to amend plans and we have already gone further than perhaps was necessary by including the detailed operating schedule.

I very much hope that you will agree that a hearing should not be necessary in these circumstances and that you will notify the licensing officer that your representation is withdrawn.

Please do feel free to contact me if you wish to discuss any aspect of this application.

Kind regards

Robert

Robert Botkai
Partner

Winckworth
Sherwood

T +44 (0) 20 7593 5004

M +44 (0) 7768 173 936

rbotkai@wslaw.co.uk

www.wslaw.co.uk

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Winckworth Sherwood

Minerva House | 5 Montague Close | London | SE1 9BB | DX 156810 London Bridge 6

T 020 7593 5000 | F 020 7593 5099

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Licence History

Application	Details of Application	Date Determined	Decision
05/08382/LIPC	Conversion of a Justices' off licence	24.11.2005	Granted under delegated authority
06/01133/LIPDPS	Variation of the Designated Premises Supervisor	05.04.2006	Granted under delegated authority
07/03071/LIPDPS	Variation of the Designated Premises Supervisor	23.04.2007	Granted under delegated authority
09/07275/LIPDPS	Variation of the Designated Premises Supervisor	01.11.2009	Granted under delegated authority
09/07282/LIPDPS	Variation of the Designated Premises Supervisor	10.11.2009	Granted under delegated authority
10/08737/LIPDPS	Variation of the Designated Premises Supervisor	21.01.2011	Granted under delegated authority
11/02174/LIPVM	Minor variation to amend plans	05.04.2011	Granted under delegated authority
12/00838/LIPDPS	Variation of the Designated Premises Supervisor	01.04.2014	Granted under delegated authority
13/10145/LIPDPS	Variation of the Designated Premises Supervisor	05.02.2014	Granted under delegated authority
16/08980/LIPDPS	Variation of the Designated Premises Supervisor	Not yet determined – only received on 22.08.2016	n/a

Appendix 4

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application to vary a premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the application subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

5(ii) For the purposes of the condition set out in paragraph 5(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

Conditions Applicable to the Sale of Alcohol

Proposed to be removed:

5a. *Alcohol shall not be sold or supplied except during permitted hours.*

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 08:00 to 23:00*
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30*
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30*
- (d) On Good Friday, 08:00 to 22:30*

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;*
- (b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;*
- (c) sale of alcohol to a trader or club for the purposes of the trade or club;*
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.*

6.. *Alcohol shall not be sold in an open container or be consumed in the licensed premises*

To be replaced with:

6a. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

Additional conditions proposed by the applicant

7. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster 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 time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
8. 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.

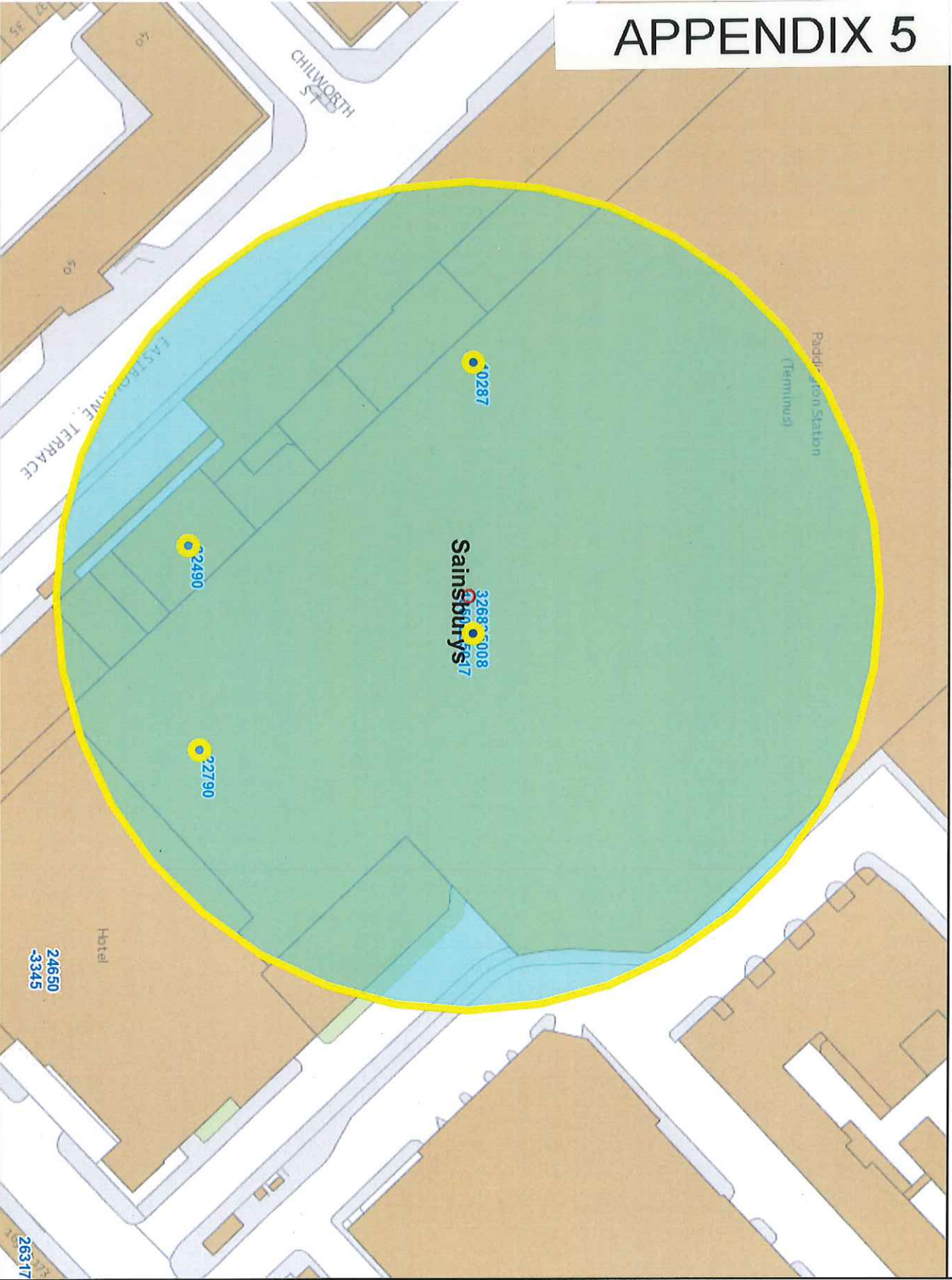
9. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the trading area of the premises (and for the avoidance of doubt this does not include the alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers.
10. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
11. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) any complaints received concerning crime and disorder
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system,
 - (e) any refusal of the sale of alcohol
 - (f) any visit by a relevant authority or emergency service.

Additional Conditions proposed by persons who have made representations – these conditions have not been agreed to by the applicants

12. No super-strength beer, lagers ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles
13. No miniature bottles of spirits of 20cl or below shall be sold from the premises.

Sainsburys Unit R17 Paddington Station

APPENDIX 5



10 Meters

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Residential / Proposed Residential	1	page 24
Under Construction	Not Stated	
Other Uses	Not Stated	
Proportion Residential of all Uses	Not Stated	

Data Source: Uniform Database
Date: 06/09/2016

Premises within 75 metres of: Sainsburys Unit R17 Paddington Station

p / n	Name of Premises	Premises Address	Licensed Hours
15335	Costa Coffee	Unit R27 Paddington Station Praed Street London W2 1RH	Monday to Sunday 00:00 - 00:00
32397	WH Smith	Ground Floor Shop Paddington Station Praed Street London W2 1RH	Monday to Sunday 07:00 - 22:00
-22790	Burger King/Caffe Ritazza	Platform 7 And 8 Unit 18 Paddington Station Praed Street London W2 1RH	Monday to Sunday 00:00 - 00:00
-20357	Marks & Spencer - Simply Food	Ground Floor Unit 1 Paddington Station Praed Street London W2 1RH	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-4744	Barburrito Limited	Unit R09a Paddington Station Praed Street London W2 1HB	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
-2880	The Beer House	Unit R36 Paddington Station Praed Street London W2 1RH	Monday to Sunday 08:30 - 00:30
-2477	Sloe Bar	Unit R30 Paddington Station Praed Street London W2 1RH	Friday to Saturday 10:00 - 00:00 Sundays before Bank Holidays 10:00 - 00:00 Sunday 10:00 - 22:50 Monday to Thursday 10:00 - 23:30
5008	Eat Ltd	Unit R31 Paddington Station Praed Street London W2 1RH	Monday to Friday 07:30 - 20:00 Saturday to Sunday 08:30 - 20:00
10287	Nero Express	Paddington Station Concourse Praed Street London W2 1RH	Monday to Sunday 00:00 - 00:00
10827	Nampo	Unit 41 Paddington Station Praed Street London W2 1HB	Monday to Sunday 00:00 - 00:00
14426	Upper Crust	Unit 19 Paddington Station Praed Street London W2 1RH	Monday to Sunday 00:00 - 00:00
14778	Mad Bishop & Bear	Unit 32 Paddington Station Praed Street London W2 1RH	Monday to Saturday 07:00 - 00:00 Sunday 07:00 - 23:30
-28947	Searcys Champagne Bar	Unit 58 Paddington Station Praed Street London SW1V 1JU	Monday to Sunday 07:30 - 23:00
-1782	Caffe Ritazza	Unit R08 Paddington Station Praed Street London W2 1RH	Monday to Sunday 06:00 - 00:00
12171	Sainsbury's	Unit R17 Paddington Station Praed Street London W2 1RH	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
18502	Delice De France	Unit 19a Paddington Station Praed Street London W2 1RH	Monday to Sunday 23:00 - 01:00
25017	Yoi Sushi	Unit R07 Paddington Station Praed Street London W2 1RH	Sunday 08:00 - 23:00 Monday to Saturday 08:00 - 23:30
32490	McDonald's Restaurants Ltd.	Macmillan House Paddington Station Praed Street London W2 1BA	Monday to Sunday 05:00 - 01:00
32683	The Savanna	Unit R01 Paddington Station Praed Street London W2 1HB	Monday to Friday 06:00 - 21:00 Saturday to Sunday 09:00 - 20:00

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