

Licensing Sub-Committee Report

Item No:	
Date:	12 May 2016
Licensing Ref No:	16/00209/LIPN - New Premises Licence
Title of Report:	Burger King Unit 1 Charing Cross Station Strand London WC2N 5HS
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Darren O'Leary Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: doleary@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	8 th January 2016		
Applicant:	Select Service Partner Ltd		
Premises:	Burger King		
Premises address:	Burger King Unit 1 Charing Cross Station Strand London WC2N 5HS	Ward:	St James's
		Cumulative Impact Area:	None
Premises description:	<p>The premises is a food and drink outlet located at Charing Cross Station. The premises are currently known as Burger King and have traded for many years with the benefit of a premises licence authorising late night refreshment.</p> <p>This application is to authorise the sale of alcohol for consumption off the premises and late night refreshment and if granted the existing licence shall be surrendered.</p>		
Premises licence history:	The premises is currently licensed under 16/00222/LIPVM.		
Applicant submissions:	Following discussions with all parties regarding their representations, the applicant has agreed to amend the hours for the sale of alcohol being applied for and the removal of off sales. The amendments are reflected below.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations:		N/A					
Non-standard timings:		<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>In addition, the premises may open for late night refreshment until 05.00 daily, if requested to do so by senior station management, a senior Network Rail representative or a senior police officer.</p>					

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations:		N/A					
Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations:		None					
Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Maxwell Owusu Koduah
Received:	13 th January 2016

I refer to the application for a new Premises Licence.

This representation is based on the operating schedule and accompanying plans by Britsch Design, dated December 2015 ref A3/112.

The applicant is seeking the following licensable activities:

1. *Late night refreshment indoors at the following times*
 - *Monday to Sunday: 23:00 to 01:00*
 - *On the request of senior station management, a senior Network Rail representative or a senior police officer: 01:00 – 05:00 daily*
 - *From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day annually*
2. *Supply of alcohol for consumption on and off the premises at the following times:*
 - *Monday – Thursday 10:00 – 23:30*
 - *Friday & Saturday 10:00 – 24:00*
 - *Sunday: 12:00 - 22:30*
 - *From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day annually*

I wish to make the following representation

- 1. The provision and hours requested to permit the provision of Late Night Refreshment will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the area**
- 2. The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area**

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.

Conditions have been proposed to the applicant which are attached at Appendix 4.

Responsible Authority:	Metropolitan Police
Representative:	Bryan Lewis
Received:	11 th January 2016

With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your applications for a new Premises Licenses as it is our belief that if granted the application would undermine the following Licensing Objectives.

- The prevention of crime and disorder
- The protection of children from harm

Our objections relate to the following:

- There are insufficient conditions to promote the Licensing objectives.
- Police believe the style of operation, premises layouts and the locations are not suitable for the sale of alcohol

No proposed conditions.

2-B Other Persons			
Name:		Mr David Kaner	
Address and/or Residents Association:		Covent Garden Community Association	
Status:	Outstanding	In support or opposed:	Opposed
Received:	24 th January 2016		

This representation is made on behalf of the Covent Garden Community Association which represents the interests of residents living in the Covent Garden Area. Charing Cross Station is at one corner of our area of interest.

We object to the proposed addition of the sale of alcohol during the Core Hours of WCC's Licensing Policy by Burger King as we believe that this will add to the Cumulative Impact in the Cumulative Impact Area which includes Charing Cross and so harm the Licensing Objectives of the Prevention of Public Nuisance and Prevention of Crime and Disorder. For the avoidance of doubt we have no objection to the LNR component of the Licence.

The application is for the sale of alcohol for consumption on and off the premises without any requirement for it to be ancillary to food. We believe that this will lead to public nuisance and crime and disorder at the premises themselves and in the wider area.

We understand (from newspaper reporting) that Burger King's first application of this kind was made in October 2015 in Bury St. Edmunds. If this is the case we believe that the statement made in the application that there are "numerous outlets licensed for the sale of alcohol" is at best misleading. This implies that Burger King have plenty of experience of this, which does not appear to be the case.

We believe that the application should be refused outright. If the Committee is minded to grant the licence we would ask that it is restricted as follows:

- Sale of beer is limited to 1 portion per adult customer and is only sold ancillary to substantial refreshment.
- Consumption is limited to on the premises only.
- Sale of alcohol ceases at 20:00 on all days.

These restrictions serve to reduce, not eliminate, the harm that would be caused to the Licensing Objectives by the grant of this licence.

Name:		Mrs Louise Rice	
Address and/or Residents Association:		Flat 2 23a Villiers Street London	
Status:	Outstanding	In support or opposed:	Opposed
Received:	24 January 2016		

I think this application should be carefully considered and hopefully rejected. There is hardly a lack of alcohol in the area and, attending the Villiers St Forum meetings as I do, I know about the concerns there are in managing the area.

I do wonder if the proposal of more readily accessible alcohol has been fully taken on board. It's not just that groups of people drinking can be very noisy and disruptive; it's also that a take away premises will generate litter in an area which is swimming against the tide in its efforts to control it. They are in the heart of London and should be clean and safe which it is not entirely and a license for the Burger King unit will only exacerbate problems.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies
Policy FFP1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Appendix 6	Photographs of premises provided by Met Police

Report author:	Mr Darren O'Leary
Contact:	Telephone: 020 7641 1884 Email: doleary@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

CITY OF WESTMINSTER LICENSING SUB-COMMITTEE 12 MAY 2016: APPLICATION FOR GRANT OF NEW PREMISES LICENCE

Burger King, Unit 1, Charing Cross Station, 16/002120

STATEMENT OF: Richard Attwood

CAPACITY: Operations Director for Coffee & Bakery and Quick Service Brands for Rail for Select Service Partner Limited.

ADDRESS: c/o 169, Euston Road, London, NW1

This statement is true to the best of my knowledge and belief

INTRODUCTION

I am an experienced Operations Director responsible for an operating division of SSP, employed by Select Service Partner Limited ("SSP"). My responsibilities include rail operations throughout the UK. I am responsible for 147 outlets, of which around 20 are licensed for the sale of alcohol. Brands I am responsible for include Café Ritazza, Camden Food, Delice De France, Bread Box, Starbucks, Mi Casa, Pasty Shop and Upper Crust, as well as Burger King.

Prior to joining SSP I have 10 years experience working for Food and Beverage/Retail brands which include J Sainsburys, Selfridges&Co and Yum Restaurants T/A Pizza Hut UK. I therefore have significant experience of managing the sale of food and age restricted products, including alcohol.

SSP have operated premises at transport hubs (railway stations, airports and coach stations) across the UK for over 10 years, although the management structure and transport hub experience has been in place for almost 24 years as the company was previously owned and operated by the Compass Group. In addition to the brands I am responsible for, the company operates retail and bar brands that include M&S Simply Food, Whistlestop, Yo! To Go, Beer House, Bonaparte's, Gino's, Pumpkin and Sloe Café Bar.

PREMISES LICENCE APPLICATION

We are applying for the grant of a premises licence for the Burger King restaurant at Charing Cross to authorise the sale of alcohol and late night refreshment. The restaurant is already in operation, but is currently licensed for late night refreshment only (copy licence attached as Annex A). There is no proposed change to late night refreshment in the current application.

The restaurant is accessible only from the station concourse and there is no public entry or exit into the Burger King other than via the entrances to the station (i.e. there is no direct access to/from the Burger King onto the high street). The location of the unit within the station is shown on the Charing Cross station plan attached as Annex B.

A number of conditions were proposed in the original application to promote the licensing objectives, including a requirement to install/ maintain comprehensive CCTV. Since submitting the application, I met with and discussed in broad terms this application and three others with the police and environmental health service and we agreed at that meeting:

- To amend the proposed times for the sale of alcohol to 11.00 to 23.00 Monday to Saturday and 12.00 to 22.30 on Sundays;

- Various conditions requiring amongst other things that all alcohol sales will be ancillary to food, and that alcohol will be restricted to one brand of beer or lager no more than 4.8% ABV.

We also now propose to amend the application further to require that:

- Alcohol shall not be sold for consumption off the premises.

I attach as Annex C to my statement a full list of conditions which we propose to the Committee be attached to the licences, if granted.

DETAILS OF OPERATION

SSP operates over 250 licensed outlets at railway stations and airports nationwide. The company has detailed brand standards and due diligence procedures and work with British Transport Police, Network Rail, licensing authorities and responsible authorities across the country to ensure compliance and good relations on an ongoing basis.

The company has operated a number of Premises Licences at Charing Cross station since 2005 when the Licensing Act 2003 came into force. Prior to that, we operated Justices Licences at the station for over 20 years. Throughout that time, as far as I am aware, we have never been subject to any review application or enforcement action at the station by any responsible authority or interested party.

The company has dedicated policies and procedures in relation to the sale of alcohol, including a Licensing Log Book kept on each licensed premises, Guidance Notes for staff advising them of the requirements under licensing law, including requirements in relation to the sale and refusal of alcohol, dedicated training materials for staff, licensing tests (for which a 100% pass rate is required), written authorisation for staff to sell alcohol only on confirmation they have completed the required training and the operation of incident and refusals logs. Details of how these policies and procedures are implemented, is included within the statement of Trevor King, Operations Manager for Quick Service Restaurants, England.

Burger King is a quick service restaurant, with a range of hot and cold food and drinks including beef, chicken and vegetable burgers, salads, croissants and breakfast items, side dishes, deserts, coffees and frappes and soft drinks and various meal combinations. The proposed sale of alcohol is for a single brand of lager only, which reflects the sale of alcohol at Burger Kings in other parts of the world. There will be no self-service of alcohol and all alcohol will be kept and served from behind the counter, in accordance with the conditions proposed.

At the point of ordering, we ask customers if their order is eat in or take away. If eat in, their order is served on a tray; take away items are placed in a bag. We will only allow the sale of alcohol to customers who are eating in and where the consumption of alcohol will be ancillary to substantial food. Staff will be trained to ensure compliance and the seating area will be supervised by members of staff to ensure compliance with the proposed conditions.

As summarised above and set out in detail in Annex C, a number of conditions have been proposed to promote the licensing objectives. In particular, we will install and maintain comprehensive CCTV. In our experience, the use of CCTV, together with supervision by staff on the ground, will discourage anti-social behaviour in the premises and vicinity and it is, of course, a criminal offence for our staff to serve alcohol drunk persons or to persons who are underage. We provide training to all serving staff on their obligations under the Licensing Act and have a bespoke in-house training package for alcohol sales used across the company, including conflict management training, as detailed in Trevor King's statement.

We have obtained licences recently for the sale of alcohol at Burger Kings in Waterloo, Fenchurch Street and East Croydon railway stations. We started to sell alcohol under the

licences for Fenchurch Street and East Croydon on 23 January and 30 January 2016 respectively. The licences granted for these stations allow on and off sales. Waterloo was granted more recently and is currently awaiting installation. The Waterloo application granted was similar to the revised proposal for Charing Cross as that restaurant has a seating area and we have restricted sales of alcohol in that restaurant to those for consumption 'on' the premises only.

Outside of central London, a licence for alcohol has also recently been granted for our operation in Sheffield and we have been selling alcohol there since 7 April 2016. SSP also already operated Burger Kings licensed for alcohol at Birmingham International Airport and Stansted (both landside, as licences are not required 'airside').

We therefore have demonstrable experience of managing sales of alcohol in accordance with licensing law at other Burger King restaurants in mainline stations and busy airports across the country. There is no history of any issues with the sale of alcohol from these restaurants, any actual or threatened enforcement action, or any licence review applications.

CHARING CROSS STATION

SSP currently hold numerous premises licences for other 'brands' at Charing Cross, as per the list of licences attached as Annex D to my statement. A number of these are licensed for the sale of alcohol up to 23.00 daily (22.30 on Sundays). There are also other operators in and around the station which are licensed for the sale of alcohol up to and beyond the times we have agreed to operate. We are not looking to set a precedent in the area: alcohol and food are already available from a number of other premises nearby at times similar to, or indeed later than, the times we propose.

For this reason, I do not believe that the sale of alcohol from the Burger King restaurant will attract customers to the area or Charing Cross station: in our experience our Burger King customers are persons who are passing through the station in any event because they have been or are travelling by train.

I have spoken with Paul McMichael, the company's Operations Director for Casual Dining and Bars with regards to the Beer House at Charing Cross. He has advised me that he is not aware of any alcohol-related incidents within those premises and there are no requirements for any bespoke or special measures, when compared to the rest of the bars he is responsible for across London. I have also discussed the application and the station's history with Sue Constantine, our Head of Region for M&S Simply Food. Sue also confirmed that she was not aware of any specific incident or issue arising at our store in Charing Cross.

I have reviewed the witness statement from Sergeant Tatter of the British Transport Police ("BTP"), who covers London Bridge, Charing Cross and Cannon Street. I note he objects to this application in its original form (which allowed sales for consumption on or off the premises) because Charing Cross has on-going issues with homeless people sleeping rough in the underpass/ tunnels adjoining the station. I also note that Sergeant Tatter refers to a number of 'off' licences at the station, in particular Whistlestop and Marks and Spencer; and anti-social behaviour issues at key times, with tourists travelling through the station, further affected by public travelling to football fixtures. For those reasons, Sergeant Tatter states that having another outlet which sells alcohol on a take away basis will serve to increase alcohol related incidents.

We have since proposed the additional condition preventing off sales to address these concerns and concerns raised by the responsible authorities and the Licensing Sub-Committee in connection with applications to allow sales of alcohol for consumption off the premises at Paddington and Victoria Stations. Following the Sub-Committee hearing for those stations, I

reviewed the application for Charing Cross should proceed and, if so, whether any amendments were appropriate.

As part of that review, I considered that the Burger King in Charing Cross is a very different proposition to the applications submitted for Paddington (Unit 18) and Victoria (Units 21 and Unit 9). Two of those restaurants (Paddington and Victoria Unit 21) were counter units only i.e. with no seating area, so all proposed sales of alcohol were for consumption 'off' the premises. The third (Victoria Unit 9) did have a seating area, but that seating area was considerably smaller than Charing Cross (only 9 stools, as opposed to seating for 35 customers in Charing Cross).

I believe that the additional condition / restriction for Charing Cross, which will only allow the sale of alcohol to persons who will be consuming it on the premises will address concerns raised in relation to the previous applications for Paddington and Victoria; and by the British Transport Police in relation to this application, around consumption of alcohol in the wider area of the station and its surroundings. I was disappointed that Sergeant Tatter felt unable to discuss his concerns with Trevor King direct, as detailed in Trevor's statement, but I believe that restricting the application to 'on' sales addresses the concerns outlined in Sergeant Tatter's statement.

I would ask the Sub-Committee to note that we would in any event immediately stop selling alcohol on the reasonable request of the station manager and/ or British Transport Police, for example for high risk football fixtures. As a specialist provider of food and drink in transport hubs across the country, we are an experienced operator in this environment and have operated throughout many sporting events, including the Olympics, the Rugby World Cup, Six Nations and numerous football tournaments (having several other units licensed for alcohol in Charing Cross as well as busy mainline stations across London and nationwide).

To my knowledge, we have never failed a test purchase, nor faced any licence review in relation to our venues at the station. The Burger King will be run in accordance with the company's standards and procedures to promote the licensing objectives.

COMMENTS ON REPRESENTATIONS AND POLICY

I note that the responsible authorities and the other parties who have made representations do not object to the provision of late night refreshment in accordance with the existing licences. I also understand that Charing Cross Station is not within a Special Policy area. The amended times agreed with the responsible authorities for the sale of alcohol are within the Core Hours in Westminster's Statement of Licensing Policy.

We have agreed to all conditions proposed by Environmental Health to address the Licensing Objectives (subject to amendments required to reflect the change to 'on' sales only).

I understand that the Metropolitan Police have not suggested proposed conditions in relation to this application (although we have incorporated some of the conditions they proposed in respect of our earlier applications for other stations in the additional conditions detailed in Annex C). Our Operations Manager, Trevor King, contacted Sergeant Tatter of the British Transport Police to try to arrange a meeting with him to discuss the proposed operation and our additional proposed conditions following receipt of his statement. Unfortunately, Sergeant Tatter indicated that he would not discuss his concerns direct, as detailed in the statement of Trevor. However, we did set out to him our proposed amendments on email.

I can confirm that Network Rail is aware of our application, as acknowledged by Sergeant Tatter.

CONCLUSION

I am confident that the procedures the company has in place, together with our experience in managing station units which sell alcohol and the extensive conditions we have agreed, will promote the licensing objectives if this application is granted subject to the conditions proposed.

Richard Attwood

26 April 2016

Annex A	Copy Premises Licence for Late Night Refreshment
Annex B	Charing Cross Station Map
Annex C	List of Conditions Proposed
Annex D	List of licences SSP hold at Charing Cross



Schedule 12
Part A

WARD: St James's
UPRN: 010033544093

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

16/00222/LIPVM

Original Reference:

05/10357/LIPC

Part 1 – Premises details

Postal address of premises:

Burger King (UK) Ltd
Unit 1
Charing Cross Station
Strand
London
WC2N 5HS

Telephone Number: 020 7930 1980

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

The times the licence authorises the carrying out of licensable activities:

Late Night Refreshment

Monday to Sunday: 23:00 to 01:00
Non-standard Timings: See conditions 4 and 5

The opening hours of the premises:

Monday to Sunday: 23:00 to 01:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Not applicable

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Select Service Partner Limited
169 Euston Road
London
NW1 2AE
Telephone Number : 0207 543 3300

Registered number of holder, for example company number, charity number (where applicable)

02184010

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Not applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Not applicable

Date: 3 February 2016

This licence has been authorised by Mr Ola Owojori on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions for Late Night Refreshment

1. This licence is subject to all the former regulations made by Westminster City Council prescribing standard conditions for annual night café licences, effective from 1 October 2001
2. The premises may be kept open for the purposes of this licence from 11pm to 1am on each of the days Sunday to Saturday to 1am on the day following.
3. The number of persons accommodated at any one time (excluding staff) shall not exceed 50.

Annex 2 – Conditions consistent with the operating Schedule

4. The premises shall be permitted to provide late night refreshment between 01:00 and 05:00 if requested to do so by the Station Manager, Network Rail or the British Transport Police.
5. A record shall be kept of the dates and times that the premises open between 01:00 and 05:00 for late night refreshment and shall be retained for 31 days.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

Attached



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: St James's
UPRN: 010033544093

Premises licence
summary

Regulation 33, 34

Premises licence number:

16/00222/LIPVM

Part 1 – Premises details

Postal address of premises:

Burger King (UK) Ltd
Unit 1
Charing Cross Station
Strand
London
WC2N 5HS

Telephone Number: 020 7930 1980

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

The times the licence authorises the carrying out of licensable activities:

Late Night Refreshment

Monday to Sunday: 23:00 to 01:00
Non-standard Timings: See conditions 4 and 5

The opening hours of the premises:

Monday to Sunday: 23:00 to 01:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Not applicable

Name and (registered) address of holder of premises licence:

Select Service Partner Limited
169 Euston Road
London
NW1 2AE

Registered number of holder, for example company number, charity number (where applicable)

02184010

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Not applicable

State whether access to the premises by children is restricted or prohibited:

N/A

Date: 3 February 2016

This licence has been authorised by Mr Ola Owojori on behalf of the Director - Public Protection and Licensing.

Charing Cross Station guide

NetworkRail



Key	Food and Drink	Shopping
Accessible toilets	01. The Beer House	10. Boots
Baby change	02. Burger King	17. Classi Clean
Bike park	11. Caffe Nero	14. Journey's Friend
Buses	15. Costa Coffee	08. Hotel Chocolat
Cash machine	13. M&S Simply Food	20. Paper & Script
Escalators	04. Pasty Shop	12. Whistlestop
First aid	19. Upper Crust	21. WHSmith
Information	18. Yo! To Go	
Left luggage		
Platform numbers		
Photo booth		
Stairs		
Station reception		
Taxis		
Telephones		
Tickets		
Toilets		
Underground		
Waiting room		

*If you need help please
speak to one of our staff
or call the helpline on
03457 11 41 41
Working for you*

ANNEX C

PROPOSED CONDITIONS: SALES FOR CONSUMPTION ON THE PREMISES ONLY

Burger King Unit 1 Charing Cross Station 16/002120

Additional Conditions / Amendments Proposed:

We propose to amend the times for the sale of alcohol to 11.00 to 23.00 Monday to Saturday and 12.00 to 22.30 on Sundays. We also propose the following conditions:

1. The number of persons seated in the premises at any one time (excluding staff) shall not exceed 35 persons.
2. Alcohol for consumption on the premises shall only be to persons who are seated in the premises and bona fide taking substantial food there, and provided always that the consumption of alcohol by such persons is ancillary to taking such food.
3. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
4. Staff training shall include the requirement for staff to ensure quantities of alcohol purchased are proportionate to the taking of such food.
5. There shall be no sales of alcohol for consumption off the premises at any time.
6. There shall be no self-service of alcohol.
7. Only one brand of draught beer shall be provided.
8. Only one draught dispense pump shall be provided.
9. No alcohol shall be served in glass containers at any time.
10. 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.
11. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
12. Alcohol will be restricted to branded beer or lager of no more than 4.8% ABV.
13. No alcohol shall be consumed on the premises more than 30 minutes after permitted hours.
14. 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) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service
15. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible at the point of sale.

16. 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 premises is secured so as to prevent access to the alcohol by both customers and staff.

Conditions in Original Application:

1. The sale of alcohol will be limited to beer/lager only (now replaced by condition 12 above)
2. All alcoholic drinks will be served in non-glass containers and there will be no self-service of alcohol (now replaced by conditions 6 and 9 above)
3. The premises shall only be permitted to provide late night refreshment between 01.00 and 05.00 Monday to Thursday and Saturday, between 01.30 and 05.00 Friday and 23.00 and 05.00 Sunday, if requested to do so by the station manager, Network Rail or the British Transport Police.
4. A record shall be kept of the dates and times that the premises open between 02.00 and 05.00 for late night refreshment and shall be retained for 365 days.
5. The licence holder shall ensure that all staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All staff will be instructed, through training, that a sale shall not be made unless this evidence is produced (now replaced by conditions 10 and 11 above requiring Challenge 25 and till prompts).
6. An incident log / refusals log is maintained on site in accordance with company policy. 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 at all times whilst the premises is open.
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 (wording to be amended from Crime Prevention Officer to Westminster Police Licensing Team as we understand the requirements of Westminster Police in relation to this wording have recently changed).
8. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
9. A staff member who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member will be able to show a Police or authorised council officer recent data or footage and/ or download the data onto a disc or memory stick with the minimum of delay when requested. (now amended to refer to downloading the data onto a DVD or memory stick).
10. Risk assessments will be carried out and periodically reviewed for fire, health and safety and emergency evacuation.

Annex D: SSP Licences at Charing Cross Station

Location	Name-	Unit number	Premises Licence No	Premises Licence Holder	Authorised Hours for Licensable Activities
Charing Cross RWS	Uppercrust	Unit 15	06/08587/WCCMAP 05/10370/LIPC	Select Service Partner Limited	Late night refreshment Mon-Sun 23.00-02.30
Charing Cross RWS	Beer House	Unit 2	15/02815/LIPDPS 05/11146/LIPC	Select Service Partner Limited	Alcohol (on and off) Mon-Sat 10.00 to 23.00, Sun 12.00 to 22.30, Good Friday and Xmas Day restricted, LNR Mon-Sat to 23.30
Charing Cross RWS	Pasty Shop Main Concourse	Unit 4	12/04963/LIPV 06/00768/LIPN	Select Service Partner Limited	Late night refreshment Mon-Sun 23.00-02.00 In addition from 01.00 to 05.00 on the request of BTP, NWR and/or station manager
Charing Cross RWS	Whistlestop Food & Wine	Unit 6	15/03270/LIPDPS Orig 05/08553/LIPC	Select Service Partner Limited	Alcohol (Off) Mon-Sat 08.00-23.00 Sun 10.00-22.30
Charing Cross RWS	Yo! To Go	Unit 14	15/09333/LIPDPS Orig 05/07885/LIPC	Select Service Partner Limited	Alcohol (On and Off) Mon-Sun 10.00-23.00, LNR 23.00 to 01.00, NYE 24/7, recorded music
Charing Cross RWS	M&S Simply Food		11/06983/LIPDPS 06/02438/LIPN	Select Service Partner Limited	Alcohol (Off) Mon-Sat 08.00-23.00, Sun 10.00-22.30 LNR, Mon-Thurs to 23.30, Fri & Sat to 00.00, Opening 07.00-03.00
Charing Cross RWS	Burger King	Unit 1	16/00222/LIPVM 05/10357/LIPC	Select Service Partner Limited	Late night refreshment Mon-Sun until 01.00. 01.00 and 05.00 daily on the request of Network Rail, Station Manager & /or BTP

CITY OF WESTMINSTER LICENSING SUB-COMMITTEE 12 MAY 2016: APPLICATION FOR GRANT OF NEW PREMISES LICENCE

Burger King, Unit 1, Charing Cross Station, 16/002120

STATEMENT OF: Trevor King

CAPACITY: Operations Manager for Quick Service Restaurant Brands for Rail for Select Service Partner Limited.

ADDRESS: c/o 169, Euston Road, London, NW1

This statement is true to the best of my knowledge and belief

INTRODUCTION

I am an experienced Operations Manager responsible for an operating division of SSP, employed by Select Service Partner Limited ("SSP"). My responsibilities include rail operations throughout England. I am responsible for 21 outlets, of which 7 are licensed for the sale of alcohol. Brands I am responsible for include Nampo, Mi Casa Burritos, KFC, as well as Burger King.

I was first employed by SSP in 2010 as Multi Unit Manager and in 2015 was promoted to my current role. Prior to my time with SSP, I held positions with The Restaurant Group (Frankie and Bennys) as both a Unit Manager and Area Manager, and prior to this worked in various management roles with TGI Fridays. I therefore have an in-depth knowledge of the practices and procedures required to operate licensed premises lawfully and successfully at an operational as well as at management level. My day to day role includes site / unit visits, business and personnel reviews. Much of my time on site visits is dedicated to reviewing statutory compliance adherence around food safety, health and safety and licensing checks where applicable.

OPERATION AT CHARING CROSS STATION

We have operated the Burger King at Charing Cross station for over 15 years. The restaurant has been licensed for late night refreshment since the Licensing Act 2003 came into force in 2005. We have never had any actual or threatened enforcement or licence review during that time.

Our management team work with Station Management and the British Transport Police 'on the ground' at Charing Cross and we would, of course, immediately stop selling alcohol on the reasonable request of the station manager and/ or BTP, for example for high risk football fixtures, in line with SSP's other licensed units. We operate an incident log at all of our restaurants, called PRIME. I have checked the PRIME log for our Charing Cross restaurant over the last year and I can confirm that no incidents of anti-social behaviour/ alcohol-related disorder have been recorded by staff.

All of our existing staff at the restaurant have already undergone standard SSP training in relation to matters such as cash handling and health and safety. If the licence application is granted, all staff will also be trained in relation to licensing law and the lawful sale of alcohol before the sale of alcohol commences. I set out below details of our internal training requirements, which includes a requirement that all team members must know specific licence times and conditions.

The nominated Designated Premises Supervisor under the application, Sharnett Richards-McIntyre, is the Multi Unit Manager for the Charing Cross restaurant. As an on-site personal licence holder, Sharnett will be responsible for knowing and implementing the licence conditions in the restaurant.

As set out in the statement of Richard Attwood, when customers place their order at the counter, staff ask customers if their order is eat in or take away. If eat in, their order is served on a tray; take away items are placed in a bag. We will only allow the sale of alcohol to customers who are eating in and where the consumption of alcohol will be ancillary to substantial food.

The seating area is supervised by members of staff who will be clearing tables and cleaning the seating area as well as performing statutory security checks as dictated by Network Rail / TRANSEC throughout opening times. In addition, our management team will brief staff who are manning the seating area to supervise the consumption of alcohol, and during all times that alcohol is available for sale, there will be a member of staff responsible for supervision & cleaning of the seating area. The seating area is also covered by CCTV which will additionally allow supervision by management.

The proposed sale of alcohol from our Burger King was raised with Andy Williams (Category manager) for Network Rail. No adverse comments were received from Network Rail, although they did ask us for clarification that there would be no installation with respect to the alcohol offering until a licence had been granted, which I did of course confirm. I note from Sergeant Tatter's statement that Network Rail confirmed to him that they are aware of the application at Charing Cross.

I did try to discuss the application with BTP for Charing Cross in early March: having already telephoned the enquiry line without success on a number of occasions, I emailed on 1 March asking to meet with local BTP officers, but did not receive a response. I was subsequently sent a copy of the statement from Sergeant Tatter dated 8 March 2016 and tried to contact Sergeant Tatter direct, but Sergeant Tatter indicated that he was unable to discuss with me as the statement had been requested by the Metropolitan Police (please see copy email correspondence at Annex A).

Unfortunately, therefore, I have not been able to meet the local BTP officers to discuss the amendments we have now proposed to the application. However, as set out in the statement of Richard Attwood, we believe that offering an additional condition to prevent the sale of alcohol for consumption 'off' the premises addresses the concerns raised by Sergeant Tatter in his statement.

IMPLEMENTATION OF SSP POLICIES AND PROCEDURES

As an Operations Manager, I am responsible for ensuring that SSP policies and procedures are implemented by the management team in each Burger King restaurant I cover (which includes Charing Cross). As Richard Attwood has outlined in his statement, SSP operates over 250 licensed outlets at railway stations and airports nationwide and we have brand standards and robust due diligence procedures to ensure compliance with legal requirements and licence conditions at our units on a national basis.

The policies and procedures in relation to the sale of alcohol include: Guidance Notes for staff advising them of the requirements under licensing law, including requirements in relation to the sale and refusal of alcohol; dedicated training materials for staff; licensing tests (for which a 100% pass rate is required); written authorisation for staff to sell alcohol only on confirmation they have completed the required training; and the operation of incident and refusals logs. I attach copies of the relevant documents as Annex B.

In addition, all of our licensed units are required to keep a licensing log book on site, which includes: the certified copy premises licence; the plans attached to the premises licence; details of the personal licence holders on site and copy personal licences; all training records of the team who are authorised to sell alcohol; the DPS authorisation to sell alcohol document; the site specific licensing risk assessment; and a historical log of any refusals to sale. All of our units are audited annually and the audit includes checking that the licensing log book is retained and complete as well as specific auditing of the employees training records. Any fails of the audit require a further visit to follow up that the issues have been rectified

In terms of our internal training, all trained employees have a Licensing Record Training Card. The card details the training they have received, refresher training and due dates. These dates are also stored electronically on our HR tracker to ensure that refresher training is provided at the appropriate intervals.

The training of staff is completed both by electronic training packages and one-to-one training by their unit manager. Colleagues can access our 'Academy Learner' programmes, which include modules on compliance generally, alcohol and 'no proof, no sale'. They must pass the 'quiz' with a 100% pass rate before they can serve customers. Managers are required to check the progress of this training, sign their training record card and retain their Certificate on file once they have passed.

Managers are also required to coach colleagues on licensing in week 4 and thereafter on at least a 6-monthly basis. We provide our managers with a licensing training pack to give them the tools to give this training effectively. The colleague is required to complete and pass a test after each refresher training session and the manager is required to sign the training record to confirm the training has been completed. As set out above, personal training records are checked by our audit function and if the documentation has not been completed correctly, this must be rectified.

In addition to the training on licensing and proof of age, colleagues are required to complete by week 8 a personal safety and conflict management course. Again the course materials are electronic but we provide managers with trainer notes to enable them to ensure the training material is delivered and understood correctly.

We also require at each unit a written DPS authorisation to sell alcohol document. This document lists the staff who are authorised by the DPS as a personal licence holder, to supply alcohol under the Licensing Act. The DPS is required to sign the authorisation and the unit staff are also required to sign to say that they have completed their in-house training and passed the exam and that they understand their responsibilities under the Licensing Act.

As a company, we therefore have a number of checks and balances to ensure that staff at the Burger King will be properly trained to ensure compliance with the Licensing Act, compliance with our proof of age policy and with the specific hours and conditions which will be attached to the licence.

CONCLUSION

Given the robust policies and procedures that the company has in place for licensing, our experience and good compliance record for the sale of alcohol at Charing Cross and at other units across London and nationwide, I believe that to grant this application will promote the licensing objectives, particularly given the amendments we have now proposed.

Trevor King

27 April 2016

Annex A Copy correspondence with British Transport Police
Annex B Copy SSP licensing documents

From: Trevor King <Trevor.King@ssp.uk.com>
Sent: 11 March 2016 12:16
To: Jasvinder.Tatter@btp.pnn.police.uk
Subject: Re: Fw: Contact Details - Charing Cross Station

Good Afternoon Sgt. Tatter - thanks for your time this morning

Apologies that I caught you at an inconvenient time to discuss our pending application at Charing Cross. I had previously tried to discuss the application with the local BTP office, but there was no answer on the enquiries line (0207 918 396) and I did not get a response to my email (BakerlooLineNPT@btp.pnn.police.uk). Apologies if this message did not get through to you.

I understand that you have registered a representation against our application. The purpose of my call was to outline the changes that we are proposing, and to discuss them with you. I was hoping to arrange a meeting with you to discuss, but I understand you would prefer us to advise Bryan Lewis direct as he asked you to put together the statement. I have however, outlined the proposed amendments below for your information/ records.

- We will only be requesting 'on sales' for Charing Cross
- This is limited to Draught Budweiser (4.8%ABV) only
- This is limited to sales ancillary to food

These changes would ensure that alcohol consumption would be confined to the demise of the unit, therefore preventing any potential issues with consumption in and around the station.

As previously noted I am happy to discuss this matter with you should you wish to.

Regards

Trevor King
Operations Manager UK Rail
SSP UK The Food Travel Experts
QSR North
Phone : 07487 740 892 Direct: 0121 643 3061
Email: trevor.king@ssp.uk.com
www.foodtravelexperts.com

-----Trevor King/UK/SSP wrote: -----

To: Jasvinder.Tatter@btp.pnn.police.uk
From: Trevor King/UK/SSP
Date: 09/03/2016 04:04PM
Subject: Fw: Contact Details - Charing Cross Station

Hi Mr Tatter.

Hope this Email finds you well.

In regard to the email below sent on 1/3 I would welcome the opportunity to discuss our application for a premises license at Charing Cross Burger King with you. If you could contact me on 07487 740 892 I would appreciate this. I am happy to meet at Charing Cross or London Bridge, alternatively we can discuss over the phone if this suits?

Best Regards

Trevor King
Operations Manager UK Rail
SSP UK *The Food Travel Experts*
QSR England
Phone : 07487 740 892 Direct: 0121 643 3061
Email: trevor.king@ssp.uk.com
www.foodtravelexperts.com

----- Forwarded by Trevor King/UK/SSP on 09/03/2016 15:54 -----

From: Trevor King/UK/SSP
To: BakerlooLineNPT@btp.pnn.police.uk
Date: 01/03/2016 10:34
Subject: Contact Details - Charing Cross Station

Good Morning.

I am trying to make contact with a the local BTP team who manage the Charing Cross station in Central London. I have tried calling the enquiries number all morning but unfortunately there is no answer (0207918396)

I am responsible for the Burger King at Charing Cross station and was hoping to meet with the local officers to discuss our pending application to sell alcohol at the unit. With this in mind could I ask that my contact details are passed on to arrange this. I am in London all day today as well as Monday 7th, Tuesday 8th and Wednesday 9th March.

Best Regards

Trevor King
Operations Manager UK Rail
SSP UK *The Food Travel Experts*
QSR England
Phone : 07487 740 892 Direct: 0121 643 3061
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How to...

Ensure Your Colleagues are Trained in Licensing Law

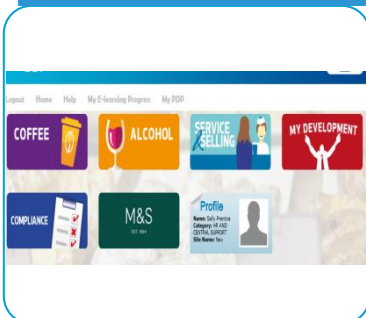
What you need to know...

- We recognise that it is important for our colleagues to understand their responsibilities within Licensing Laws and to be confident in their ability to deal with any potential issues that may arise whilst selling or serving alcohol during the course of their daily work duties. Therefore, Colleague Licensing Law and Age Restricted Sales induction training starts from day one, and continues throughout their career with SSP
- Your role is key to ensuring this process gives the best results for your colleagues' confidence and knowledge, whilst providing you with peace of mind that alcohol sales continue to thrive and remain lawful
- In order to ensure colleagues, managers, SSP and our customers can be protected from the consequences of unlawful sales of alcohol, you must complete the following 6 step process:

How we do it...

1

Colleagues access **Academy Learner**
Colleagues can click on 'Compliance', 'Alcohol' or 'My e.learning results' on the menu bar to access the No Proof, No Sale e.learning course



Remember - Colleagues can only access the No Proof, No Sale e.learning course once they have completed the Health and Food Safety Compliance e.learning course

2

Colleagues complete the No Proof, No Sale e.learning course and must pass the quiz. 100% pass rate is needed



ALL colleagues **MUST** have completed the No Proof, No Sale e.learning course **BEFORE** serving customers

3

Managers can view your colleagues progress by logging into Academy Live > click 'Manager View' button > click 'individual learning results' button > view 'e.learning' dashboard



On passing the quiz, print your colleague's certificate to keep on file and remember to sign their training record card


Continued overleaf.....

How to...

Ensure Your Team Members are Trained in Licensing Law


How we do it... *Continued*....

4
Week 4
License Review & Test




Colleague completes test (only 100% test score acceptable)
Colleague completes/reads Review document & signs Declaration
Copy of Declaration to be kept in this section of Licensing Log

5
6 Monthly
License Review & Test



Colleagues completes test (only 100% test score acceptable)
Colleagues completes/reads Review document & signs Declaration
Copy of Declaration to be kept in this section of Licensing Log

6
By Week 8
Personal Safety & Conflict Management



1 to 1 **or** group sessions

Key points.....

- 'Personal Safety & Conflict Management' – power point slides and trainer notes, 4 weekly Licensing Review & Test, and 6 monthly refresher packs can be found on Connections - Licensing
- Ensure all Training is carried out under suitable conditions; i.e., not at busy times.
- Only 100% test score is acceptable – should your colleague fail to achieve 100%, provide coaching for the relevant section/s and re-test the colleague until a 100% pass mark is achieved
- Ensure all relevant Training sections are signed in Section 2 of your Licensing Log and your Colleague Training Record Card

You are responsible for...

- Carrying out all the relevant Licensing Training within the timescales stated
- Ensuring all Licensing Training related documentation is signed and stored correctly

Your challenge...

- Coach your Colleagues to ensure they score 100% on their test at the first attempt



Licensing Review- England and Wales

Manager's Guidance Notes

Note: This pack has two functions. It can be used for both 4 week and 6 monthly License Refresher training.

- Keep a master copy of this pack ready in your Licensing Log Book – Section 2 – How to... Train your Team Members
- You will need to copy the Questionnaire Part 1 for each Team Member to complete every time
- Keep a master copy of each of the 4 quizzes available to test your Team Members' knowledge

The 4 week review *to be done during four week job chat*

Thereafter - 6 monthly refresher

1. Coach your team member through the pack contents
2. Complete all sections and retrain any knowledge gaps
3. Team Member completes Licensing Questionnaire Part 1 (at 4 weekly review and every 6 monthly refresher)
4. Team Member completes **1 of 4** (alternate periodically) License Refresher Quizzes. The Team Member may use the pack for reference – must score 100%
5. Ensure both you and your Team Member sign the Licensing Review & Declaration Record in your Licensing Log Book

Contents of Pack

<i>Contents</i>	<i>Pages</i>
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1. Licensing Laws for England & Wales

Aims - To provide you with a knowledge and understanding of your legal responsibilities whilst working in Licensed Premises

NOTE: IF YOU ARE NOT SURE ABOUT ANY OF THE CONTENT IN THIS LICENSING PACK THEN DO NOT HESITATE TO ASK FOR HELP.

Licensing Law dictates that alcohol cannot be sold in our units without **TWO** licenses.

The first of which is a Premises License. This is a license issued to the premises and remains with the premises.

In order to obtain a Premises License the local authority must be satisfied that the premises will follow a number of procedures set out in an operating schedule (i.e. hours during which alcohol may be sold). Also, that the premises will give its full support to promoting the 4 licensing objectives, outlined in the Licensing Act 2003.

The 4 licensing objectives are: -

- **The Prevention of Crime and Disorder**
- **Public Safety**
- **The Prevention of Public Nuisance**
- **The Protection of Children from Harm**

The second license required for the sale of alcohol by retail is a Personal License, which is a license issued to an individual and remains with that individual wherever they work.

These two licenses are necessary for the retail sale of alcohol for consumption on or off the premises.

To sell alcoholic drinks, units also need what is known as a Designated Premises Supervisor (DPS), who must hold a current personal license.

These are the principles which underpin our activities in our bars/units, so if you understand and work within the following guidelines, you will be acting in a safe and legal manner and will not be liable to prosecution.

1. Licensing Laws for England & Wales

Although our bars/units may open/close at varying times, each unit will have the hours between which the retail sale of alcohol may take place listed in the conditions of their operating statement.

Permitted hours for our Bar/Unit are:

Monday-Saturday	
Sunday	
Bank Holidays	
Good Friday	
Christmas Day	

People you can NOT serve - There are certain people that you are not allowed to serve any alcoholic drinks to. If you do you may face prosecution. These are: -

- Under 18 years of age
- A Person who is drunk/abusive or violent

Refusing Service – In situations where it may be necessary to refuse service SSP recommend you should use the phrase.

“I’m sorry, but I’m not going to serve you”

If asked why, reply

“I’m sorry, I’m not going to serve you and by law I do not have to give a reason. Please leave the bar”

Young persons - ***Only Photographic I.D will be accepted to prove the age of anyone suspected of being under age. Examples of photographic I.D. are: Passport, Photo Driving License, and Official Proof of Age Card with the PASS logo displayed.***

It is an offence to allow children under the age of 16, who are **NOT** accompanied by an adult, to be present on premises used **exclusively** or **primarily** for the sale of alcohol for consumption on the premises when they are open

There is no offence committed if an unaccompanied child is on the premises **solely** for the purpose of going to or coming from another place for which there is no other convenient route. (I.e. to travel to the toilets)

1. Licensing Laws for England & Wales

Young Persons over the age of 16 can be in the bar, but are not allowed to purchase alcohol.

The law does not prevent the admission of unaccompanied children under 16 to certain restaurants where the consumption of alcohol is secondary to activities such as dining provided that unaccompanied children are not present between midnight and 5.00am

Check with you Unit Manager/Trainer what conditions are outlined for admission of unaccompanied children under 16 in your unit

It is an offence to serve alcohol to someone under the age of 18 in any circumstances.

It is an offence for anyone under the age of 18 to purchase, or attempt to purchase alcohol.

It is also an offence for anyone to purchase, or attempt to purchase alcohol on behalf of someone under 18.

The Law dictates that only persons over the age of 18 can purchase tobacco or tobacco products

- You **MUST NOT** sell cigarettes or other tobacco products to anyone under the age of 18
- You must only sell cigarettes in **quantities of at least 10** and in their **original packaging**
- Cigars may be sold individually in bars
- Cigarette vending machines cannot be used by under 18s
- You must display signs saying either:
 - “It is illegal to sell tobacco products to anyone under the age of 18” where you sell cigarettes, or
 - “This machine is only for the use of people aged 18 or over” on vending machines

If you are unsure as to whether someone is old enough to buy cigarettes or tobacco you are within your rights to ask for ID.

What form of ID is acceptable? Photographic ID such as Proof of Age card, passport, photo driving license showing photo of individual and their date of birth. This also applies if you have a vending machine in your unit – you **MUST** challenge anyone using the machine if you believe they are less than 18 years of age

1. Licensing Laws for England & Wales

The law is enforced by **Trading Standards Officers (TSOs)** either by

- Investigating complaints from consumers or
- traders about outlets believed to be selling to children, or
- using school children, supervised by TSOs, to try to buy cigarettes.
- If a sale takes place a criminal offence has occurred.

If a TSO believes that a criminal offence has occurred and is considering taking action they will issue a caution before asking questions.

The wording of a caution is

“You do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.”

The correct response is

“It is company policy always to co-operate with investigations but I am not authorised to speak for the company. I will notify my manager.”

Then you should contact your manager immediately who will contact their Line Manager immediately.

If you are in doubt about selling cigarettes or tobacco then refuse – this could save you a fine of £ 2500. If you sell cigarettes from split packages the maximum fine is £1000. Failure to display the signs may result in a fine of £1000 – please make sure the signs are displayed (if they fall off or go missing report it to the manager urgently)

Drunks - Serving drunks is not only against the law but is bad for business. How can you tell if someone is drunk?

- General condition of appearance (slurred speech / red eyes / smell of alcohol)
- Staggering / not able to walk properly
- Violent or threatening behavior
- Falling asleep on the tables
- Being sick

It is also an offence to serve alcohol to a friend of the person who is drunk for the drunken person’s consumption.

1. Licensing Laws for England & Wales

Disorderly Conduct - It is an offence to knowingly allow disorderly conduct on licensed premises, therefore, it is important to inform your manager should you suspects a situation may get out of control.

Drug dealers - Look out for signs of dealing going on and inform your manager immediately, do not attempt to confront these people yourself.

Rights of Entry and Inspection - The following Authorities may **at any reasonable time** enter premises for inspection on production of relevant I.D:

- Police Officer
- Local Authority Officer
- Environmental Health Officer
- Fire Officer
- Health and Safety Officer
- Custom & Excise Officer

N.B. Police Officers and Customs and Excise officers can enter premises **at any time** if they have reason to believe an offence is being or is about to be committed.

WEIGHTS AND MEASURES

Draught Beer - Lager – Cider

- Government Stamped Glasses must be used, failure to do so may result in prosecution.
- Must be sold in multiples of 1/2 pint
- Glasses must have a government stamp

Spirits – Liqueurs

- Gin- Rum- Whisky- Vodka must be sold in measures of 25ml.
- Only use government marked optics
- Only use government marked thimble - select correct size and fill to the top. (Not short, not overflowing.)

Wine

- Wine can be sold by the bottle or glass
- Bottles must be opened in front of the customer
- Glasses must be in either 125ml or 175ml glass or multiples of, the glass must be stamped and the wine served to the line, not under, not over. Any ice should be added afterwards.

Not only is it an offence to give too little it is also an offence to give too much in a measure of alcohol.

1. Licensing Laws for England & Wales

Price List - A price list must be displayed and must be up to date, in a place that it is easily read so customers can read it before making a purchase.

Betting and Gaming - Betting and gaming is not allowed on licensed premises, with the exception of certain games of skill or part skill and part chance e.g.:

- Cribbage and dominoes
- Pool and darts
- Other board games
- Video games
- Amusement With Prize (AWP) fruit machines (£25 jackpot)
- Skills With Prizes (SWP) question or skill games
- Pinball

Pub games can be played for small monetary stakes i.e.

- Round of drinks
- Stakes of pence and not pounds

Substitution - It is against the law to: -

- "Pass Off" a product, e.g. a customer orders Carling and we give them Fosters without informing them first
- Put a different product in a bottle, e.g. cheap Vodka into a Smirnoff bottle.
- Water down products

With any of the above it is **YOU** and not the manager that is in trouble. This could lead to disciplinary action, prosecution, fines and a criminal record.

2. The Sale of Alcohol

The sale of alcohol is prohibited to any person/s under the age of 18 years of age. Any person(s) who appear to be under 18 years of age, proof of identity (Photographic only acceptable) MUST be requested.

It is a criminal offence to serve alcohol to a person(s) less than 18 years of age; the offence carries a penalty up to £5000.

Any persons found to have knowingly served alcohol may and can be prosecuted under the Licensing Act of 2003.

Each of these offences carries penalties and possible imprisonment. Linked to this, SSP may be unable to sell alcohol through the loss of the premises license. Individuals who hold a personal license could forfeit this as part of the penalty.

It is also an offence for any persons under the age of 18 years of age to serve/sell alcohol unless the sale or supply of alcohol has been specifically approved by a responsible person. Ask your Manager about your local/brand/license conditions if this applies to you.

Please note that if you are in doubt of a person's age when requesting alcohol to consume On/Off license premises, you must refuse service and ask for proof of age. If no proof can be offered then you must politely inform the customer that you cannot serve/sell them the item requested.

Note: Both the Trading Standards Departments and the Police are conducting test purchase to ascertain that the law is being upheld at all times. When incidents occur where the law has not been upheld a caution may be issued by Trading Standards and further action may follow. The Police may also issue on the spot fines of £80, each of these approaches are directed to the individual who sold the product. This is known as a Test Purchase

In layman's terms: *If you serve any alcohol to anyone under the age of 18 years, or allowed someone under the age of 18 years to consume alcohol, the following action may be taken against you:*

- On the spot fine of £80 +
- Caution by the TSO/Police
- Court action taken (you will end up with a criminal record)
- Possible fine of £5000 depending on court action
- Imprisonment depending on court action
- Disciplinary action by SSP resulting in dismissal under gross misconduct

DO NOT SERVE ALCOHOL TO ANYONE UNDER 18 YEARS OLD

3. Off-Licenses

The definition of an off-license is; *'A license that authorises persons to sell intoxicating drink from the named premises for the consumption away from those premises only.'*

In layman's terms; *You only serve alcohol for the customers to take away from your unit you must never:*

- *Allow any one to drink alcohol in your unit*
- *You must never open an alcoholic drink for a customer in your unit so they can consume the drink.*

NEVER OPEN AN ALCOHOLIC DRINK FOR A CUSTOMER

4. Test Purchase

In order to enforce age related sales provisions, a **“Test Purchase”** may be carried out by an **“accompanied”** individual. The person conducting the purchase is a *person who is under 18 years of age*. The persons accompanying the underage person are Police Officers or Weights and Measures inspectors – however, they may not be dressed in their appropriate uniform.

If an attempted purchase by an underage person is successful in one of our licensed units, then the Police will make themselves known to the cashier who has committed the offence and they will advise that an offence has been committed. The police and “purchaser” must show their identification as Proof of Identity.

They will issue a summons notice which will state that a penalty of £80 has to be paid within 21 days or if an attendance to court is required then details will be listed.

As Supervisors and Sales Assistants, I would ask ALL of you to be extra vigilant in respect to the policies and procedures regarding the Sale of Alcohol.

- **ALWAYS ask for ID if you are not sure if a customer is over the age of 18;**
- **Acceptable forms of ID are a Passport, Photographic Driving License, Portman Prove It Card or Citizen Card: (must be photograph of the purchase with date of birth clear)**
- **If a customer cannot produce any of the above ID, please politely refuse service and log the refusal in the refusal log located in.....**
- **If a customer is not satisfied with the response given, or they have any further query, please refer them to a Supervisor or Duty Manager immediately.**

It is in the best interests of everyone to comply with the above so that we are not in breach of the law.

Please remember that YOU, as team members, will be held responsible if you fail to comply with the above so it is vitally important that you remain vigilant and if you are in any doubt whatsoever, do not serve.

IF IN DOUBT = REFUSE SERVICE

5. License Refusal Log

Every time you refuse service to a customer YOU must log the refusal in the refusal log, which is located at:

.....

The log is simple to complete please see below details on how to complete the refusal log:

Date	Time	Cashier	Manger/Sup	Product Description	Reason for Refusal

Date – the date you refused service

Time – the time that you refused service (if you forget, make a rough estimate)

Cashier – your name

Manager/Sup – the name of the person running the shift

Product Description – the product requested.

Reason for Refusal – the reason why you refused service (E.g. Drunk/Underage/Violent/Conduct towards staff)

You must complete this log every time you refuse service as it is a requirement by SSP to coincide with the current Licensing Law Act 2003.

Note: At the end of each month the refusal sheet must be filed in section eight of the Licensing Log Book.

6. Your Unit Details

Your unit’s licensing details are very important; this tells the local Licensing Authority, the Police and other authorities details of the type of license your unit holds and by whom.

ONLY GIVE THIS INFORMATION TO PERSONS SHOWING APPROPRIATE PHOTOGRAPHIC IDENTIFICATION. ALWAYS INFORM YOUR DUTY MANAGER IF SOMEONE FROM THE AUTHORITIES COMES INTO YOUR UNIT AND LET THEM DEAL WITH THEM.

Your Unit’s licensing details are as follows:

Unit Number:	
Unit Name:	
Brand:	
Type of License	
Local Licensing Authority:	
The Designated Premises Supervisor (DPS):	
The Personal License Holder is/are:	
Unit Manager:	
Operations Manager:	

Your Premises License must be displayed where all customers and representatives of the local authorities can see it. This is located:

.....

Your unit’s licensing details may be asked to be seen by representatives of the local authorities. The Licensing Details information is located at:

.....

What Next!!!

If you have completed this licensing information pack and passed your Licensing Test, you now need to sign your Licensing Training Record Card. Please read the declaration before signing. If you have any questions now is the time to ask them.

There is just one more sheet which needs to be signed. This is the permission of the DPS to allow you to serve and sell alcohol in their absence. If any of the authority’s or head office support staff asks to see it this document is located:

.....

Licensing Laws questionnaire Part 1

***To be completed at 4 weekly review and every 6 monthly refresher**

Unit Name		Unit/Site Location	
Employee Name		Date:	

Please complete next to each unit specific answer:

1. Who is the current DPS for your unit?

Unit Specific

2. Who are the current Personal License Holders for your unit?

Unit Specific

3. What are the Licensing Hours for your unit?

Unit Specific

4. Where can customers smoke on your site?

Unit Specific

5. Do you have any unit specific license conditions, *must specify* - e.g. entry age restrictions?
If so list them:

Unit Specific

E&W Licensing Test Number 1

Unit Name		Unit/Site Location	
Employee Name		Test Score (100% pass)	

1. What category of people must you not serve alcohol by law?

- a Under 18's and people who are loud
- b Under 18's and people who are shy
- c Under 18's and people who are abrupt
- d Under 18's and people who are drunk

2. Which type of ID do you accept as proof of age?

- a A proof of age scheme card with PASS logo
- b Student card with photo
- c National insurance number card
- d Business card with photo

3. Which of the following is the best sign to indicate someone is drunk?

- a Loud speech, clear eyes, smells of perfume
- b Slurred speech, red eyes, staggers, smells of alcohol
- c Quietly spoken, tired eyes, walks slowly
- d Clear speech, bright eyes, walks briskly

4. What is the minimum age to buy tobacco products?

- a 16 years of age
- b 17 years of age
- c 18 years of age
- d 21 years of age

5. What are the three categories of alcoholic drinks?

- a Beer, Wine and Fruit Juices
- b Beer, Cider, and Mixers
- c Beer, Wine and Tonic Water
- d Beer, Wine and Spirits

6. What are the two Licenses needed for the retail sale of alcohol?

- a Personal License and Driving License
- b Personal License and Premises License
- c Premises License and Provisional Driving License
- d Premises License and Television License

E&W Licensing Test Number 1

7. Test Purchases are conducted by which of the following departments?

- a *Police and Marketing*
- b *Legal and Trading Standards*
- c *Trading Standards and Customer Complaints*
- d *Police and Trading Standards*

8. Who has the right of entry at any time into licensed premises?

- a *Customers and Customs Officers*
- b *Customs Officers and Police*
- c *NHS Officer and Police*
- d *Customs Officers and MP's*

9. Which of the following is a true statement?

- a *Deputy Personal Supervisors must hold a current driving licence*
- b *Designated Premises Supervisors must hold a current personal licence*
- c *Designated Product Salespeople must hold a current driving license*
- d *Deputy Pricing Supervisors must hold a government license*

10. If anyone tries to buy alcohol or tobacco for a person under 18 years, you must ...

- a *Refuse service and log in refusals log book*
- b *Serve them, because the person buying is over 18*
- c *Refuse service and ask them to leave*
- d *Serve them and log the transaction in the log book*

11. What action should you take if unsure of someone's age?

- a *Ask for photographic id before serving*
- b *Ask a colleague how old they think they are*
- c *Serve them, then check with the DPS*
- d *Ask them how old they are then serve them*

12. Which of the following are two of the four Licensing Objectives?

- a *Public Safety, Protection of Children from Harm*
- b *Promotion of Public Nuisance, Private Safety*
- c *Healthy Diet, Prevention of Crime and Disorder*
- d *Increased alcohol consumption, Public Safety*

E&W Licensing Refresher No 2 Match the Words in the Sentence

Select the correct word/s from the bottom of the sheet that fit into the space/s in the following sentences:

1. By law, I can not serve alcohol to under18s and people who are _____
2. Only people who are 18 years or over may buy tobacco _____
3. If I am unsure of a persons' age, I must ask them for _____
4. If I suspect a person is trying to buy alcohol or _____ for a person under the age of 18, I must _____ service and log in the refusal log book
5. Acceptable photographic ID is a _____ or a proof of age scheme with a _____ logo
6. _____ speech, _____ eyes, smelling of alcohol and staggering are all signs of drunkenness
7. If I see signs of _____ behaviour and/or signs of drug use or _____, I should not get involved, inform my duty manager, and make all team members _____
8. Beer, _____ and _____ are the three categories of alcoholic drinks
9. Police and _____ and excise have a right of entry at any time into licensed premises
10. The retail sale of alcohol cannot be allowed without a _____ licence, a personal licence holder and a _____

Words: tobacco, licensing, pass, red, spirits, drunk, slurred, dealing, products, I.D, refuse, training, wine, premises, passport, DPS, photographic, customs, aware, aggressive, refresher.

P.S. You should have three words left over which tell you that you have completed your...

Well done!

SSP Licensing Log E&W Retail Licensing Review & Declaration Record

Unit Name		Unit/Site Location	
Employee Name		Start Date	

When	Session		
Day 1 Induction	Now Boarding Age Restricted Sales	Team Member	to sign TRC
Day 1 Induction	Now Boarding Alcohol Sales Test 1	Team Member	to sign TRC
Before 1st Day In Unit	Now Boarding Alcohol Sales Questions 1-5	Team Member	to sign TRC
When	Session	Trainee Sign	Trainer Sign
Before 1st Day In Unit	No Proof No Sale Licensing DVD and Quiz		
Week 4 Date:	4-Week Licence Review Pack & Test No 1 I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
Week 8 Date:	Personal Safety & Conflict Management		
6 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
12 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
18 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
24 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
30 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
36 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
42 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
48 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
54 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		
60 Months Date:	6 Months Licence Review Pack & Test No I have read and understood the contents. I will adhere to Company policies and procedures related to the sale of alcohol at all times		

Application	Detail of Application	Date Determined	Determined By
05/10357/LIPC Conversion Variation	Application to convert a night cafe licence.	02.10.2005	Granted under delegated authority
12/04959/LIPV Variation	Application To allow the premises to open for late night refreshment between 01.00 and 05.00 if requested to do so by the Station Manager, Network Rail, or the British Transport Police.	17.07.2012	Granted under delegated authority
16/00222/LIPVM Minor Variation	Application to vary the premises licence to make minor alterations to the layout.	29.01.2016	Granted under delegated authority

There is no appeal history for the premises

Appendix 4

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

When determining an application for a new 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 licence 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 necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary 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.

Mandatory Conditions

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 responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic

in a manner which carries a significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (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.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(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.

- 8(ii) For the purposes of the condition set out in paragraph 8(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.

- 8(iii). Where the permitted price given by Paragraph 8(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.

- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(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 consistent with the operating schedule

9. Upon grant of this licence, the existing licence 16/00222/LIPVM shall be surrendered.
10. There shall be no sales of alcohol for consumption off the premises at any time.
11. No alcohol shall be consumed on the premises more than 30 minutes after permitted hours.
12. The sale of alcohol will be limited to beer/lager only.

An alternative condition has been proposed by EH (and agreed by the applicant) which shall replace condition 12 above, as follows:

Alcohol will be restricted to branded beer or lager of no more than 4.8% ABV.

An alternative condition has been proposed by Metropolitan Police (and not agreed by the applicant) as follows:

Alcohol will be restricted to one branded beer or lager of no more than 4.8% ABV, per person, per meal of draught beer, no more than 570ml in volume.

13. All alcoholic drinks will be served in non-glass containers and there will be no self-service of alcohol.

Alternative conditions have been proposed by EH (and agreed by the applicant) which shall replace condition 13 above, as follows:

There shall be no self-service of alcohol.

No alcohol shall be served in glass containers at any time.

14. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
15. The premises shall only be permitted to provide late night refreshment between 01.00 and 05.00 Monday to Thursday and Saturday, between 01.30 and 05.00 Friday and 23.00 and 05.00 Sunday, if requested to do so by the station manager, Network Rail or the British Transport Police.

16. A record shall be kept of the dates and times that the premises open between 02.00 and 05.00 for late night refreshment and shall be retained for 365 days.
17. Staff training shall include the requirement for staff to ensure quantities of alcohol purchased are proportionate to the taking of such food.

An alternative condition has been proposed by Metropolitan Police (and not agreed by the applicant) as follows:

A menu on display shall clearly show when alcohol maybe served with a specific meal plan.

18. The licence holder shall ensure that all staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All staff will be instructed, through training, that a sale shall not be made unless this evidence is produced.

Alternative conditions have been proposed by EH (and agreed by the applicant) which shall replace condition 14 above, as follows:

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.

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

19. An incident log / refusals log is maintained on site in accordance with company policy. 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 at all times whilst the premises is open.
20. 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 (wording to be amended from Crime Prevention Officer to Westminster Police Licensing Team as we understand the requirements of Westminster Police in relation to this wording have recently changed).
21. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
22. A staff member who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member

will be able to show a Police or authorised council officer recent data or footage and/ or download the data onto a disc or memory stick with the minimum of delay when requested. (now amended to refer to downloading the data onto a DVD or memory stick).

23. Risk assessments will be carried out and periodically reviewed for fire, health and safety and emergency evacuation.
24. 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) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service

Conditions proposed by the Environmental Health (Conditions agreed by the applicant)

25. Alcohol for consumption 'On' the premises shall only be by persons who are seated in the premises and bona fide taking substantial food there, and provided always that the consumption of alcohol by such persons is ancillary to taking such food.
26. Only one draught beer shall be provided.
27. Only one draught dispense pump shall be provided.
28. The number of persons seated in the premises at any one time (excluding staff) shall not exceed 32 persons.
29. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible at the point of sale.
30. 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 premises is secured behind locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

An alternative condition has been proposed by Metropolitan Police (and not agreed by the applicant) as follows:

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 premises is secured so as to prevent access to the alcohol by both customers and staff and is that the alcohol is not visible outside the hours it is authorised for sale.

Conditions proposed by the Metropolitan Police (Conditions not agreed with the applicant)

31. The premises licence holder shall ensure that all staff engaged in the sale of alcohol shall be trained in responsible alcohol retailing to a minimum standard of BIIAB Level 1 or equivalent within three months of commencing employment at the premises. Training records shall be kept on the premises and produced to the Police or authorised officer of the Licensing Authority upon request. Training shall be reviewed at six monthly intervals to ensure staff familiarity with current legislation.

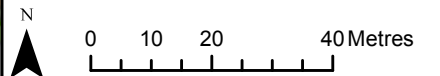
● Live Licensing Act

Appendix 5

504 Residential premises with a 120 metre radius



City of Westminster



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Data Source:
Date: 29/04/2016



Premises within 75 metres of: 62 Frith Street, Ground Floor, Circa

p / n	Name of Premises	Premises Address	Opening Hours
20565	McDonald's	34-35 Strand London WC2N 5HZ	Monday to Sunday 05:00 - 05:00
24107	Sainsbury's	36 - 37 Strand London WC2N 5HY	Monday to Sunday 00:00 - 00:00
26200	Bain & Company, Inc (First & Seventh Floors)	40 Strand London WC2N 5HZ	Monday to Sunday 00:00 - 00:00
28322	Burger King (UK) Ltd	Unit 1 Charing Cross Station Strand London WC2N 5H	Monday to Sunday 23:00 - 01:00
29143	Terroirs	Basement And Ground Floor 5 William IV Street London	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:30
29625	ITSU	Basement Floor And Ground Floor 33 Strand London V	Sunday 09:00 - 22:30 Monday to Saturday 09:00 - 23:00
31782	L'Ulivo	21-23 Villiers Street London WC2N 6ND	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
32252	Nero Express	Charing Cross Station Strand London WC2N 5HS	Monday to Sunday 00:00 - 00:00 Monday to Friday 06:00 - 01:00 Saturday 06:30 - 01:00 Sunday 07:00 - 01:00
-29092	Champagne Charlies	17 The Arches London WC2N 6NG	Monday to Saturday 07:30 - 00:30 Sunday 12:00 - 23:00
-26035	Herman Ze German	19 Villiers Street London WC2N 6ND	Sunday to Wednesday 07:00 - 01:00 Thursday to Saturday 07:00 - 02:00
-23637	Fratelli La Bufala	35 Villiers Street London WC2N 6ND	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:30
-15167	La Piazza	Ground Floor Show Flat A 29 Villiers Street London W	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-8699	MOC Kitchen	2 The Arches London WC2N 6NG	Friday to Saturday 08:00 - 00:00 Sunday 08:00 - 22:30 Monday to Thursday 08:00 - 23:30
-8533	Amba Hotel Charing Cross	Charing Cross Hotel Strand London WC2N 5HX	Monday to Sunday 00:00 - 00:00
-679	Tandoor Chop House	8 Adelaide Street London WC2N 4HZ	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
11399	Wrap It Up	45 Villiers Street London WC2N 6NE	Friday to Saturday 10:00 - 00:00 Sundays before Bank Holidays 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:30
14334	Heaven Nightclub	10A The Arches London WC2N 6NG	Monday to Sunday 00:00 - 00:00
-31547	Cafe Rouge	9-11 Villiers Street London WC2N 6NA	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:30
-31275	Yo! To Go	Unit 14 Charing Cross Station Strand London WC2N 5	Monday to Sunday 08:00 - 01:00
-30675	Jumbo Investments Limited	3 The Arches London WC2N 6NG	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-29460	Gordons Wine Bar	47 Villiers Street London WC2N 6NE	Monday to Thursday 08:00 - 00:00 Friday to Saturday 08:00 - 00:30 Sundays before Bank Holidays 08:00 - 00:30 Sunday 10:00 - 23:00
-29416	The Beer House	Unit 2 Charing Cross Station Strand London WC2N 5H	Monday to Sunday 07:00 - 23:30
-29250	Retro Bar	2 George Court London WC2N 6HH	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-28231	PizzaExpress	450-452 Strand London WC2R 0RG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-27959	The New Players Theatre Restaurant & Bar	Ground Floor And Mezzanine 15 The Arches London V	Monday to Sunday 06:30 - 03:00
-15536	Lupita	Basement And Ground Floor Part 15 Villiers Street Lor	Monday to Thursday 08:00 - 00:00 Friday to Saturday 08:00 - 00:30 Sundays before Bank Holidays 10:00 - 00:00 Sunday 10:00 - 23:00
-12918	The Ship & Shovell	Ground Floor 1 Craven Passage London WC2N 5PH	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-4526	Theodore Bullfrog	26-30 John Adam Street London WC2N 6HL	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00

484	The Pasty Shop	Unit 4 Main Concourse Charing Cross Station Strand L	Monday to Sunday 00:00 - 00:00
6502	Delicatessen & Wine Bar	31 Villiers Street London WC2N 6ND	Monday to Sunday 07:00 - 00:30
6782	Coutts & Co	440 Strand London WC2R 0QS	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
8075	The New Players Theatre Restaurant & Bar	Lower Ground Floor 15 The Arches London WC2N 6N	Monday to Sunday 09:00 - 00:30
12912	The Upper Crust	Unit 15 Charing Cross Station Strand London WC2N 5	Monday to Sunday 23:00 - 02:30
18332	All Bar One	6 Villiers Street London WC2N 6NQ	Thursday to Saturday 08:00 - 00:00 Sunday 08:00 - 23:00 Monday to Wednesday 08:00 - 23:30
22353	The Princess Of Wales	27 Villiers Street London WC2N 6ND	Monday to Sunday 07:00 - 00:30
24726	Five Guys	9-11 Villiers Street London WC2N 6NA	Friday 08:00 - 00:00 Monday to Thursday 08:00 - 23:30 Saturday 09:00 - 00:00 Sunday 09:30 - 22:30
24799	Price Waterhouse Coopers	Ground Floor To Fifth Floor 1 Embankment Place Lon	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
24303	Barrafina	10 Adelaide Street London WC2N 4HZ	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:00
25094	M & S Simply Food	Unit 18 And Unit 19 Charing Cross Station Strand Lon	Monday to Sunday 07:00 - 03:00
26746	Co-Operative The Strand	Basement To Ground And Mezzanine Floor 456-459 S	Monday to Sunday 00:00 - 00:00
30349	Whistlestop Food & Wine	Unit 6 Charing Cross Station Strand London WC2N 5H	Monday to Saturday 08:00 - 02:00 Sunday 10:00 - 02:00



