

# Licensing Sub-Committee Report

Item No:	
Date:	27 September 2018
Licensing Ref No:	18/08197/LIPN - New Premises Licence
Title of Report:	Vagabond Wines 6 Sheldon Square London W2 6HY
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 2700 Email: msteward1@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	12 July 2018		
<b>Applicant:</b>	Vagabond Wines Limited		
<b>Premises:</b>	Vagabond Wines		
<b>Premises address:</b>	6 Sheldon Square London W2 6HY	<b>Ward:</b>	Hyde Park
		<b>Cumulative Impact Area:</b>	No
<b>Premises description:</b>	The applicant proposes to operate the premises as a wine merchant whereby customers can purchase a selection of wines for consumption off the premises. The applicant also proposes to provide a dining area where customers can taste and consume the wines, on the premises, alongside a seasonal and artisan food menu that compliments the wine offer.		
<b>Premises licence history:</b>	This is new premises licence application and therefore no licence history exists.		
<b>Applicant submissions:</b>	The applicant's submissions can be found at Appendix 2.		
<b>Application history:</b>	<p>On original submission of the application, the hours applied for the sale by retail of alcohol and opening hours were the following:</p> <p>Monday to Sunday: 10:00 to 23:00</p> <p>However, the proposed hours have since been amended during consultation. The amended hours are detailed in the following section of this report.</p>		

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	22:30	22:30	22:30	22:30	22:30	22:30	22:30
<b>Seasonal variations/ Non-standard timings:</b>	N/A						

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>	N/A						
<b>Adult Entertainment:</b>	None						

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	7 August 2018
<p>I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.</p>	

2-B Other Persons	
<b>Resident representation 1</b>	
<b>Received:</b>	7 August 2018
<p>This residential building already has 3 bars/ restaurants all have outside seating all play live or recorded music they cover the whole of Sheldon square every night WHY do we need another bar that's serving alcohol it's INSANE</p> <p>The residents above are already dealing with numerous amounts of drunken people within Sheldon square MR HADLEY can you please stop giving permission for bars within Sheldon square this area is fast becoming a nightmare to live in WHO IS MONITORING THESE BARS and please don't say Paddington Central we need Westminster licensing team here every weekend so you can see what residents put up with noise drunken behaviour screaming and shouting people urinating everywhere even the moored floating class is now a party boat at night as well as the other moored boats there are family's living in these buildings who's children are studying and have to go to school and are kept awake deliveries been made to Starbucks at 1am 2am then the restaurant boats dragging there trolleys making racket in the earlier hours Why won't any of you listen it's a well documented fact that the 1st and 2nd floor apartments are overheating and there's no ventilation so we have to leave windows open Nothing here is aimed at residents just ways to encourage drunken behaviours some come and check how many cctv cameras are working onsite how many pc security are on duty how many cameras are canal side why we had to make a one way system for cabs picking up people from pergola plus we now have another bar hucksters I for one can't bare living in Sheldon square much longer if I wanted to live in Piccadilly Circus I would</p>	
<b>Resident representation 2</b>	
<b>Received:</b>	9 August 2018
<p>The South East Bayswater Residents' Association (SEBRA) objects to this application on grounds of potential nuisance, crime and disorder etc to local residents in the area and in particular to residents in the flats above and adjacent residential buildings adjacent to these large premises.</p> <p>Description of application site is confusing as No 6 Sheldon Square already has a Premises Licence with Benny Green cafe in operation. We believe this application relates to the two units next door (facing onto canal) and in planning terms believe is described as Units 6A &amp; 6B (these two units previously a branch of Subway and recall a dentist).</p>	

We note conditions offered by applicant but would want other conditions, changes in operating hours etc, namely

Alcohol to be ancillary to substantial food to persons seated and by waiter/waitress service.

Challenge 25 to be in operation at all times.

Hours of sale of alcohol and opening to be as WCC 'Core Hours' on Sundays & Bank Holidays.

Windows and doors of premises to be in closed position after 21.00 not 23.00.

Cannot see on plan of a dedicated 'smoking area' outside –particularly important as many residential units immediately above premises.

Limit on number patrons outside in 'smoking area'.

We are especially concerned as to use of the external area and consider number of tables and chairs outside much to many and location of tables and chairs will impede pedestrians and cyclists passing along footpath by canal and premises.

Use of tables and chairs outside should cease earlier, particularly on Sundays

We object to hours proposed for 'off sales' as more on Sundays (and Bank Holidays) than WCC Core Hours for 'off sales. Also on 'off sales' would want no beer or cider sold over 5.5% APV and no sales of miniatures of spirits.

As always, SEBRA happy to meet up with applicant and their solicitors to discuss application.

### **Resident representation 3**

<b>Received:</b>	7 August 2018
------------------	---------------

I STRONGLY opposed to this new wine bars. In the last few years, licensed have been granted to establishments such as the Pergola and the 'party' boat which are allowed to served alcohol. The living conditions for residents in Sheldon Square have significantly deteriorated because of anti social behaviour. Their customers leave those places SHOUTING, DRUNK and this sometimes carry on until midnight EVEN DURING THE WEEK. It is not almost IMPOSSIBLE to get a good night sleep and none of the residents objections have been listened to so far. We expected all those issues to happen at the time we objected but no one listened to ANY residents' views! It will be good to take our opinions into account FOR A CHANGE! My life has become a misery (I have to wake up at 6am for work) and it looks like Westminster council is trying to chase all the residents away from Sheldon Square. I never signed up for this when I bought my flat in Sheldon Square.

### **Resident representation 4**

<b>Received:</b>	9 August 2018
------------------	---------------

Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).

We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals as well as people who are not residents in this area. However, the application raises some issues which lead us to conclude that, if granted, it should be with some extra conditions.

Our representation is made on the basis that the likely impact of the application, if granted,

would be to harm the licensing objectives of prevention of public nuisance.

Firstly the address given on the application is 6 Sheldon Square. A licensed premises called 'Beany Green' is already situated at this address. There are empty units at 6a and 6b Sheldon Square. We suspect that this application is in respect of one or both of the empty units, rather than for a licence to replace 'Beany Green', but confirmation from the applicant would be appreciated.

We note that the proposed hours for licensable activities and times the premises will be open to the public are within 'core hours' Nevertheless, we believe that the applicant and the licensing authority need to consider that the premises is within a residential building, and whether the hours applied for are appropriate, particular in view of the number of nearby residents. 'Beany Green', for instance, has a significantly earlier terminal hour for alcohol.

We would like the condition that all alcohol sold on the premises is ancillary to food and substantial meals. For all tables inside the café, and at the tables outside, it should be seated waiter/waitress service only.

We would like the standard conditions on customers leaving the premises at night (given the nearby residential neighbours), rubbish collection only between 08.00 and 20.00, Sundays 10.00 through 18.00 .

The proposed hours for sale of alcohol and the time the premises would be open to the public are co-terminus. If these hours were to be granted, presumably the applicant will ensure that there is sufficient time for customers to finish their drinks and leave the premises by 11pm (or any other such terminal hour as may be granted) notwithstanding the ability to buy alcohol up until that time.

The plans show a large number of tables and chairs outside the premises. These tables are proposed to be in use up until 11pm. This is likely to cause a nuisance to the flats above. Again, a comparison with the relevant condition on the 'Beany Green' licence is instructive. We would also point out that unless the tables and chairs are rendered truly unusable - at all, by anyone - they may be used by rough sleepers in the area.

The proposed conditions do not require sale of alcohol to be ancillary to table meals in any part of the premises. Again, this is in contrast to the 'Beany Green' licence. There may be good reasons for this, but we are concerned about the potential for public nuisance to local residents should the premises be primarily a drinking venue with a proportion of vertical drinkers and undefined 'tastings' (see proposed conditions 4 and 5).

The conditions refer to an area marked 'private tasting room' on the plan. We cannot see such an area. There is no indication or detail of what these tastings will be, how frequent etc.

We would not want off-sales of 'super strength' alcohol.

We note that there is a planning application pending for removal of Condition 4 of planning permission dated 19 June 2018 (RN: 18/03640/FULL), to allow cooking of raw and fresh food on the premises. Presumably there will be a requirement for effective equipment to ensure that odours and smells will not be a nuisance to the residents above.

Will there be a smoking area away from residential windows?

Should there be a hearing, we will endeavour to attend.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<p>(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.</p> <p>(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.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p>
<b>Policy PB1 applies</b>	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

### 4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

## 5. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Michelle Steward Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1872 Email: msteward1@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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Environmental Health Service	7 <sup>th</sup> August 2018
<b>5</b>	Resident representation 1	7 <sup>th</sup> August 2018
<b>6</b>	Resident representation 2	7 <sup>th</sup> August 2018
<b>7</b>	Resident representation 3	9 <sup>th</sup> August 2018
<b>8</b>	Resident representation 4	9 <sup>th</sup> August 2018

**Premises Plans**

**Appendix 1**

A copy of the plans are enclosed.



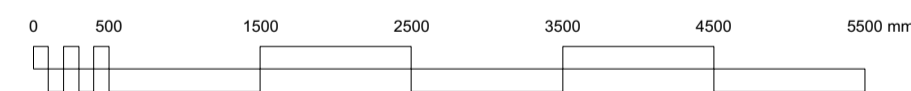
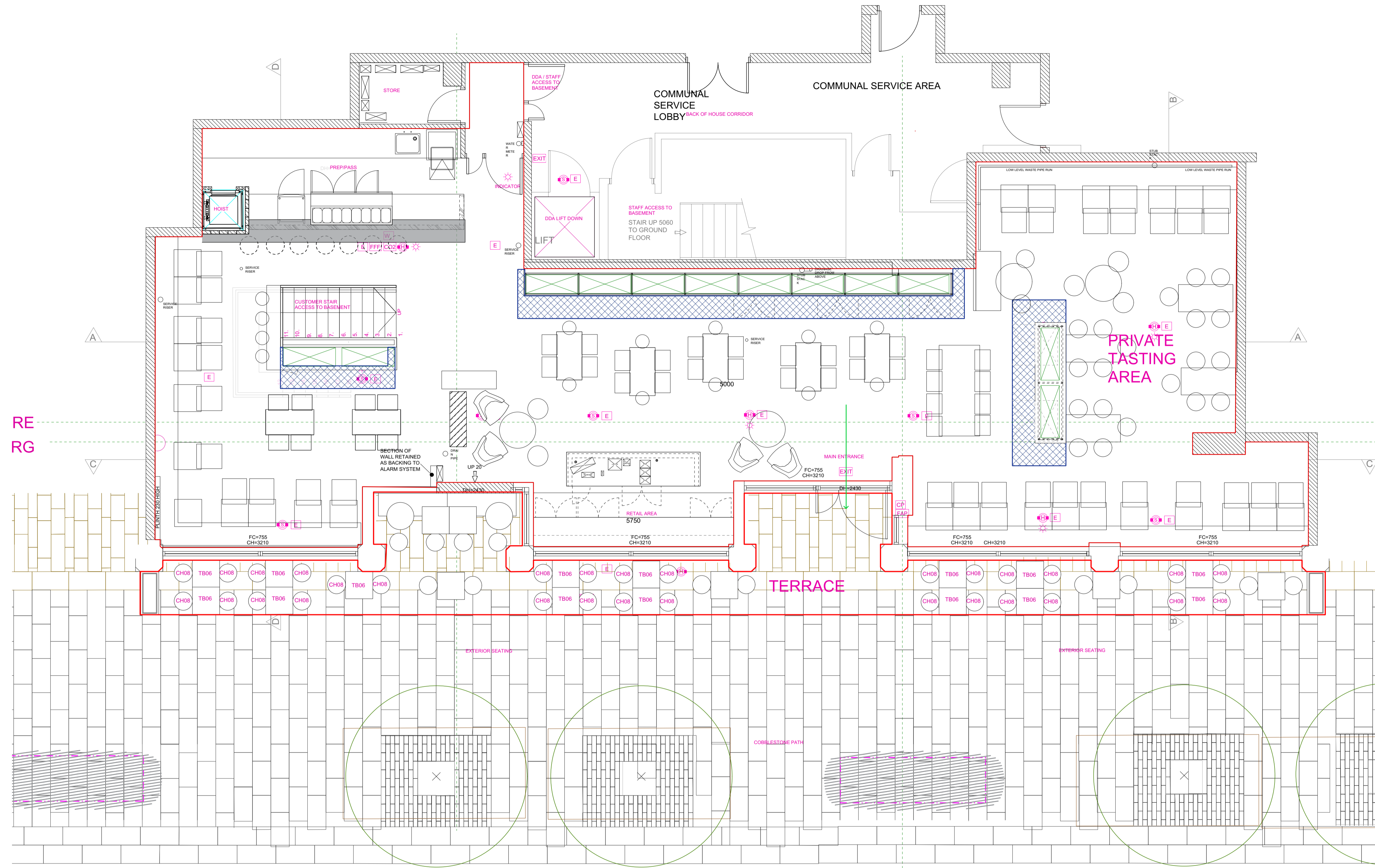
FOR COMMENT

DESIGN INTENT

GROSS INTERNAL AREA  
180 SQM

GROSS EXTERNAL AREA  
40 SQM

SEATING LAYOUT  
INDICATIVE ONLY



**LEGEND**

	RED LINE DENOTES AREA WITHIN WHERE ALCOHOL WILL BE SOLD AND CONSUMED. PLEASE NOTE ALCOHOL WILL NOT BE SOLD IN THE EXTERIOR PERIMETERS.		FIRE ALARM SYSTEM SMOKE DETECTOR		STATUTORY FIRE PROCEDURE NOTICE
	REFER TO PROPOSED CONDITIONS 4 & 5		FIRE ALARM SYSTEM HEAT DETECTOR		FIRE BLANKET
	GREEN ARROW SHOWING THE DIRECTION OF EXIT		FIRE ALARM SYSTEM SMOKE DETECTOR SOUNDER BASE		FIRE EXTINGUISHER - WATER
			FIRE ALARM SYSTEM HEAT DETECTOR / SOUNDER BASE		FIRE EXTINGUISHER - CO2
			FIRE ALARM SYSTEM MANUAL BREAK GLASS UNIT		FIRE EXTINGUISHER - FFF
			FIRE ALARM SYSTEM FLASHING BEACON		LANDLORD'S LINK (EXACT SPECIFICATION TBC)
			FIRE ALARM SYSTEM INPUT/OUTPUT RELAY UNIT		MUSIC
			EMERGENCY LIGHTING		MECHANICAL SHUTDOWN
			ILLUMINATED EMERGENCY EXIT SIGN		DRINKER BACKS
					RED CARE
					SPRINKLERS
					ANSUL UNIT
					FIRE ALARM PANEL
					CALL POINT

NOTE: 1. ALL ALARM REQUIREMENTS TO BE CONFIRMED BY CLIENT

**GENERAL NOTES:**

- ALL FINISHES ARE TO CONFORM TO THE REQUIRED CURRENT BUILDING REGULATIONS IN THE APPLICABLE COUNTRY (IN RESTAURANTS ALL FINISHES ARE TO BE CLASS 1 OR EQUIVALENT).
- CONTRACTOR MUST VERIFY ALL SITE DIMENSIONS, DRAWINGS, DETAILS AND SPECIFICATIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH ANY WORK.
- ALL SPECIFIED ITEMS ARE TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS.
- CONTRACTOR TO PROVIDE A WORKING ENVIRONMENT WHICH CONFORMS TO THE CURRENT HEALTH AND SAFETY AT WORK CONDITIONS AND LOCAL AUTHORITY REGULATIONS.
- ALL FINISHES ARE TO BE CARRIED OUT TO A HIGH STANDARD.
- ANY DIMENSIONS ARE TO BE TAKEN FROM THE SETTING OUT PLAN ONLY AND ARE NOT TO BE SCALED FROM THE DRAWINGS.

- IT IS THE CONTRACTORS RESPONSIBILITY TO UNDER TAKE AND ENSURE THAT ANY BUILDING WORK IS CARRIED OUT UNDER THE LOCAL AUTHORITY REQUIREMENTS.
- THE CONTRACTOR IS TO CHECK AND APPRAISE ALL DESIGN SHOP FITTINGS AND CONSTRUCTION DETAILS AND OFFER ALTERNATIVES TO THE DESIGNER FOR APPROVAL.
- IN THE EVENT THAT DRAWING INFORMATION IS NOT THE SAME, AND IF THE DESIGNER AND OR SUPERVISING OFFICER ARE UNAVAILABLE FOR COMMENT, THE PROPOSED PLAN IS TO BE READ AS CORRECT.
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE OTHER RELEVANT CONSULTANTS DRAWINGS.
- COPYRIGHT OF FINCH INTERIORS. NOT TO BE REPRODUCED.
- ALL REQUESTED DRAWINGS SHOWING FIXINGS AND CONSTRUCTION DETAILS ARE REQUIRED TO BE APPROVED BY DESIGNER PRIOR TO COMMENCEMENT OF WORK.

**Revisions:**

Rev.	Date:	Details:
0	08.05.18	ISSUED FOR COMMENT
A	10.05.18	COVERS UPDATED; ISSUED FOR COMMENT
B	25.05.18	HATCHING TO LINK WITH PROPOSED CONDITIONS ; ISSUED FOR COMMENT
C	30.05.18	HATCHING TO LINK WITH PROPOSED CONDITIONS ; ISSUED FOR COMMENT
D	02.07.18	ISSUED FOR COMMENT
E	05.07.18	ISSUED FOR COMMENT
F	29.08.18	ISSUED FOR COMMENT

**Issue Codes:** P = Preliminary; T = Tender; C = Construction.



<b>Client:</b> VAGABOND	<b>Project ref No:</b> 1807	<b>Date:</b> MAY18
<b>Project:</b> UNIT 6 PADDINGTON	<b>Dwg. No.:</b> LIC_01	<b>Rev.:</b> F
<b>Dwg Title:</b> PROPOSED LICENSING	<b>Scale:</b> 1:50	<b>Drawn By:</b> FET
<b>Dwg Type:</b> GROUND FLOOR PLAN		<b>Page:</b> - A1

## **Applicant Supporting Documents**

## **Appendix 2**

The applicant has submitted a number of documents in support of their application.

The following documents are enclosed:

- Objector letters x 4
- Smoking policy
- Operational management plan
- Applicant presentation pack

# Vagabond

[REDACTED]

13 September 2018

[REDACTED]

## **Application for a Premises Licence - Vagabond Wines, 6 Sheldon Square**

I hope this letter finds you well.

Westminster Council have provided me with a copy of your comments in respect of our premises licence application. Although I have already met some of the local community during the recent planning application process, I would be most grateful for your consideration of this letter in respect of our licence application. I have two children and live above a restaurant myself, so I am completely sympathetic of residential concerns regarding late-night noise and disturbance.

Following a helpful meeting with the Westminster Environmental Health Officer, I have agreed amendments to the application. Please see attached updated summary of our proposals, which I hope assists. This also includes changes to hours and additional conditions requested in feedback from local stakeholders.

Vagabond operates as a multi-award winning wine merchant, bar and restaurant across five existing locations in London. Our typical customer base is formed of a mature and responsible clientele who visit to enjoy our broad selection of premium wines. We certainly do not attract irresponsible drinkers looking for cheap price alcohol.

Most of our existing sites operate in close proximity to local residents. We will implement our tried and tested management procedures to ensure the business is managed professionally and responsibly without any adverse effect on you or your neighbours. Many of these procedures have also been included in the planning application submissions and subsequently granted consent. This includes controls in respect of servicing and waste refuse arrangements, which can be handled internally via the Paddington central loading bays.

I understand you have ongoing concerns arising about the behaviour of customers visiting some of the existing businesses in the area. I will brief my management team to ensure these type of concerns do not arise in respect of Vagabond or our customers. In doing so, I hope that you will view the introduction of Vagabond as a positive step forward to help enhance the calibre of operators in the area.

I also understand that customer smoking has been raised as a concern in respect of the existing licensed premises in and around Sheldon Square. Our intention is to close our internal and external areas at the same time (11pm). This means there will never be an occasion where our customers need

to smoke outside our external terrace area. The external terrace will always be available as a controlled smoking area immediately adjacent to the premises. During particularly busy periods, we will implement procedures to limit the number of smokers outside to avoid the risk of overcrowding

From experience, our typical clientele base does not consist of a high proportion of smokers in any event. We do not anticipate large numbers of customers wanting to leave the premises to smoke at any one time. Notwithstanding, we will ensure our external terrace area is very carefully managed to ensure customers smoking outside do not cause a disturbance to local residents. This will include regular monitoring and supervision of the area by staff, particularly at night.

Finally, we have also agreed to scale back the extent of the proposed external terrace area following comments received during the planning process, which is being processed by Westminster separately to the current licence application.

Thank you for your consideration of this letter. I am committed to working with the local community and hope Vagabond will become a valued addition to the area.

I would be delighted to meet you in person if that assists. Please do not hesitate to contact me if you have any further queries arising or would like to arrange a meeting.

Yours sincerely

Stephen Finch

[stephen@vagabondwines.co.uk](mailto:stephen@vagabondwines.co.uk)

# Vagabond

SEBRA

13 September 2018

Dear Sirs

## **Application for a Premises Licence - Vagabond Wines, 6 Sheldon Square**

I hope this letter finds you well.

Westminster Council have provided me with a copy of your comments in respect of our premises licence application. Although I have already met some of the local community during the recent planning application process, I would be most grateful for your consideration of this letter in respect of our licence application. I have two children and live above a restaurant myself, so I am completely sympathetic of residential concerns regarding late-night noise and disturbance.

Following a helpful meeting with the Westminster Environmental Health Officer, I have agreed amendments to the application. Please see attached updated summary of our proposals, which I hope assists. This also includes changes to hours and additional conditions requested in feedback from local stakeholders.

Vagabond operates as a multi-award winning wine merchant, bar and restaurant across five existing locations in London. Our typical customer base is formed of a mature and responsible clientele who visit to enjoy our broad selection of premium wines. We certainly do not attract irresponsible drinkers looking for cheap price alcohol.

Most of our existing sites operate in close proximity to local residents. We will implement our tried and tested management procedures to ensure the business is managed professionally and responsibly without any adverse effect on you or your neighbours. Many of these procedures have also been included in the planning application submissions and subsequently granted consent. This includes controls in respect of servicing and waste refuse arrangements, which can be handled internally via the Paddington central loading bays.

I understand you have ongoing concerns arising about the behaviour of customers visiting some of the existing businesses in the area. I will brief my management team to ensure these type of concerns do not arise in respect of Vagabond or our customers. In doing so, I hope that you will view the introduction of Vagabond as a positive step forward to help enhance the calibre of operators in the area.

I also understand that customer smoking has been raised as a concern in respect of the existing licensed premises in and around Sheldon Square. Our intention is to close our internal and external areas at the same time (11pm). This means there will never be an occasion where our customers need to smoke outside our external terrace area. The external terrace will always be available as a controlled smoking area immediately adjacent to the premises. During particularly busy periods, we will implement procedures to limit the number of smokers outside to avoid the risk of overcrowding

From experience, our typical clientele base does not consist of a high proportion of smokers in any event. We do not anticipate large numbers of customers wanting to leave the premises to smoke at any one time. Notwithstanding, we will ensure our external terrace area is very carefully managed to ensure customers smoking outside do not cause a disturbance to local residents. This will include regular monitoring and supervision of the area by staff, particularly at night.

Finally, we have also agreed to scale back the extent of the proposed external terrace area following comments received during the planning process, which is being processed by Westminster separately to the current licence application.

Thank you for your consideration of this letter. I am committed to working with the local community and hope Vagabond will become a valued addition to the area.

I would be delighted to meet you in person if that assists. Please do not hesitate to contact me if you have any further queries arising or would like to arrange a meeting.

Yours sincerely

Stephen Finch

[stephen@vagabondwines.co.uk](mailto:stephen@vagabondwines.co.uk)

# Vagabond

Paddington Waterways and Maida Vale Society

13 September 2018

Dear Sirs

## **Application for a Premises Licence - Vagabond Wines, 6 Sheldon Square**

I hope this letter finds you well.

Westminster Council have provided me with a copy of your comments in respect of our premises licence application. Although I have already met some of the local community during the recent planning application process, I would be most grateful for your consideration of this letter in respect of our licence application. I have two children and live above a restaurant myself, so I am completely sympathetic of residential concerns regarding late-night noise and disturbance.

Following a helpful meeting with the Westminster Environmental Health Officer, I have agreed amendments to the application. Please see attached updated summary of our proposals, which I hope assists. This also includes changes to hours and additional conditions requested in feedback from local stakeholders.

Vagabond operates as a multi-award winning wine merchant, bar and restaurant across five existing locations in London. Our typical customer base is formed of a mature and responsible clientele who visit to enjoy our broad selection of premium wines. We certainly do not attract irresponsible drinkers looking for cheap price alcohol.

Most of our existing sites operate in close proximity to local residents. We will implement our tried and tested management procedures to ensure the business is managed professionally and responsibly without any adverse effect on you or your neighbours. Many of these procedures have also been included in the planning application submissions and subsequently granted consent. This includes controls in respect of servicing and waste refuse arrangements, which can be handled internally via the Paddington central loading bays.

I understand you have ongoing concerns arising about the behaviour of customers visiting some of the existing businesses in the area. I will brief my management team to ensure these type of concerns do not arise in respect of Vagabond or our customers. In doing so, I hope that you will view the introduction of Vagabond as a positive step forward to help enhance the calibre of operators in the area.

I also understand that customer smoking has been raised as a concern in respect of the existing licensed premises in and around Sheldon Square. Our intention is to close our internal and external areas at the same time (11pm). This means there will never be an occasion where our customers need

to smoke outside our external terrace area. The external terrace will always be available as a controlled smoking area immediately adjacent to the premises. During particularly busy periods, we will implement procedures to limit the number of smokers outside to avoid the risk of overcrowding.

From experience, our typical clientele base does not consist of a high proportion of smokers in any event. We do not anticipate large numbers of customers wanting to leave the premises to smoke at any one time. Notwithstanding, we will ensure our external terrace area is very carefully managed to ensure customers smoking outside do not cause a disturbance to local residents. This will include regular monitoring and supervision of the area by staff, particularly at night.

Finally, we have also agreed to scale back the extent of the proposed external terrace area following comments received during the planning process, which is being processed by Westminster separately to the current licence application.

Thank you for your consideration of this letter. I am committed to working with the local community and hope Vagabond will become a valued addition to the area.

I would be delighted to meet you in person if that assists. Please do not hesitate to contact me if you have any further queries arising or would like to arrange a meeting.

Yours sincerely

Stephen Finch

---

[stephen@vagabondwines.co.uk](mailto:stephen@vagabondwines.co.uk)



# Vagabond

[REDACTED]

13 September 2018

[REDACTED]

## **Application for a Premises Licence - Vagabond Wines, 6 Sheldon Square**

I hope this letter finds you well.

Westminster Council have provided me with a copy of your comments in respect of our premises licence application. Although I have already met some of the local community during the recent planning application process, I would be most grateful for your consideration of this letter in respect of our licence application. I have two children and live above a restaurant myself, so I am completely sympathetic of residential concerns regarding late-night noise and disturbance.

Following a helpful meeting with the Westminster Environmental Health Officer, I have agreed amendments to the application. Please see attached updated summary of our proposals, which I hope assists. This also includes changes to hours and additional conditions requested in feedback from local stakeholders.

Vagabond operates as a multi-award winning wine merchant, bar and restaurant across five existing locations in London. Our typical customer base is formed of a mature and responsible clientele who visit to enjoy our broad selection of premium wines. We certainly do not attract irresponsible drinkers looking for cheap price alcohol.

Most of our existing sites operate in close proximity to local residents. We will implement our tried and tested management procedures to ensure the business is managed professionally and responsibly without any adverse effect on you or your neighbours. Many of these procedures have also been included in the planning application submissions and subsequently granted consent. This includes controls in respect of servicing and waste refuse arrangements, which can be handled internally via the Paddington central loading bays.

I understand you have ongoing concerns arising about the behaviour of customers visiting some of the existing businesses in the area. I will brief my management team to ensure these type of concerns do not arise in respect of Vagabond or our customers. In doing so, I hope that you will view the introduction of Vagabond as a positive step forward to help enhance the calibre of operators in the area.

I also understand that customer smoking has been raised as a concern in respect of the existing licensed premises in and around Sheldon Square. Our intention is to close our internal and external areas at the same time (11pm). This means there will never be an occasion where our customers need

to smoke outside our external terrace area. The external terrace will always be available as a controlled smoking area immediately adjacent to the premises. During particularly busy periods, we will implement procedures to limit the number of smokers outside to avoid the risk of overcrowding

From experience, our typical clientele base does not consist of a high proportion of smokers in any event. We do not anticipate large numbers of customers wanting to leave the premises to smoke at any one time. Notwithstanding, we will ensure our external terrace area is very carefully managed to ensure customers smoking outside do not cause a disturbance to local residents. This will include regular monitoring and supervision of the area by staff, particularly at night.

Finally, we have also agreed to scale back the extent of the proposed external terrace area following comments received during the planning process, which is being processed by Westminster separately to the current licence application.

Thank you for your consideration of this letter. I am committed to working with the local community and hope Vagabond will become a valued addition to the area.

I would be delighted to meet you in person if that assists. Please do not hesitate to contact me if you have any further queries arising or would like to arrange a meeting.

Yours sincerely

Stephen Finch

---

[stephen@vagabondwines.co.uk](mailto:stephen@vagabondwines.co.uk)

## **Vagabond Wines Sheldon Square**

### **SMOKING POLICY**

*Draft June 2018*

All members of the Vagabond team must uphold our commitment to ensuring the operation of our business does not disturb our neighbours.

A key aspect of our operational management procedures is controlling smokers outside the premises. Customers outside the premises can present a risk of noise nuisance if not managed properly.

The following smoking policy must be complied with at all times:

1. Smokers will only be permitted to use the designated external terrace to smoke. Smokers shall not be permitted to smoke on the street or other public areas in Sheldon Square.
2. Signage shall be displayed and maintained requesting customers to respect our neighbours and behave responsibly when smoking outside.
3. Smokers must be monitored by staff and, if required, reminded to keep noise to a minimum when smoking – particularly later in the evening.
4. Staff must respond promptly to any complaints received from our neighbours in relation to customers smoking or otherwise.
5. During busy periods, the numbers of smokers permitted outside should be controlled to reduce the risk of large groups of smokers causing a nuisance.
6. Staff must keep smoking breaks to an absolute minimum and pay utmost respect to our neighbours when smoking.

Staff must contact a member of management if they have any queries arising in respect of this smoking policy.



# **Operational Management Strategy**

**Vagabond Wines  
Unit 6 Sheldon Square  
Paddington Central**

---

## Contents

<b>1</b>	<b>Introduction &amp; Purpose of Document .....</b>	<b>3</b>
<b>2</b>	<b>Premises &amp; Customer Management.....</b>	<b>5</b>
<b>3</b>	<b>Dispersal Policy .....</b>	<b>7</b>
<b>4</b>	<b>Closing Procedure.....</b>	<b>10</b>
<b>5</b>	<b>Control of Smells &amp; Ventilation Systems.....</b>	<b>11</b>
<b>6</b>	<b>Deliveries, Servicing &amp; Waste.....</b>	<b>12</b>
<b>7</b>	<b>OMS Summary &amp; Effect .....</b>	<b>13</b>

## 1. Introduction & Purpose of Document

1.1. This Operational Management Strategy (“OMS”) has been prepared to set out the management strategy and guiding operational principles of the proposed use of Unit 6 Sheldon Square, Paddington Central (the “Premises”) by Vagabond Wines.

1.2. Vagabond Wines is an award-winning operator specialising in fine wine and artisan food. The applicant’s awards include:

- *International Wine Challenge (2016) — Large Independent Wine Merchant of the Year*
- *International Wine Challenge (2015) — Small Independent Wine Merchant of the Year*
- *Decanter Retailer Awards (2014) — Small Independent Wine Merchant of the Year*
- *Drinks Retailing Awards (2013) — Small Independent Wine Merchant of the Year*
- *Drinks Retailing Awards (2013) — Newcomer of the Year*
- *Harpers Wine & Spirits (2013) — Small Independent Wine Merchant of the Year*
- *Harpers Wine & Spirits (2012) — New/Emerging Drinks Business of the Year*
- *Harpers Wine & Spirits (2012) — Best Innovation of the Year*
- *Timeout — Five Star Review & Shop of the Week*

1.3. Vagabond Wines business is founded upon:

1.3.1. The retail sale of carefully selected wines for consumption off the Premises;

1.3.2. The sale of the same wines for tasting and consumption on the Premises; and

1.3.3. The sale of seasonal and artisan food from a menu tailored to complement the wine offer for consumption on the Premises.

1.4. Vagabond Wines prides itself on a premium and high quality offer. The average price of a bottle of wine for retail sale is £14, which is approximately 3 times higher than a typical retailer selling wine for consumption off the Premises. Cheap price alcohol is not available at the Premises.

1.5. Vagabond Wines has a proven track record across its 6 London locations. Tried and tested management controls ensure the business is operated to the highest possible standards in each

---

of its locations. This OMS includes a number of controls to ensure the Premises does not disturb adjoining occupiers and provides a valued asset to the Paddington Central amenity.

- 1.6. The OMS sets out a commitment to a high standard of professional and responsible management. The implemented management systems will ensure that the Premises is operated successfully, sympathetically and without adversely affecting the local amenity.
- 1.7. The Paddington Central area is dominated with mixed and wide ranging commercial uses including numerous offices, retail uses and licensed premises. In addition, residential units are located within the vicinity of the Premises. The primary objective of this OMS is to protect the amenity of local residents.
- 1.8. The OMS includes a dispersal policy, to ensure the quick and quiet dispersal of customers, and a customer management policy, to ensure customers cause local residents no nuisance whatsoever. Further controls will be set out in the Premises Licence.
- 1.9. Vagabond Wines' management take their responsibilities as a neighbour very seriously. Employees go through an extensive induction and on-going refresher training programme covering all aspects of the business operation, ranging from customer care and management, right through to Health & Safety, and a responsible use of each Vagabond Wines unit in the local community.
- 1.10. These operational controls are maintained to ensure all employees understand and promote Vagabond Wines' responsibility to ensure the operation of the Premises has no adverse effect on local residents.

## **2 Premises & Customer Management**

- 2.1 The objective of this policy is to ensure customers use the Premises responsibly and are managed professionally by all members of staff. All staff will be required to understand and support Vagabond Wines' commitment to being responsible neighbours.
- 2.2 The proposed hours of use are 10am to 11pm Monday to Sunday. The internal capacity of the Premises is anticipated to be approximately 150 (excluding staff).
- 2.3 Vagabond Wines' management team will work in partnership with Paddington Central security and management to promote the highest possible standards of management, supervision and public safety. The Paddington Central campus benefits from a 24 hour security presence and wide ranging CCTV coverage
- 2.4 Vagabond Wines take pride in educating customers about wine and helping them to enjoy it. Excessive consumption of wine and intoxication is not permitted. Alcohol will not be sold to persons who are intoxicated.
- 2.5 Customer behaviour that may cause a disturbance or nuisance to local residents will not be tolerated under any circumstances by Vagabond Wine's management. Management controls will place particular attention on customers using the external area and when leaving the Premises at night. Staff will closely monitor the external area at all times to ensure customers outside are behaving responsibly and not causing any obstruction.
- 2.6 Queues are not expected to form outside the Premises. In any event, procedures will be implemented to ensure that queues do not cause an obstruction and customers waiting in the queue do not cause a nuisance to adjoining occupiers.
- 2.7 Customers who wish to smoke outside will be reminded to do so quietly and to respect local residents. Smoking areas will be monitored during sensitive times, for example during busier periods and during the evening. If necessary, the number of persons permitted to smoke outside



---

will be limited to avoid the risk of large groups of smokers causing a nuisance. Smokers will not be permitted to loiter outside for unnecessarily long periods.

- 2.8 In the event a customer demonstrates behaviour contrary to Vagabond Wine's standards, a duty manager will immediately ask the customer to quieten down and respect local residents. If the customer fails to comply with a first warning that customer will be politely asked to leave the Premises immediately.
- 2.9 Music will be played at modest levels to allow conversation in the Premises. This removes the risk of music noise emanating from the Premises and customers leaving the with raised voices.
- 2.10 An incident log will continue to be recorded and maintained in respect of all incidents occurring at the Premises. The incident log must be regularly checked by a member of management.
- 2.11 Notices will be displayed at the exit and in the external area reminding customers to respect local residents and use the Premises as quietly as possible.
- 2.12 In addition, Vagabond Wines will have a duty under the Licensing Act 2003 to promote the Licensing Objectives: the Prevention of Public Nuisance; the Prevention of Crime & Disorder; Public Safety; and the Protection of Children From Harm.

### **3 Dispersal Policy**

3.1 The objective of this Dispersal Policy is to ensure a quiet and controlled dispersal of customers – particularly at night.

3.2 By following this Dispersal Policy, customers will be managed professionally and responsibly to ensure they make their journey home quickly without any adverse impact on our neighbours. Staff will be regularly reminded that local residents live in the Paddington Central campus.

#### **HOURS OF OPERATION**

3.3 All staff will be aware of the authorised opening hours under the planning permission, as follows:

3.3.1 Monday to Sunday: 10am to 11pm

3.4 This Policy will be followed throughout the day, although particular attention will be paid to customers leaving at night.

#### **ENTRANCES AND EXITS**

3.5 The main entrances/exits of the Premises are on Sheldon Square. The entrances and exits will be monitored by staff and covered by CCTV.

3.6 Clearly legible signs will be displayed at exits requesting customers to respect our local residents when leaving.

#### **DISPERSAL**

3.7 The primary point of dispersal is the main Sheldon Square exit. From this exit, customers will disperse directly to the nearby transport links.

3.8 Towards closing time customers will be politely reminded the Premises is about to close.

3.1 Members of staff will ensure customers are managed professionally and leave quickly and quietly. They will also politely request that any customers loitering outside the Premises to continue their journey home.

3.2 Customers must be made aware of local transport links (see below).

#### **TRANSPORT**

3.3 A lot of customers are expected to be local residents who will arrive and depart by foot.

3.4 The Premises is also very well serviced by public transport links, as set out below. Staff will be familiar with these transport links, so they can advise customers where required.

#### **TUBE**

3.4.1 Paddington, Warwick Avenue, Royal Oak and Edgware Road tube stations are within very easy walking distance from the Premises.

3.4.2 Bayswater, Queensway and Lancaster Gate tube stations are accessible by foot, bus or taxi.

#### **OVERGROUND**

3.4.3 The closest overground station is Paddington. This station is within very close proximity to the Premises and is anticipated to be the primary public transport hub for customers.

3.4.4 Other central London overground stations are easily accessible by taxi, tube or bus.

#### **BUSES**

3.4.5 The Premises is well serviced by public buses. TFL bus services are accessible by various nearby bus stops, including 46, 18, N18, 7, N7, 23 and 36, which go to a variety of destinations throughout the area.

3.4.6 Staff will be familiar with the local bus services and will advise customers accordingly.

---

**TAXI**

3.4.7 Cabs are available right through the day and night in the area. Customers are also expected to app-based services, such as uber. Customers will be directed to order pick up locations away from the nearest residential properties.

3.4.8 Staff will assist customers calling a taxi if required.

## **4 Closing Procedure**

- 4.1 Management controls will be implemented to ensure that the closing procedure has no adverse impact on local residents. The procedure promotes a quick and quiet closure of the Premises.
- 4.2 Management controls will include:
  - 4.2.1 Ensuring all customers will be off the Premises by the authorised closing times set out above.
  - 4.2.2 A prompt clean and clear up of the Premises as soon as possible after closure.
  - 4.2.3 Ensuring employees will leave the Premises quickly and quietly, at all times following the Dispersal Policy.
  - 4.2.4 Ensuring employees will not be permitted to loiter outside the Premises or smoke outside after closing.

## **5 Control of Smells & Ventilation Systems**

- 5.1 Vagabond Wines uses a very high-end recirculating unit in its current premises (PST Pollustop Advanced Air Purification Unit). This system has recently been approved by the Planning Authority in respect of Vagabond Wines premises in the Victoria Nova development.
- 5.2 The PST Pollustop Advanced Air Purification Unit system:
- Is specially developed for commercial kitchens operating in dense urban locations
  - Allows low level discharge for exhaust ductwork
  - Respects the neighbourhood due to minimal cooking odours and pollution (improved external air quality in surrounding areas of the kitchen)
  - Has lower energy consumption due an efficient heat recovery system, sustainable over time
  - Has increased filter lifetimes due to the Capture Ray technology which neutralises grease and odours
- 5.3 This system avoids the need for extraction and therefore eliminates the usual risks associated with potential nuisance caused by noise or odour.

---

## **6 Deliveries, Servicing & Waste**

- 6.1 Vagabond Wines will comply with Paddington Central's delivery system. This requires no deliveries at podium level to ensure deliveries will not impact upon the residential occupiers. Deliveries are expected to take place from the dedicated service area accessed from Harrow Road and then via the goods lift.
- 6.2 It is anticipated that most deliveries will be made by small / medium sized vans and that these will be limited to a short waiting time to allow for loading / unloading. Deliveries and collections will be arranged at appropriate times to avoid the risk of this activity causing a nuisance to local residents.
- 6.3 Vagabond Wines will support Paddington Central's zero waste to landfill policy. All waste will be taken to the Paddington Central communal waste refuse collection point.
- 6.4 Cardboard will be flattened before being taken to the designated container. Recyclable materials are to be placed in the relevant containers for collection. General waste will be placed in the general waste containers and will be compacted by trained Paddington Central compactor operator staff. The waste streams will then be collected by a third party contractor.
- 6.5 Kitchen waste will be taken to the designated Paddington Central collection point. Separate bins are provided for mixed glass and food waste. Waste will not be left out at podium level or in the canalside retail corridor.

---

## **7 OMS Summary & Effect**

- 7.1 A culmination of all the controls and safeguards, together with the type of offer, customer and purpose of visit, ensure the Premises will be operated successfully and with no adverse impact on the local amenity.
  
- 7.2 The measures set out in this OMS will supplement the Premises Licence and Planning Permission conditions ensuring the proposed use is appropriate and will provide an attractive addition to the Paddington Central campus.





# Vagabond

DISCOVER GREAT WINE

## Company Overview

Stephen W. Finch

August 2018





Vagabond Victoria



# Our Properties

---



## 1. Fulham (2010)

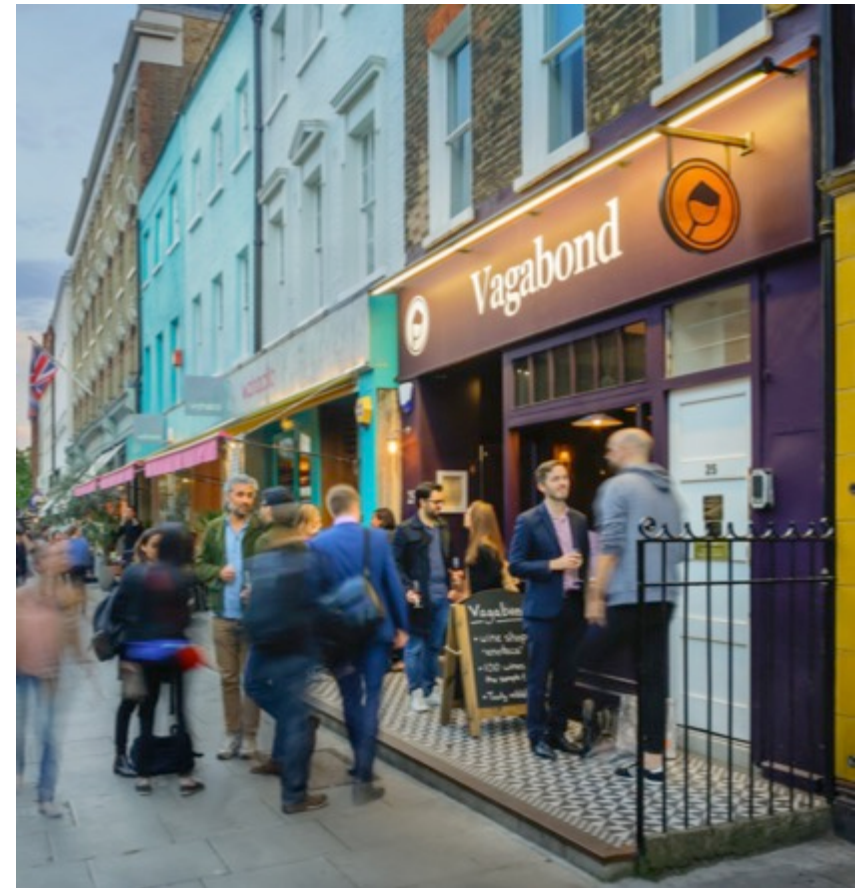




# Our Properties

---

## 2. Charlotte Street (2013)







# Our Properties

---

## 3. Spitalfields (2015)



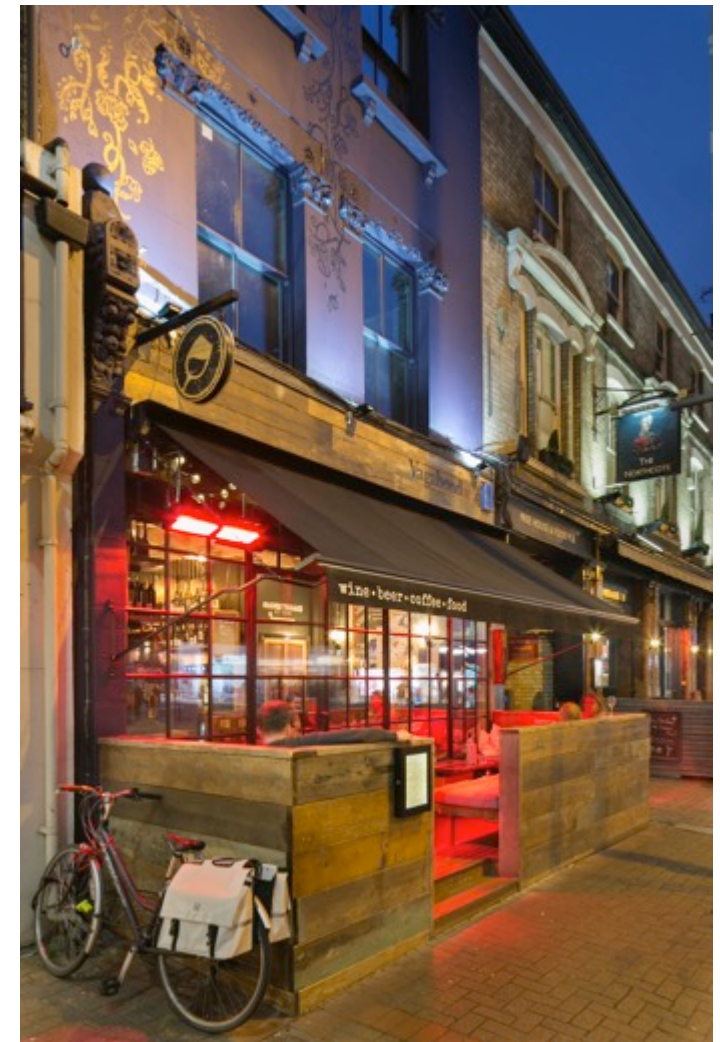




# Our Properties

---

## 4. Northcote Road (2016)





# Our Properties

---



## 5. Victoria (2017)



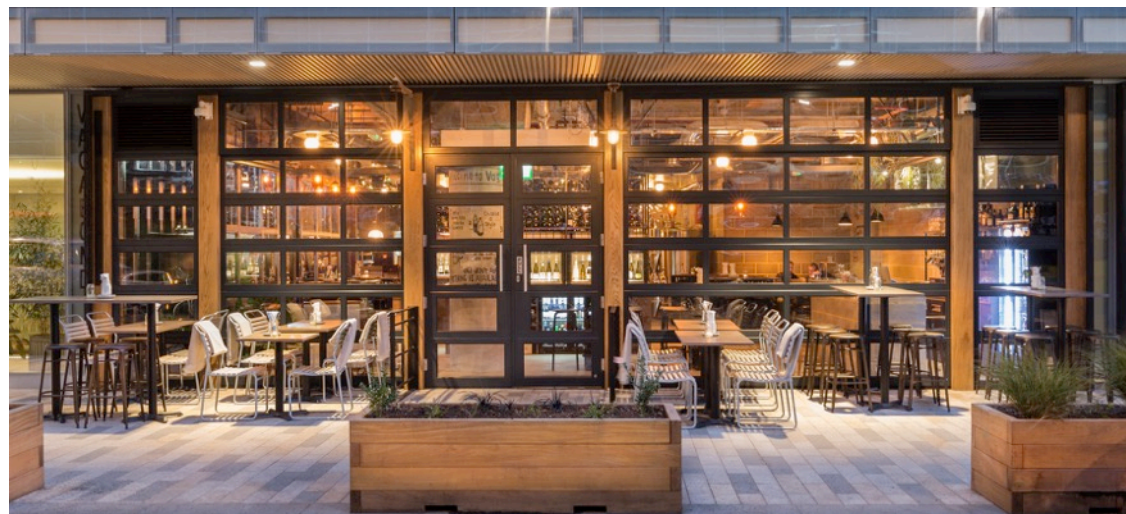




# Our Properties

---

## 6. Battersea Power Station (Dec 2017)







# What Consumers Like About Vagabond

---

Customers enjoy discovering new wines in an exciting yet relaxed alternative to traditional bars and restaurants. Having 100 wines available by the sample or glass, which customers can serve themselves, is a compelling and unique draw.



<b>Wine Bar</b>	<ul style="list-style-type: none"><li>• 100 wines by the glass</li><li>• DIY / no gatekeepers</li><li>• Great food without fuss</li></ul>
-----------------	---

<b>Wine Shop</b>	<ul style="list-style-type: none"><li>• Try-before-you-buy</li><li>• Compelling range</li><li>• Great staff</li></ul>
------------------	---



# Strong Team

---

Vagabond has one of the strongest teams in the business. We have no problem recruiting the best people and equity for senior management ensures they remain with the business.



## **Stephen W. Finch**

**Founder & Director**

- Ex-management consultant (strategy & innovation; 8 yrs)
- Ranked 56<sup>th</sup> in Drinks Retailing News' "Top 100 Most Influential People in Wine 2017"



## **Mark Flounders**

**Buyer & Wholesale Mgr.**

- 10+ years in wine retail
- Experience with wholesale companies in Australia
- Focus on Australia/NZ and Germany
- Been with Vagabond since the beginning



## **Colin Thorn**

**Events & Education Mgr.**

- 10+ years in wine retail
- Experience with Nicolas, Jeroboams, Bottle Apostle
- Focus on Burgundy, Loire and Germany
- Been with Vagabond since the beginning



## **Tessa Whitehead**

**Operations Manager**

- Former Operations Manager at Wahaca (6 yrs)
- Recruited away from Soho House
- Joined Vagabond in Spring 2015



# Awards and Accolades

Vagabond has consistently been awarded “best UK wine merchant” from all the major awards organisations, among other prestigious and valuable accolades.



 All our properties have a 4+ rating.

There is no licence or appeal history for the premises.

## 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. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. Food comprising of cheese and charcuterie platters, similar light 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.
12. Alcohol for consumption on the premises shall not be sold or supplied otherwise than for consumption by persons who are seated, save for:
  - (i) the areas cross hatched in blue on the plans
  - (ii) the area hatched black on the plans when in use for a bona fide pre-booked wine tasting event.
13. All sales of alcohol for consumption off the premises shall be in sealed containers only, save for alcohol sales to customers for consumption within the designated external seating areas where such consumption is by persons who are seated.
14. Whenever the dedicated external seating areas shown on the approved plans are used for the consumption of alcohol then there shall be at least one member of staff on duty whose role requires them to regularly monitor and supervise the use of those seating areas.
15. All outside tables and chairs within the dedicated ground floor outside seating area shall be rendered unusable by 23:00 hours Monday to Saturday and by 22:30 hours on Sunday.
16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
17. 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. all seizures of drugs or offensive weapons;
  - f. any faults in the CCTV system or searching equipment or scanning equipment;
  - g. any refusal of the sale of alcohol; and
  - h. any visit by a relevant authority or emergency service.



18. Notices shall be displayed at the exit of the premises requesting customers leaving the premises to respect the needs of local residents and businesses and leave the area quietly.
19. 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.
20. Other than where deliveries take place in accordance with the Paddington Central delivery arrangements allowing delivery to the dedicated delivery area no deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
21. Other than where refuse is disposed of and collected in accordance with the Paddington Central refuse collection arrangements allowing collections from the dedicated area, all waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. All windows and external doors shall be kept closed before 08.00 and after 21.00 hours, except for immediate access and egress of persons.
24. No licensable activities shall take place at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
25. This Premises Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
26. Before the premises are open to the public, the plans deposited with the application or subsequently substituted plans will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed.
27. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to the designated terrace area shown on the licence plan.
28. No super strength beers, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

#### **Conditions proposed by the Environmental Health**

None

#### **Conditions proposed by the Paddington Waterways and Maida Vale Society**

29. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas on Monday to Saturday between **(20.00)** hours and **(08.00)** hours and Sunday **(18.00)** hours and **(10.00)** on the following day.

#### **Conditions proposed by the South East Bayswater Resident Association**

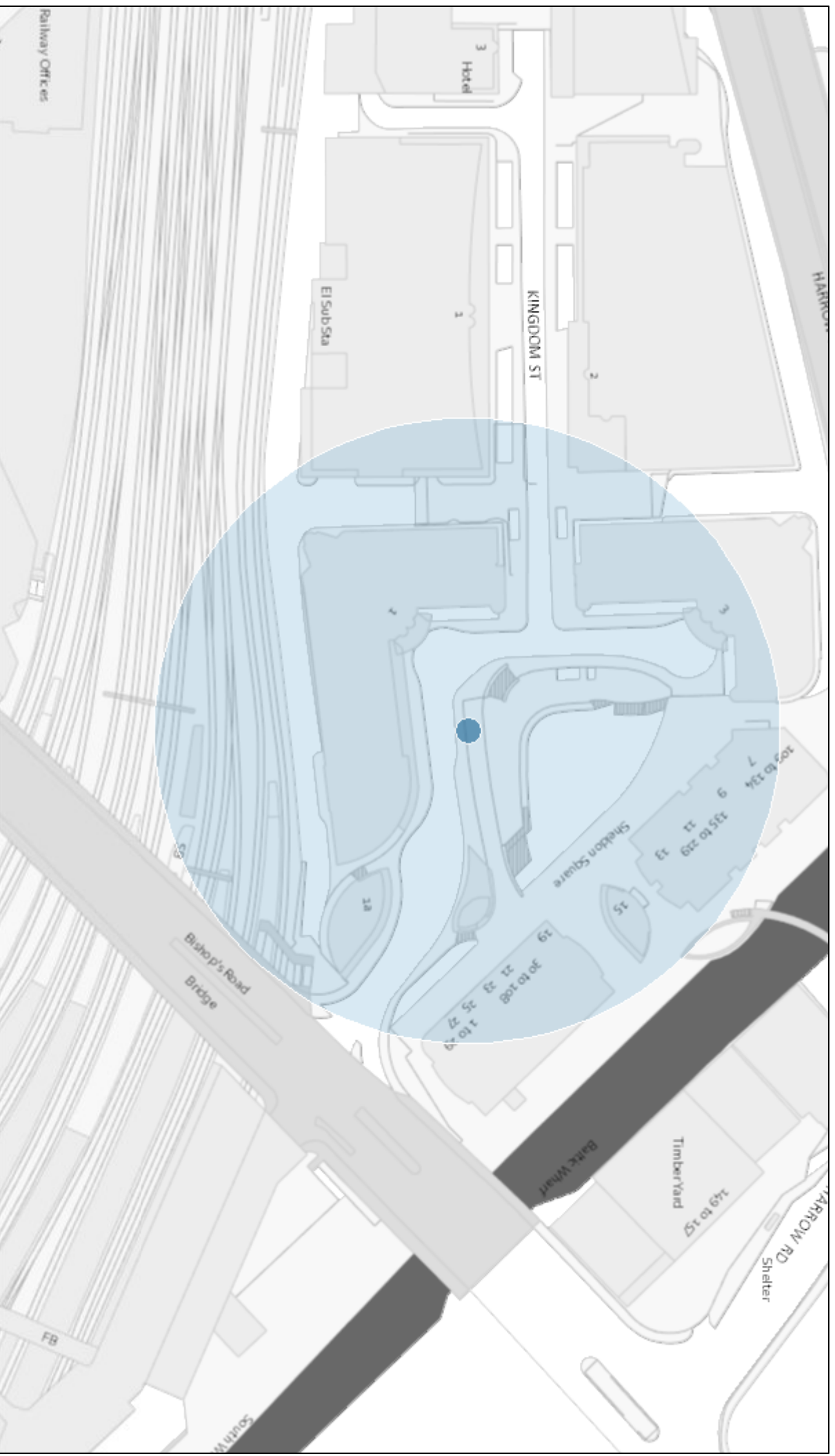
30. Alcohol to be ancillary to substantial food to persons seated and by waiter/waitress service.

Resident Count 98

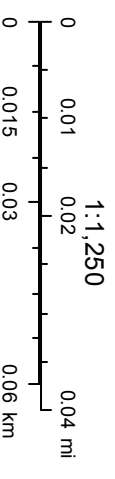
<b>Premises within 75 metres of 6 Sheldon Square</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
16/04280/LIPRW	Beany Green Cafe	6 Sheldon Square London W2 6HY	Cafe	Thursday to Saturday; 08:00 - 23:00   Sunday to Wednesday; 08:00 - 21:30
15/02168/LIPV	Sheldon Square Amphitheatre & Outdoor Spaces	Amphitheatre And Outdoor Spaces Sheldon Square London	Theatre	Monday to Sunday; 00:00 - 00:00
15/08017/LIPDPS	Poncho	12 Sheldon Square London W2 6EZ	Restaurant	Monday to Sunday; 07:00 - 22:30
18/06150/LIPDPS	Sainsburys	14 Sheldon Square London W2 6EZ	Shop	Monday to Sunday; 00:00 - 00:00
17/08777/LIPVM	Pergola, Plot 5	Kingdom Street London	Not Recorded	Monday to Saturday; 12:00 - 23:00   Sunday; 12:00 - 22:30
18/02784/LIPDPS	Zizzi	17 Sheldon Square London W2 6EP	Restaurant	Monday to Sunday; 10:00 - 23:30

17/04082/LIPN	Paddington Barge Opposite Hammersmith And City Line Entrance	Paddington Central Bishop's Bridge Road London W2 6BA	Cafe	Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30   Sundays before Bank Holidays; 08:00 - 00:00
18/00871/LIPVM	The Union Paddington	13 Sheldon Square London W2 6DJ	Restaurant	Monday to Saturday; 09:00 - 23:30   Sunday; 09:00 - 23:00
13/03174/LIPDPS	Massis	9 Sheldon Square London W2 6HY	Shop (large)	Monday to Thursday; 09:00 - 00:00   Friday to Saturday; 09:00 - 00:30   Sunday; 09:00 - 23:00

# Vagabond Wines, 6 Sheldon Square



September 18, 2018



© Crown copyright and database rights 2018 OS 100021668

© Crown copyright and database rights 2017. OS 100019597