



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

21 March 2024

24/00330/LIPN - New Premises Licence

M&S Simply Food
83 - 85 Shaftesbury Avenue
London
W1D 5DX

Director of Public Protection and Licensing

West End

City of Westminster Statement of Licensing Policy

None

Roxsana Haq
Senior Licensing Officer

Telephone: 0207 641 6500
Email: rhaq@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	17 January 2024		
Applicant:	London Retail Partners Limited		
Premises:	M&S Simply Food		
Premises address:	83 - 85 Shaftesbury Avenue London W1D 5DX	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	According to the application form the premises intend to trade as a Marks & Spencer Simply Food retail store.		
Premises licence history:	This is a new premises licence application and therefore no premises licence history exists.		
Applicant submissions:	None		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	09:30
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		None.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:00	06:00	06:00	06:00	00:00	00:00	06:00
End:	24:00	24:00	24:00	24:00	24:00	24:00	24:00
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	14 February 2024

Dear Sirs

I write in relation to the application submitted for a new premises licence for **83 - 85 Shaftesbury Avenue, London, W1D 5DX**

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks the following:

Supply of Alcohol Off Premises
Monday to Saturday 08:00 to 23:00
Sunday 09:30 to 22:30

Opening Hours to Public
Monday to Sunday 06:00 to 00:00

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HSR1 and SHP1.

The Licensing Authority notes within the operating schedule that the premises intends to operate primarily as a M&S Simple Food Store over one floor. It is also noted that operating hours applied for licensable activities currently fall within Westminster's core hours under the HRS1 Policy.

The premises falls within our SHP1 policy clause C 3 which states.

3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence..

As the premises will be a M&S Simple Food would the applicant agree the below model condition 86.

MC86. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a grocery shop.

The Licensing Authority would also like to know if the premises will be doing any deliveries and how this will be monitored and controlled in regards to the off sales.

The Licensing Authority would like the applicant to provide further submissions to the above to be able to assess any further relevant policy considerations.

The Licensing Authority also encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	14 February 2024

M&S Simply Food, 83 - 85 Shaftesbury Avenue, London, W1D 5DX

I refer to the new application for the above-mentioned premises. The premises is located within the West End Cumulative Impact Area. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.

The applicant is seeking to supply alcohol for consumption off the premises Monday to Saturday 08:00 – 23:00 hours and Sunday 09:30 – 22:30 hours

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representations:

On this occasion, applicant has a responsibility to demonstrate how the proposed hours for the supply of alcohol for consumption off the premises would not lead to increased risk of street drinking issues and pre-loading of alcohol before patrons enter pubs, bars and clubs.

As applied, the hours requested to supply alcohol would have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area

I have reviewed the conditions proffered as part of the application and additional conditions are being proposed to meet the licencing objectives of Public Nuisance and Public Safety.

For the above reasons, I make a representation on ground of public nuisance and public safety risk to the application.

If the committee is minded granting this application, then consideration may be given to the following conditions proposed to form part of the operating schedule

1. 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
2. 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 (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by

both customers and staff.

3. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

Please contact me if you wish to discuss the above further.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Dave Morgan
Received:	30 January 2024

Application for a New Premises Licence: M&S Simply Food, 83 - 85 Shaftesbury Avenue, London, W1D 5DX - 24/00330/LIPN

With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are **objecting** to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder and the Protection of Children from Harm.

The applicant is seeking:

Alcohol Sales (off sales):

Monday to Saturday: 0800 – 2300
Sunday: 0930 - 2230

The venue sits within the heart of the Westminster Cumulative Impact Zone and the Police are concerned that this venue may add to the cumulative impact in an already demanding area. I appreciate that you have already supplied a schedule of conditions, but I feel that there are a few more conditions that will need to be added to the licence to help promote the Licensing Objectives.

To move forward, I have attached a list of further conditions that I would like to see added to the licence should it be granted.

Please have a read of these conditions and feel free to contact me should you wish to discuss them further.

- **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 (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.**
- **A minimum of 1 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.**
- **All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.**
- **Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on**

public display, and at the point of sale.

- **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. It must be completed within 24 hours of the incident and will record the following:**
 - i) all crimes reported to the venue**
 - ii) all ejections of patrons**
 - iii) any complaints received concerning crime and disorder**
 - iv) any incidents of disorder**
 - v) all seizures of drugs or offensive weapons**
 - vi) any faults in the CCTV system, searching equipment or scanning equipment**
 - vii) any refusal of the sale of alcohol**
 - viii) any visit by a relevant authority or emergency service.**

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

- **There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.**

- **On the Day of London Pride:**
 - i. Alcohol sales in respect of cans of beer or cider are limited to no more than 4 cans per person.**
 - ii. The premises will not externally advertise local promotions of alcohol.**
 - iii. No sales of alcohol in bottles or glass containers are made during this period.**
 - iv. Upon the direction of a Police Officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed by the Police.**

Kind regards,

PC Dave Morgan
Westminster Licensing Unit

Metropolitan Police Service Further Submissions – received 12 March 2024



PC David Morgan
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
Email: dmorgan@westminster.gov.uk
Your ref: 24/00330/LIPN

Dear Westminster Licensing Team,

The Metropolitan Police Service wishes to submit the further following information with regards to the representation made for:

London Retail Partners Limited, 83 – 85 Shaftesbury Avenue, London, W1D 5DX

As stated in my initial representation, the Police are objecting to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder and the Protection of Children from Harm.

The premises are intended to be an M&S Simply Food store and the venue sits on the corner of Shaftesbury Avenue and Frith Street. This is a very busy area and falls within the Westminster Councils Cumulative Impact Zone (CIZ).

The walking distances to the nearest underground stations are approximately:

Leicester Square: 365m
Piccadilly Circus: 360m

As this is a new development, the Police have no historic crime data for the venue itself and the Police have no criticism of the operator.

Although the applicant has offered and accepted various conditions during the consultation period, the Police have asked for two further conditions to help promote the Licensing Objectives. These have been rejected by the applicant. These are:

1. 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 (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
2. A minimum of 1 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.

The reasons for requesting these conditions are that the Police have concerns with the venues location (being within the heart of the CIZ) and the potential issues it will cause with regards to shoplifting and Anti-social behaviour in the area.

The CIZ as a whole is experiencing higher levels of crime than at pre-covid levels and the Police have concerns that another licensed venue that is not conditioned sufficiently will have an adverse effect on the Cumulative Impact in that area.

As per the new draft Cumulative Impact Assessment 2023, Westminster now has the highest crime volumes in London and has the highest crime rate per 100,000 population. The West End (West End and St James Wards) now account for just under 66% of all crime within Westminster and 74% of all 'public realm' crime.

The 'West End Zone 1' where this venue sits, is described as the epicentre for issues associated with cumulative impact within the borough.

As can be seen from the statement provided by the local Dedicated Ward Officer, PC De Santis (Appendix 1), shoplifting can cause a major strain on the Police and their resources. He states that there were 260 shoplifting offences recorded within the West End in February and many of these offences were committed by those affected with alcohol and substance misuse.

Due to the area and the high crimes rates, the Police feel that without the two extra conditions requested, criminals will be drawn to the venue and this will ultimately cause issues for the Police and the wider community.

It is appreciated that each application is considered on its own merits but it is noted that a number of nearby similar sized convenience stores within the CIZ also have similar conditions to what the Police are requesting. These are:

- Co-Op, 104-105 Berwick Street, W1F 0QS (21/14598/LIPDPS) – MC28 & 1 x SIA
- Co-Op, 456 -459 Strand, WC2R 0RG (21/12718/LIPDPS) – MC28 & 1 x SIA
- Sainsbury's, 57-63 Charing Cross Road, WC2H 0NE (23/01552/LIPDPS) – MC28 & 1 x SIA
- Sainsbury's, 36-37 Strand, WC2N 5HY (23/09116/LIPDPS) – MC28
- M&S Simply Food, Unit 16, Charing Cross Station (24/00385/LIPDPS) – MC28 (similar wording)

It has recently been documented that the levels of convenience store shoplifting has been increasing in recent months. Appendix 2 shows the recently published Crime Report 2024 from the Association of Convenience Stores (ACS).

The report shows that shoplifting within the convenience store sector has increased by over 400% in the past year and that shops within the UK recorded 5.6million incidents of shop theft over the last year, up from the previous record of 1.1m incidents recorded in the 2023 Crime Report.

Other additional findings from the report were:

- The top motivations for repeat offending are (1) drug or alcohol addiction, (2) organised crime and (3) opportunism.

- The top triggers for abuse in stores are (1) encountering shop thieves, (2) enforcing the law on age restricted sales and (3) refusing to serve intoxicated customers.
- 87% of workers in convenience stores have faced verbal abuse over the last year. Two thirds of retailers (67%) believe that the cost of living crisis has led to an increase in theft.
- More than three quarters of retailers (76%) believe organised crime has become more prevalent over the last year.

The conditions requested by the Police are to help prevent crime and disorder and to make the venue undesirable to those wishing to commit crime. They are designed to keep both shop workers and customers safe and the Police are concerned that without them, organised and opportunistic shoplifting will target the venue which will likely have an adverse impact on the Police and the local area.

It is for these reasons that the Police request that the Licensing Sub-Committee consider imposing the two conditions requested by the Police should they be minded to grant the licence.

Dave Morgan

Westminster Police Licensing Team

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC DE SANTIS

Age if under 18: Over 18 (*if over 18 insert 'over 18'*) Occupation: Police Officer p252384

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature:

Date: 09/03/2024

Tick if witness evidence is visually recorded (*supply witness details on rear*)

Notes started 23:42 on Saturday 9 March 2024 at CHARING CROSS POLICE STATION.

This is a statement about for recommendations relating to a new plan for a new store opening within my ward in SOHO.

I am the above named person and I'm a sworn police constable with the Metropolitan Police Service. In my service I had the opportunity of working as an Emergency Response Officer, West End Tasking Unit, The Fugitive Unit looking for wanted people and now as the SOHO Dedicated Ward Officer.

I was made aware of a new application for a new store which will include the sale of alcohol in the area. I have worked in SOHO and the WEST END for a very long time. Much of my work in the area is related to alcohol and other substance misuse. We have an issue of theft and shoplifting usually associated with these individuals which can cause a major strain in our police resourcing and our capacity to respond to incidents. It is so much so, that WESTMINSTER CITY COUNCIL has provided a PSPO in the area to deter and prevent issues relating to the consumption of alcohol on the streets. However, given the large number of people at night, this is impossible to police effectively. The location of this new store will likely increase the issue in the area, impacting how we can respond to violent crime.

As a local police officer, I vehemently oppose the sale of alcohol if this is going to happen without conditions that can ensure the safety of the staff and prevent offences that would cause a continuous resource problem to police. As you can see from the below graphs, the issue of theft and shoplifting in the WEST END is a large issue for us to tackle effectively as it stands, and a new store selling alcohol without preventive measures would make this much worse. As the figure below indicates, for the past month there has been about 260 offences in the WEST END. SOHO can be seen as a contributor to this, and therefore it would be irresponsible to have a new store selling alcohol without provisions to ensure staff safety and prevent offending.

I have also included the figures for anti-social behaviour in the area which impact the comfort and safety and the local community and residents. As seen by the below figures, they are also very high and cause a massive disruption to our daily operational deployments. I trust these to assist in considerations for the opening of any new store and the impact it will cause the local community and our policing response.

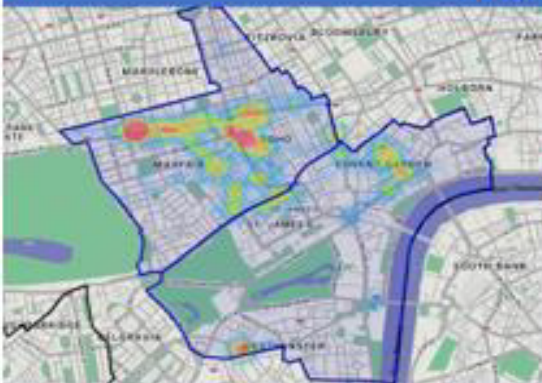
Witness Signature:

Signature Witnessed by Signature

Page 1 of 2

Continuation of Statement of: PC DE SANTIS

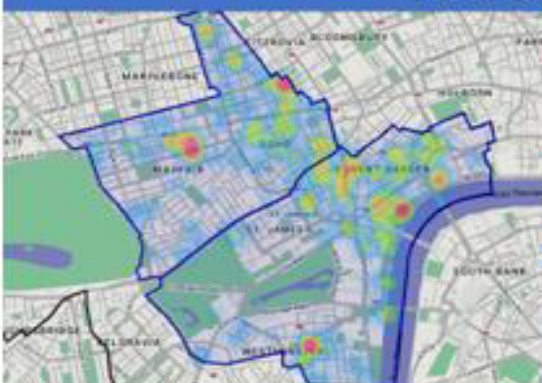
Theft Shoplifting



For Feb there were 303 offences, this is an increase of 16.09% compared to last year's 261 offences and a decrease of 8.46% compared to Jan's 331 offences. Over previous rolling 12 months there were 3,839 offences, this is an increase of 30.58% compared to last year's 2,940 offences.

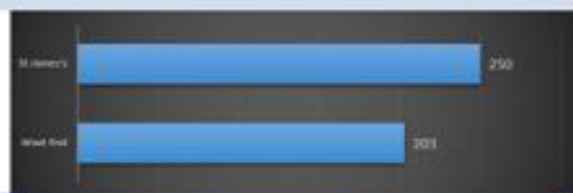


Anti Social Behaviour



For February there were 453 reports, this is an increase of 7.86% compared to last year's 420 reports and a decrease of 2.79% compared to January's 466 reports. Over previous rolling 12 months there were 6,235 reports, this is an increase of 9.29% compared to last year's 5,700 reports.

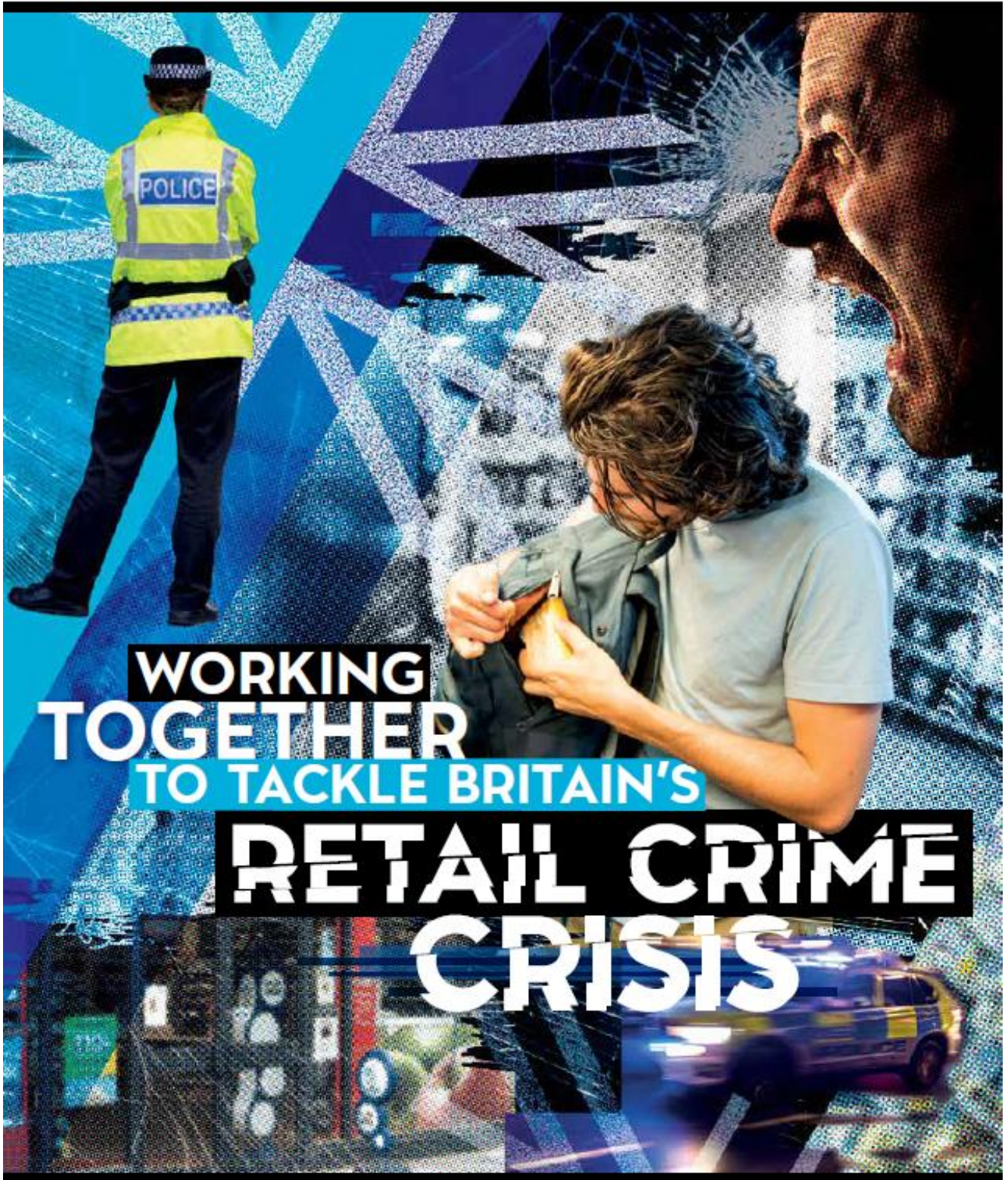
Category	Count
Empty	14
Environmental	407
Nuisance	34
Personal	



Statement finished at 23:59 at CHARING CROSS POLICE STATION.

Witness Signature:

Signature Witnessed by Signature



The Crime Report 2024

A report by the Association of Convenience Stores
#ACSCrimeReport

ACS | the voice of
local shops

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Foreword

The surge in media stories on retail crime over the past year tells us two things. Firstly, the problem has got worse and the statistics and stories are more striking than ever. Secondly, this is an issue the public cares about because it impacts people – the 437,000 who work in local shops, their families, and the wider community who use those stores and value the role they play. Stores being looted and shelves cleared is sadly not new for retailers and shopworkers, but it was a shock to the public.

Our Crime Report tracks the crime committed against these people and their businesses, and it's vital in informing the debate on how to tackle this serious problem. We take no pleasure in reporting these difficult findings. However, previous reports have helped to jolt politicians and police forces to look more closely at their response to crimes against local shops. We are encouraged by the publication of the National Retail Crime Action Plan, it highlights that police forces need to prioritise attendance at incidents where violence is used, to focus on lines of enquiry where evidence is available and implement a prolific offender strategy to address the small number of offenders that account for most of the crime and anti-social behaviour in communities.

I hope that the 2024 report, released just before the Police and Crime Commissioners elections in May, gives the evidence to make retail crime feature more prominently

Cost of crime to convenience stores

Crime against convenience retailers costs an estimate of

£245m to the sector

£4,946 per store

10p crime tax per transaction

ACS the voice of local shops

ACS is proud to have co-ordinated the retail sector's support for ShopKind on behalf of the Home Office.



ShopKind



Home Office

EVIDENCE FOR ACTION – POLICY RECOMMENDATIONS

Recommendations for the UK Government

1 Deliver justice for shopworkers and effective sanctions for offenders

The courts must use effective penalties for retail crime offenders including rehabilitation orders, community sentences and custodial sentences. The Government should formally review the impact of the aggravating factor for attacks on shopworkers, introduced as part of the Police, Crime, Sentencing and Courts Act (2022). If evidence suggests that the factor has not had an impact on sentencing outcomes, then the Government must implement a standalone offence for attacks on shopworkers.

2 Additional police resources must be focused on neighbourhood policing

Commitments to increase the number of police officers are welcome, but only if this delivers a rise in neighbourhood policing patrols in hot spot areas, like high streets and local shopping parades. When we ask voters how they would invest funding in their communities two thirds (67%) want money spent in neighbourhoods on enhancing public spaces, community projects and community policing.

3 Support investment in technology to deter and detect criminals

The Government should introduce incentives for investment in crime prevention equipment. The Home Office should co-ordinate a working group to increase the synergy between retailers' and police forces' use of technology to tackle retail crime. CCTV, facial recognition, and evidence sharing platforms can be powerful tools to detect and deter criminals. However, there is a lack of guidance on the use of facial recognition services. Further, online reporting platforms need to be compatible with retailers' own data systems to reduce time and friction in reporting crime.

Recommendations for Police and Crime Commissioners

1 Include the National Retail Crime Action Plan in your Police and Crime Plan

All Police and Crime Commissioners should commit to deliver the National Retail Crime Action Plan in their Police and Crime Plans. This means prioritising police attendance at shops where violence is used or threatened, following reasonable lines of enquiry where CCTV footage is available and delivering hot spot patrolling.

2 Develop a prolific offender strategy

Every Police and Crime Commissioner should have a strategy in place to identify prolific offenders that target high streets and local shopping parades. The majority of shop theft offences are committed by a small number of prolific offenders that often have drug addiction issues. Targeting this small group of offenders and supporting them to access rehabilitation services would have a huge impact on the level of shop theft and anti-social behaviour that blights communities.

3 Make it easier for retailers to report crime and share evidence online

It is difficult and time consuming for retailers to report crime and share evidence with the police. Investing in consistent online reporting platforms would increase reporting levels and evidence shared with the police. This would ensure that police resources are allocated appropriately to meet the levels of crime in communities.

Investment in crime prevention

"The rising levels of shop theft, violent crime and abuse threatens the wellbeing of retail staff. We have been equipping our colleagues with increased protection measures to help them feel safer at work. CCTV, security staff and intruder alarms have a significant impact on the security of convenience stores. We need government to support investment in crime prevention equipment to protect colleagues."

Paul Gerrard, Campaigns, Public Affairs and Board Secretariat Director, The Co-op

For more information go to acs.org.uk

£339m
invested in crime prevention
across the sector over the last year

Top areas of support for colleagues

1 Counselling services

2 Support helpline made available

3 Additional training on crime management

On average each store spent
£6,838

on crime prevention measures over the year

Retailers' investment priorities

1 CCTV

2 Security staff

3 Staff training on crime management

4 Intruder alarms

5 Internal radios

What we need

Retailers are investing record amounts in their businesses to prevent crime and protect colleagues and customers. Their priority is working with store colleagues to improve safety by providing training, employing dedicated security staff and delivering protective equipment such as CCTV, body worn cameras and internal radios.

Retailers are increasing their investment despite rising overhead costs driven by inflation and increased energy bills. We want the Government to support investment in crime prevention equipment, whether through tax relief or direct funding. We also need police and regulators to provide clarity on how to use new technologies such as facial recognition, to deter criminals.

Tackling shop theft



"As a shop owner in Croydon, I've witnessed firsthand the escalating challenge of shop theft. This issue not only affects our business' already strained finances, but it also puts our staff and customers in distress. We've had to implement significant security measures to protect our premises and people. However, I believe that, beyond these measures, there's a need for greater awareness, community involvement, and support from law enforcement to tackle this growing concern effectively. Together, we can create a safer retail environment."

Benedict Sohamteam, Owner, Freshfields Market

For more information go to acs.org.uk

67% of retailers believe the cost of living crisis has led to an increase in theft



Profile of shop thieves



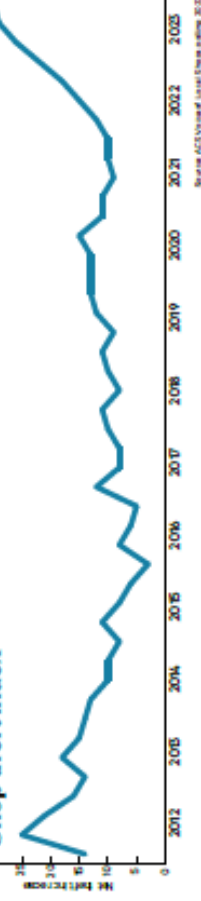
Motivations for repeat offending

- 1 Drug or alcohol addiction
- 2 Organised crime
- 3 Opportunistic

Most commonly stolen items

- 1 Meat
- 2 Alcohol
- 3 Confectionery

Shop theft index



What we need

Most shop theft is committed by a small number of offenders known to retailers, communities and the police. Every police force must prioritise identifying and tackling prolific offenders. Retail businesses should be able to access simple and effective systems to report crime and share evidence. We need to break the cycle of under reporting by investing more in police reporting systems and encouraging retailers to report all crime. ACS has created a dedicated guide for retailers on how to report crime, available at www.acs.org.uk

There also need to be effective sanctions for criminals. Prolific repeat offenders are often not even being taken to court, and when they are, the penalties they receive are not effective and can lead them to re-offend. The courts need to reflect the impact of retail crime in their sentencing decisions, and to look not just at custodial sentences but also rehabilitation orders and community sentences to break the cycle of re-offending.

Tackling violence against shopworkers

"Too often shopworkers have to deal with violence. No one should be physically attacked at work."

Muhammed Rajak, Director, Buywell Day Today

For more information go to acs.org.uk

Number of incidents of violence estimated in the sector

76,000+

Number of incidents of robbery estimated in the sector

6,100+

Top triggers for violence



Of crimes where a weapon was present



* Source: Crime Survey for England and Wales, 2017-2018

What we need

Retailers tell us that the volume and severity of violent incidents in their stores is unprecedented. There is a strong correlation between rising incidents of shop theft and violence towards shopworkers. Shop thieves increasingly use violence and abuse to intimidate shopworkers so they can get away from the scene.

We welcome the ongoing debate about the introduction of a standalone offence for attacks on shopworkers. The Government must lead an assessment into the impact of this aggravating factor for assaults on public facing workers in sentencing guidelines. We want to prioritise police attendance for incidents where violence is used or threatened in shops, and ensure evidence is gathered to support cases being heard in court.

Tackling verbal abuse and anti-social behaviour

ACS | the voice of local shops

"Convenience stores are the heartbeat of local communities. Verbal abuse and anti-social behaviour frightens customers and can make our communities feel unsafe."

Sue Nithyanandan, Owner, Concuter Epsom

For more information go to acs.org.uk



Over

1.2 million incidents of verbal abuse

34% of verbal abuse incidents are hate-motivated, according to retailers

61% of retailers believe anti-social behaviour in or around their store has increased over the past year

Top anti-social behaviour concerns

- 1 Rowdy or irresponsible behaviour
- 2 Loitering
- 3 Littering
- 4 Begging
- 5 Vandalism



What we need

Anti-social behaviour blights communities and makes vital services, including shops, feel unsafe. 6% of retailers tell us that anti-social behaviour, including rowdy or inconsiderate behaviour, loitering, littering, begging and vandalism, has increased over the past year.

Police should use the anti-social behaviour powers that are already available to them and deliver the National Retail Crime Action Plan by conducting hot spot patrolling in areas with high levels of crime and anti-social behaviour. Community police must be provided the resources necessary to deliver these initiatives.

Organised crime

"Convenience stores are increasingly targeted by gangs stealing to order and looting. We share evidence, and I would encourage retailers to report crime every time, but we need to have faith that the police will investigate offences and use that data - particularly to target these organised groups."

Susan Connolly, Connolly Spar, Sales & Marketing Director

For more information go to acs.org.uk

76%

of retailers believe incidents involving organised crime groups have increased in the last 12 months

Burglary

Number of incidents of burglary estimated in the sector =

7,100+

The cost per incident =

£4,385

Total cost to the sector =

£31m

Fraud

Retailers' top fraud concerns



What we need

Organised criminals impact the convenience sector through localised gangs stealing to order from stores, often exploiting vulnerable people with addiction problems to steal on their behalf. Some gangs operate across police force boundaries. 76% of retailers tell us that they believe that incidents in their businesses involving organised crime groups have increased in the last year.

We welcome the development of Operation Pegasus, which is delivering important action against these groups. However, there is still more to do. Police and government need to make it easier for all retailers to share evidence with the authorities and report incidents.

Working with the police

ACS | the voice of local shops

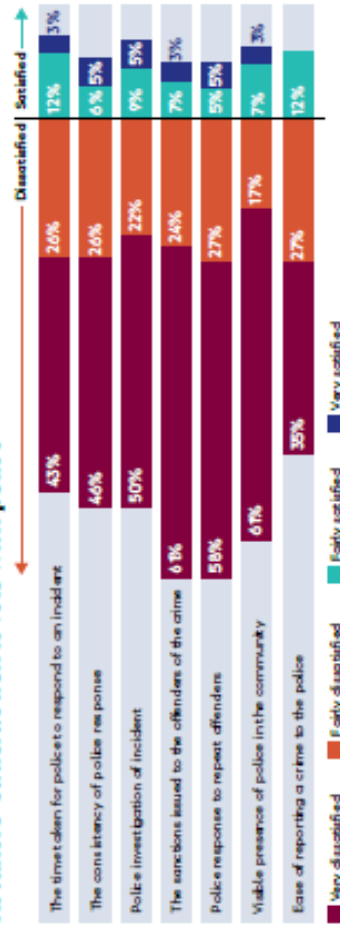


"Retail Crime, verbal abuse and violence against shopworkers are issues in our communities. Retail crime can damage finances already under pressure from inflation and cause serious physical and mental harm to both store colleagues and customers. Businesses and the police are working closely to better tackle retail crime. Retailers should always report crime so the police have the best possible picture of what is happening."

Alex Goswami, Chief Superintendent, North Wales Police

For more information go to acs.org.uk

Retailers' satisfaction levels with police



ONLY 42%

of all retail crime is reported by retailers to the police

Why retailers don't always report crime

Based on open-ended responses



What we need

We welcome that the vast majority of Police and Crime Commissioners now reference business crime in their Police and Crime Plans. However, much more progress is needed. Retailers are dissatisfied with the ease of reporting incidents to the police, which leads to underreporting.

When retailers do report incidents, the majority do so online. It is important that all police forces make available simple online reporting for retailers. We have launched the Stop Shop Theft Campaign to campaign for forces to tell retailers how they should be reporting incidents and who their single point of contact for business crime is. The campaign is available here: <http://myurl.com/bothertz>

Crime is one of the biggest operational challenges for retailers and the illustration below outlines some of the key considerations for managing crime.

Assessing the vulnerabilities of your business to crime and planning a proportionate response is essential, whether it is installing CCTV or providing additional training for staff.

An example risk assessment for a convenience store is available from the Health and Safety Executive website: <https://www.hse.gov.uk/htsk/csaestudies/pd/youngspert.pdf>

External security



Where reasonably practicable, advertising on shop windows should be restricted to allow for clear viewing into and out of the premises.

Ensure that all doors and windows are secured to prevent burglaries.

For high-risk stores, consider the installation of external shutters (this may require planning consent).

Anti-social behaviour

If you are experiencing anti-social behaviour contact your local police or community safety partnership via www.police.uk or your local police website

If you are experiencing persistent anti-social behaviour you can use the Community Trigger power to force a response from local agencies. To find out how to activate the Community Trigger in your area visit: <https://asbhelp.co.uk/asb-help/>

ATMs

If you have an ATM located outside, ensure that you have CCTV with a good view of the ATM. This will help with the police investigation in the event of an ATM tam raid.

Colleagues and customers



Store colleagues

Make sure you consult with store colleagues on risks assessment and provide regular training on:

- Security measures such as panic buttons and CCTV;
- Internal and external crime reporting processes;
- Dealing with abusive customers.

ACS has developed the following materials to support store colleagues:

- ACS Managing Violence and Abuse in Convenience Stores. The animation is available on ACS' YouTube Channel
- The Suzy Lamplugh Trust in association with ACS has developed 'Suzy's Charter for Workplace Safety'.

Customer service

Be attentive, acknowledge all customers as they enter the store, so that potential thieves know that you are watching them.

Display shopping materials in your store to promote positive behaviour towards store colleagues.

If you think you have spotted someone concealing goods, avoid direct confrontation, instead, offer them a basket or help with carrying their goods.

In-store security



CCTV

Ensure one camera provides quality images of everyone entering your premises and a second that covers the till. Identify other frequently targeted areas of the store for camera location and consider the angle of view and lighting.

When operating CCTV in your premises you need to display signs telling people CCTV is in operation. You must also keep a record of your policy for protecting your customers and employees' privacy for example not using audio recording or putting cameras in private areas. Do not keep CCTV footage for longer than you need. More information is available on the Information Commissioner's Office website: ico.org.uk

Any company using CCTV for crime prevention purposes is required to pay an annual data protection fee to the Information Commissioner's Office. To find out more about how to pay your annual data protection fee visit ico.org.uk/fee

Self-Scan Tills

ACS created dedicated guidance on preventing theft from self-scan tills that is available on the ACS website: acs.org.uk/crime-report-2022

Cyber crime

Retailers can protect themselves from the most common cyberattacks by backing up data, keeping smartphones and tablets safe, preventing malware damage, avoiding phishing attacks, (e.g. emails asking for sensitive information such as bank details), and using passwords to protect your data

For more information on ways to improve cyber security in your business see the National Cyber Security Centre's guidance for small businesses here: nccsc.gov.uk/smallbusiness

Till position

Place high-value goods or targeted products (meat, cheese, alcohol, confectionery) in view of the till.

Ensure that the front of the store is visible from the till so staff can see customers approaching.

Age restricted sales

Ensure you have visible Challenge 25 signage at the entrance, till and near all age-restricted products in your store. This will remind customers they will be a challenge for proof of Age. You can download and print Challenge 25 materials here: acs.org.uk/challenge25

Make sure staff know the store policy and acceptable proof of age documents.

When asking for ID think about the following as ways to prevent confrontation: deflect, flatter, being constructive. For more information about ways to mitigate violence from enforcing age-restricted sales, see ACS' Preventing Underage Sales Guide here: acs.org.uk/advice/age-restrictions

Managing cash

To reduce the risk of burglary and robbery, decrease the amount of cash held in tills and on your premises and consider using counter drop safes. Regularly change the routine of banking procedures so they are not easily observable.

To reduce the risk of burglary and robbery, decrease the amount of cash held in tills and on your premises and consider using counter drop safes. Regularly change the routine of banking procedures so they are not easily observable.

Internal theft

- Check references of any new employee
- Highlight internal investigation procedures in staff meetings or staff newsletters
- Implement training processes for Store Managers and Supervisors to help them identify staff theft
- Train staff to make them aware of the security features in-store.

Identifying staff theft

- Monitor till processes carefully and review individual end of day reports.
- Use till company's systems to allow CCTV to combine with real-time till receipt images.
- Monitor voids and refunds transactions closely
- Analyse till, cash management and inventory data to identify trends - look for anything out of the ordinary.
- When carrying out internal theft investigations, ensure you establish how and why the offence happened. This enables you to tackle the motive and presents an opportunity to prevent future incidents.

Reporting staff theft

- Report incidents to the police using the 101 number.
- Only using civil action means that the offender can move into another business and repeat the offence.



1. ACS Crime Survey 2024

Unless otherwise stated all data in this report comes from ACS' Crime Survey 2024: an online survey conducted between 13th November 2023 and 12th January 2024 capturing incidents of crime experienced by convenience retailers over the last 12 months.

The survey had 47 valid respondents, representing over 8,200 convenience stores in total. The survey gathered responses from independent, multiple and co-operative retailers and the data has been weighted to represent these store types in the same proportion as they are represented in the overall market. Data regarding the overall number of stores in the convenience sector, as well as a breakdown by store type, can be found in ACS' 2023 Local Shop Report.

2. Why retailers don't always report crime

Information on why retailers don't always report crime was captured through the following open-ended question: 'What, if anything, prevents you from reporting crimes to the police?'. Responses were categorised into themes using an inductive coding approach, resulting in the themes represented in the report.

3. ACS Voice of Local Shops survey (VOLS)

The VOLS survey is a telephone survey with a sample of 1,100 independent retailers, including unaffiliated, symbol group and independent forecourt retailers.

The Shop Theft Index was created from the following VOLS question:

Which of the following best describes your experience of violence in the last year?

- I have experienced an increase in shop theft
- I have experienced a decrease in shop theft
- I have experienced the same level of shop theft
- I have not experienced any shop theft
- Don't know

The index number is the percentage of retailers who experienced an increase minus the percentage who experienced a decrease.

4. ACS Colleague Survey 2023

An online survey looking at the demographics, experiences and situations of staff working within the convenience sector. Fieldwork was carried out between 26th January and 10th March 2023. The percentage of staff experiencing verbal abuse was based on the following question within the Colleague Survey:

Over the last twelve months, how often (if at all) have you been a victim of the following in the workplace?

- Never
- Hardly ever
- Every few months
- Monthly
- Don't know
- Daily or almost daily

Those who responded with any option other than 'never' were considered to have experienced some form of verbal abuse in the last year.

5. Shopper Polling

A survey of 1,072 UK adults conducted by Yonder. Fieldwork was carried out between the 29th and 30th of March 2023. The percentage of customers who have witnessed violence or abuse towards shopworkers was based on the following question:

Have you ever witnessed shopworkers being verbally or physically abused by another customer?

- Yes I have
- No I haven't
- Don't know
- Prefer not to say

Those who answered 'don't know' or 'prefer not to say' were excluded for analysis.

Acknowledgements

Thank you to all the retailers who took the time to complete our 2024 Crime Survey and share their crime data with us, without which this report would not be possible.

Additional resources

For more information about retail crime and wider crime trends please see the following websites, reports and statistics:

ShopKind campaign

<https://nbcc.police.uk/crime-prevention/shopkind-webpage>

British Retail Consortium

<https://brc.org.uk/making-a-difference/priorities/crime/>

USDAW Freedom From Fear campaign

<https://www.usdaw.org.uk/freedomfromfear>

Home Office Commercial Victimization Survey (CVS) 2022

The CVS is a telephone survey where respondents from a representative sample of business premises in England and Wales are asked about crimes experienced at their premises in the 12 months prior to the interview.

Estimates for the 2022 CVS are based on 390 interviews with respondents at premises in wholesale and retail.

<http://tinyurl.com/y72t5bp6>

Office for National Statistics (ONS) Crime In England and Wales

ONS publish quarterly their Crime In England and Wales statistical bulletins which are produced in partnership with the Home Office. The statistics are based on police recorded crime data and look at trends in overall police recorded crime.

<http://tinyurl.com/5ky82ymk>



For more details on this report and guidance, contact Rosie Wiggins at ACS by emailing rosie.wiggins@acs.org.uk

For more details on ACS:
Visit: www.acs.org.uk
Call: 01252 515001
Follow us on Twitter: @ACS_Localshops

3. Policy & Guidance

The following policies within the City of Westminster Statement of Licensing Policy apply:	
Cumulative Impact Policy CIP1 applies	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
Hours Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of

	<p>time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>11a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol) Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>11b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p>Shops Policy SHP1 applies</p>	<p>B. Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Late-night Refreshment Delivery Service Policy DEL1. 4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a shop in Clause C.

	<p>C. For the purposes of this policy:</p> <ol style="list-style-type: none">1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment.2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop.3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.
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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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. 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

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Contact:	Telephone: 020 7641 6500 Email: rhaq@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	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2023
4	Cumulative Impact Assessment	04 December 2023
5	Licensing Authority representation	14 February 2024
6	Environmental Health representation	14 February 2024
7	Metropolitan Police representation	30 January 2024

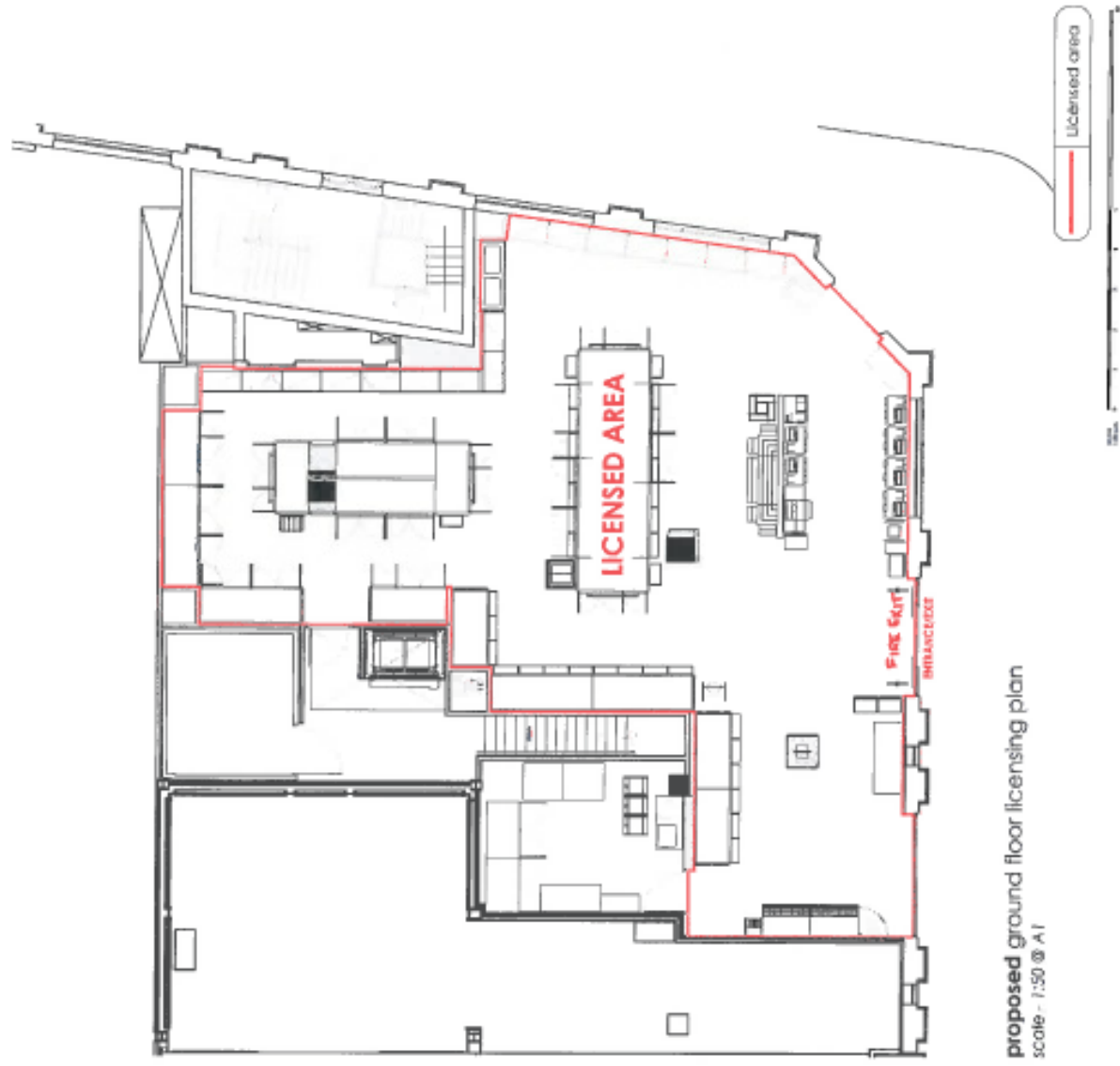
NOTES
 CONSTRUCTION ISSUE
 GREEN BOOK ABSTRACT STATEMENT

**M&S
 - FOOD -**
 85 SHAFTESBURY AVENUE
 XXXXX UK
 MARKS & SPENCER
 NEW STORE

PROPOSED
 GROUND FLOOR
 LICENSING PLAN
 HOME EDWARDS ASSOCIATES

HOME EDWARDS ASSOCIATES LLP
 1.50 A1 16.01.24 11.05 JC
 3460 A201

STORE PLANNING



proposed ground floor licensing plan
 scale - 1:50 @ A1

Applicant Supporting Documents

Appendix 2

There are no applicant submissions.

Premises History

Appendix 3

There is no licence or 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. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 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. A Challenge 21 or 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.
 12. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
 13. All members of staff working on the tills will receive training relevant to the sale of alcohol prior to being authorised to sell alcohol. Such training will be refreshed at least annually. Records of training shall be maintained for a period of at least 12 months and made available for inspection at the premises by the police or authorised officer of the City Council at all times when the premises are open.
 14. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol
 15. No super strength beers. Lagers or ciders of 5.5% abv (Alcohol by volume) or above shall be sold at the premises with the exception of premium specialist beer, lager or cider.
 16. All sales of alcohol for consumption off the premises shall be in sealed containers

Conditions proposed by the Licensing Authority.

17. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a grocery shop.

Conditions proposed by the Metropolitan Police Service

17. 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 (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

18. A minimum of 1 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.
19. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
20. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
21. 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. It must be completed within 24 hours of the incident and will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) 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, searching equipment or scanning equipment
 - g) any refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service.
22. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
23. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
24. On the Day of London Pride:
 - i. Alcohol sales in respect of cans of beer or cider are limited to no more than 4 cans per person.
 - ii. The premises will not externally advertise local promotions of alcohol.
 - iii. No sales of alcohol in bottles or glass containers are made during this period.
 - iv. Upon the direction of a Police Officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed by the Police.

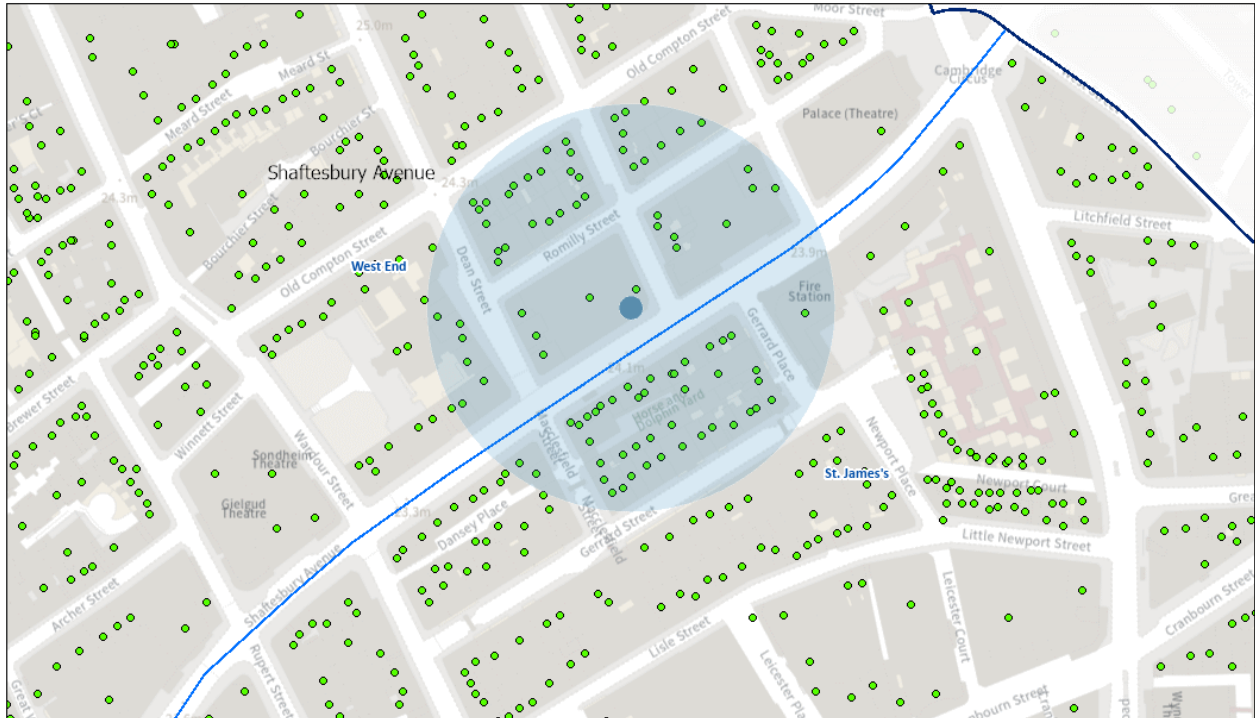
Conditions proposed by the Environmental Health Service.

26. 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
27. 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 (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

Residential Map and List of Premises in the Vicinity

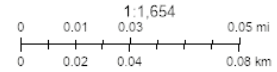
Appendix 5

83-85 SHAFTESBURY AVENUE, LONDON, CITY OF WESTMINSTER, W1D 5DX



08/03/2024, 12:08:53

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



Resident Count: 100

Licensed premises within 75m of 83 - 85 Shaftesbury Avenue

Licence Number	Trading Name	Address	Premises Type	Time Period
16/00203/LIPCH	Shibuya Soho	110 Shaftesbury Avenue London W1D 5EJ	Restaurant	Monday to Sunday; 10:00 - 23:00
21/10986/LIPN	Zhang Liang Mala Tang	112 Shaftesbury Avenue London W1D 5EJ	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30
19/12586/LIPN	Nusa Dua	Basement And Ground Floor 118-120 Shaftesbury Avenue London W1D 5EP	Restaurant	Monday to Sunday; 11:00 - 23:30

17/14772/LIPN	The Shan State	100 - 102 Shaftesbury Avenue London W1D 5EE	Restaurant	Monday to Sunday; 12:00 - 23:30
21/10156/LIPDPS	Bar Shu	28 Frith Street London W1D 5LF	Restaurant	Sunday; 11:00 - 00:00 Monday to Saturday; 11:00 - 00:30
23/01948/LIDPSR	Not Recorded	9 Horse And Dolphin Yard London W1D 5AZ	Restaurant	Sunday; 12:00 - 01:00 Monday to Saturday; 07:00 - 01:00
23/01040/LIPVM	Gerrys Club	Basement 52-53 Dean Street London W1D 5BJ	Club or institution	Monday; 10:00 - 03:30 Tuesday; 10:00 - 03:30 Wednesday; 10:00 - 03:30 Thursday; 10:00 - 03:30 Friday; 10:00 - 03:30 Sunday; 12:00 - 23:00
23/01917/LIPRW	Kiwa Sushi & Grill	1 Gerrard Place London W1D 5PA	Restaurant	Monday; 10:00 - 01:00 Tuesday; 10:00 - 01:00 Wednesday; 10:00 - 01:00 Thursday; 10:00 - 01:00 Friday; 10:00 - 01:00 Sunday; 12:00 - 01:00
16/07026/LIPCH	Golden Lion Public House	51 Dean Street London W1D 5BH	Public house or pub restaurant	Sunday; 07:00 - 23:00 Sunday; 07:00 - 00:00 Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00
24/00217/LIPDPS	BA Shan Restaurant	24 Romilly Street London W1D 5AH	Restaurant	Sunday; 12:00 - 23:30 Monday to Saturday; 12:00 - 00:00

22/07467/LIPVM	Assa	23 Romilly Street London W1D 5AQ	Club or institution	Monday; 10:00 - 00:30 Monday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Friday; 10:00 - 00:30 Friday; 10:00 - 00:30 Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00 Sunday; 12:00 - 00:00
13/06021/LIPDPS	Genting Casino London China Town	First Floor Wingate House 93 - 107 Shaftesbury Avenue London W1D 5DY	Casino or gambling club	Monday to Sunday; 00:00 - 23:59
23/03588/LIPDPS	Curzon Soho Cinema	93-107 Shaftesbury Avenue London W1D 5DY	Cinema	Monday; 09:00 - 02:30 Tuesday; 09:00 - 02:30 Wednesday; 09:00 - 02:30 Thursday; 09:00 - 02:30 Friday; 09:00 - 02:30 Saturday; 09:00 - 02:30 Sunday; 09:00 - 00:00
06/07153/WCCMAP	Crispin's Food & Wine	90 - 92 Shaftesbury Avenue London W1D 5EA	Shop	Monday to Sunday; 08:00 - 05:00
23/05357/LIPDPS	Mr Foggs Pawnbrokers	50 Dean Street London W1D 5BQ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 09:00 - 03:30
23/07524/LIPVM	De Hems Public House	11 Macclesfield Street London W1D 5BW	Pub or pub restaurant with lodge	Monday; 07:00 - 00:30 Tuesday; 07:00 - 00:30 Wednesday; 07:00 - 00:30 Thursday; 07:00 - 00:30 Friday; 07:00 - 00:30 Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:00

17/14358/LIPDPS	Not Recorded	39 Frith Street London W1D 5LL	Cafe	Monday to Sunday; 06:00 - 03:00
15/02220/LIPV	Bistro 1	27 Frith Street London W1D 5LE	Restaurant	Sunday; 08:00 - 00:00 Monday to Saturday; 08:00 - 01:00
12/02725/LIPDPS	Gauthier At Lindsay House	21 Romilly Street London W1D 5AF	Restaurant	Sunday; 10:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
21/07119/LIPDPS	Oversea	Ground Floor 7 Gerrard Street London W1D 5PH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
09/06680/LIPVM	French House Public House	49 Dean Street London W1D 5BG	Public house or pub restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/00966/LIPDPS	Haozhan Restaurant	Basement To First Floor 8 Gerrard Street London W1D 5PJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
23/08456/LIPCHT	Sushi Kyoto Ltd	26 Romilly Street London W1D 5AJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/08190/LIPV	Xing Long Men Chinatown Ltd	9 Gerrard Street London W1D 5PL	Shop	Monday; 10:00 - 22:30 Tuesday; 10:00 - 22:30 Wednesday; 10:00 - 22:30 Thursday; 10:00 - 22:30 Friday; 10:00 - 22:30 Saturday; 10:00 - 22:30 Sunday; 10:00 - 22:30
19/02423/LIPDPS	Sushi Eatery	Basement And Ground Floor 40 Frith Street London W1D 5LN	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/09788/LIPDPS	New Fook Lam Moon	Basement And Ground Floor 10 Gerrard Street London W1D 5PW	Restaurant	Monday to Sunday; 10:00 - 01:00

23/08244/LIPRW	Prosecco Café	Basement And Ground Floor 26 Frith Street London W1D 5LD	Restaurant	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
15/06965/LIPN	Blade Soho	26 Frith Street London W1D 5LD	Hairdresser or beauty salon	Sunday; 12:00 - 20:00 Monday to Saturday; 10:00 - 22:00
19/07471/LIPVM	Monga Fried Chicken	Basement And Ground Floor 12 Macclesfield Street London W1D 5BP	Restaurant	Sunday; 12:00 - 01:00 Monday to Saturday; 10:00 - 01:00
15/07793/LIPDPS	Little Four Seasons	Basement To First Floor 11 Gerrard Street London W1D 5PP	Restaurant	Sunday; 11:00 - 01:00 Monday to Saturday; 11:00 - 00:00
18/02226/LIPDPS	Feng Shui Inn	4 - 5 Gerrard Street London W1D 5PF	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/02323/LIPDPS	Wingmans	29 - 31 Old Compton Street London W1D 5JS	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/04624/LIPVM	Preto	71-73 Shaftesbury Avenue London W1D 6LN	Restaurant	Monday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Friday; 10:00 - 00:30 Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/11987/LIPDPS	Berenjak	27 Romilly Street London W1D 5AL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/07461/LIPDPS	Cuts	Basement And Ground Floor 41 Frith Street London W1D 5LW	Hairdresser or beauty salon	Saturday; 10:00 - 22:00 Sunday to Friday; 11:00 - 22:00
20/05990/LIPDPS	Rosas	Ground Floor And Basement 48 Dean Street London W1D 5BF	Shop	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
23/06701/LIPDPS	Four Seasons	12 Gerrard Street London W1D 5PR	Restaurant	Monday to Sunday; 09:00 - 03:30

19/12734/LIPDPS	Wan Chai Corner Chinese Restaurant	Tang House 3 Gerrard Street London W1D 5PD	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
23/03807/LIPDPS	Neat Meat	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Restaurant	Monday; 11:00 - 23:30 Tuesday; 11:00 - 23:30 Wednesday; 11:00 - 23:30 Thursday; 11:00 - 23:30 Friday; 11:00 - 00:00 Saturday; 11:00 - 00:00 Sunday; 11:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00
21/04531/LIPN	Viet Noodle Bar	Basement And Ground Floor 34 Greek Street London W1D 5DJ	Restaurant	Sunday; 12:00 - 20:00 Monday to Saturday; 12:00 - 23:00
23/03511/LIPV	Ku Bar	Basement To First Floor 25 Frith Street London W1D 5LB	Night clubs and discos	Monday; 10:00 - 01:00 Tuesday; 10:00 - 01:00 Wednesday; 10:00 - 01:00 Thursday; 10:00 - 01:00 Friday; 10:00 - 01:00 Saturday; 10:00 - 01:00 Sunday; 10:00 - 22:30 Sundays before Bank Holidays; 10:00 - 01:00
23/07554/LIPT	Not Recorded	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Restaurant	Sunday; 10:00 - 00:00 Monday to Wednesday; 08:00 - 00:30 Thursday to Saturday; 08:00 - 03:00
16/04918/LIPCHT	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Restaurant	Sunday; 10:00 - 00:00 Monday to Wednesday; 08:00 - 00:30 Thursday to Saturday; 08:00 - 01:00
22/11465/LIPDPS	Laxsa In Soho	Basement To First Floor 37 Old Compton Street London W1D 5JY	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
18/08208/LIPN	Far East	Ground Floor 13 Gerrard Street London W1D 5PS	Not Recorded	Monday to Sunday; 09:00 - 05:00

19/16307/LIPDPS	Experimental Cocktail Club	First Floor And Second Floor 13 Gerrard Street London W1D 5PS	Night clubs and discos	Sunday; 09:00 - 02:00 Monday to Saturday; 09:00 - 03:30 Sundays before Bank Holidays; 09:00 - 02:30
22/08436/LIPDPS	Y Ming	35 - 36 Greek Street London W1D 5DL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/02934/LIPDPS	Kettners Townhouse	29 Romilly Street London W1D 5HP	Not Recorded	Monday to Sunday; 00:00 - 00:00
19/08394/LIPDPS	Tiangfu	14 Gerrard Street London W1D 5PT	Shop	Sunday; 11:00 - 22:30 Monday to Saturday; 11:00 - 23:00
21/04874/LIPDPS	Dodo Supermarket	Basement And Ground Floor 24 Frith Street London W1D 5LA	Shop	Sunday; 10:00 - 22:30 Monday to Thursday; 08:00 - 01:00 Friday to Saturday; 08:00 - 03:00
18/15565/LIPRW	Olle Restaurant	Basement And Ground Floor 84-88 Shaftesbury Avenue London W1D 6NH	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sundays before Bank Holidays; 12:00 - 00:00
23/01510/LIPCH	Rasa Sayang Restaurant	5 Macclesfield Street London W1D 6AY	Restaurant	Sunday; 11:00 - 23:30 Monday to Saturday; 11:00 - 00:00
23/02159/LIPDPS	The Piccadilly London Soho	69 Shaftesbury Avenue London W1D 6EX	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00