

Merton Council
Licensing Sub-Committee
2 March 2023
Supplementary agenda

4 WH Smith, Station Approach, Wimbledon, SW19 7NL

1 - 48

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In the Matter of an Application by WH Smith Travel Holdings Limited

For the Grant of a Premises Licence under the Licensing Act 2003

Premises known as WH Smith Station Approach Wimbledon SW19 7NL

SUBMISSIONS ON BEHALF OF THE APPLICANT

1. These submissions are presented to the Licensing Sub-Committee of London Borough of Merton in support of an application by WH Smith Travel Holdings Limited (**WHS**) for the Grant of a Premises Licence under the Licensing Act 2003 for premises known as WH Smith Station Approach Wimbledon SW19 7NL (the Premises)

2. The submissions are set out as follows:
 - The Applicant
 - The Application
 - The Application Site
 - CIA
 - Operating Schedule
 - The Responsible Authorities
 - Representations
 - Conclusions

The Applicant

3. The Committee will be familiar with the WHS name and style of operation. WHS operate a large number of premises across the country both on the high street and in travel hubs (both train stations and airports). As customer demands have changed so has the WHS offer. A copy of a WHS presenter can be found at **WHS 1**

4. In so far as their travel business is concerned, WHS operate at over 20 UK airports and over 120 rail locations including some of the busiest train stations in the country.
5. WHS first started a process of licensing some of their travel premises back in 2012 and at the present time WHS sells alcohol from more than 40 outlets at travel hubs across the country, including at some of the busiest stations in the country, both within London and beyond.
6. Within London premises at train stations selling alcohol include:
 - Euston
 - Victoria
 - Paddington
 - Marylebone
 - Waterloo
 - London Bridge
 - Clapham Junction
 - Blackfriars
 - Twickenham
7. Outside of London WHS can sell alcohol from large rail travel hubs, including
 - Leeds
 - Birmingham New Street
 - Manchester Piccadilly
 - Liverpool Lime Street
 - Newcastle Central
 - Bristol Temple Meads
 - Crewe
 - Reading
 - Leicester
8. All the WHS units name above hold alcohol premises licences. Many of these sites are larger than the application premises at, and operate for longer hours than is proposed at, the WHS Wimbledon. However, the same standards of operation are in place at all the WHS units.
9. Notwithstanding the sensitive locations that many of the WHS sites operate within, none of their premises' licences have ever been the subject of any regulatory enforcement action or subject to a licence review. This is perhaps unsurprising, and does not happen by accident, when one

considers the nature of the premises, the products that are sold, the price point, staff training and the head office support that each site receives.

10. The WHS site operations are supported by a head office team that includes, as one would expect of an organisation of their size, HR, marketing, compliance, health and safety, security, buyers, store operations and management teams to facilitate training and maintenance of licences.
11. Each of their stores sell a range of products including newspapers, magazines, food and drink, health and beauty products and tech/electrical accessories. The alcohol range, where stocked, is in the form of recognised brands (WHS do not have their own brand) and, therefore, is priced accordingly. A copy of the current product and price list is attached at **WHS 2**. Not all these products will be on sale at any one time and product ranges are tailored to the local marketplace.
12. WHS do not sell high ABV beers, lagers, and ciders and in agreement with the Police the following condition has been agreed:

Alcohol products of beer, lager and cider sold on the premises will be no more than 7% ABV. The restriction shall not apply in respect of specialist branded premium priced products, for example craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 7% ABV or greater
13. Naturally, not all customers of WHS will purchase alcohol. Of those WHS sites that are licensed, alcohol sales do in fact account for a very small part of total turnover.
14. All staff receiving training in relation to the sale of alcohol. In agreement with the Trading Standards Officer, this training is refreshed every 6 months. The stores are covered by CCTV. The designated premises supervisor of the site will of course also be a personal licence holder.
15. In addition to internal security arrangements staff across the WHS estate are also provided with additional support and security by way of Solo Protect, a third-party monitoring system. It is proposed that staff at WHS Wimbledon will have access to Solo Protect
16. WHS are, on any assessment, an experienced and competent operator who are aware, and conscious, of their obligations as holders of premises licences.

The Application

17. In advance of submitting the application a pre application consultation email was sent to the responsible authorities on the 5 December 2022
18. The Application was submitted, and served on the responsible authorities, on the 10 January 2023.
19. The application was advertised in the Wimbledon Guardian on the 19 January 2023. A notice of the application was placed on the premises.

The Application Site

20. The premises sit within the Wimbledon Train Station.
21. WHS has traded from these premises for over 20 years.
22. The plan submitted with the application shows the layout of the premises and can be found at **WHS 3** (and at page 27 of the Report to the Licensing Sub Committee)
23. The proposed hours of opening are 0630 to 2100 on each day of the week save for Sunday when the opening hours are 0900 to 2100.
24. Following discussions with the police the sale of alcohol on each day of the week will commence at 0700 (save for Sunday when alcohol sales will start at 0900)

CIA

25. The council's policy has identified that a special policy on cumulative impact will apply to Wimbledon Town Centre. The Cumulative Impact Assessment (CIA) can be found at Appendix 3 of the Licensing Policy.
26. The policy states, inter alia, in so far as it relates to the CIA, the following:

9.4 The CIA does not, however, change the fundamental way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact

Appendix 3

9. The Cumulative Impact Assessment identified that residents of Trinity and Abbey Wards register high levels of concern regarding people being drunk and rowdy in public spaces and general anti-social behaviour. These Wards have high levels of complaints to the police about anti-social behaviour, as well as high levels of ambulance call outs for alcohol and assaults and police call outs for violence – non domestic. Although relatively low in numbers, the area also attracts a number of complaints to the Council's licensing and noise teams

The Authority recognises that it must balance the needs of business with those of local residents.

27. It is worthy of note that the Council has also identified a further CIA in Mitcham Town Centre. This specifically identifies, and is targeted at, all applications for new off licences in a way that the Wimbledon CIA does not (and which specifically references on licensed premises).
28. In addition to engaging in pre application consultation, WHS has engaged in further consultation during the statutory consultation process, in particular with the Police and Trading Standards. As a consequence of this the application has been refined. The hours for the sale of alcohol have been modified and WHS has proposed a comprehensive schedule of conditions.
29. WHS already operate (and have been granted premises licences) in other parts of the country where CIAs are in existence (Westminster, Leeds and Newcastle, to name a few). There has been no suggestion from police or licensing officers working in these areas that sales of alcohol from WHS adds to the cumulative impact in these areas. Furthermore, there have been no reports of incidents associated with any WHS premises selling alcohol that undermine the licensing objectives at these premises.
30. It would have been open to any of the responsible authorities, and in particular the licensing authority as a responsible authority, the Police (being the primary sponsors of the CIA), the British Transport Police, Environmental Health, Merton Local Safeguarding (in their role of Protection of Children from Harm), and Public Health to make a representation to the application, in support of, and citing the existence of, the CIA.
31. The fact that they have not is significant.

32. The evidence therefore overwhelmingly supports the proposition that the applicant can demonstrate that they would not be adding to the cumulative impact were this application to be granted.

Operating schedule

33. In support of the application WHS has offered and agreed, following discussions with the Police and Trading Standards Officer, a comprehensive schedule of conditions, totaling 33 in all, that will attach to the licence, if granted. A copy of the proposed operating schedule can be found at **WHS 4** (and at pages 28 – 32 of the Report to the Licensing Sub Committee)

34. We have highlighted below some, but not all, of the conditions that have been offered:

Sale of Alcohol

35. In so far as the sale of alcohol is concerned the Committees attention is drawn to the following conditions:

- There shall be no more than 10% of the shop floor area being used to display alcohol.
- All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
- Save for spirit mixers, any spirits will only be displayed for sale from behind the servery counter.
- Save for gift packs, no alcohol shall be sold from the premises in less than or equal to 5cl measures or bottles
- All displays of alcohol will be appropriately ticketed to advise purchasers that it is an offence for those under 18 to purchase alcohol.
- Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
- Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Age Verification

36. These premises already sell age restricted products (cigarettes for example) and staff are familiar with the requirement to ask for age verification. The following conditions attend to this

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

Miscellaneous

37. A series of additional conditions were requested by the Police and WHS were happy to agree to the following:

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

The Responsible Authorities

38. As set out above, WHS engaged with the responsible authorities both by way of pre application consultation and during the statutory consultation process. As a consequence of this a number of additional conditions have been agreed and the proposed operating schedule is set out at **WHS 4**
39. The Committees attention is drawn to para 9.12 of the s.182 National Guidance which states as follows:

Each responsible authority will be an expert in their respective field, and in some cases, it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing

40. It is of significance that none of the responsible authorities has made a representation to the application.

Representations

41. The application has drawn two representations as follows:
- Councillor Susie Wicks
 - Wimbledon East Hillside Residents Association (**WEHRA**)

Taking each of these in turn

Councillor Susie Wicks

42. We contacted Councillor Wicks on receipt of her representation and a copy of this email can be found at **WHS 5**
43. Councillor Wicks primary concern is about the hours that the premises are permitted to sell alcohol. These have been reduced following discussions with the Police. The permitted hours for the sale of alcohol now commence no earlier than those currently permitted at other licensed premises in the vicinity. The premises also closes earlier than other licensed premises nearby.
44. Councillor Wicks also makes the point that the hours will likely attract people with alcohol disorders and conducive to crime and drunkenness in the area around the station. This statement is not supported by any evidence. It is also worthy of note that the police (which would also include the British Transport Police) who are the licensing authorities' main source of advice in relation to the crime and disorder licensing objective have not made a representation to the application.
45. Given their considerable experience elsewhere, evidence would suggest, and WHS is confident, that the concerns of the Councillor will not be realised.

WEHRA

46. A response to WEHRA was also provided on receipt of their representation. This can be found at **WHS 6**.
47. In responding to the representation to WEHRA, WHS has sought to address the specific concerns raised by the association.
48. WHS is of course willing to continue to engage with WEHRA and has offered to provide a contact number for their premises in Wimbledon to WEHRA. Should the Committee wish to place this as a condition on the premises licence, then it is something that WHS would happily accept.

Summary

49. There is only one question of significance here – will this application, by this applicant, at these premises, be likely to undermine the licensing objectives?
50. The National Guidance issued under s.182 of the Licensing Act 2003 states as follows

The Authority's determination should be evidence based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve

51. As the National Guidance states:

"14.36 ... If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved."

52. The Licensing Sub-Committee can only really make such a finding based on admissible material submitted to it. What the authority cannot be asked to do is speculate, as the High Court make clear in R (Daniel Thwaites) v Wirral Borough Magistrates Court [2008] EWHC 838 (Admin). It can, however, draw fair inferences from the material it does have.

53. It is submitted that on the evidence presented the Committee should grant the application as amended because:

- (i) WHS is an experienced and competent operator of licensed premises
- (ii) They operate licensed outlets in some of the busiest travel hubs across the UK
- (iii) These premises will sell a wide range of convenience products and experience across the country has shown that these premises will not be "alcohol led"
- (iv) The Premises will be managed by a personal licence holder supported by suitably trained members of staff
- (v) The Premises is provided with head office support
- (vi) None of the WHS licensed premises have ever been subject to regulatory enforcement action
- (vii) None of the WHS licensed premises have ever been subject to a licence review
- (viii) WHS already operate premises within CIAs in other parts of the country which have operated without issue or concern

- (ix) In advance of submitting the application, WHS carried out pre-application consultation at which stage no concerns were identified
- (x) The application is supported by a comprehensive schedule of conditions which have been supplemented with additional conditions proposed by the police, all of which have been accepted
- (xi) The hours for the sale of alcohol have been modified in agreement with the Police
- (xii) The start time for the sale of alcohol is no greater than that which is currently authorised in this part of Wimbledon
- (xiii) The end time for the sale of alcohol is more restrictive than that which is currently authorised in this part of Wimbledon
- (xiv) The area for display of alcohol within the Premises is limited by way of condition so that no more than 10% of the shop can be given over to the sale of alcohol
- (xv) WHS does not sell any “own brand” alcohol products
- (xvi) The concerns raised by those who make representations to the application are unsupported by any evidence and WHS’ operational experience elsewhere indicates that their concerns are not well founded
- (xvii) There are no representations to the application from any of the responsible authorities, in particular the Police, as primary sponsors of the CIA
- (xviii) The CIA for this area is not focused on off-sales (unlike Mitcham) and in any event the evidence provided from operating in other CIA’s around the country demonstrates no addition to cumulative impact from the grant of a licence to WHS.
- (xix) If there was any merit in the concerns raised by those who make representations to the application it is not unreasonable to assume that the Police, British Transport Police, the Licensing Authority as responsible authority or one of the other responsible authorities would have made a representation to the application. They have not.

54. In all the circumstances, the evidence suggests (and is not countered by any evidence to the contrary) that granting of this licence, to this applicant, at this Premises is unlikely to add to the cumulative impact, nor undermine the licensing objectives. On this basis, the Licensing Sub-Committee can be confident that this licence can be granted.

Ewen Macgregor Partner TLT Dated 24 February 2023



**WH Smith Travel
Station Approach
Wimbledon
London
SW19 7NL**

WHSmith
EST • 1792

WE ARE THE STRATEGIC MULTI-CATEGORY SPECIALIST IN TRAVEL RETAIL

- A retail group with unique heritage and brand recognition
- Successfully pivoted from High Street Retail to Travel Retail as our core market
- Over 230 years later WH Smith is now a leading Global Travel Retail Specialist
- The WH Smith Group operates over 1,700 stores globally
- We operate in over 110 stores in rail locations across the United Kingdom

125
INMOTION
Stores in
the USA

170
MRG
Stores in
USA &
Canada

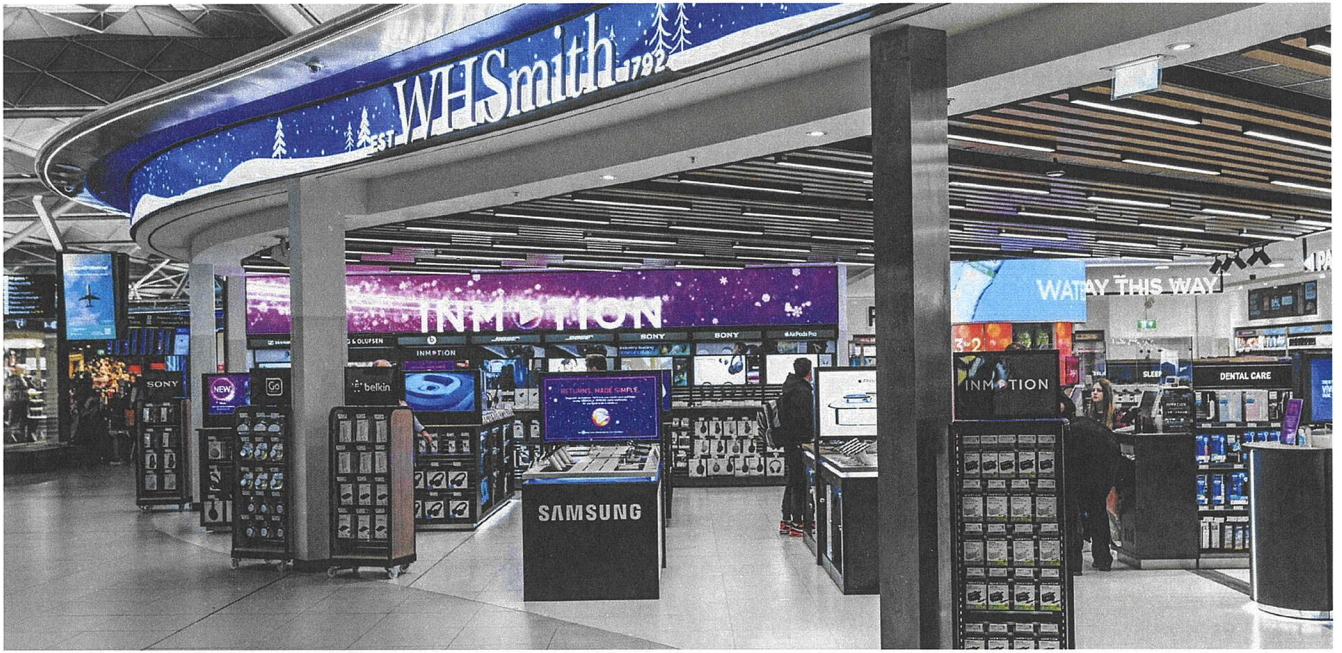
Over 1700
WHSmith
EST. 1767
Stores
Globally

Over 1100
WHSmith
Stores in
the UK



30
INMOTION
Stores in
the UK



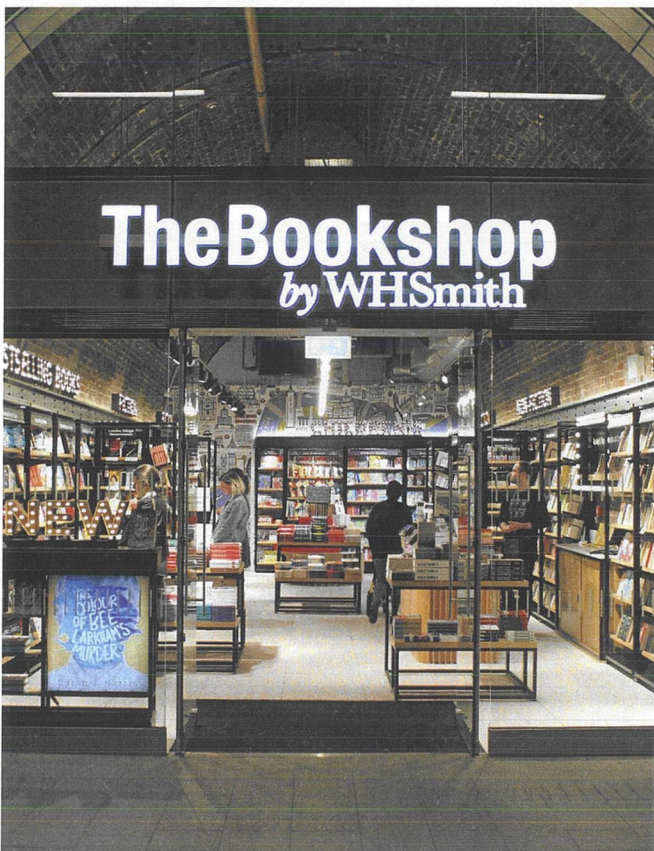


WH Smith Travel is a leading travel retailer with a presence in a wide range of locations in the UK, including airports, hospitals, train stations and motorway service areas.

Making our customers' journeys easier is our passion, whether they're travelling by air, by foot, by road or by train. As one of the world's leading travel retailers, we are the trusted home for travel essentials in the UK and it's how we support the millions of journeys made each year.

Our customers need convenience and have less time to browse, so we have tailored ranges providing a one-stop-shop solution, with a wide range of products, including books and magazines, health and beauty products, souvenirs, digital accessories and food and drink options.

With WH Smith for travel essentials, and InMotion - our world-leading digital accessories retailer - at UK airports, we're continuing to grow our presence around the UK, providing our customers with the essentials we know make their journey just that little bit better. We also partner with some of the UK's most popular retailers, such as Marks and Spencer (M&S), Costa Coffee and Well Pharmacy. This allows us to tailor the product and service proposition to meet the needs of our customers and landlord partners in all the locations we operate in throughout the UK.





Alcohol Licensing - England & Wales

Airports

Liverpool - John Lennon Airport
 East Midlands Airport
 Gatwick North Terminal
 Newcastle Airport

Rail

Birmingham Hill Street
 Birmingham NEC
 Birmingham New Street
 Blackfriars
 Bristol Temple Meads
 Cambridge Rail
 Chester Rail
 Clapham Rail
 Coventry Rail
 Crewe Rail
 Darlington Rail
 Derby Rail
 East Croydon Station
 Euston Station
 Exeter St Davids
 Guildford Rail
 Kings Cross Station
 Leeds Rail
 Leicester Rail
 Liverpool Lime St Station
 Liverpool Street Station
 London Bridge Shard Main
 London Bridge Street Concourse
 London Cannon Street
 Ludgate Circus
 Manchester Piccadilly Station
 Marylebone

Rail cont.

Newcastle Central Station
 Northampton Rail
 Norwich Rail
 Oxford Rail
 Paddington Rail
 Reading
 Stockport Rail
 Swindon Rail
 Twickenham

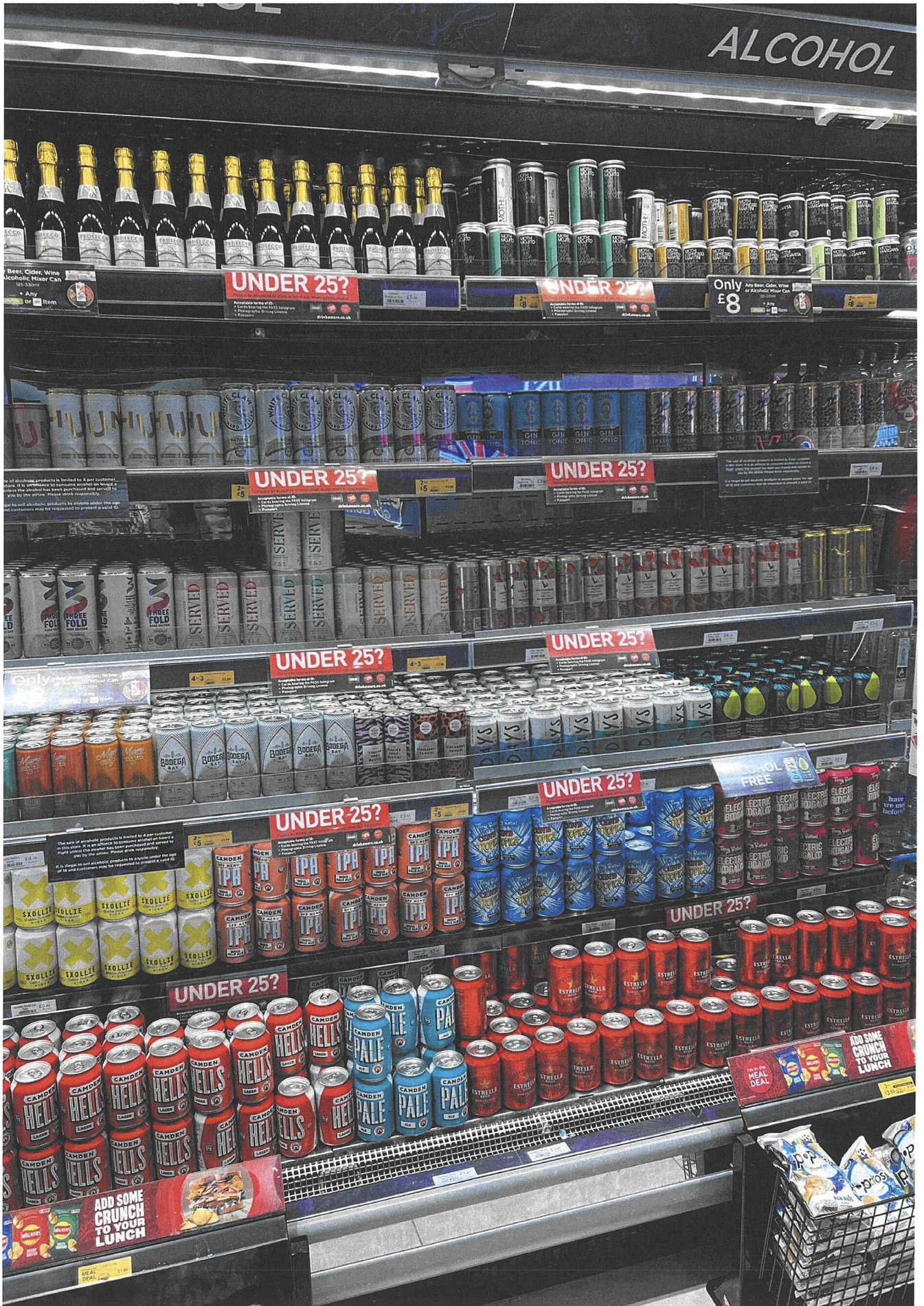
Rail cont.

Victoria Island
 Victoria South
 Wakefield
 Waterloo Central Station
 Waterloo Lozenge
 Winnersh

MSA

Baldock
 Cambridge
 Cobham
 Peterborough





DETAILS OF ALCOHOL TRAINING

All staff to receive appropriate training before the sale of alcohol can commence.

Training includes:

- The right to refusal
- Incident log processes
- Required trading hours
- Challenge 25 and acceptable form of ID
- As well as why these are important for trade. e.g. Restrict all underage drinkers as well as irresponsible behaviour

UNDER 25?

Please be prepared to show proof of age when buying alcohol

Acceptable forms of ID:

- Cards bearing the PASS hologram
- Photographic Driving Licence
- Passport

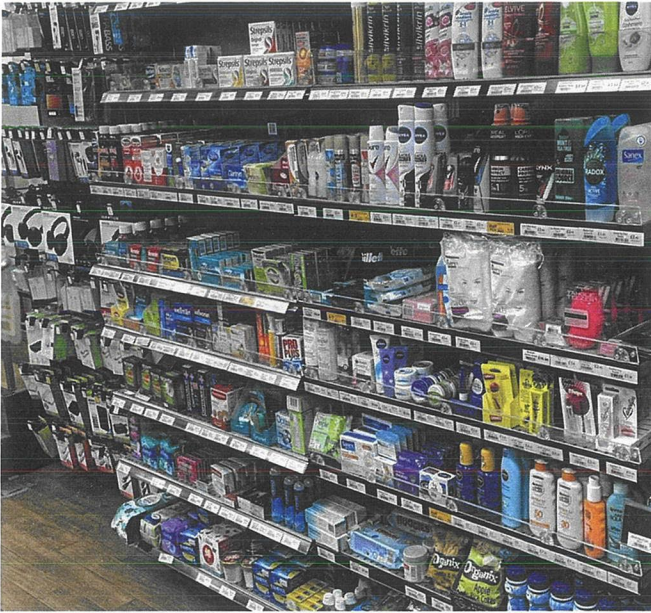


drinkaware.co.uk

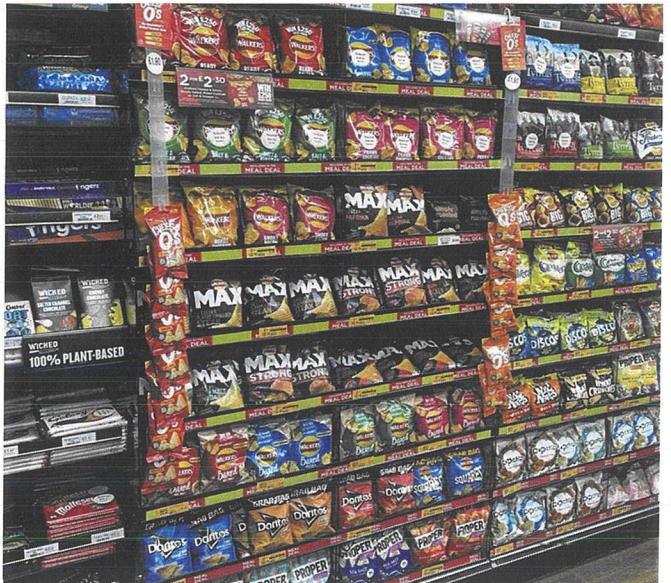
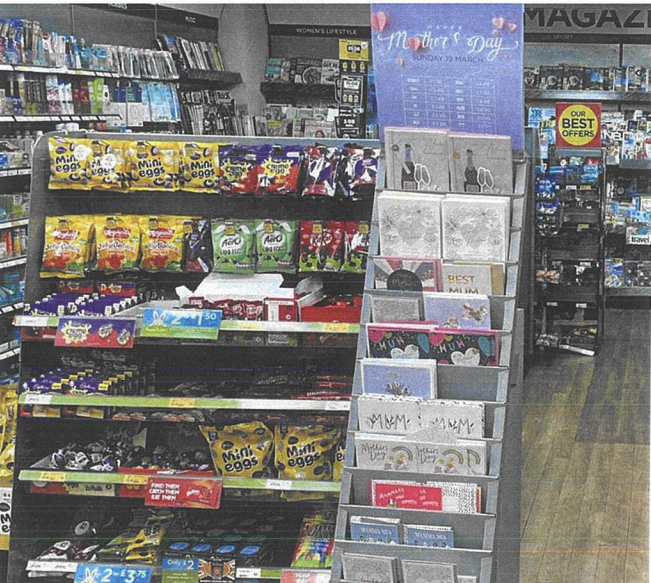
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WIMBLEDON STORE





WHSmith EXPRESS



OUR SUSTAINABILITY STRATEGY FOCUSES ON OUR IMPORTANT ISSUES

Our objectives:

Planet

- Net zero carbon emissions: net zero by 2050, net zero Scope 1 and 2 emissions by 2025. By 2027, engage 75 per cent of suppliers to develop science based, net zero plans
- Reduce plastic packaging for own-brand products by 2025, remove plastic glitter from own-brand products by 2021 and reduce waste material to landfill
- No deforestation from sourcing for own-brand products by 2021 and for Goods Not for Resale by 2025

People

- Increase diversity of our senior management team
- Audit own-brand suppliers at least every two years, and more frequently when we find non-conformances. Reduce delays on corrective actions
- Engage own-brand suppliers to tackle top 6 labour issues in supply chain
- Provide a safe working environment and support mental wellbeing for our employees

Communities

- Help to develop reading and writing skills for those children that need it most
- Support employee volunteering and fundraising

The WH Smith Trust

Our stores fundraise on behalf of the WH Smith Trust, an independent registered charity, which provides financial donations to charities, and other local causes. Over the past decade we've donated over £12m to charities and good causes, including schools, hospices, youth groups, health charities such as the Red Cross, Cancer Research UK and the RVS and a multitude of other charities which our employees and customers care about. We also have a long-standing relationship with the National Literacy Trust and have supported nearly 70,000 children with reading skills since the start of our partnership. The WH Smith Trust supports charities in the communities where we operate through one-off donations.

Our Journey to a Better Business



People

Diversity and inclusion

Human rights in our supply chain

Safety and wellbeing



Planet

Climate change

Packaging and waste

Forests



Communities

Education and literacy

Supporting local causes

Principles and Responsible Practice

WE ARE MARKET LEADERS IN THE MAIN ESG BENCHMARKS

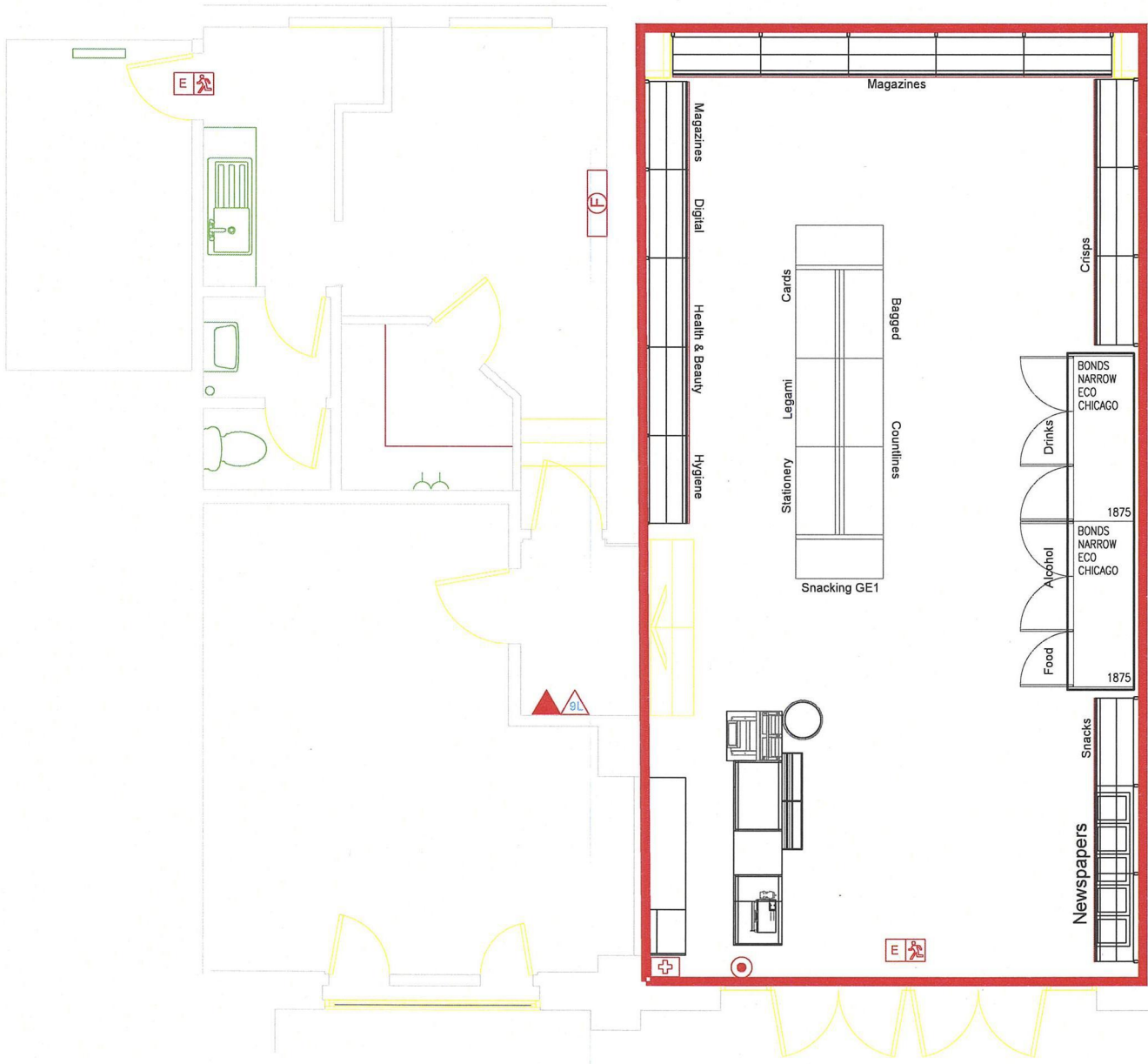


WHS 2

Product List

Line Code	Description	Category	RSP	ABV %
3139233	BUDWEISER 4PK	Beer	£ 7.99	4.8%
3140833	FOSTERS 4X440ML MULTI	Beer	£ 7.99	5.0%
3140857	KRONENBOURG 4X440ML MULTI	Beer	£ 7.99	
1522938	PROSECCO BOTTEGA GOLD 20CL	Wine Can	£ 7.99	
3139288	STELLA ARTOIS 4PK	Beer	£ 7.99	4.6%
2678061	Stella Artois 4x330ml	Beer	£ 7.99	4.6%
2278612	GUINNESS DRAUGHT 4x440ML	Beer	£ 7.49	
2731865	Brewdog Punk IPA 330ml 4 Pack	Craft Beer	£ 6.50	5.4%
2558615	CASILLERO DEL DIABLO CAB SAUV 18.7CL	Mini	£ 4.99	
2591797	Casillero del Diablo Sauv Blanc 18.7cl	Mini	£ 4.99	
2556796	Galanti Prosecco 20CL	Mini	£ 4.99	
3091463	MOTH ESPRESSO MARTINI 125ML	Cocktail Cans	£ 4.99	14.9%
3091807	MOTH MARGARITA 125ML	Cocktail Cans	£ 4.99	14.9%
3092163	MOTH MOJITO 200ML	Cocktail Cans	£ 4.99	10.0%
2640976	Trivento Malbec Mendoza 18.7CL	Mini	£ 4.99	
3394496	Mirabeau Rose Can 250ml	Wine Can	£ 4.49	
2840031	HUN ROSE BUBBLES 250ML	Wine Can	£ 3.99	5.5%
2840048	HUN SAUVIGNN BLANC 250ML	Wine Can	£ 3.99	12.5%
2840024	HUN SHRIAZ 250ML	Wine Can	£ 3.99	12.5%
3106525	MIAMI BELLINI SPRITZ 250ML	Cocktail Cans	£ 3.99	4.2%
3106518	MIAMI MARGARITA SPRITZ 250ML	Cocktail Cans	£ 3.99	4.0%
3106501	MIAMI MIMOSA SPRITZ 250ML	Cocktail Cans	£ 3.99	4.2%
2720371	Nice Malbec 18.7cl	Wine Can	£ 3.99	13.5%
2720357	Nice Pale Rosé 18.7cl	Wine Can	£ 3.99	12.0%
2720364	Nice Sauvignon Blanc 18.7cl	Wine Can	£ 3.99	13.5%
2640709	Sipsmith Dry Gin and Tonic 250ml	Gin Mixers	£ 3.99	7.3%
2729558	SIPSMITHS GNT LIGHT 250ML	Gin Mixers	£ 3.99	7.3%
3139264	AU VODKA BLUE RASPBERRY 330ML	Vodka Mixers	£ 3.49	5.0%
3139257	BUDWEISER 660ML SGL	Beer	£ 3.49	4.8%
3194881	GREY GOOSE STRWB VDKA SPRITZ 250ML	Cocktail Cans	£ 3.49	5.5%
3194904	GREY GOOSE WTRMLN VDKA SPRITZ 250ML	Cocktail Cans	£ 3.49	5.5%
126967	KOPPARBERG MIXED FRUIT CIDER 500ML	Cider	£ 3.49	
2278766	KOPPARBERG STRAWBERRY LIME 500ML	Cider	£ 3.49	
3139271	STELLA ARTOIS 660ML SGL	Beer	£ 3.49	4.6%
2731933	BLOOM GIN ROSE LEM 275ml	Gin Mixers	£ 3.00	6.5%
2731926	BLOOM GNT 275ml	Gin Mixers	£ 3.00	6.5%
3106495	BODEGA APPLE 330ML	Hard Seltzers	£ 2.99	4.0%
3106488	BODEGA ELDERFLOWER 330ML	Hard Seltzers	£ 2.99	4.0%
2725215	BOMBAY SAPPHIRE TONIC 250ML	Gin Mixers	£ 2.99	6.5%
2648347	Brewdog Punk IPA 330ml	Craft Beer	£ 2.99	5.4%
2693798	Camden Hells Lager 330ml	Craft Beer	£ 2.99	4.6%
2693811	Camden Off Menu IPA 330ml	Craft Beer	£ 2.99	5.8%
2693804	Camden Pale Ale 330ml	Craft Beer	£ 2.99	4.0%
2731971	CANVINO ROSE 200ML	Wine Can	£ 2.99	
2642574	CAPTAIN MORGAN SPICE GLD RUM COLA 250ML	Rum Mixers	£ 2.99	5.0%
2731957	HAZY JANE 330ML	Craft Beer	£ 2.99	5.0%
354967	Jack Daniels Cola 330ml	Other Mixers	£ 2.99	5.0%
2729503	LOST LAGER 330ML	Craft Beer	£ 2.99	4.5%
126926	PIMMS LEMONADE 250ML	Gin Mixers	£ 2.99	5.4%
2640686	Red Leg Spice Rum Franklin Cola 250ml	Rum Mixers	£ 2.99	5.0%
2392691	SBS PASSIONFRUIT MARTINI 250ML	Other Mixers	£ 2.99	4.0%
3194928	SBS STRAW DAIQUIRI 250ML	Cocktail Cans	£ 2.99	5.0%
2833507	Served Lime Hard Seltzer 250ml	Hard Seltzers	£ 2.99	4.0%
3186411	SERVED PEACH HARD SELTZER 250ML	Hard Seltzers	£ 2.99	

2833491 Served Raspberry Hard Seltzer 250ml	Hard Seltzers	£ 2.99	4.0%
154927 SMIRNOFF AND DIET COLA 250ML	Vodka Mixers	£ 2.99	5.0%
708449 SMIRNOFF OCEAN CRAN 250ML	Vodka Mixers	£ 2.99	5.0%
3194812 SXOLLIE GOLD DEL APPLE CIDER 330ML CAN	Cider	£ 2.99	
3106433 THREE FOLD SELTZER RED BER 330ML	Hard Seltzers	£ 2.99	4.0%
3106457 THREE FOLD TROPICAL 330ML	Hard Seltzers	£ 2.99	4.0%
3194959 TINY REBEL CLWB TROPICA IPA 330ML	Craft Beer	£ 2.99	5.5%
3194973 TINY REBEL ELCTRC BOOGALO LILNEIPA 330ML	Craft Beer	£ 2.99	5.5%
3094303 WHITE CLAW HARD SELZR LIME 330ML	Hard Seltzers	£ 2.99	4.5%
2278513 BUDWEISER 568ML	Beer	£ 2.79	4.8%
2640952 Budweiser Light 440ml	Beer	£ 2.79	4.8%
126942 CARLING 500ML	Beer	£ 2.79	
126955 CARLSBERG LAGER 500ML	Beer	£ 2.79	
1980417 FOSTERS 440ML	Beer	£ 2.79	5.0%
160672 RED STRIPE 440ML	Beer	£ 2.79	
2435954 STELLA ARTOIS 568ML	Beer	£ 2.79	4.6%
126964 STRONGBOW CIDER 440ML	Cider	£ 2.79	
2435961 STRONGBOW DARK FRUIT 440ml	Cider	£ 2.79	
3194997 BIG DROP PARADISO CITRA IPA 0.5PCT 330ML	Alcohol Free	£ 2.49	0.0%
2435985 Corona Extra 330ml	Beer	£ 2.49	
3186688 DAYS LAGER CAN 330ML	Alcohol Free	£ 2.49	0.0%
3186695 DAYS PALE ALE CAN 330 ML	Alcohol Free	£ 2.49	0.0%
2278605 ESTRELLA DAMM 330ML	Beer	£ 2.49	
160668 HEINEKEN 330ML	Beer	£ 2.49	
126959 PERONI NASTRO AZZURRO NRB 330ML	Beer	£ 2.49	
2729497 PUNK AF 330ML	Alcohol Free	£ 2.49	0.5%
2554075 SAN MIGUEL 330ML	Beer	£ 2.49	
2640761 Sol 330ml	Beer	£ 2.49	
2278506 BREWDOG DEAD PONY 330ML	Craft Beer	£ 2.00	3.8%
2392684 SBS RASPBERRY MOJITO 250ML	Other Mixers	£ 2.00	4.0%
2236568 HEINEKEN 0.0 330ML	Alcohol Free	£ 1.69	0.0%
3092552 WHITE CLAW HARD SELZR BLACK CHERRY 330ML	Hard Seltzers	£ -	4.5%



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

Rev. No	Date	Revision

Business
WHSMITH TRAVEL

Site Address
Wimbledon Rail

Drawing Title
Area for provision of licensable activities

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

Drawn by	Date	Checked by	Approved by
AB	01.12.2022		

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

WHSmith PLC
 Travel Store Planning
 Victoria House, 4th Floor
 37-43 Southampton Row
 Bloomsbury Square
 London
 WC1B 4DA

WH Smith

**Station Approach
Wimbledon
SW19 7NL**

Proposed Opening Hours and Operating Schedule

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

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

Operating Schedule

CCTV

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

8. The CCTV system will be capable of downloading images to a recognisable viewable format.
9. Notices shall be prominently displayed advising customers that CCTV is in operation

Alcohol Display

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

WHS 4 – Proposed Operating Schedule

Age Verification

18. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as
 - (a) a driving licence,
 - (b) passport or
 - (c) proof of age card with the PASS Hologram
19. Prominent notices will be displayed at points of sale advising customers that they may be asked to provide evidence of age.
20. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale

Incident Log

21. An incident register/log shall be used, maintained and kept on the premises to record any incident which has an impact on any of the four licensing objectives, or instances when authorised officers from the Council, the Police or the British Transport Police have attended the premises.
22. If the record is in written form, then it should be documented in a bound book similar to an A4 day by day diary and marked refusals.
23. If the record is in written form, it should be documented in a bound book similar to an A4 day to day diary and marked "Refusals"
24. The book/register shall contain details of
 - (a) All crimes relating to the premises
 - (b) The ejection of persons
 - (c) Any complaints received
 - (d) Any incidents of disorder
 - (e) Any faults with CCTV system
 - (f) Any visit by a responsible authority or emergency service

WHS 4 – Proposed Operating Schedule

Refusals Log

25. A record, in either electronic or paper form, shall be kept detailing all refused sales of alcohol. The record should include:
- (a) the date and time of the refused sale and the name of the member of staff who refused the sale
 - (b) The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open

Training

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

WHS 4 – Proposed Operating Schedule

General

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

Ewen Macgregor

From: Ewen Macgregor
Sent: 13 February 2023 16:30
To: Councillor Susie Hicks
Cc: David Ryan
Subject: Application No: WK202292275 - WH SMITH, STATION APPROACH, WIMBLEDON, LONDON, SW19 7NL.
Attachments: WHSmithWimbledonRevisedOS01022023docx-V1.docx
SOL-ITEM-ID: 2460001:8880522:082964/003427:

Good afternoon Cllr Wicks

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

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

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

WHS

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

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

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

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

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

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

WHS Wimbledon

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

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

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

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

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

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

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

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

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

Next steps

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

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

I look forward to hearing from you.

With best wishes

Ewen Macgregor
Partner
For TLT LLP
D: +44 333 006 1251

Ewen Macgregor

From: Ewen Macgregor
Sent: 14 February 2023 12:56
To: 'WEHRA Chair'
Cc: David Ryan
Subject: Application No: WK202292275 - WH SMITH, STATION APPROACH, WIMBLEDON, LONDON, SW19 7NL.
Attachments: WHSmithWimbledonRevisedOS01022023docx-V1.docx
SOL-ITEM-ID: 2460001:8921521:082964/003427:

Good afternoon Lynne

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

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

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

WHS

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

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

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

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

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

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

WHS Wimbledon

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

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

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

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

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

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

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

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

Wimbledon Town Centre CIA

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

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

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

Children

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

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

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

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

18. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as
 - (a) a driving licence,
 - (b) passport or
 - (c) proof of age card with the PASS Hologram
19. Prominent notices will be displayed at points of sale advising customers that they may be asked to provide evidence of age.
20. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale

Street Drinking

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

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

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

WHS has also agreed conditions with the police that

31. The premises licence holder will display prominent notices on the premises reminding customers of any Public Spaces Protection Order in force preventing alcohol being consumed in an anti-social manner.
33. The premises licence holder shall ensure that any persons highlighted by the Police as a 'street drinker' and is barred from the premises, shall not be sold alcohol.

Staffing levels

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

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

Next steps

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

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

I look forward to hearing from you.

With best wishes

Ewen Macgregor
Partner
For TLT LLP
D: +44 333 006 1251
M: +44 7718 099664
[LinkedIn](#) [Twitter](#)
www.tlt.com

The Home Office is consulting on extending the impact of the Late Night Levy to include Late Night Refreshment Premises

A copy of the consultation document can be found [here](#)

Responses to the consultation are due by 3 April 2023

From: WEHRA Chair
Sent: 28 February 2023 19:50
To: Richard Seedhouse
Subject: Application No: WK202292275

Dear Richard

Please find attached the PDF WEHRA's latest submission on the above Licencing Application.

I also enclose:

- WEHRA's email response to Ewen Macgregor which is referred to in his latest draft but not reproduced.
- WEHRA's original submission
- WEHRA's map of the existing alcohol outlets around Wimbledon station.

Please shout if you require anything further.

Regards

Lynne Gordon
WEHRA, Chair

WEHRA Chair

Feb 19, 2023, 12:29 AM (9
days ago)

to Ewen

Dear Mr Macgregor,

Thank you for your email of 14 February, WHERA notes that you are instructed by WH Smith (**WHS**).

Whilst WEHRA does not doubt that WHS conducts its retail operations responsibly, the application is for a premises licence. Thus, WEHRA does not consider your references to the individual commercial characteristics of the operator and other outlets to be relevant.

We note that your clients now propose variations to the application, to include what you term as 'conditions' that your clients would agree if a licence were granted, along with amended times for alcohol off sales.

You tell us that the amendments have been discussed with and agreed by the police.

However, the determination of whether a licence should be granted and if so, what conditions to be applied, is a decision for the licensing [sub-]committee and the Council have adopted a Special Policy that applies to Wimbledon Town Centre and published its 'Pool Conditions for Licensed Premises'.

WEHRA considers that the licensing [sub-]committee should hear the views of local residents impacted by this application.

Regards

Lynne Gordon

WEHRA, Chair

----- Forwarded message -----

Date: Mon, Feb 6, 2023 at 4:49 PM

Subject: Application No: WK202292275

To:

Dear Sir/Madam,

Application No: WK202292275

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

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

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

THE APPLICATION:

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

THE LOCATION:

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

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

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

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

WIMBLEDON TOWN CENTRE CUMULATIVE IMPACT ZONE:

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

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

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

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

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

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

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

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

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

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

THE WEHRA VIEW:

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

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

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

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

Please let us know the date of any licensing hearing.

Yours faithfully,

Lynne Gordon
WEHRA, Chair

SAINSBURY'S LICENSING HOURS
00.00am - 00.00pm
Mon to Sun
(i.e 24 hours permitted)

PUBLIC SPACE WITH SEATING AREAS

WH SMITH APPLICATION HOURS
06.00am - 21.00pm Mon to Fri
08.00 am - 21.00pm Sat & Sun

KRYSTAL LICENSING HOURS
08.00am - 23.00pm
Mon to Sun

WAITROSE LICENSING HOURS
07.00am - 23.00pm
Mon to Sun

TESCO LICENSING HOURS
06.00 - 00.00pm
Mon to Sun

RETAIL 24 LICENSING HOURS
06.00am - 01.00am
Mon to Sun

MORRISONS LICENSING HOURS
06.00am - 23.00pm
Mon to Sun



In the Matter of an Application by WH Smith Travel Holdings Limited

For the Grant of a Premises Licence under the Licensing Act 2003

Premises known as WH Smith Station Approach Wimbledon SW19 7NL

RESPONSE OF WEHRA TO SUBMISSIONS ON BEHALF OF THE APPLICANT

1. These comments are made by Wimbledon East Hillside Residents Association (**WEHRA**), in response to written submissions dated 24 February 2023, made to the Licensing Sub-Committee (**subcommittee**) on behalf of the applicant WH Smith Travel Holdings Limited (**WHS**), relating to an application for a Premises Licence, for the premises known as WH Smith Station Approach Wimbledon SW19 7NL (the **Premises**).
2. For ease, WEHRA's comments will follow the same order as the submissions made by WHS.

The Applicant

3. The submissions refer in paragraphs 3 to 16, to the identity of the applicant, its operational/trading style, and existing outlets at train stations, that the applicant states have a premises licence to sell alcohol.
4. WEHRA is not challenging the reputation of WHS, nor that it is a responsible retailer – see WEHRA's email of representation dated 6 February 2023.
5. WEHRA's view is that commercial considerations concerning the identity of the operator is not a determinant as to whether the licence ought to be granted.
6. The application concerns a premises licence, and WHS may not always be the lessee of the Premises.
7. WHS refer in paragraphs 6 and 7 of the submissions, to other outlets, which they state have premises licences. It is noted that all the outlets referenced are major main line stations, other than Twickenham, which presumably caters to passengers attending sporting events at the stadium.
8. WEHRA does not consider the reference to other outlets to be of any relevance to this application, as the pertinent issues are specific to the location in which the Premises are situate.

9. The same comment applies to the statements relating to the absence of 'regulatory' enforcement, or licence review, in paragraph 9 of the submissions.
10. In paragraph 15 of the submissions, the applicant refers to use of Solo Protect as an additional security measure. This is apparently a system to protect lone workers, indicating the presence of lone workers in the shop.

The Application

11. WEHRA has no comments on the application, save as mentioned elsewhere in this response, and/or in the email of representations dated 6 February 2023.
12. The application dated 10 January 2023 is stated to be made on behalf of WH Smith Retail Holdings Limited, whereas in the submissions dated 24 February 2023, the applicant is stated to be WH Smith Travel Holdings Limited. Which is it?

The Application Site

13. In paragraph 20 of the submissions, the applicant states that the Premises sit within Wimbledon Train Station. In fact, the shop is outside the station, in a group of shops that front an open public area, which has seating including immediately outside the Premises.
14. The area (known as Station Approach) is one of two main accesses into the station and frequented by the public, including children attending several local schools within walking distance of the station, at the beginning and end of the school day.
15. WEHRA notes from paragraph 24 of the submissions, that the applicant proposes an amendment to the application, to alter the proposed commencement time for the sale of alcohol, from 0600 to 0700 on Monday to Saturday, with Sundays changing from 0800 to 0900.

CIA

16. The Premises are situated within the Wimbledon Town Centre Cumulative Impact Zone, to which the Council has applied a Special Policy (effective from 6 January 2021).
17. Paragraph 4.3 of the Special Policy makes it clear that it applies to all types of licences under the Licensing Act 2003, including premises licences for *'the sale by retail of alcohol'*.
18. In paragraph 27 of the submissions, the applicant states: *'It is worthy of note that the Council has also identified a further CIA in Mitcham Town Centre. This specifically identifies, and is targeted at, all applications for new off licences in a way that the Wimbledon CIA does not (and which specifically references on licenced premises).'*

19. WEHRA believes this is an incorrect view. The Special Policy expressly states in paragraph 9.2, that it applies to **all licence types within Wimbledon Town Centre**, whereas in Mitcham Town Centre, the policy only relates to 'premises selling alcohol for consumption off the premises'.
20. The applicant refers in paragraph 29 of the submissions, to outlets it operates in other areas of the country, where it says a CIA applies. WEHRA does not believe this to be relevant to this application.
21. The decision whether to apply the Special Policy, is solely one for the licensing subcommittee. It follows that the statements in paragraphs 30 to 32 of the submissions are not a determining factor.
22. The applicant has not produced any evidence as suggested in paragraph 32 of the submissions, as to cumulative impact, as this refers to the concentration of existing premises licences within an area.
23. A map showing existing premises licences for alcohol off sales only, was attached to WEHRA's email of representations dated 6 February 2023. This shows only the retail premises. There are also other licenced premises in the vicinity, where alcohol off sales is permitted (e.g., restaurants, pubs and take away premises).

Operating Schedule

24. WEHRA does not propose to comment on the conditions that the applicant indicates would be acceptable, were the licence granted, noting that the Council has issued Pool Conditions For Licensed Premises.

The Responsible Authorities

25. The applicant has sought to rely in its written submissions, on the fact that the police/ 'responsible authorities' have not made any representations and that therefore the subcommittee should grant the application. However, the Special Policy makes it clear in paragraph 4.5, that *'any person or body... is entitled to make representations to the licensing committee in relation to applications for the grant of a premises licence and that appropriate weight will be given to them'*.

Representations

26. The applicant states in paragraph 47 of the submissions, that: *'WHS has sought to address the specific concerns raised by the association'*. Unfortunately, the submissions do not do so.

Summary

27. In paragraph 49 of the submissions, the applicant proffers the view that: *‘There is only one question of significance here – will this application, by the applicant at these premises, be likely to undermine the licensing objectives?’*
28. WEHRA believes that the subcommittee must consider the applicability of the Special Policy where the Premises is situated and then if departing from it, to have regard to the licensing objectives.
29. The applicant refers in paragraph 53 of the submissions, to ‘evidence’ presented to the subcommittee. Several matters mentioned are not ‘evidence’, rather statements by, and opinions of, the applicant. It also includes a number that concern the individual characteristics/identity of the applicant, whereas this is a Premises Licence application.
30. If following the hearing on 2 March 2023, the subcommittee determines to depart from Special Policy, WEHRA requests that written reasons for its decision are circulated.

Lynne Gordon
Chair, WEHRA

28 February 2023

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