

WANDSWORTH BOROUGH COUNCILLICENSING SUB-COMMITTEE – 19TH MAY 2025

Report by the Executive Director of Environment and Community Services as Chief Licensing Officer on an application under the Licensing Act 2003 for the VARIATION to a Premises Licence in respect of the premises known as Shell Little Waitrose, 237-239 Roehampton Lane, London, SW15 4LB. (Roehampton).

DETAILS OF APPLICATION

- - a) Applicant Shell Oil Products Limited
Shell Centre
York Road
London
SE1 7NA
 - b) Premises Shell Little Waitrose
237 – 239 Roehampton Lane
London
SW15 4LB
 - c) Application for Variation of Premises Licence (copy of which has been provided to the Sub-Committee).
 - d) Proposed variation
 - i) To allow changes to the internal layout.
 - ii) To extend the hours for the sale of alcohol for consumption off the premises to 24 hours
 - iii) To replace all conditions under Annex2 with new premises licence conditions
 - e) Proposed hours of all named licensable activities The proposed hours of operation are laid out in **APPENDIX B**
 - f) Other proposed hours None
 - g) Location A map showing the location of the premises is included in the papers provided to the Sub-Committee.

VARIATION APPLICATION

- The premises hold a Premises Licence for the sale of alcohol for consumption off the premises, and the provision of late night refreshment. A copy of the current licence is included in the papers provided to the Sub-Committee.
- The applicant applied to vary the Licence:
 - a) To update the internal layout plan attached to the premises licence.
 - b) To extend the hours for the sale of alcohol for consumption off the premises to 24 hours a day Monday to Sunday (7 days a week).
 - c) Remove all conditions under Annex 2 and replace them with up to date conditions consistent with the new premises licence holders operating policies.
- The existing and the amended proposed hours are laid out in **APPENDIX B**

CONSULTATION.

- The responsible authorities have been notified of the application. The applicant has advertised the application, as required, by way of a poster in the window and by advert in a local newspaper. The application has also been advertised on the Councils website. The Council in its capacity as Licensing Authority (referred to in the remainder of this report as the Council) can only consider representations if they relate to the promotion of the licensing objectives. The following relevant representations have been received:-
- Responsible Authorities
 - a) Police - The Metropolitan Police have raised concerns that the increased hours of operation at the premises will lead to an increase in crime and disorder. Although the operating schedule lists a number of proposals to address this, the police have requested further clarification in terms of CCTV and alcohol delivery.
 - i) There will be two members of staff on duty between the hours of 23.00 and 05.00 each day, otherwise all services will take place through the night hatch between 23.00 hours - 05:00 hours daily.
 - ii) The premises licence holder will require any third-party delivery partner delivering on behalf of the premises licence holder to comply with all legal requirements pertaining to the retail sale of alcohol, and in particular to operate a Challenge 25 age verification policy.

This representation relates to the prevention of crime & disorder licensing objective.

Following further consultation the applicant has addressed the concerns by making amendments to their operating schedule. These amendments are reflected in the conditions shown in **APPENDIX A** of this report. In light of these amendments the representations made by the Metropolitan Police has been satisfied. These amendments do not affect the representations made by other persons.

- Other persons – There have been 5 representations made by other persons and a collective of Councillors and an MP who have made a joint representation. They are

(Paper No. 25-151)

concerned about public nuisance and incidents of crime and disorder and increased street drinking. No suggested conditions have been submitted and they wish to object to the extension of hours entirely.

This representation relates to the public nuisance licensing objectives.

- Copies of all representations have been forwarded to the applicant and have been made available to the Sub-Committee.

POINTS OF CLARIFICATION

- The Licensing Act 2003 (Hearings) Regulations 2005 requires that a notice of hearing be sent to the applicant and responsible authorities and other persons who have made relevant representations. This must contain, amongst other matters, the points on which the Council considers that it will want clarification at the hearing. No points of clarification have been sought in respect of this application.

POLICY CONSIDERATIONS

- Licensing Objectives – The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following licensing objectives:-
 - a) the prevention of crime and disorder;
 - b) public safety;
 - c) the prevention of public nuisance; and
 - d) the protection of children from harm.
- Policy Statement – The Licensing Act 2003 requires the Council to publish a “Statement of Licensing Policy” that sets out the policies that the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

The Council made a number of policy decisions in its Statement of Licensing Policy. The following policy decisions are relevant to this application:-

- a) Part 2 Section 9, paragraph 9.5 - Licensing hours;
- b) Part 2 Section 14, paragraph 14.1 and Annex A Mandatory conditions
- c) Part 2 Section 19 - Crime and Disorder;
- d) Part 2 Section 20 - Public Safety;
- e) Part 2 Section 21 - Public Nuisance;
- f) Part 2 Section 22 - Protection of Children From Harm

Statutory Guidance – In exercising its licensing functions the Council must have regard to the Government’s Statutory Guidance. The following sections are relevant to this application:-

- a) Chapter 1 paragraphs 1.2 – 1.5, 1.9 – 1.10, 1.16, 1.17, 1.18, 1.19;
- b) Chapter 2 paragraphs 2.1 – 2.7 Crime and Disorder;
- c) Chapter 2 paragraphs 2.8 – 2.20 Public Safety;
- d) Chapter 2 paragraphs 2.21 – 2.27 Public Nuisance;
- e) Chapter 2 paragraphs 2.28 – 2.38 Protection of Children from Harm;
- f) Chapter 10 – conditions attached to premises licences and club premises certificates and in particular paragraphs, 10.13 – 10.14 (hours of trading) (*plus*

10.15 if shop, store or supermarket application); and 10.25 – 10.66 mandatory conditions.

- Copies of the Council's Statement of Licensing Policy and the Government's Statutory Guidance will be available at the Sub-Committee meeting.

COMMENTS

- In making their decision in respect of the application, the Sub-Committee must have regard to Statutory Guidance and the Council's own Statement of Licensing Policy as well as to the representations made and the evidence heard. However, the Sub-Committee must disregard any representations that do not relate to the promotion of the licensing objectives.
- The Sub-Committee must take such of the following steps as they consider appropriate for the promotion of the licensing objectives as set out above:-
 - a) Grant the application as requested; or
 - b) Modify the conditions of the licence (alter or omit condition or add new); or
 - c) Reject the whole or part of the application.
- The Sub-Committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because they consider it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

CONDITIONS

- **Mandatory Conditions.** If granted, the licence would be subject to the mandatory conditions laid down in the Licensing Act 2003, (this information will be available at the Licensing Sub-Committee meeting).
- **Conditions arising from applicants Operating Schedule.** The applicant wishes to remove the conditions attached to current licence and replace with new updated conditions tailored to the business. The applicant is proposing additional conditions which are appropriate for the promotion of the licensing objectives which will become conditions if the application is granted and are shown in **APPENDIX A**. A copy of the current licence is included in the papers provided to the Sub-Committee.
- The Sub-Committee must, having regard to the representations made, modify these conditions if it considers that such a step is appropriate for the promotion of the licensing objectives.
- **Suggested conditions arising from relevant representations.** In addition to the operating schedule conditions, the Sub-Committee must, having regard to the representations made, add further conditions, if it considers that such a step is appropriate for the promotion of the licensing objectives.

Town Hall
Wandsworth High Street
London SW18 2PU

Paul Chadwick Executive Director of
Environment and Community Services

8th May 2025

APPENDIX A**Conditions arising from applicants Operating Schedule**CCTV

1. The CCTV system installed at the premises shall be maintained in effective working order and shall be in operation at all times the premises is open to the public.
2. All recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities within 24 hours of the request being made.

Staff training

3. Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

Incident log

4. An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

Restriction on licence

5. Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.
6. The Premises Licence holder shall be permitted to display bulk stacks, wine towers and chilled promotional offerings throughout the store that may not necessarily be shown on the plan. The locations may be subject to change but will be contained within the red lined licensable area shown on the plan attached to the Premises Licence. The display of bulk stacks will not be located where they may impact on the ability of customers to use exits or escape routes without impediment.

Delivery

7. The premises licence holder will require any third-party delivery partner delivering on behalf of the premises licence holder to comply with all legal requirements pertaining to the retail sale of alcohol, and in particular to operate a Challenge 25 age verification policy.
8. The premises licence holder will require all third-party delivery partners not to deliver alcohol to schools, parks or playgrounds.

Staffing

9. There will be two members of staff on duty between the hours of 23.00 and 05.00 each day, all services will take place through the night hatch between 23.00 hours - 05:00 hours daily.
10. Notices shall be placed at all points of sale detailing the restrictions on sales of alcohol to children.

Waitrose

Challenge 25

11. A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.
12. Notices shall be placed at all points of sale detailing the restrictions on sales of alcohol to children.
13. A record of refusals shall be maintained which documents every instance that a sale of alcohol (and any other age-restricted product) is refused on the premises, indicating the date and time the refusal was made, and the member of staff making the refusal.
14. An effective visual (and/or aural) reminder shall be in place at all points of sale to ensure staff undertake appropriate age checks on potential sales of alcohol (and any other age-restricted product).

APPENDIX B

Shell Little Waitrose, 237-239 Roehampton Lane, London, SW15 4LB.						
	CURRENT LICENCE			PROPOSED VARIATION		
Day	Sale of alcohol (off sales)	Provision of Late-Night Refreshment	OPENING HOURS	Sale of Alcohol (off Sales)	Provision of Late-Night Refreshment	OPENING HOURS
Sunday	06.00-00.00	23.00-05.00	No restriction	00.00-00.00	23.00-05.00	No restriction
Monday	06.00-00.00	23.00-05.00	No restriction	00.00-00.00	23.00-05.00	No restriction
Tuesday	06.00-00.00	23.00-05.00	No restriction	00.00-00.00	23.00-05.00	No restriction
Wednesday	06.00-00.00	23.00-05.00	No restriction	00.00-00.00	23.00-05.00	No restriction
Thursday	06.00-00.00	23.00-05.00	No restriction	00.00-00.00	23.00-05.00	No restriction
Friday	06.00-02.00	23.00-05.00	No restriction	00.00-00.00	23.00-05.00	No restriction
Saturday	06.00-02.00	23.00-05.00	No restriction	00.00-00.00	23.00-05.00	No restriction