# **Consultation on the Proposed Revision to the Council’s Statement of Licensing Policy – deliveries of alcohol and/or late-night refreshment to customers at home or their workplace and the provision of licensable activities in shops.**

The Council intends to revise its Statement of Licensing Policy (SLP) under section 5 of the Licensing Act 2003. The proposed revisions are limited to the implementation of new policies associated with the delivery of alcohol and/or late-night refreshment to customers at home or at work and the provision of licensable activities within shops.

The Council is keen to receive views and comments on the proposed revisions. The consultation period for responses will run for 6 weeks starting on Monday 14th June and ending on Sunday 25th July 2021. Responses, using this form can be submitted via email to licensingconsultation@westminster.gov.uk. An online submission form is also available via the Council’s dedicated webpage for this consultation, [www.westminster.gov.uk/licensing-consultation](http://www.westminster.gov.uk/licensing-consultation).

In responding to this consultation, we would like you to provide responses to the following questions on this form and return it to us via the email address above by the 25th July 2021.

If there are any questions about this consultation or your wish to arrange a virtual meeting with a member of the Policy Team to discuss it please email licensingconsultation@westminster.gov.uk.

## **Section 1 – About You**

This section provides details about you or the organisation you are making a response on behalf of. The information provided here will be used to identify whether you are a resident, responsible authority[[1]](#footnote-2), stakeholder or other interested party. The contact information will be used to enable us to contact you if we have any questions or wish to discuss your response with you. You advise us whether you are happy for us to contact you or not once you have made your submission.

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| Q.1 | Name: |
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| Q.2 | Job Title (if applicable): |
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| Q.3 | Name of the organisation you are making a response on behalf of (if applicable): |
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| Q.4 | Please tick the box that best describes you or the organisation you are representing: |
|  |  | *Please tick or mark with a X* |
|  | Resident: |  |
|  | Resident Association or Amenity Society: |  |
|  | Neighbourhood Forum: |  |
|  | Ward Councillor: |  |
|  | Responsible Authority: |  |
|  | Licensed Business: |  |
|  | Licensing Solicitor or Consultant: |  |
|  | Non-Licensed Business: |  |
|  | Business Improvement District: |  |
|  | Landowner: |  |
|  | Other (if none of the above best describe you or your organisation please provide a brief description below): |

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| Q.5 | Contact Email address: |
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| Q.6 | Contact telephone number: |
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| Q.7 | Contact address: |
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| Q.8 | If you do not want to be contacted following the submission of your response |
|  | *please tick or mark with a X the relevant box.* |
|  | I am happy to be contacted via the contact details above |  | I do not wish to be contacted following my submission |  |

## **Section 2 - New Policies**

The following section relates to the proposed new policies that are intended to be incorporated into the Council’s revised Statement of Licensing Policy. These new policies relate to the ancillary delivery of alcohol and/or late-night refreshment to customers, the provision of licensable activities in shops, and the provision of licensable activities in delivery centres.

### **New Policy - Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1**

Q.9 Do you agree with the general policy approach for ancillary deliveries of alcohol and/or late-night refreshment?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.10 Do you agree that the criteria in Clause A of this policy cover all of the considerations necessary for an application that includes a delivery service?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.11 If an application does not meet Clause A, the application will be considered on its own merits, subject to other policies within this statement and a number of considerations. Do you believe the considerations listed in Clause B are sufficient to assist in the determination of such applications?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.12 Do you have a view on the definition in Clause C of ‘a predominately residential area’?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.13 Is there anything that has not been included or something that needs further clarification in Policy DEL1, or the reasons for this policy, that you think should be included?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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### **New Policy – Shop Policy SHP1**

Q.14 Are you supportive of the inclusion of a new policy for the provision of licensable activities in Shops?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.15 Do you agree that the general policy approach in Clause A should be to grant applications outside the West End Cumulative Impact Zone, subject to:

* the application meeting other policies within the Statement,
* the application is within Core Hours,
* meeting the definition of a shop as set out in Clause C, and,
* if the premises are located within a Special Consideration Zone, the applicant taking account of the relevant Special Consideration Zone policy?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.16 Do you agree that the general policy approach set out in Clause B should be to grant applications within the Cumulative Impact Zone, subject to:

* the application meeting other policies within the Statement,
* the application is within Core Hours,
* meeting the definition of a shop as set out in Clause C, and,
* the applicant demonstrating that they will not add to cumulative impact?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.17 Is the definition of a shop in Clause C sufficiently detailed to identify which premises will be considered under this policy?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.18 Is there anything that has not been included or something that requires further clarification in Policy SHP1, or the reasons for this policy, that you think should be included?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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### **New Policy – Delivery Centre Policy DC1**

Q.19 Do you agree with the inclusion of a new policy for delivery centres providing the delivery of goods (either on their own or with other non-licensable products) as their main activity?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.20 Do you agree that the general policy approach in Clause A should be to grant applications outside the West End Cumulative Impact Zone subject to:

* the application meeting other policies within the Statement,
* the application is within Core Hours,
* meeting the definition of a delivery centre as set out in Clause C,
* if the premises are located within a Special Consideration Zone, the applicant taking account of the relevant Special Consideration Zone policy, and,
* the premises not being located in a predominantly residential area?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.21 Do you agree that the general policy approach set out in Clause B should be to grant applications within the Cumulative Impact Zone subject to:

* the application meeting other policies within the Statement,
* the application being within Core Hours,
* meeting the definition of a delivery centre as set out in Clause C,
* the applicant demonstrating that they will not add to cumulative impact, and
* the premises not being located in a predominantly residential area?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.22 Is the definition of a delivery centre in Clause C sufficiently detailed to identify what premises will be considered under this policy?

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| --- | --- | --- | --- | --- | --- |
| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.23 Do you have a view on the definition in Clause D of ‘a predominately residential area’?

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| --- | --- | --- | --- | --- | --- |
| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.24 Is there anything that has not been included or something that needs further clarification in Policy DC1, or the reasons for this policy, that you think should be included?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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## **Section 2 – Amendments to Other Policies**

The following section relates to proposed amendments to other policies within the Councils Statement of Licensing Policy to enable the implementation of the new policies referred to above.

### **Deletion of the Off Sales of Alcohol Policy OS1**

Q.25 Do you agree with the proposal to delete the Off Sales of Alcohol Policy OS1?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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### **Amendment to the Core Hours Policy HRS1**

Q.26 Do you have a view on the proposed amendment to remove the Core Hours for the deleted Off Sales of Alcohol Policy OS1?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.27 Do you have a view on the proposed new Core Hours for all licensable activities except the off sales of alcohol in shops?

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| --- | --- | --- | --- | --- | --- |
| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.28 Do you have a view on the Core Hours for the off-sale of alcohol in shops?

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| --- | --- | --- | --- | --- | --- |
| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.29 Do you have a view on the proposed new Core Hours for Delivery Centres?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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### **Amendment to Fast Food Premises Policy FFP1**

Q.30 Do you have any views on the proposed amendment to the Fast Food Premises Policy FFP1, to include a new sub clause in Clause A and B ensuring that the new Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL 1 is considered along with other policies within this statement?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.31 Do you have any views on the proposed amendment to the Fast Food Premises Policy FFP1, to include a new sub clause in the definition of a Fast Food Premises within Clause D, clarifying that delivery services can be provided if they are ancillary to the main function of that premises?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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### **Amendment to the Restaurant Policy RNT1**

Q.32 Do you have any views on the proposed amendment to the Restaurant Policy RNT1, to include a new sub clause in Clause A and B, ensuring that the new Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL 1 is considered along with other policies within this statement?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Q.33 Do you have any views on the proposal to amend sub-clause 3 of Clause D, of the restaurant definition, clarifying that takeaway food and drink for immediate consumption can be provided via an ancillary delivery service to customers at their home or workplace?

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| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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### **Other Minor Amendments to the Other Premises Use Policies**

Q.34 Do you have any views on the proposed insertion of a new sub-clause into the remaining premises use policies, so that the Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1 is considered if a premises intends to provide a delivery service to customers?

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| --- | --- | --- | --- | --- | --- |
| Yes: |  | No: |  | No response: |  |
| *Mark the relevant box with a tick or a X* |

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| Please provide your reasons for your answer below: |
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Thank you for taking the time to complete this form with your views on the proposed revision to the Councils Statement of Licensing Policy. Your views are important in ensuring that our proposals will ensure that the Council, as Licensing Authority continues to undertake its duty to promote the licensing objectives under the Licensing Act 2003.

The Council will review all of the responses that are received and make any changes to the proposals that it feels is appropriate. As mentioned at the beginning the Council may wish to contact you relating to your response to clarify some of the points you have made or discuss your response in greater detail.

1. A responsible authority is an authority that is listed within section 13(4) of the Licensing Act 2003. [↑](#footnote-ref-2)