



Hertsmere Borough Council Premises Licence Summary

Premises Licence No.

LIQ/414

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**Marks & Spencer Simply Foods, Unit 1B Borehamwood Shopping Park
Borehamwood Hertfordshire WD6 4PR**

Telephone number

Date of Commencement of licence

15 November 2007

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Sunday

00:00 – 00:00

Non Standard timings and Seasonal Variations.**The opening hours of the premises**

Monday to Sunday 00:00 to 00:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

OFF

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Marks And Spencer Simply Foods Limited Waterside House 35 North Wharf Road London W2 1NW

Registered number of holder, for example company number, charity number (where applicable)

04739922

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Name: Henok Michael
Licence No: 133314
Issuing Authority: London Borough Of Brent

State whether access to the premises by children is restricted or prohibited

Annex 1 – Mandatory Conditions

Mandatory conditions applied by Section 19 and Section 19A of the Licensing Act 2003.

Section 19 of the Licensing Act 2003.

Where this licence authorises the supply of Alcohol

1. No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Section 20 of the Licensing Act 2003 - Films

1. Where [this] premises licence authorises the exhibition of films the admission of children to the exhibition of any film to be restricted in accordance with the following:
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c39) (authority to determine suitability of video works for classification)

Section 21 of the Licensing Act 2003 – Door Supervisors/ Security

1. Where [this] premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) Be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection 1. Requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising films or under a gaming licence, or
 - (ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act.
3. For the purposes of this section:
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act,
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Mandatory Conditions under The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

Age Verification Policy –

Where the premises licence authorises the sale and or supply of alcohol

1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

2. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Irresponsible drinks promotions

Where the premises licence authorise the sale and supply of alcohol for consumption on the premises

1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise).
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

Prohibition on a person dispensing alcohol directly into the mouth of another

3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

Requirement to provide free tap water

4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Permitted measurements of alcohol to be served

5. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

Permitted pricing for the sale of alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V)$$

where

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence
 - (i) the holder of the premises licence.
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule.

Prevention of crime and disorder

1. Digital CCTV shall be installed and maintained on a 24-hour basis. Cameras shall cover the sales area and "back of house". Data shall be retained for a period of 30 days and shall be available to the police for evidential purposes;
2. A risk assessment shall be carried out and uniformed security staff employed as necessary;
3. The building shall be alarmed and staff trained as to use of alarm call points within the store and mobile alarms;
4. In store security shall be linked to the town or shopping centre security system whenever such projects are established provided the licence holder is invited to participate;

Public Safety

5. All measures and procedures agreed with the licence holder's home authorities shall be implemented: Edinburgh city Council for Health & Safety and West Midlands Fire Authority for Fire Safety;
6. Provision shall be made for the disabled to ensure safe evacuation in the event of fire or other emergency and general access to the store;

Prevention of public nuisance

7. All measures agreed with the licence holder's Home Authority, City of Westminster, shall be implemented in relation to Trading Standards and Environmental Health;
8. All planning requirements shall be met and procedures established to prevent noise nuisance from deliveries and all plant and machinery;
9. Measures shall be in place to ensure the safe disposal of all waste and the licence holder's stores are registered under the environmental agency scheme;
10. The licence holder shall be a member of the Packaging Waste Compliance Scheme the fees for which go towards funding recycling;

Protection of Children from Harm

11. In relation to persons thought to be under the age of 18, I.D. must be required and if not provided or if there is any doubt about the I.D. then the service of alcohol must be refused. Staff shall be trained in the foregoing;
12. Till prompts shall be used to remind staff at point of sale of alcohol to ensure the purchaser is over the age of 18;
13. All displays of alcohol shall be appropriately ticketed to advise purchasers that it is an offence for those under the age of 18 to purchase alcohol;
14. Till points shall be monitored by the digital CCTV system;
15. The Challenge 21 scheme shall be operated at the premises;

Annex 3 - Conditions attached after hearing by the licensing authority.

