



# Licensing Sub-Committee Report

**Item No:**

1

**Title of Report:**

Getir UK  
Arch 196 Carlisle Lane  
London SE1 7LH

**Applicant:**

Getir UK Limited

**Application Type:**

Premises Licence (new application)

**Application Date:**

15th January 2021

**Ward:**

Bishops

**Premises Type:**

Online Delivery Service

**Policy Context:**

Lambeth Statement of Licensing Policy 2019 - 2024

**Report Author:**

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**Application Summary:**

This is an application for a Premises Licence (new application) to allow authorisation for the **Sale by Retail of Alcohol (Off the Premises)**

<b>Consultation Information:</b>			
Department(s) or Organisation(s)	Consulted (Y/N)	Date Response Received	Comments summarized in report (Y/N)
<b><u>Internal</u></b>			
Health & Safety Section	Y		
Noise Service	Y	12.02.21	Y
Social Services	Y		
Licensing Service	Y	09.02.21	Y
Planning	Y		
Trading Standards	Y		
<b><u>External</u></b>			
Fire Authority	Y		
Police Licensing Unit	Y	11.02.21	Y
Health Authority	Y		

<b>Policy implications:</b>
<p><b><u>Licensing Objectives (chapter 5, pages 9 to 15 of the policy &amp; Appendices 1-4, pages 41 to 45)</u></b></p> <p>The Licensing Objectives engaged by this application are:</p> <ul style="list-style-type: none"> <li>• Prevention of Public Nuisance,</li> <li>• Prevention of Crime and Disorder</li> <li>• Public Safety</li> </ul> <p><b><u>Hours of sale and location (Policy 8, pages 28 to 29 &amp; Appendix 5, pages 46 to 47)</u></b></p> <p>The premises are operated as a delivery service of groceries and convenience items including alcohol.</p> <p>Alcohol is proposed to be sold for consumption off the premises via an online platform and the area in which the premises are located is generally deemed to be residential in nature.</p> <p>The Policy recommends the earliest start time of 11:00 hours and 23:00 hours as terminal hour <b>on Monday to Sunday</b> for premises of this kind in a residential area.</p> <p>Note: The hours above are not absolute and are intended as a guide for applicants to consider when completing their operating schedules. Each application will be considered on its own merits. Applicants seeking hours later than those indicated in the Policy should provide detailed evidence as to why their application will not have a negative impact on the licensing objectives.</p>

## 1. Application:

1.1 This is an application for a premises licence (new application) under section 17 of the Licensing Act 2003

1.2 The application is seeking authorisation for:

**Sale by Retail of Alcohol (Off the premises)**

Monday - Sunday

08:00 - 00:00

1.3 It is proposed to open the premises (not to the public) on Monday to Sunday 00:00 - 00:00

1.4 The application originally sought authorisation for the sale of alcohol 24 hours per day, seven days per week. Following discussion between the applicant, the Police and Lambeth Public Protection the applicant has reduced the hours sought in respect of licensable activity as set out above.

A copy of the application is attached to this report as **Annex A**

A copy of the plan is attached to this report as **Annex B**

## 2. Representations:

2.1 Four representations were received against the application, which were from the Licensing Authority and three local residents.

2.2 The representations are based on the licensing objectives of prevention of public nuisance, prevention of crime and disorder and public safety. The objectors were of the view that the application if granted will lead to an increase in public nuisance, crime and disorder and endanger public safety in the area.

2.3 The Licensing Authority have proposed conditions to be attached to the premises licence, some of which have been agreed by the applicant. Discussion is still ongoing in respect of those conditions yet to be agreed.

2.4 The residents have been notified of the revised hours and the conditions that were proposed by the Licensing Authority.

2.5 Redacted copies of the representations were provided to the applicant and are attached to this report as **Annex C**. The last date for making representations was 12<sup>th</sup> February 2021.

## 3. Current Licence:

3.1 The premises are currently not licensed

## 4. Background History:

4.1 The premises are operated as a delivery service of groceries and convenience items via an

online platform known as Getir

- 4.2 The premises gave four Temporary Event Notices (TENs) over 20 days in 2021 for sale of alcohol for consumption off the premises. These were for 27<sup>th</sup> to 31<sup>st</sup> January, 2<sup>nd</sup> to 7<sup>th</sup> February, 11<sup>th</sup> to 14<sup>th</sup> February and 16<sup>th</sup> to 20<sup>th</sup> February.
- 4.3 The applicant originally sought 24 hours for the TENs on 27<sup>th</sup> to 31<sup>st</sup> January and 2<sup>nd</sup> to 7<sup>th</sup> February. The hours were subsequently reduced to 08:00 to 00:00 following an objection from the Police. The hours agreed with the Police for the TENs on 11<sup>th</sup> to 14<sup>th</sup> and 16<sup>th</sup> to 20<sup>th</sup> February were from 08:00 to 02:00 hours.
- 4.4 The Licensing Authority was notified of an allegation of unauthorised licensable activity on 11<sup>th</sup> February 2021, when it was alleged that alcohol was sold and delivered to a customer on 9<sup>th</sup> February after the hours permitted by the TEN. The correspondence in respect of the breach is attached to the report **as Annex D**
- 4.5 The applicants were informed of the alleged breach on 22<sup>nd</sup> February and the Licensing Authority is yet to receive a response from the applicant.

## 5. Observations:

- 5.1 The parts of the Statutory Guidance (April 2018) which are particularly relevant to this application and the representations received are Chapters:
- 2 – The Licensing Objectives;
  - 3 – Licensable Activities;
  - 8 – Applications for Premises Licences;
  - 9 – Determining Applications;
  - 10 – Conditions Attached to Premises Licences and Club Premises Certificates;
- 5.2 The parts of the Statement of Licensing Policy that are particularly relevant to this application and the representations are Sections:
- Chapter 5. The Licensing Objectives
  - Policy 1. Applications
  - Policy 8. Hours of sale and location
  - Appendix 1 – Crime & Disorder
  - Appendix 2 – Public Safety
  - Appendix 3 – Public Nuisance
  - Appendix 5 – Recommended hours
  - Appendix 6 – Types of premises

## 6. Conclusion:

- 6.1 Members are required to consider the application in light of all the relevant information, and if approval is given, may attach such conditions appropriate to promote the licensing objectives.

6.2 The options available to Members of the Licensing Sub Committee are;

- 1 – Grant the application as it currently stands.
- 2 – Grant the application subject to such conditions as the authority considers necessary for the promotion of the licensing objectives.
- 3 – Exclude from the scope of the licence any of the licensable activities to which the application relates.
- 4 - To refuse to specify the individual named in the applications as the DPS
- 5 – Reject the application.

**Appendices:**

Annex A – Application with supporting information  
Annex B – Plan  
Annex C – Representations  
Annex D – Alleged breach of Temporary Event Notice  
Annex E – Consolidated list of conditions

**Reference Documents:**

Local Government Act  
1972 – Access to  
information documents  
used in the preparation of  
this report

- 1 The Licensing Act 2003 (“the Act”)
- 2 Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) (“the Guidance”)
- 3 Lambeth Statement of Licensing Policy 2019 - 2024 (“the Policy”)