

Quick Commerce Unit B 1 - 5 Hinton Road SE24 0HJ 21/00145/PRMNEW

As a responsible authority under section 13(4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the following Licensing Objectives:

- Prevention of public nuisance
- Public safety
- Prevention of crime and disorder
- Protection of children from harm

The application seeks to permit:

Sale by Retail of Alcohol (Off the premises)

Monday - Sunday 00:00 – 23:59

Hours of opening

Monday - Sunday 00:00 – 23:59 (Not to the public)

Classification of Area within the policy

According to the current Licensing Policy, Appendix 5 page 54, the area in which the premises are located is deemed as a residential area.

The Licensing Authority also note the premises are not open to the public and will be used to stock convenience goods including alcohol for packaging and delivery to fulfill customer orders made online or via an app.

The Licensing Authority also believe it is reasonable to assume the premises will be delivering their alcoholic products to residential addresses. As such, this representation has regard to the premises being operational within residential areas and those hours deemed necessary for a residential area, as per the Licensing Policy should apply.

Proximity to residential accommodation is a general consideration with regard to the prevention of public nuisance. The Authority will treat each case on its individual merits, however, stricter conditions will generally be considered on premises licenses in areas that have denser levels of residential accommodation or residential accommodation in close proximity to them. According to the current Licensing Policy, Appendix 1 page 46, hours for which premises which provide off sales within a residential area are 11:00 to 23:00 hours Monday to Sunday.

Classification of Premises and Area within the policy

The premises are seeking sale of alcohol for consumption off the premises, but the premises are not likely to be associated with street drinking or be targeted by underage drinkers, as the premises are to be operated as delivery service of alcohol. The applicant has indicated there will be no customers allowed on the premises.

According to the current Licensing Policy, page 36, the Authority expects licence applications for delivery services that include the delivery of alcohol to take into account issues relating to reducing public nuisance related to delivery vehicles, ensuring the security of premises and delivery drivers, and protecting children by applying rigorous age checks at purchase point and at point of delivery.

These types of services are not provided for in the Licensing Act 2003 in any way differently from other licensed premises they do provide their own unique circumstances that need to be addressed. In particular the Authority has concerns with the potential for the following:

- Age verification at both purchase point and delivery point;
- The safety of delivery drivers at point of delivery;
- Safety of the premises from which orders are taken and sent out for delivery; and
- Possible public nuisance caused by delivery drivers collecting deliveries from the licensed premises.

The Authority is likely to place the following conditions on to a premises license for delivery services where it is appropriate and relevant to the individual license application:

- A standard age verification check shall be undertaken on entering the website.
- A signature at the point of delivery **must** be obtained from a person above the age of 18 with appropriate age verification identification. No delivery shall be left without a signature.
- Alcohol shall only be delivered to a residential or business address and may not be delivered to a public place.
- Every third-party courier delivery box shall be labelled with the words “Age Restricted Product”.
- Any delivery driver or third-party courier will be required to have appropriate age verification training, and in particular they will be required to have undergone training in refusal of supply where age verification is not provided, or the recipient is clearly intoxicated.
- A refusals log will be maintained for deliveries and available for inspection on request.
- Appropriate security will be in place at the premises as agreed with Police.
- Measures for minimising noise and disturbance caused by the dispatch of deliveries to be identified in the operating schedule.
- Website and all promotional material should be designed and set out in a way which is consistent with the responsible retail of alcohol.
- The Authority would expect operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk and, in such instances, alcohol should be refused, and that refusal recorded.

Conclusion

The premises are seeking sale of alcohol for consumption off the premises, but the premises are not likely to be associated with street drinking or be targeted by underage drinkers, as the premises are to be operated as delivery service of groceries & conveniences items including Alcohol. The applicant has indicated there will be no customers allowed on the premises.

The applicant has proposed conditions in their operating schedule, but the hours sought are beyond those recommended in the Licensing Policy and are likely to impact adversely on residents in the area when deliveries are made from the premises, especially during unsocial hours and in the early hours of the morning.

However, should the Committee be minded to grant the application, I will recommend the application is granted with the hours 08:00 - 23:00 and the conditions below are attached to the licence in addition to those proposed by the applicant.

The authority seeks the following conditions as appropriate to uphold the objectives. These

conditions are to replace those proposed by the applicant.

1. All alcohol sale orders shall be made via an online platform for delivery only and must be paid for by debit or credit card.
2. Each delivery containing alcohol shall be labelled with the words "Age Restricted Product".
3. Details of the order (including the type, amount of alcohol, name, and address of the customer) must be included with the order.
4. The details shall be shown on the printout receipt dispatched with the order. All delivery drivers and riders must allow any Police Constable or Local Authority Officer to inspect any alcohol or order details on request
5. All delivery orders shall be to a registered residential or business address. There shall be no deliveries to public/communal areas or open spaces.
6. A signature at the point of delivery must be obtained from a person above the age of 18 with appropriate age verification identification. No delivery shall be left without a signature. In the exceptional circumstances that a signature cannot be obtain, then the name and date of birth of the person receiving the delivery shall be obtained.
7. Drivers must be instructed to abort delivery where that sale is believed to be a "street sale". All such instances will be recorded in the refusals/incidents log.
8. Vehicles used for delivery should not be left idle outside the premises to ensure residents in the locality are not disturbed.
9. There shall be a dedicated area for delivery personnel to safely park their vehicle and collect the customer order.
10. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points must be covered enabling frontal identification of every person entering in a light condition. The CCTV system shall continually record whilst the premises are open. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer of Lambeth Council
11. A staff member from the premises who is conversant with the operation of the CCTV system must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested and within a maximum of 24 hours of the initial request
12. An incident log shall be kept at the premises and retained for a period of 12 months and made available on request to an authorised officer of Lambeth Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) All crimes reported to the premises
 - (b) Any complaints received, and the remedial actions taken
 - (c) Any visit by a relevant authority or emergency service
13. Website and all promotional materials should be designed and set out in a way which is consistent with the responsible retail of alcohol.

14. A Noise Management Policy shall be in place to ensure appropriate measures are in place to minimise noise and disturbance caused by the dispatch of deliveries and the deliveries themselves.
15. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the rider will carry out age verification on delivery. The customer will be required to declare that he or she aged 18 or over. If the rider is not satisfied that the customer is aged 18 or over any alcohol in the order will be withheld.
16. Between the hours of 1800 and 2300 riders will be permitted to collect orders and deliver on foot, by pedal bike, electric bike (or other electric vehicle) only.
17. Delivery of alcohol will be refused whereby the driver considers the person receiving the delivery to be under the influence of alcohol or drugs.
18. Details of customer orders shall be retained for a period of 6 months and will be made available on request to the police or an authorised officer.
19. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival
20. The company website/app will request confirmation of age on order booking, when an order for alcohol is made
21. An approved proof of age scheme shall be adopted, implemented and advertised on all websites and materials associated with the premises such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age.
22. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence, military identification card and passport.
23. A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are or appear(s) to be under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of the Council. The log shall be checked on a regular basis by the DPS to ensure that is being used by the staff and each check shall be recorded in the log.
24. Staff members packaging the order will make delivery staff aware that the order contains age restricted products Any relevant software used will provide an automated pop up to notify the driver.
25. All staff engage in the sale or supply of alcohol shall be trained in the prevention of underage sales, drunkenness and proxy sales before being allowed to sell or supply any alcohol. All such training to be updated as necessary, for instance when legislation changes. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorized officer of the Licensing Authority or a constable.
26. In all instances whereby a delivery is made, the person supplying age restricted goods must exercise the Challenge 25 Policy to the recipient whereby at the point of delivery, where the recipient is believed to be under the age of 25, appropriate age verification identification must be obtained from said person to prove they are above the age of.

27. It will be the responsibility of the management that, any outside companies used for delivery must adhere to a strict "challenge 25" policy. It will be the responsibility of the management to keep up to date with that company's policy and to review any partnerships based on this policy

Should the applicant be minded to agree to the reduced hours and the conditions proposed above, the concerns raised by the Licensing Authority will be addressed.

Pamela Riley
Licensing Officer
18th June 2021



AS- Lambeth Licensing & Night
Time Economy Team
Civic Centre, 3rd Floor,
6 Brixton Hill,
SW2 1EG

21st June 2021

Contact: PC Mike Constable

Miss Bina Patel
Licensing Manager
Lambeth Borough Council

RE: New Grant,

Dear Miss Bina Patel.

I write on behalf of the Commissioner of police for the Metropolis to make a representation on the grounds of the following Licensing Objectives;

- The prevention of crime & disorder.
- The prevention of public nuisance.

The applicant has requested the following:

Sale by Retail of Alcohol
Monday - Sunday 00:00 - 23:59

Location

This application is located within Coldharbour ward. It is located within a residential street. With properties opposite the location.

Statement of Licensing Policy

I would like to notify the committee the expectation for applicants as per the policy:

5.5. Demonstrated knowledge about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises within close proximity to residential premises should consider how this will impact upon their smoking, noise management and dispersal policies, to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, to acknowledge this in their application.

5.7. It is also expected that applicants will canvass the views of their neighbours and local residents as this can clear up any ambiguities and develop a relationship based on mutual cooperation before an application is made. This may be facilitated by making direct contact

with neighbours and any local group that represents residents or businesses. This will also assist the applicant by giving an understanding at the outset of what the community believe is acceptable in their area.

6.1. Two general principles have been identified which are noted throughout the Statement of Licensing Policy and are outlined here clearly as general principles that will be taken into consideration for all licensing applications.

All licensing applications are expected to show:

a). That applicants have a clear understanding of the locality in which they are operating or intending to operate and that this has been taken into account in the application, any voluntary conditions proposed and for these to be set out clearly within the operating schedule.

It is acknowledged the applicant has offered the following condition:

10. Between the hours of 1800 and 0800 riders will be permitted to collect orders and deliver on foot, by pedal bike, electric bike (or other electric vehicle) only.

The deliveries themselves would undoubtedly cause noise nuisance through the loading procedure and delivery pickups as well. Especially in the early hours, a midnight finish on Friday and Saturdays with 11pm the rest of the week is believed more reasonable.

Conclusion

- This will have an impact with regards to noise nuisance in this residential street.
- It is accepted that businesses have to adapt during this economic uncertainty, but unfortunately it is of our belief the concerns outweigh the gain.

It is recommended that this application should only be granted with recommended hours, as if it remains 24 hours it will have a negative effect to the area. This is deemed appropriate to the premises and in the spirit of the Licensing Act 2003.

Yours sincerely,

Mike Constable | PC 1596AS - Licensing & Night Time Economy Team |

Address Civic Centre, 3rd Floor, 6 Brixton Hill, SW2 1EG

From: donotreply@lambeth.gov.uk
To: [Ola Owojori](#)
Subject: Comments for Licensing Application 21/00145/PRMNEW
Date: 16 June 2021 16:43:57

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 4:43 PM on 16 Jun 2021 from Ms Anthea Masey.

Application Summary

Address: 1 - 5 Hinton Road London SE24 0HJ

Proposal: Premises Licence (new application)

Case Officer: Mr Ola Owojori

[Click for further information](#)

Customer Details

Name: Ms A [REDACTED] Masey

Email: [REDACTED]

Address: 2 [REDACTED] Loughborough Park, London, Lambeth SW9 8TP

Comments Details

Commenter Type: Neighbour/Public

Stance: Customer objects to the Licensing Application

Reasons for comment: - Objection to application

Comments: 4:43 PM on 16 Jun 2021 There is no detail about this licence application on the Lambeth licencing application website It appears that the applicant is Quick Commerce and it is requesting a 24 hour licence for the sale of off-site alcohol. Quick Commerce is apparently a company owned by Delivery Hero, the Berlin-based grocery and takeaway delivery service. If this premises is to be used for the delivery of groceries and takeaways, possibly from on-site kitchens, by hundreds of delivery cyclists and scooter drivers, I would like to oppose this application on the grounds of nuisance and public safety. This is a residential area; there are homes directly opposite the site and there are surrounding residential streets which would be impacted by the 24-hour nature of this business. Public safety would be compromised as Hinton Road, where this business will be based, is a narrow, busy road with no space for bicycle delivery riders and scooter drivers to safely park. The premises are enormous and include the railway arches that back on to the Higgs Industrial Estate, where Peabody is due to start building new homes this summer. There is then the possibility that Delivery Hero will front its operation from the Higgs side of the railway arches to the detriment of residents of the new development.

Here is an entry from Delivery Hero's website explaining the extent of its operation. Delivery Hero is the leading global online food ordering and delivery marketplace with number one market positions in terms of restaurants, active users and orders in more countries than any of its competitors and online and mobile platforms across 40+ countries in Europe, the Middle East & North Africa (MENA), Latin America and the Asia-Pacific region. Delivery Hero also operates its own delivery service primarily in 60+ high-density urban areas around the world. The Company is headquartered in Berlin and has over 6,000 employees in addition to thousands of employed delivery drivers.