

LICENSING SUB-COMMITTEE 6 APRIL 2022

Item No: 3a

Report title: Gopuff Unity 25 Zennor Road London SW12 0PS

Applicant: Fancy Delivery UK Limited

Application type: Premises licence (variation)

Application date: 17 December 2021

Wards: Thornton

Premises type: Online delivery service

Policy Context: Lambeth Statement of Licensing Policy 2019 - 2024

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APPLICATION SUMMARY

This is an application to vary the premises licence to extend the hours of activities, the sale of alcohol off the premises, to 24 hours a day, 7 days a week.

POLICY IMPLICATIONS

Licensing Objectives (chapter 5, pages 9 to 15 and Appendices 1 to 4, pages 41 to 45 of the policy)

The Licensing Objectives engaged by this application are:

- Prevention of Public Nuisance;
- Protection of Children from Harm;
- Public Safety; and,
- Prevention of Crime and Disorder.

Hours of sale and Location (Policy 8, pages 27 to 28 & Appendix 5, pages 46 to 47)

The premises are operated as a delivery service of groceries and convenience items including alcohol.

Alcohol is proposed to be sold for consumption off the premises via an online platform and the premises are located on a trading estate on Zennor Road which according to the current Licensing Policy, Appendix 7 is an area generally deemed to be residential in nature.

The Licensing Policy recommends a start time of 11:00 hours and a terminal hour of 23:00 hours across the whole week for premises of this kind in a residential area.

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.

The current Licensing Policy refers to Delivery Services businesses at Policy 16 (erroneously marked as Policy 15), paragraph 22 and further guidance is set out at paragraphs 3.8 – 3.10 and 10.50 of the s. 182 Revised Guidance (2018).

1. APPLICATION

- 1.1 This is an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 1.2 The applicant is seeking authorisation to extend the hours of licensable activities, namely the sale of alcohol off the premises, to 24 hours a day 7 days a week.
- 1.3 The current licence authorises the following licensable activity and opening hours:
- | | |
|----------------------------------|---------------|
| Sale by Retail of Alcohol | |
| Monday - Sunday | 08:00 - 00:00 |
- 1.3 It is proposed to open the premises (not to the public) Monday to Sunday 00:00 - 00:00.

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

A copy of the current premises licence is attached to this report as **Annex B**.

- 1.5 Following mediation between the applicant and Public Protection the applicant forwarded an email which proposed additional conditions to be considered, these are attached as **Annex C**.

2. REPRESENTATIONS

- 2.1 There were 3 representations received against the application. These were from the Licensing Authority, Public Protection and the Metropolitan Police.
- 2.1 The representations are based on the following licensing objectives.
- The prevention of crime & disorder.
 - Public Safety.
 - The prevention of public nuisance.
- 2.2 The last date for accepting representations was on 14 January 2022.
- 2.3 A copy of the representations was provided to the applicant and are attached to this report at **Annex D**.
- 2.4 Following the consultation of the application the Planning Authority made comment on the application.
- 2.5 A copy of the comment made by Planning is attached as **Annex E**

3. CURRENT LICENCE

- 3.1 The current licence was initially granted on 25th May 2021 and the Designated Premises Supervisor (DPS) was changed to Alexzandra Robertson - Walker on 5th July 2021.

4. BACKGROUND HISTORY

- 4.1 The original application submitted for the current premises licence sought authorisation for the sale of alcohol 24 hours per day, seven days per week. Following discussions between the applicant, the Police and Lambeth Public Protection at the time, the applicant agreed to reduce the hours sought in respect of licensable activity to Monday – Sunday, 08:00 hours to 00:00 midnight.
- 4.2 The premises are operated as a delivery service of groceries and convenience items via an online platform known as Gopuff Delivers. They operate out of the Zennor Road trading estate.
- 4.3 There has been no TENs applications received in the past 12 months for this premises.

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 Licenses;
- 9) Determining Applications; and,
- 10) Conditions Attached to Premises Licenses 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 - Process for applications
- Policy 3 - Partnership working
- Policy 4 - Enforcement approach
- Policy 5 – Outside spaces
- Policy 8 – Hours of sale and locations
- Policy 16: Delivery Services (note, erroneously marked as Policy 15)
- Policy 17 – Dispersal and entry (note, erroneously marked as Policy 16)

- Appendix 1: Prevention of Crime and Disorder
- Appendix 2: Public Safety
- Appendix 3: Prevention of Public Nuisance
- Appendix 4: Protection of Children from Harm
- Appendix 5: Types of premises and recommended hours
- Appendix 6: Types of premises and potential impact
- Appendix 8: What to expect from a Licensing Sub-Committee Hearing

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.

The options available to Members of the Licensing Sub Committee are:

- a. Grant the application as it currently stands;
 - b. Grant the application subject to such conditions as the authority considers appropriate for the promotion of the licensing objectives or,
 - c. Reject the application.
- 6.2 For this purpose, the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

CONSULTATION INFORMATION

Department(s) or Organisation(s)	Consulted (Y/N)	Date Response Received	Comments summarized in report (Y/N)
Health & Safety Section (internal)	Y	N/A	
Noise service (internal)	Y	14/01/22	Y
Social Services (internal)	Y	N/A	
Licensing Service (internal)	Y	14/01/22	Y
Planning (internal)	Y	24/12/21	Y
Trading Standards (internal)	Y	N/A	
Fire Authority (external)	Y	N/A	
Police Licensing Unit (external)	Y	13/01/22	Y
Health Authority (external)	Y	N/A	

APPENDICES AND REFERENCE DOCUMENTS

Appendices	<p>Annex A – Application form</p> <p>Annex B – Current Premises Licence</p> <p>Annex C – Additional Conditions</p> <p>Annex D – Collated Representations</p> <p>Annex E – Planning Comment</p>
<p>Reference documents</p> <p>Local Government Act 1972 – Access to information documents used in the preparation of this report</p>	<ol style="list-style-type: none"> 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”).