

Appendix 2 – Representations from Responsible Authorities

From: [Barrett Daliah](#)
To: [Barrett Daliah](#)
Subject: FW: LICENSING AUTHORITY REPRESENTATION- Getir, Unit 5, 2 Overbury Road, Tottenham, London N15 6RH (WK/492869)
Date: 11 May 2021 13:39:14
Importance: High

Licensing Authority- representation - APPLICATION FOR A NEW PREMISES GETIR- OVERBURY ROAD

Concerns have been growing over the last year in relation to the impact of nuisance caused by food and drink delivery services, on local residents within the borough. The Licensing Service, has considered powers and options available to tackle the issues of nuisance caused by these deliveries from licensed premises. There are limitations to the legislative controls available within the Licensing Act 2003 and the conditions that can be applied to address issues of public nuisance, associated with deliveries of non-alcoholic drinks and food.

Conditions can only be applied to licensable activities, that is, the sale of alcohol, supply of alcohol by a club, provision of regulated entertainment or the provision of late night refreshment between 23:00 and 05:00 hours.

The Licensing Authority would want to see early engagement with the licensee and delivery service provider, encouraging them to promote corporate social responsibility.

We have seen in the last few years a significant increase in the use of third party delivery services. These services establish an agreement with a food and drink provider, such as a restaurant, to provide a portal for both ordering of food and a delivery service. The most prominent food and drink delivery service provider being Deliveroo and Uber Eats delivery service.

In addition to the delivery of hot food and drink, there has also been an increase in licensed premises seeking off-sales of alcohol via phone or internet orders, for delivery. Restaurants and fast food operators are also including alcohol, in addition to the food that they produce for delivery. There are also operators who seek to primarily sell and deliver alcohol. Delivery of alcohol is not new and supermarkets and specialist alcohol suppliers have been operating delivery services for years.

The delivery of alcohol provides some additional challenges in terms of the child protection licensing objective. It is expected that the licensee and the delivery rider/driver is ultimately responsible for ensuring that any alcohol is not purchased and delivered to anyone under 18 years of age.

Noise concerns

Complaints concerning the noise from delivery riders/drivers are one of the main points that residents raise with the Council. There is a tendency for delivery riders/drivers to congregate in a location which can often be near to residential properties. The noise generated by the delivery riders/drivers talking on their phones, talking to one another and playing music seems to be the main issues. The scooters and mopeds can also cause noise disturbances to residents

The noise from riders/drivers cannot be classified as a statutory nuisance due to the limited time in which the noise or emissions occurs. However, the noises that are being reported to the council occur at unsociable hours of the day when the ambient noise is reduced and residents can have their sleep interrupted or the peaceful enjoyment of their homes impaired.

Therefore this noise nuisance can cause considerable impacts on local residents.

One of the other effects of riders/drivers congregating in an area is the issue of litter and also urination in the street. Some complaints to the Council have identified that riders/drivers in an area often leave litter from food and drink that is consumed at the location. Urination around the areas of gathering riders/drivers is also common. Some residents have also complained of riders/drivers using their gardens or parts of their property for urination which causes particular concern to those residents.

The Council wish to take steps to reduce this impact such as relocating staging areas for riders/drivers from residential areas, providing further information to riders/drivers on how they should behave and where they are and are not permitted to park.

In this particular case the area is surrounded by residential property and we are proposing the following conditions:

- Residents are not caused nuisance or disturbed by any delivery service providers, drivers do not congregate on residential roads.
- Toilet facilities are provided for drivers at the premises,
- All delivery services are provided in a courteous, safe and respectful manner, and
- All deliveries are provided in accordance with the law on road use, parking and licensing.
- A record of orders shall be kept which shall include the customer's name & address. In accordance with data protection regulations, this log shall be made available to Police and local authority officers on request.
- The delivery of alcohol shall be made only to a residential or business address, which the customer uses in a residential or official capacity. The delivery of alcohol shall not be made or completed to a person in a public place (street corner, park, bus stop, etc.).
- All customers shall be contacted in writing (e.g. e-mail or text) to notify them that an order has been placed, with the date, and if possible approximate time, of the expected delivery.
- Couriers delivering orders shall keep record require a signature from the recipient upon delivery in a form that can be captured and fed back to the licence holder. The only exception to this requirement is due to social distancing measures.

- If the recipient of a delivery of alcohol appears under 25 years of age, recognised photographic identification will be requested before any intoxicating liquor is handed over. 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 and passport.

POLICE REPRESENTATION

Name and address of premises: **Getir, Unit 5,
2 Overbury Road,
Tottenham, London,
N15 6RH**

Type of Application: **New Premises Licence**

In summary, I wish to make representation on the following:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

1) A digital CCTV system must be installed in the premises complying with the following criteria:

- (a) Cameras must be sited to observe the entrance doors from both inside and outside.
- (b) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
- (c) Provide a linked record of the date, time of any image.
- (d) Provide good quality images - colour during opening times.
- (e) Have a monitor to review images and recorded quality.
- (f) Be regularly maintained to ensure continuous quality of image capture and retention.
- (g) Member of staff trained in operating CCTV at venue.
- (h) Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.

2) An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) any complaints received

- (c) any incidents of disorder
- (d) any faults in the CCTV system
- (e) any visit by a relevant authority or emergency service.

If these conditions were accepted in full, I would withdraw my representation.

Officer: Kayleigh Mitcham
Licensing Officer Haringey Police

Kayleigh.Mitcham@met.police.uk

Date: 6th April 2021

Memorandum



Date: 15th April 2021

Ref: WK/000492869

From: Trading Standards: Mike Squire

To: Licensing

APPLICATION FOR A PREMISES LICENCE – GETIR UK LIMITED,
UNIT 5, 2 OVERBURY ROAD, TOTTENHAM,
LONDON N15 6RH

Trading Standards have the following representation. The existing proposed condition shall be amended to include the following addition marked in bold.

15. When using third party couriers, all consignments of alcohol will be dispatched through reputable couriers only **who have robust age verification systems in place.**

Responsible Authority:	Haringey Public Health, London Borough of Haringey
Date:	23/04/2021
Name:	Maria Ahmad, Public Health Officer, Health Improvement Marlene D'Aguiar, Health In All Policies Officer

Public Health representation in relation to:

**APPLICATION FOR A PREMISES LICENCE – GETIR UK LIMITED,
UNIT 5, 2 OVERBURY ROAD, TOTTENHAM,
LONDON N15 6RH**

Supply of Alcohol for Delivery only
Monday to Sunday 0000 to 0000 hours online sales only

Supply of alcohol OFF the premises.

Hours open- No public access
Monday to Sunday 0000 to 0000 hours

I as a representative of the Director of Public Health act as the responsible authority under the Licensing Act 2003 and would like to make a representation regarding the application for a variation of premises license at: GETIR UK LIMITED, UNIT 5, 2 OVERBURY ROAD, TOTTENHAM, LONDON N15 6RH

Public Health has concerns under the following Licensing Objectives:

- **Public Safety**
- **Public Nuisance**
- **Protection of Children from Harm**

Haringey: Alcohol and Health

Tackling alcohol misuse is key to achieving the outcomes in Haringey's Health and Wellbeing Strategy: giving every child the best start in life, reducing the gap in life expectancy between the east and west of the borough and improving mental health and wellbeing. Part of achieving these involves community safety efforts to tackle alcohol crime, anti-social behaviour and ensuring health considerations are taken into account in any licensing decisions. We want to create a culture that prevents problem drinking from starting and provides help for people early on should they be struggling.

Across the borough, there are currently over 900 licenced premises for the sale and supply of alcohol and this figure continues to rise, with some areas of high-level clustering. Haringey sells the most litres of alcohol per adult in all of London, 35% more than the London average. The high level of sales points to high levels of unsafe drinking and increases the risk of both health and social related alcohol harms. Evidence

shows that an increased number of alcohol outlets results in significant increases in alcohol consumption and alcohol-related harm (including injury, violence, and medical harm). Antisocial behaviour associated with street drinking has been recognised as a concern in Haringey. Problems identified include litter, noise, urination, and intimidation all of which have a detrimental impact to the quality of life for residents.

Though many factors are known to contribute to the above, the licensing committee has direct influence over two: density of licensed premises and trading hours.

Volume of pure alcohol sold in 2014		
	Litres sold per head	
	Local	National
Beer (off-trade)	1.78	1.49
Wine (off-trade)	3.42	2.16
Spirit (off-trade)	1.85	1.38
All alcohol (off-trade)	7.51	5.52
All alcohol (on-trade)	1.88	2.94
All alcohol (total)	9.39	8.46

Local context

The premises is located off Seven Sisters Main Road and it is within the Seven Sisters ward. The premises is located in a non-residential area, however not far from the premises there are residential areas to where the alcohol deliveries will be made.

The premises is also located near several schools;

- Tiverton Primary School (0.084 miles)
- Stamford Hill Primary School (0.165 miles)
- St Mary's Priory Catholic Infant and Junior Schools (0.249 miles)
- St Ann's CE Primary School (0.368 miles)
- Chestnuts Primary School (0.446 miles)
- Seven Sisters Primary School (0.482 miles)

Public Safety, Public Nuisance and Protection of Children from Harm

Haringey sells the most litres of alcohol per adult in all of London, 35% more than the London average. There is no 24-alcohol delivery service within the area and allowing another 24-hour application to go forward will set precedent to more 24hour alcohol delivery services. This will adversely impact public health and safety concern in the area. The density of licensed premises and hours and days of sale are known to influence consumption and harm. There is a growing body of evidence that an increased number of alcohol outlets results in significant increases in both alcohol consumption and alcohol-related harm. There are also many studies that demonstrate changes in hours or days of trading can have a significant impact on volume of alcohol consumed and rates of alcohol related problems.

Public Health England report shows **34% increase in number of people drinking over 50 units a week during lockdown**. This has normalised higher levels of alcohol consumption among some groups and therefore, it is paramount more than ever to address safeguarding issues and protect our vulnerable communities e.g., children aged under 18 and problem drinkers. Online alcohol delivery services have

become a convenient way for problem drinkers and children aged under 18 to easily access alcohol and we must ensure effective measures are put in place to protect our community against alcohol-related harms. Therefore, we have concerns that granting a 24-hour license could exacerbate this.

It should also be noted that Haringey has a high proportion of adults in the alcohol treatment services. There are currently 356 adults in our alcohol treatment services with an additional 230 adults starting their treatment in 2019-20 (Public Health England, 2021).

There has been **79 Alcohol-Specific Hospital Admissions** in the LSOA and the proportion of alcohol related ambulance callouts in the LSOA (of the premises) **between 11pm and 5am was 24.6%** for the year 2019-20 (SafeStats, Ambulance Callout Data, Nov 2019-Oct 2020). The LSOA in which the premises is located is ranked **1st quintile of alcohol-related ambulance callouts**, which is considerably the highest in Seven Sisters. The high levels of ambulance related callouts reflect the increased pressure and cost to the NHS because of increase alcohol availability in this ward and disproportionately places burden on the ambulance service for this ward compared to others in the borough.

Premises that operate alcohol deliveries late at night and early morning could potentially result in public nuisance and impact families in the local residential area. Therefore, we must introduce measures to minimise the impact where appropriate.

Recommendation:

Public Health recommend the hours of alcohol supply to be reduced to Monday-Sunday 9am to midnight. We believe the following provide grounds to shorten the hours:

1. Deliveries will be made in residential areas near several schools (6 schools within 0.5 miles) and this will have an impact on night-time noise especially within this residential area.
2. There has been **79 Alcohol-Specific Hospital Admissions** in the LSOA and the proportion of alcohol related ambulance callouts in the LSOA (of the premises) between 11pm and 5am was 24.6% for the year 2019-20 (SafeStats, Ambulance Callout Data, Nov 2019-Oct 2020). The LSOA in which the premises is located is ranked in the **1st quintile of alcohol-related ambulance callouts**, which is the highest in the area.
3. We do not have any 24-hour online alcohol service delivery in the area. If we allow a 24-hour application to go forward, this will, in addition to all the aforementioned contentions, will adversely impact public health and safety concern in the area.

Public Health recommends that the following conditions are to be attached, along with the conditions submitted by the applicant, in order to minimise any potential harm to our residents.

These conditions are designed to ensure that the licensee takes appropriate steps to promote and uphold all four licensing objectives. We believe that all licensees who are fulfilling their duty to promote the licensing objectives will be already complying with many of these conditions. These are the type of precautions needed to meet Haringey's Statement of Licensing Policy requirement of a high standard of management.

Please note that the stipulated conditions might (as well) be replicated in the applicants' form, still Public Health wants to ensure that the correct wording is in place.

- Alcohol should not be sold solely and only purchased with the food ordered from the premises
- No irresponsible sales / promotion of super-strength alcohol (above 6.5% ABV) and single cans (i.e. buy one get one free) OR there shall be no promotional sales of alcohol where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold.
- The premise shall not be open to the general public and no collection shall be made by the public outside of the alcohol hours requested. Alcohol shall only be supplied in sealed containers.
- Alcohol to be covered and secured outside of the hours of operation within the trading area.
- A record of orders shall be kept which shall include the customer's name & address. In accordance with data protection regulations, this log shall be made available to Police and local authority officers on request.
- The delivery of alcohol shall be made only to a residential or business address, which the customer uses in a residential or official capacity. The delivery of alcohol shall not be made or completed to a person in a public place (street corner, park, bus stop, etc.).
- All customers shall be contacted in writing (e.g. e-mail or text) to notify them that an order has been placed, with the date, and if possible approximate time, of the expected delivery.
- Couriers delivering orders shall keep record require a signature from the recipient upon delivery in a form that can be captured and fed back to the licence holder. The only exception to this requirement is due to social distancing measures.
- The courier shall request that form of identification on every delivery made.
- The licence holder must work with the delivery service provider to ensure multiple orders are not being delivered to the same customer in a day. Alcohol orders should be limited to 2 per customer.
- High strength alcohol restriction: no spirits shall be sold with an ABV greater than sixty-five per cent (65%), no super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.
- Any CCTV footage shall be made available to Police or an officer from the local authority as soon as practicable, but in any event within three (3) days upon request, providing the request is within data protection regulations.
- A CCTV system shall be installed and be recording at all times licensable activities are taking place.
- The CCTV shall cover at least the entry/exit of the licensable area. The system shall record for a minimum of thirty (30) days on a system with adequate storage for this purpose.
- All staff involved in the sale or supply of alcohol shall be trained in the law about the sale of alcohol. This includes conditions on the premise licence, operation of the CCTV system, recognising signs of drunkenness upon delivery, how to refuse service and the premises duty of care. Training shall be regularly refreshed and at no greater than 6 monthly intervals and shall be logged. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the Council.
- The premises shall display prominent signage (i.e. online) indicating that it is an offence to sell alcohol to anyone who is drunk.

Protection of children from harm

- Public Health would like to ensure the age verification system on delivery used is effective at the time of internet purchase and point of delivery to protect children from harm.
- The applicant must ensure age verification takes place before the customer is sold alcohol and adopts the present age verification methods/systems utilised by online traders via the CallValidate age verification system provided by CallCredit, or any similar system.

- The licence holder has to ensure all delivery drivers are given challenge 25 training, the till prompts and receipts have a check ID tick box once the ID has been seen. The DPS or store manager must check frequently to ensure drivers are requesting ID on all orders purchasing alcohol.
- A refusals log must be kept and made immediately available on request to the police or an authorised person. The refusal log shall record any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:
 - a) the identity of the person who refused the sale;
 - b) the date and time of the refusal;
 - c) the alcohol requested and reason for refusal.