

IN THE TOWER HAMLETS

LICENSING SUB-COMMITTEE

APPLICATION FOR A NEW “DELIVERY CENTRE” PREMISES LICENCE

Gopuff, 89 Hemming Street, Bethnal Green, London E1 5BW

APPLICANT’S SUPPORTING BUNDLE

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SUMMARY OF APPLICATION

The application

1. The Applicant, Fancy Delivery UIK Limited t/a Gopuff, is an experienced global operator of licensed delivery centre facilities. In central London, the Applicant currently operates 19 centres, with a further 17 centres nationally. Attached to this summary, is an Operation Overview of the application site that provides an insight into the proposed operation of the Premises.

2. The application site is a former automotive servicing business, offering amongst other things, MOT testing and automotive repairs. It is located within the arches under a major railway bridge (site outlined in yellow below):





Image of site circa June 2016.

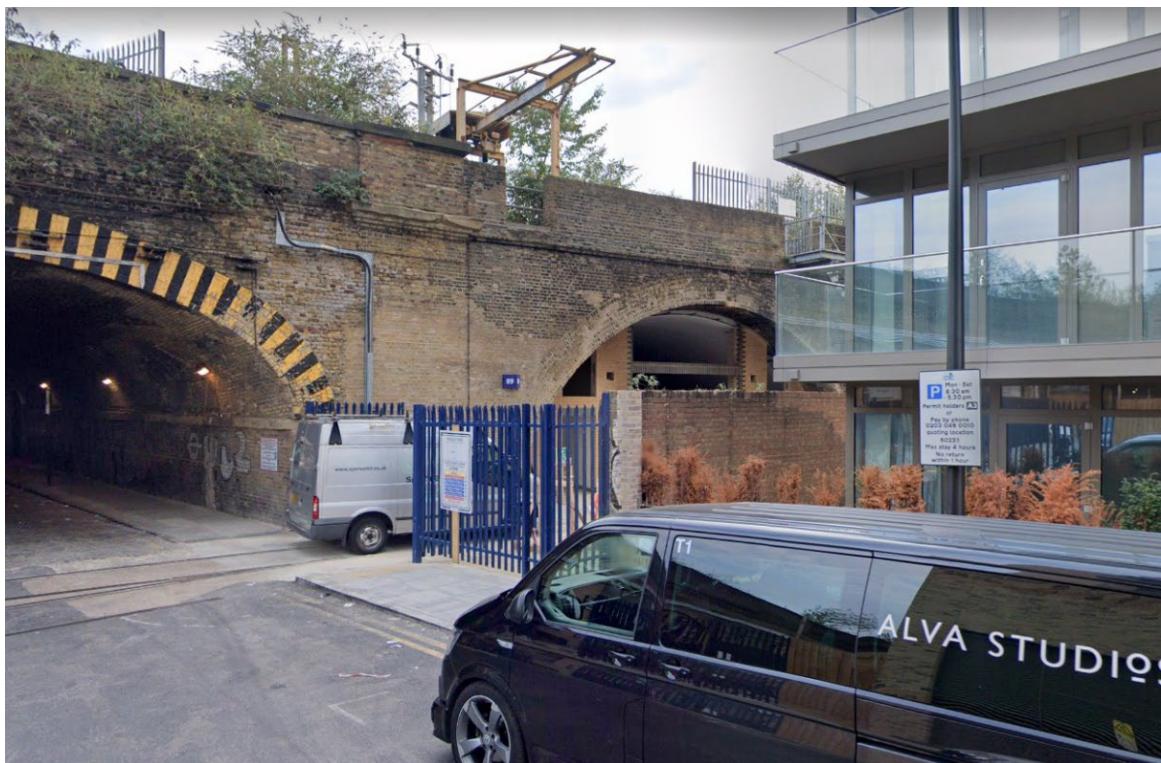


Image of site circa September 2020.

3. The site is overlooked by a number of residential apartments that share this mixed use road, as can be seen in the following image:



4. **Engagement**

5. No Representation has been made by the Environmental Health Officer.
6. A Representation was made by the Police and after engagement with the Applicant, amended conditions were agreed that addressed the Police concerns, the Police Representation to be withdrawn. Please see the attached Proposed Conditions document.
7. The Applicant has considered the Representations made by local residents and has identified the concerns raised. In response to these concerns, and in line with the best practices employed by the Applicant, the Applicant proposes the following additional conditions:
- Only electric or pedal powered vehicles shall be used by delivery drivers/riders delivering products sold from the Premises, to customers.
 - Delivery drivers waiting to collect customers' orders for delivery, shall not be allowed to congregate outside of the Premises (save in the event of a fire drill or fire

evacuation) and shall be required by the Premises Licence Holder to wait inside the Premises.

8. Further, the Applicant puts forward for the Committee Members' consideration, the attached Safety Training and Age Restricted Products Training documents, along with the example staff awareness poster that will be displayed prominently around the Premises. These policies and posters are supported by the contracts in place between the Applicant and their team of drivers, which state:

"You must comply at all times with the Company's rules, policies and procedures in respect of health and safety, food safety, data protection, and harassment, and any other policies which the Company may notify you are relevant to your engagement, copies of which are available on request."

9. The applicant will consider any other reasonable conditions as they adopt a partnership approach to all stakeholders interested in their operation.

Policy Considerations

10. Tower Hamlets' Statement of Licensing Policy identifies the prevention of public nuisance as not only one of the four Licensing Objectives, but as a Main Principle of the Policy:

"4 Main Principles of the Licensing Policy

... 4.1 The Act requires that the Licensing Authority carries out its various licensing functions so as to promote the following four licensing objectives:-

... 4.4 The prevention of public nuisance

Consideration of the prevention of irresponsible promotions, methods of preventing and managing noise and light pollution, and ways of managing litter." [emphasis added]

11. The Policy goes on to note, in relation to Noise Nuisance:

"9.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence."

And:

"13.5 ... The Licensing Authority considers that the possibility of disturbance to residents late at night and in the early hours of the morning, and the effect that any such disturbance may have, is a proper matter for it to consider when addressing the hours during which licensable activities may be undertaken."

12. The application site is not open to the public, serving as a distribution centre rather than a pub, bar, club or even a conventional grocery store. This avoids a number of the issues identified by the Policy; however, the comings and goings of delivery drivers and their behaviour when at the Premises are still relevant matters to consider. To that end, the Applicant submits that the conditions detailed above and in the Proposed Conditions Document, enshrining the best practice adopted and detailed in the attached documents, address those matters appropriately.

13. In support of this Application, the Policy identifies that:

"14 Shops, Stores and Supermarkets

"14.1 The Licensing Authority will generally licence shops, stores and supermarkets to sell alcohol for consumption off the premises at any times they are open for shopping."

14. As a distribution centre, this application site is a lower-impact use than a traditional "Shop" that allows access to the Premises by the public. Further, it will be open for on-line shopping 24 hours a day.

Conclusion

15. The Applicant has engaged constructively with officers during this application process and intends to do so in the long-term should this licence application be granted. Further, the Applicant has taken consideration of the concerns of local residents and provided robust Conditions (breach of which can result in an unlimited fine or up to 6 months in prison, or both) to address those concerns.
16. If any issues do arise, they will be ironed out quickly by this responsible, experienced operator. This approach serves the best interests of all involved and, in the applicant's view, it is simply the neighbourly thing to do.
17. The licensing sub-committee is respectfully invited to grant the Application to the extent set out in the Application papers, together with the suite of amended Proposed Conditions - all of which are designed to promote the licensing objectives in an appropriate and proportionate manner.

MARCUS LAVELL
Consultant Barrister
Keystone Law

16 February 2022

PROPOSED CONDITIONS

1. All staff will be fully trained in their responsibilities and with regard to the promotion of the licensing objective in particular sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.
2. Members of the public shall not be allowed on the premises at any time.
3. The licence and premises are to fulfil internet generated sales for delivery and no direct sales shall take place to the general public from the site.
4. A CCTV system is in operation for the warehouse, to provide security and identify any culprit who is intent in causing trouble. All images are stored for a period of 31 days after which they can be erased or saved at the request of the police. All current security measures will remain in operation. All staff will be fully trained in the operation of the CCTV to ensure it is operational all the hours of trade. Images will be made available to the police or authorised licensing officer from the council on request.
5. All potential customers must verify on the payment page of the website that they are at least 18 years of age. If the applicant is in any doubt as to the age of the customer, they will only deliver the alcohol if the owner of the card that made the payment is present at the delivery address; Orders will only be despatched to bona fide addresses,
 - No deliveries will be made to an open space,
 - All sales of alcohol for delivery must be paid for by credit card, debit card (pre-paid or otherwise) or electronic payment,
 - Details of the order (including the type, amount of alcohol, name and address of the customer and delivery address if different) must be included with the order. The detail shall be shown on the printout dispatched with the order **electronic receipt provided to the customer, [proposed amended wording to reflect updated “app” ordering system]**
 - All delivery drivers and riders must allow any police or authorised local authority officers to inspect any alcohol,
 - Deliveries only made to those over the age of 18.
6. A challenge 25 age verification scheme will be used. ID will be required for deliveries to customers who do not look 25 years old. They will be required to prove by way of photographic ID, either a passport or driving licence that they are at least 18. The card used for purchase will also be checked against the ID provided. If the business is in any doubt then the delivery of alcohol will not be made, and a full refund will be issued. Postal/ carriage deliveries will only be made once a verified payment method has been established, and the customer has confirmed they are 18 or over when making the purchase.

Additional Conditions Agreed with Police

7. No idling of vehicles that are awaiting access to the premises or waiting to pick up a delivery.
8. Alcohol shall only be delivered to a residential or business address and not to a public place.

Additional Conditions Proposed Following Consideration of Residents' Representations

9. Only electric or pedal powered vehicles shall be used by delivery drivers/riders delivering products sold from the Premises, to customers.
10. Delivery drivers waiting to collect customers' orders for delivery, shall not be allowed to congregate outside of the Premises (save in the event of a fire drill or fire evacuation) and shall be required by the Premises Licence Holder to wait inside the Premises.



Gopuff's Operational Overview of 89 Hemming Street, Bethnal Green, E1 5BW

This document provides an overview of who we are, how we plan to operate our site at 89 Hemming Street, Bethnal Green, E1 5BW (the “Site”) and how we manage our fulfilment and delivery operations to ensure we meet our responsibility to local residents to minimise noise and disruption and to also safely deliver age verified products in full accordance with our legal and regulatory obligations.

If you have any questions regarding issues not covered by this document please don't hesitate to reach out to us at the following e-mail address: stef.webb@gopuff.com

Who are we?

We're a full service on demand grocery company that delivers all of your daily needs, including cleaning and home products, over-the-counter medications, baby and pet products, snacks and drinks, as well as alcohol. We store about 4,000 products at each of our sites and we fulfill all deliveries made on our app directly from our own sites using our own drivers. Our customers range in age from 20s to the elderly, with new parents and customers over 35 being our fastest growing customer groups! During the COVID-19 pandemic, customers valued Gopuff's contact-free delivery, and the ability to purchase a COVID test kit, soup and tissues all in the same order. From day-to-day to sick days, Gopuff is there for our customers in an instant.

We were founded in 2013 and are now serving customers in more than 1,000 cities in the United States, United Kingdom, France and Spain. We currently have 33 sites across the United Kingdom in London, Birmingham, Bristol, Cambridge, Cardiff, Leeds, Liverpool, Manchester, Newcastle, Nottingham and Sheffield.

What will be the opening hours at the Site?

We plan to operate and fulfil customer orders from the Site 24 hours a day.

How do customers purchase products from the Site?

Customers order products from the Site via the Gopuff app.

Can customers walk into the Site to purchase products?

No. This Site does not allow customers entry to purchase products.

To minimise food waste, we have a relationship with Too Good To Go across our network of sites in the UK where we make food products reaching their expiry available to the public for purchase at a significant discount. Such orders are collected by members of the public from the Site. We are deeply dedicated to this partnership, and since September 2021, our Gopuff UK sites have donated nearly 5 tons of food, or almost 5,000 meals to Too Good To Go.

How do we deliver orders to customers?

We deliver orders from our sites using our own professional drivers. We do not use companies such as Uber Eats, Just Eat or Deliveroo to deliver orders to customers.

All our deliveries from this Site will be made by our drivers operating bicycles, eBikes or electric mopeds which we provide to our drivers. Our fully electric mopeds are energy efficient and generate little to no noise and are regularly maintained by us.

We have a dedicated area at the Site for our drivers with toilet facilities and other amenities. So, unlike most grocery and takeaway delivery operators, our drivers won't be loitering outside or in close vicinity to the Site awaiting orders and generating noise and nuisance for local residents and businesses.

Ensuring we are a responsible neighbour and minimising disruption to our community is one of our key priorities. Our neighbours are our customers and we provide training to our drivers on behaviour to avoid in or around our sites to minimise noise and disruption to the local area, including not leaving engines running outside and not loitering outside the site or nearby residential properties. We also have signage affixed at the Site to remind our drivers to be courteous when entering and exiting the Site and the wider complex. Our on-site team also provide regular reminders on this to our drivers.

Do we sell alcohol?

Yes, albeit alcohol products form only a small proportion of the overall number of products stored at our sites.

We plan, subject to approval, to fulfil alcohol orders from the Site 24 hours a day.

How do we meet age restricted delivery legal requirements?

The safety and wellbeing of our customers is of utmost importance to Gopuff. We take our responsibility to ensure age restricted products such as alcohol are not delivered to minors very seriously.

It's Gopuff policy to check the customer's ID for all orders containing age restricted products, even if the customer looks older than the legal age for buying those items. Customers are notified in the app before placing an order containing an age restricted product, of the requirement to present valid ID upon delivery of the order, and are sent further reminders ahead of delivery. We only accept the following types of IDs from customers: Passport; European Union photocard driving license; Photographic identity card bearing the national Proof of Age Standards Scheme (PASS) hologram; and National identity card issued by a European Union member state (other than the United Kingdom), Norway, Iceland, Liechtenstein or Switzerland.

When a driver pick up any order from the Site, the receipt attached to the package flags to our driver that the order contains an age restricted product. Our delivery app used by our drivers also notifies them and prompts our drivers to check the customer's ID. Where a customer is underage or unable to provide valid ID, our drivers will return the entire order to the Site and the customer is then refunded. All refused sales are logged by our drivers in our driver app and we retain records of such refusals centrally.

We provide dedicated training to all our drivers on our "*Age restricted product verification policy*" during their onboarding. This training is repeated quarterly by our drivers. We also have signage affixed at the Site to remind drivers to undertake ID checks when delivering age restricted products and our on-site team also provide them with regular reminders.

Age Restricted Products: EduMe Training

You will learn...

What are age restricted products?

How to verify identification

Liability

Verifying using goDrive

Let's go!



Some products are age restricted due to UK laws e.g. alcohol, tobacco, sex toys.

Keep going



Age Restricted Products: EduMe Training

Sale of Restricted Products

In the UK it is illegal to sell any age restricted product to individuals that are **under the age of 18**.

We must check identification to verify a customer's age before handing over any age restricted goods.

OK 😊 

Let's review what we know so far!

Age Restricted Products

Take the quiz 🎉

Learner then goes on to 'take the quiz' & is asked 2 questions at this point:

Choose the correct answer



QUESTION 1 OF 2

In the UK, what age do you need to be over to legally buy restricted products?

15

21

18

Choose the correct answer



What product(s) would you need to ask for ID for here?

Nappies

Tobacco

Alcohol

Steaks

Age Restricted Products: EduMe Training



Valid forms of identification include:

- A valid passport
- A valid European Union photocard driving licence
- A valid photographic identity card bearing the national Proof of Age Standard Scheme (PASS) hologram.

Checking ID

- When a customer comes to the door, ask them to show the front of their ID but DO NOT take the ID from them
- Check the front of the ID at a safe distance
- Check the date of birth indicates the person is 18 or over
- Check the photo is a true likeness of the customer & hologram is present and genuine
- If there are any doubts, or there is reason to suspect the document is forged or borrowed, the sale or service of age restricted products must be refused.

Denying Handover

- ID is invalid or fake
- ID is expired
- Customer is underage
- Customer is intoxicated

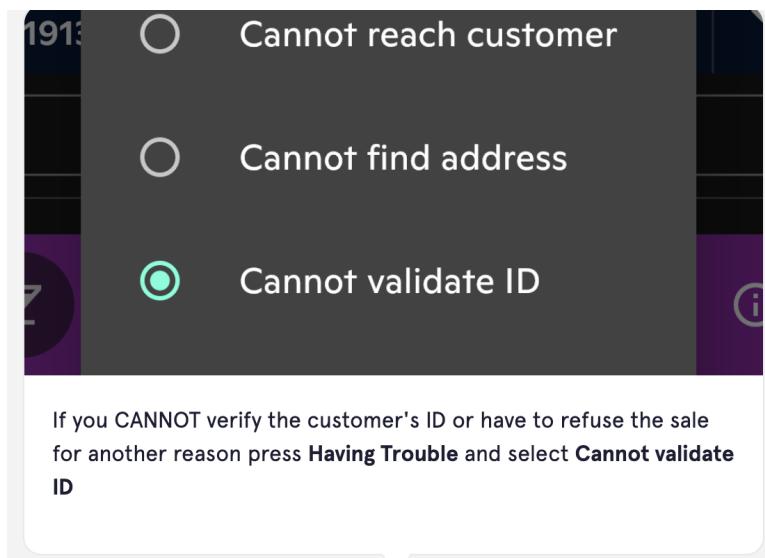
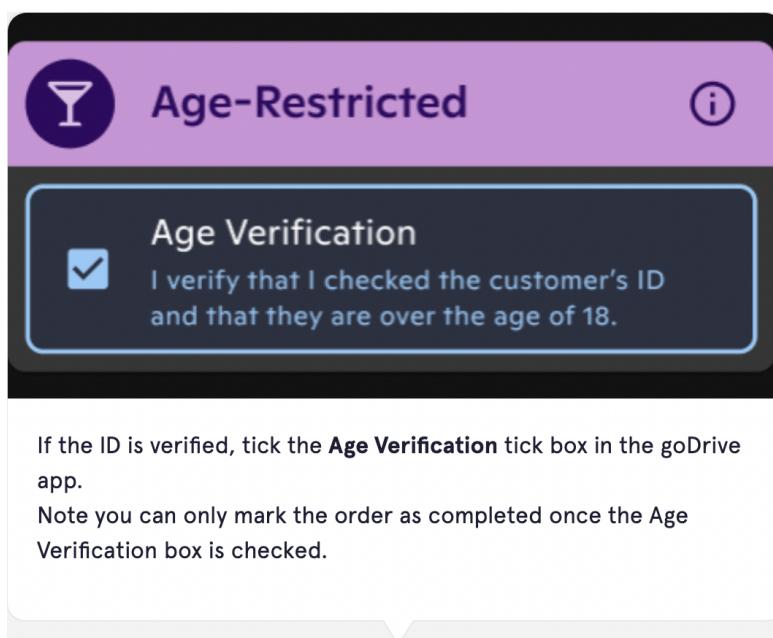
Age Restricted Products: EduMe Training

Delivery Partner Liability

Delivery partners can be personally liable if they do not verify the customer's age at the point of handover.

The **maximum** fine for handing over age restricted products to someone underage is £5000.

The delivery partner, store manager and company could be liable for a fine in these circumstances.



Age Restricted Products: EduMe Training

There is then a final quiz to cover more of the material:

Choose the correct answer



What type of ID card(s) can we NOT accept from this list?

- National Insurance Card
- Valid Passport
- Bank Card
- PASS card

Choose the correct answer

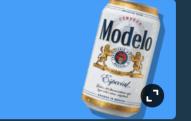


QUESTION 2 OF 4

Will it let you complete an order if you have not verified the customer's ID?

- Yes
- No

Choose the correct answer



Which Date of Birth would you have to reject the sale of alcohol to?

- 10/10/2006
- 04/11/1993
- 03/05/1995
- 06/09/1972

Choose the correct answer



- The Store Manager
- The Delivery Partner
- The customer
- The Operations Associate who packed the order
- Gopuff

*Who can be held liable for selling of age restricted products.

Safety : EduMe Training

You will learn...

- How to keep safe on the roads
- How to prevent incidents
- How to report accidents
- Insurance information
- Safety & respect towards neighbours & the community

Let's go!

Practice Safe Driving Techniques

Monitor blind spots, travel at safe speeds and reduce speed in work zones, keep up with regular vehicle maintenance, adjust driving techniques in bad weather, load cargo safely, and reduce speeds on curves to prevent your vehicle and cargo from tipping over.

Be aware of your Surroundings

- Familiarise yourself with your delivery zone and routes e.g. what streets or shortcuts might be better avoided.
- Park near to the delivery address to avoid walking alone in areas.
- Take note of any vehicles that may be following you.
- Only deliver to valid addresses e.g. we cannot deliver to parks or street side.

Physical Exertion

- Be sure not to carry loads that are too heavy on your back (bike)
- When using a cargo trailer be aware that the back of your bike may be heavier (bike/moped) _
- Be careful when handing over heavier bags to customers or moving the cargo trailer

Safety : EduMe Training

Dress Appropriately

- Using lights, fluorescent strips and bright clothing will make you stand out more on the roads
- Wear a helmet – this will help prevent serious injury (**bike/moped**)
- Dress for the weather _e.g. waterproofs for rain/snow and lighter clothes and suncream for sun. It is as important to protect yourself from sunburn and cold/flu as it is from falls. (**bike/moped**)

They are then asked a short quiz:

Choose the correct answer(s)



QUESTION 1 OF 3
What is this cyclist doing that is not safe?

Using a phone and loosely holding handlebar on other side

Wearing a tshirt

Wearing sunglasses

Choose the correct answer(s)



QUESTION 2 OF 3
What should you be aware of in this situation?

The roads might be icy

Wearing warm clothing

It's dark

Choose the correct answer(s)



QUESTION 3 OF 3
What is the main hazard here?

The person in the red jacket crossing the road without looking

The weather

The road markings

Answers: A, ALL , A

Safety : EduMe Training

Preventing Incidents

- You can prevent incidents by being aware of other drivers/ cyclists on the road.
- Check your bike/moped before use _e.g. check tyre pressure, handlebar alignment, gear changes, lights_
- Check over your car before use and ensure ample petrol levels
- Do refresher safety training every 3 months

Reporting Accidents

We try to keep you as safe as possible while at work but accidents can happen!

- If an accident happens on the road, pull over to the side of the road & contact your MFC **when it is safe to do so**.
- Note the vehicles, registration numbers and any passengers, as well as the incident scene.
- Never admit liability at the scene.

Insurance

- Please share the name of our insurance company and policy number with anyone who asks at the scene of the accident. (The Store Manager of the MFC can provide this)._(bike and moped only)_
- **Zego** is the name of the company that provides our insurance _(bike and moped only)_
- Drivers must have an H&R insurance policy that runs alongside their SD&P policy _(independent contracted drivers only)_

Our Neighbours are our Customers

Please avoid:

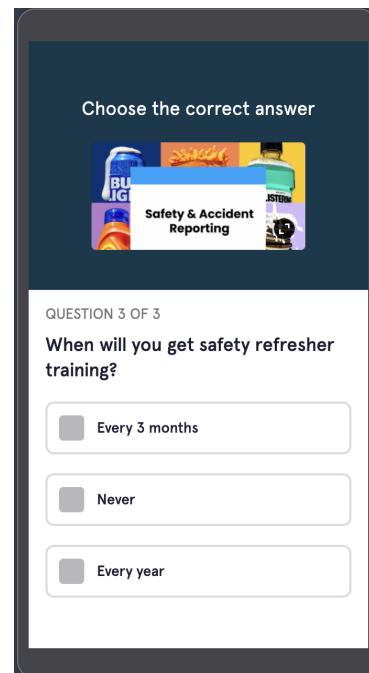
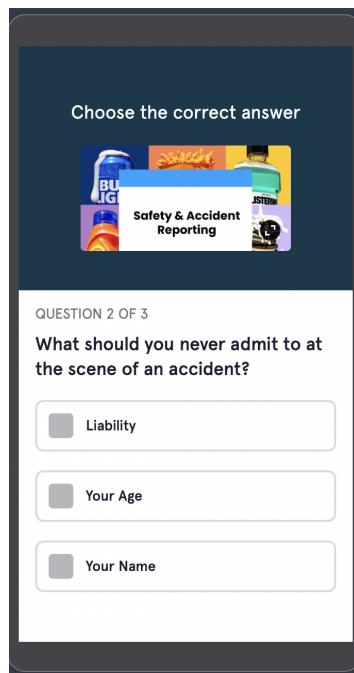
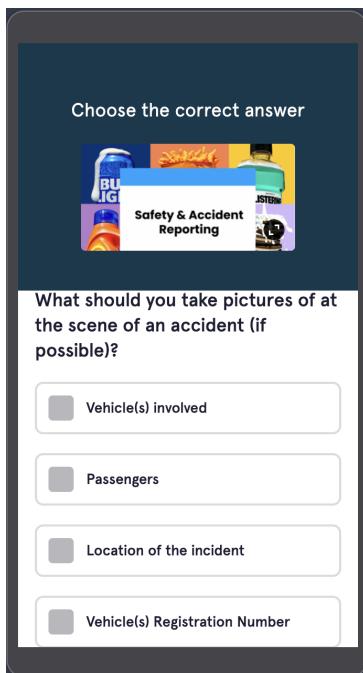
- shouting/ loud conversations outside the MFC - particularly early morning and late at night.
- using horns
- leaving engines running outside
- loud music when coming and going from the MFC
- loitering outside the MFC or nearby residential properties

Safety : EduMe Training

While you're Waiting

- If your MFC has a driver waiting room you must wait in there rather than outside the premises or in your vehicle.
- Please park your vehicle responsibly as to not upset any nearby residents. _e.g. do not park over double spaces, mopeds parked on pavements or bikes overflowing into pedestrian areas_

Quiz:



Answers: All, A, A

**WE'RE
SUPER-FAST,
NOT NOISY.**

Please be respectful of
our neighbours. Leave and
enter the site quietly.

Thank you.

gopuff