

Department of Public Health

REPRESENTATION

About You

Name	Submitted on behalf of Dr Cordelle Ofori, Director of Public Health
Address including postcode	Department of Public Health Manchester City Council Manchester Town Hall Albert Square M60 2LA
Contact Email Address	[REDACTED]
Contact Telephone Number	

About the Premises

Application Reference No.	300247/BJ1
Name of the Premises	Unit 0213A, Safe Storage Ltd,
Address of the premises including postcode	202-208 Cheetham Hill Road, Manchester, M8 8LW

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.

The Department of Public Health wishes to make a representation in relation to the application for a new premise licence for Unit 0213A, Safestorage Ltd, 202-208 Cheetham Hill Road, Manchester, M8 8LW.

The application is for a new premise licence for the supply of alcohol consumption off the premise only: Mon-Sun (00.00am- 12 midnight (24 hours). The premise is a storage facility that will be used for online retail operation.

The proposed application does not provide sufficient detail in relation to their business operating model and we believe that granting the application in its current form is likely to undermine the following licensing objectives:

- The protection of children from harm
- The prevention of public nuisance.

The applicant states they 'intend to operate as an online alcohol retailer only'. Licensable Activity Special Policies (LASP)³ in the Statement of Licensing Policy (page 22) sets out relevant considerations Responsible Authorities may consider when assessing applications.

The applicant has not provided full information in relation to the following:

- how the online retail sales will take place e.g. website, online platform etc.
- whether their operating model could be a 'rapid delivery service' and/or includes any contractual arrangements that could be considered 'rapid delivery of services'.
- the likely local areas of delivery; and
- whether the delivery services will be carried out by third parties or in-house staff.

Importantly, the application for sale of alcohol hours does not correspond with the opening hours of the storage unit. The significance of this is that the alcohol cannot be legitimately appropriated to the contact

if the operator cannot access the storage unit and so will not be compliant with the relevant legal requirements i.e. Licensing Act 2003.

Manchester Statement of Licensing Policy (Section 9 , Designated Premises Supervisor , page 85) sets an expectation that the 'Licensing Authority expects the Designated Premises Supervisor to carry out day-to day management activities of the premises. The Designated Premise Supervisor is listed in address outside of Manchester, with no information provided on any arrangements to ensure all licensing objectives will be upheld.

Licensing Objective: Protection of children from harm

The applicant mentions that customers will be 'made aware that proof of ID will be a condition of sale and must be provided prior to receipt of any alcohol'. Manchester Statement of Licensing (Section 5, steps to promote the Licensing Objectives page 44) states that where alcohol deliveries are carried out, Age Verification procedures should be implemented at both the point -of-sale and delivery stages, with a challenge 25 policy implemented at the point of delivery. It is unclear what procedure is in place at point of sale i.e on the online platform/website to ensure anyone under the age of 18 is not allowed to purchase/place an order for alcohol.

The applicant makes reference to alcohol related training for "all members of staff". This training includes challenge 25 and recognising the signs of intoxication, however, it is unclear whether delivery drivers are also defined as 'members of staff' and whether they will also receive this training. This means safeguards to prevent the sale of alcohol to those aged under 18 or intoxicated are insufficient.

These concerns are supported by a scoping review that considered the Public Health impacts of the online delivery of alcohol. Authors concluded that "Services that deliver alcohol on-demand can also subvert current alcohol access restrictions, particularly through poor age verification processes" indicating "that on-demand services are likely to be worsening existing health issues and inequities for consumers, due to enhanced access" (1). A recent survey commissioned by Alcohol Change UK found that 78% of 18–25-year-olds say they do not always have their ID checked on the doorstep (2). This is despite most retailers signed up to the Challenge 25 Scheme. A judgement passed by Julia Newton (District Judge for the Magistrates Courts) in September 2021 upheld the findings of an earlier hearing at Camden council in August / Sept 2020 which rejected the application for 24-hour alcohol delivery in the area and highlighted concerns regarding alcohol deliveries, namely around the lack of control the applicant has over the delivery drivers. There was therefore the risk that alcohol could be sold to people who were intoxicated or underage (3).

Data provided by our local substance misuse treatment data shows an increase in under 18's accessing treatment and support for alcohol and other treatment in 2023 compared to the previous year, evidencing concerns that more young people are reporting they are suffering from alcohol related harm in Manchester. Therefore, to approve this application in its current form, with insufficient safeguards to prevent the sale of alcohol to children, would fail to protect children in Manchester from further alcohol related harm.

One of the risks associated with alcohol delivery services identified in the Manchester Statement of Licensing Policy (Section 4, How we will consider Premises Licences applications, page 30) , is that 'alcohol for immediate consumption delivered in the early hours of the morning is likely to be consumed by someone who has already been drinking'. This is a risk which should be considered by this applicant as they are intending to serve alcohol in the late -night economy/24.7. This is supported by research from New Zealand during the pandemic, which found the use of online alcohol delivery services was associated with heavier drinking patterns and the purchase of alcohol when respondents said they otherwise would have stopped drinking (4).

Children who do not consume alcohol may also experience alcohol-related harm through indirect means when alcohol is sold to a parent who is intoxicated or who is dependent on alcohol. The applicant has failed to mention whether or how a refusal would be managed if the person that ordered the alcohol was found to be intoxicated at the point of delivery. The applicant refers to a refusals book and incident log but provides no details on the processes and procedures that would be in place to manage refusals.

Data from 2018-2019 National Drug Treatment and Monitoring Services (NDTMS) estimates 1692 adults dependent on alcohol live with children in Manchester (5), resulting in an estimated 2,770 - 3,008 children being directly impacted by alcohol misuse in the home (5). Furthermore, 794 children in need assessments performed in Manchester cited alcohol misuse by a parent as an issue (5). Living with an adult who misuses or is dependent on alcohol is regarded as an 'Adverse Childhood Experience' (ACE) (6). The absence of clear policies outlining that alcohol will not be delivered to people already intoxicated therefore means this application, in its current form, fails to uphold the licensing objective to protect children from harm.

There were 7,620 alcohol-related admission episodes (Broad definition) in Manchester recorded from 2022/23 (7), which translates to a directly standardised rate of 2,083 per 100,000 (7). This is significantly higher than both the national (1,075 per 100,000) and regional (1,0895 per 100,000) average. In addition, there are certain areas of the city which suffer disproportionately from significant harms from alcohol which can be demonstrated by local data provided by our substance misuse. Although the premise is located in the Cheetham ward of the city of Manchester, the applicant has not mentioned the likely local areas of delivery. Consideration must therefore be given to the wider impact beyond Cheetham ward.

Licensing Objective: Prevention of public nuisance

The applicant has included a condition "staff trained to deal with situations". It is unclear what training will be provided to staff, what 'situations' the applicant is referring to, and whether appropriate risk assessments have been undertaken to ensure staff safety and ensure a public nuisance is prevented. Further clarity is needed to understand exactly what training provision will be in place and how this will ensure the licensing objective to prevent public nuisance will be upheld.

The Department of Public Health believes that the application in its current form has not taken into consideration the area-based policies outlined in the Manchester Statement of Licensing Policy (2024-2029). which stipulates some areas are subject to 'Special Policies' such as Fallowfield, Withington etc. The special policies propose restrictions aimed at avoiding alcohol consumption in the nighttime and late-night economy which can contribute to alcohol-related anti-social behaviour, noise nuisance, domestic disturbances via house parties etc.

Although the premise is located in Cheetham, the applicant has not stipulated the likely local areas of delivery or how they might refuse deliveries in situations where alcohol -related nuisance or disorder is seen, or how they would ensure that alcohol is not given to individual who may already be intoxicated. In addition, the applicant has not provided sufficient information to provide assurance that the granting of their licence would not negatively impact on the area objectives outlined in the Manchester Statement of Licensing Policy. Therefore, granting this licence in its current form not only contradicts the Manchester SLP advice, but most importantly, is likely to undermine the licensing objective to prevent public nuisance.

To conclude, the Department of Public Health has concerns that the licensing objectives to prevent public nuisance and to protect children from harm will not be upheld and recommend that this application in its current form should be refused.

1. Duthie C, Pocock T, Curl A, Clark E, Norriss D, Bidwell S, McKerchar C, Crossin R. Online on-demand delivery services of food and alcohol: A scoping review of public health impacts. *SSM-Population Health*. 2023 Jan 24:101349.
2. Alcohol Change UK. Handle with care: the need for responsible alcohol delivery: May 2024 [Alcohol-Delivery-Research-summary.pdf](#)
3. Highbury Corner Magistrates Court Judgement [Internet]. London; UK: 2021 Available from [Shoaib LBC.pdf \(ftbchambers.co.uk\)](#)
4. Huckle T, Parker K, Romeo JS, Casswell S. Online alcohol delivery is associated with heavier drinking during the first New Zealand COVID-19 pandemic restrictions. *Drug and alcohol review*. 2021 Jul;40(5):826-3

5. Public Health England. Parents with problem alcohol and drugs use: Data for England and Manchester, 2019 to 2020. [Internet]. London; UK: 2020. Available from [Parents with problem alcohol and drug use: Data for England and Manchester, 2019 to 2020 \(ndtms.net\)](https://ndtms.net)
6. Manchester University NHS Foundation Trust. Adverse Childhood Experiences (ACEs) and Attachment. [Internet]. Manchester; UK: 2023. Available from [Adverse Childhood Experiences \(ACEs\) and Attachment - Royal Manchester Children's Hospital \(mft.nhs.uk\)](https://mft.nhs.uk)
7. Public Health fingertips [Alcohol Profile - Data - OHID \(phe.org.uk\)](https://phe.org.uk)



Licensing & Out of Hours Compliance Team - Representation

Name	Ben Scott
Job Title	Neighbourhood Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premise Details

Application Ref No	300247
Name of Premises	H Krupa Wholesale Ltd
Address	Unit 0213A, Safestore, 202 -208 Cheetham Hill Road, Manchester, M8 8LW

Representation

Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.

Licensing and Out of Hours have assessed the likely impact of the grant of this application on the licencing objectives.

The premises is a small storage unit (Unit: 0213A) inside- Safestore, 202 -208 Cheetham Hill Road, Manchester, M8 8LW.

The business is called H Krupa Wholesale Ltd and applying for 24 hours alcohol delivery service from this premises/building.

H Krupa Wholesale Ltd is a registered company on Companies House- Company number: 15165064, based in Wembley.

This Safestore building is in the Cheetham Hill area of Manchester. The area is industrial/commercial area, comprising of warehouses and wholesale businesses. There are no residential properties in the area.

The applicant has applied to carry out licensable activities in the form of delivery off sales of alcohol from the premises Monday to Sunday 00:00 to 23:59. The applicant is applying for a 24 hours alcohol delivery service.

Firstly, Licensing and Out of hours team would like to point out that Section 182 Guidance prescribe in paragraph 8.41 that:

“(...) applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing

objectives.”

I draw attention to the hours the applicant has applied for on their application.

The applicant is applying for a 24 hours alcohol delivery service from, Unit 0213A, Safestore, 202 -208 Cheetham Hill Road, Manchester, M8 8LW. However, Licensing and Out of Hours had conducted enquires in relation to this premises and established that the buildings opening hours are:

Monday to Saturday 08:00 - 18:00
Thursday 08:00 – 20:00
Sunday 10:00 – 16:00

On Monday 20th May 2024 at 09:43hrs I visited Safestore and spoke to staff member who confirmed the building is only open as per the above times.

I refer to the below photo taken of the opening times during my visit:



I also refer to the below screenshot from Safestore website:



50% off storage for your first 8 weeks // Secure your storage room now in under 3 minutes

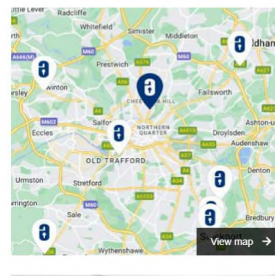
Address +

Directions +

Opening Hours -

Mon - Sat 8am - 6pm
Thursday 8am - 8pm
Sunday 10am - 4pm

Easter Opening Hours



Considering this building/storage unit is not open or accessible 24 hours, Licensing and Out of Hours questions how the applicant can use this premises to carry out and 24 hours alcohol delivery service. Essentially, a 24-hour alcohol delivery service cannot operate out from this premises/building after the unit closes at 6/8pm. Any sales of alcohol after the unit is closed will be unauthorised sales therefore undermining the licensing objectives.

There is no suggestion that Safestore are going to change their opening hours for this storage building in future.

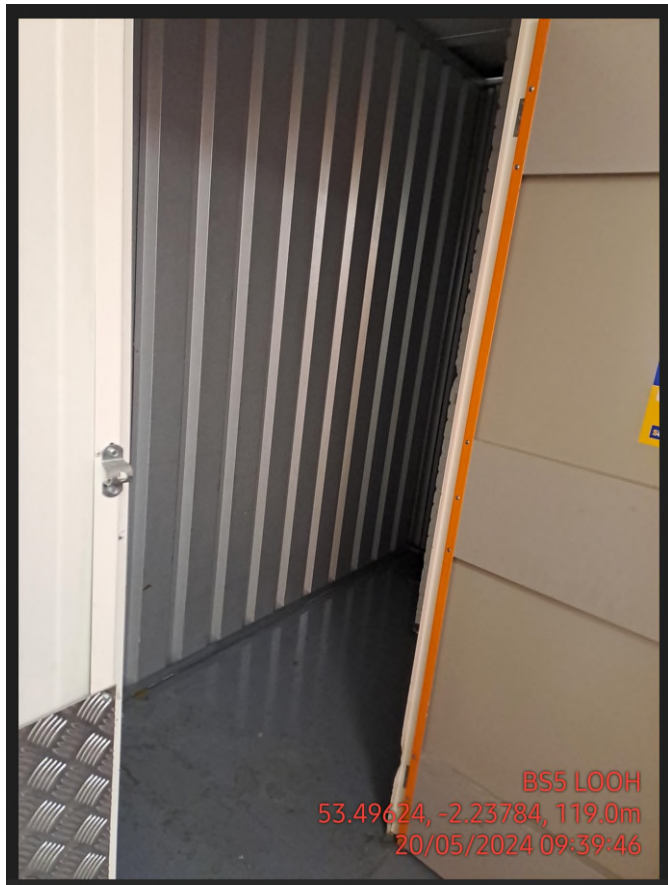
Licensing and Out of Hours highlights Manchester City Council's Statement of Licensing Policy in regard to hours as follows:

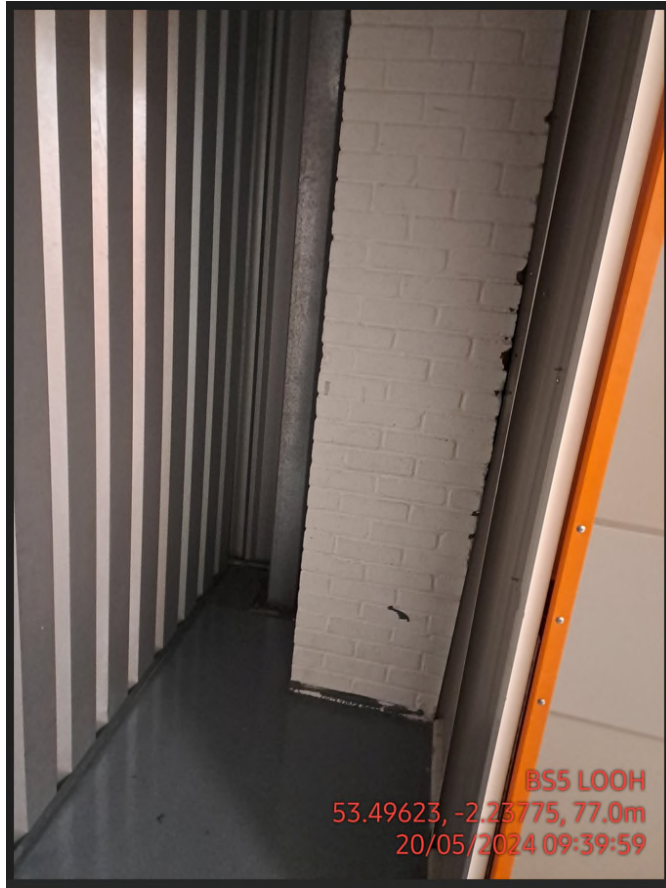
“The licensing authority will generally expect hours to be appropriate for the locality. Where there are relevant representations, it will be for the sub-committee to determine if they agree with any characterisation of an area when considering an application before them, taking into account the information provided to them as well as applying their own local knowledge.”

“Applicants are strongly encouraged to apply for the hours they intend to operate, and it may be that not applying for (unwanted) later hours might reduce the likelihood of objections against the application. The licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours.”

As I mentioned above, the storage unit is small. When I visited Safestore on Monday 20th May 2024 I inspected the actual storage unit. I would describe it as very small with not enough space for any large quantities of alcohol that would not doubt be needed to be stored to effectively run a delivery alcohol service from this unit.

I refer to the below photos I took the of storage unit:





Licensing and Out of Hours questions how this storage unit is viable, considering what the applicant has applied for.

In section M of the application, the applicant only states: “THE PREMISES SHALL OPERATE AS AN ONLINE ALCOHOL RETAILER ONLY” in describing the general promotion of all four licencing objectives. This is very vague and does not robustly detail the mitigation of any risks or problems associated with a 24 hour alcohol delivery service.

I refer to Manchester City Council’s Statement of Licensing Policy regarding risks associated with delivery services for alcohol:

“The authority considers there are risks associated with delivery services for alcohol and/or late-night refreshment:

- The deliveries would likely be to residential addresses where there was a risk of noise nuisance at the delivery point.***
- Public nuisance can arise from delivery activities due to noise and disturbance during the collection process and the delivery process.***
- Alcohol for immediate consumption delivered in the early hours of the morning is likely to be consumed by someone who has already been drinking.***
- At off-licensed premises, there is direct supervision when a customer places an order for alcohol. Staff can refuse to serve a customer who appears to be intoxicated or underage. Refusal logs are kept; CCTV is available to be reviewed by the responsible authorities.***
- Delivery drivers and riders contravening highway regulations,***

including illegal parking, riding through red lights, jumping between pavement and road lane cycling, and cycling without lights.

– Where alcohol is served by a delivery, the items have already been paid for before the courier arrives at the delivery location. Typically, couriers will wish to finish the job as soon as possible and it is questionable whether it can be reasonably expected that a courier, eager for the next job, would robustly carry out the necessary checks, eg. wait for a customer to produce ID documents or to show that the recipient is the same person who placed the original order, associated with refusing the sale of alcohol and then having to deal with the added workload of returning the goods.

– The difficulty for responsible authorities to effectively check couriers in a delivery only model.

– The risk of alcohol deliveries to public drinking hotspot areas, landmarks, or events and contravention of the city’s Public Space Protection Order on drinking alcohol in unlicensed public area.”

The applicant has not detailed if delivery services will be carried out by third parties or in-house staff. What type of vehicles used. The likely local areas of delivery. Any contractual arrangements with delivery services, including disciplinary procedures. History of compliance. Any proposed restrictions on service. Prohibitions on delivering alcohol to open spaces or parks.

I refer to Manchester City Council’s Statement of Licensing Policy’s Licensable Activity Special Policies regarding delivery services applications:

LASP3 Delivery services (for alcohol and late-night refreshment).

“In considering applications for delivery services, in addition to other relevant elements of the policy, the licensing authority will consider how the applicant will ensure that this service is not likely to adversely impact on the licensing objectives. Relevant considerations may include:

– How the proposal aligns with the Best Practice for Rapid Delivery Services Delivering Age Restricted Products by the Retail of Alcohol Standards Group (RASG).

– Whether delivery services will be carried out by third parties or in-house staff.

– Nature of the vehicles used.

– Likely local areas of delivery.

– How vehicles and delivery couriers will service the venue (parking, waiting areas etc).

– Any contractual arrangements with delivery services, including disciplinary procedures.

– History of compliance.

– Any proposed restrictions on service.

– Arrangements for age verification.

– Prohibitions on delivering alcohol to open spaces or parks, such as Castlefield Arena, including associated landmarks.”

Licensing and Out of Hours believes the applicant has provided insufficient steps in regard the prevention of public nuisance licensing objective.

The applicant mentions in their application that: "STAFF TRAINED TO DEAL WITH SITUATIONS". The applicant does not provide any further details in relation to this. What situations will staff be trained to deal with?

Furthermore, the applicant has not mentioned how or if they would record refusals of sales of alcohol or record any incidents involving their staff.

The applicant has also not mentioned the availability of the record of sales of alcohol to the relevant authorities upon request.

Licensing and Out of Hours draws attention to the Special Policy Areas that are detailed in Manchester City Council's Statement of Licensing Policy.

These special policy areas are:

- Withington.
- Fallowfield.
- Ancoats and New Islington.

Regarding these areas, the Statement of Licensing Policy states about Alcohol off-licences:

"Alcohol off-licences: consumption off the premises, including delivery services.

– Twilight, evening economy: will generally be permitted.

– NTE: licensable activities will generally be permitted until 11pm (Sunday to Thursday) and midnight (Friday and Saturday).

– Late-night economy: Policy is to refuse except in exceptional circumstances."

If a premises licence was granted in regard to this application, then it would be for off sales of alcohol which would fall within the above policy regarding alcohol off-licences. Licensing and Out of Hours believes H Krupa Wholesale Ltd could deliver the anywhere across the City of Manchester including Special Policy Areas. Licensing and Out of Hours believes this would undermine the Special Policy Areas particularly late-night economy/early hours of the morning. Regardless that the licenced premises is not within a special policy area, the delivery of alcohol could easily be to those areas thus undermining Special Policy Areas.

Licensing and Out of Hours draws attention to the Public Spaces Protection Order (PSPO) which covers the entire City of Manchester. This PSPO relates to the prohibition of consumption of alcohol in public spaces.

The applicant has not stated how they will uphold and prevent a breach of this PSPO regarding the delivery of alcohol.

I refer to Manchester City Council's Statement of Licensing Policy:

"The authority considers there are risks associated with delivery services for alcohol and/or late-night refreshment:

- The risk of alcohol deliveries to public drinking hotspot areas, landmarks, or events and contravention of the city's Public Space

Protection Order on drinking alcohol in unlicensed public areas”

“Where relevant representations have been received in relation to applications for premises that provide a delivery service for alcohol, we shall consider imposing a condition (or conditions) that those deliveries are only made to a fixed physical address, that goods are only left to the named purchaser and where a Challenge 25 check is completed and recorded before alcohol is handed over. This is to avoid risks of alcohol being supplied to underage persons or that are likely to undermine the council’s PSPO on alcohol consumption in unlicensed public places.”

The applicant has detailed the designated premises supervisor as; [REDACTED] [REDACTED] who’s address is in [REDACTED]. The address of the designated premises supervisor is 160 miles away from Safestore. Licensing and Out of Hours questions how a designated premises supervisor who lives 160 miles away can have effective day to day management of this premises. The applicant has not detailed how they will ensure this.

After considering this application, Licensing and Out of Hours seeks refusal of this premises licence application on grounds that, the building detailed in the application cannot be used or accessed 24 hours and that the applicant has failed to provide sufficient steps on how they will uphold the prevention of public nuisance licensing objective, this application undermines Special Policy Areas, the DPS is not based locally allowing effective oversight of the day to day management of the premises.

Refusal.