

TRAFFORD COUNCIL

Report to: Licensing Sub-Committee
Date: 12th June 2024
Report for: Decision: Determination of Application
Report of: Head of Regulatory Services

Report Title

APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER S17 LICENSING ACT 2003 AT IN-FIVE, 85 GEORGE STREET, ALTRINCHAM WA14 1RN.

Summary

Under S18(4) of the Licensing Act 2003, Members are requested to determine an application for a new premises licence in respect of in-Five, 85 George Street, Altrincham WA14 1RN having regard to a representation received and the requirement to promote the four licensing objectives.

Recommendation(s)

The following options are open to the Licensing Sub-Committee;

- (i) To grant the application in full and on the terms and conditions contained within the application to include any applicable mandatory conditions.
- (ii) To grant the application as above, modified to such an extent as considered appropriate to satisfy any relevant representations and promote the licensing objectives; or
- (iii) To reject the application.

Contact person for access to background papers and further information:

Name: Stacey Hilton, Licensing Officer.
Contact: Licensing@trafford.gov.uk

1.0 APPLICATION

1.1 A premises licence is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- The sale of alcohol
- The supply of alcohol (in respect of a club)
- Regulated entertainment
- The provision of late night refreshment

This application was submitted by Shoalter Automation (UK) Limited in respect of in-Five, 85 George Street, Altrincham WA14 1RN.

1.2 The applicant has applied for the following licensable activities:

Supply of Alcohol – Off
Monday – Sunday – 07:30 – 23:00

1.3 The application has been properly made and all procedures correctly followed. The application including operating schedule has been attached as **Appendix A**.

1.4 The plan of the premises has been attached as **Appendix B**.

2.0 BACKGROUND AND HISTORY OF PREMISES

2.1 The applicant has described the premises as:

‘We are operating an automated convenience store, named "in-Five", which sells groceries, snacks, cold drinks, tobacco and some selection of wines and bottled beers. This is the second store in the UK and will be located in 85 George Street, Altrincham. Our first store is located in Salford, which opened in 2023. We plan to open from 7:30am to 11pm daily. The store is on the ground floor and is located in the high street of the town, no seating area is provided in store. We provide a click-and-collect service which customers can order via the mobile app and collect the goods in store. The mobile app is also named as "in-Five" and is available on Apple App Store and Google Play Store for all UK consumers to access. We will not provide an area for customers to consume the alcoholic products within our premise. You may refer to the details of the attached plans. The concept is very similar to Amazon locker. ‘

3.0 OPERATING SCHEDULE

3.1 The operating schedule is completed by the applicant and contains additional measures to illustrate how they propose to promote the four licensing objectives as required by provision of the Licensing Act 2003. They are listed below and will be attached as conditions to any licence as may be granted:

1. In-Five app will require customers to do an age-verification test (supported by Yoti) prior to check out, and they have to do an age-verification test and sobriety test prior to collecting their orders. Upon collection, customers must collect on their own as the app has geographic limits set up. If the customer's device (the device

that places orders) is over 50m from the shop location, they are not allowed to pick up.

2. Yoti is an application that has been accredited by ACCS (Age Check Certification Scheme) and compliant with the British Standards Institution PAS 1296:2018 code of practice. Details found here: <https://www.yoti.com/business/age-verification/>
3. Alcoholic products will only be sold on the premise but cannot be consumed.
4. In our backend system, we can track all orders if they have successful met age verification & sobriety test.
5. We will install CCTV and operate 24 hours every day.
 - i. CCTV easily downloadable and available to Police officers on demand
 - ii. Lighting must be complimentary to CCTV ensuring clear images
 - iii. CCTV cameras located to cover all areas of the Premises that the public have access to (except toilet area)
 - iv. A digital hard drive CCTV system to be in operation to cover all areas of the premises to which the public have access and all external areas of the premises
 - v. All CCTV recorded images will have sufficient clarity / quality / definition to enable facial recognition.
 - vi. CCTV will be kept in unedited format for a period of 28 days
 - vii. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce / download CCTV images upon request by a person from a responsible authority or be in a position to do so within an acceptable time period.
 - viii. CCTV will be contained on a regular basis and kept in good working order. CCTV maintenance records to be kept and details of contractor used and work carried out to be recorded and kept.
 - ix. All recorded images must contain a visible time and date stamp which shows the actual time of the recording.
6. We will install CCTV and operate 24 hours every day. The CCTV is installed and would oversee the internal customer engagement area and the area outside shop. Customers that placed orders can scan QR code to open their own lockers. The door is also automatically locked after business hours. Only staff is allowed to enter with entrance fobs after hours.
7. There will be at least one member of staff in the premises at all times there is licensable activity taking place - they will be responsible for the security and safety of staff, to prevent sales of alcohol being received by underaged persons, to prevent consumption of alcohol or food on or directly outside of the premises and prevent sale of alcohol to anyone who is drunk.
8. We will install CCTV and operate 24 hours every day.
9. There will be at least one member of staff in the premises at all times there is licensable activity taking place, they will be responsible for the security and safety of staff, to prevent sales of alcohol being received by anyone who is drunk. This person will be SIA trained and hold a ISA licence and will be provided with lone worker devices, e.g. personal safety equipment and communication with support if required.

10. We will apply an age verification policy and ask individuals who appear under the age of 18 to produce identification bearing their photograph, date of birth and holographic mark or ultraviolet feature.
11. We will display Challenge 25 Poster for age restricted products.
12. There will be at least one member of staff in the premises at all times there is licensable activity taking place - they will be responsible for the security and safety of staff, to prevent sales of alcohol being received by underaged persons, to prevent consumption of alcohol or food on or directly outside of the premises and prevent sale of alcohol to anyone who is drunk.

4.0 CONSULTATION

- 4.1 The responsible authorities included in the consultation are; Greater Manchester Police, Greater Manchester Fire & Rescue, Environmental Health & Pollution Control, Building Control, Health and Safety Team, Home Office Immigration Enforcement, Planning Department, Safeguarding Children Team, Trading Standards and Public Health.
- 4.2 Of those consultees identified in paragraph 4.1, a representation was received from Nasreen Ali, an Environmental Health Officer, Trafford Council, in relation to noise causing a nuisance, attached as **Appendix C**.
- 4.3 A copy of the report and the representation received have been sent to the applicant.
- 4.4 Those that have made a representation have been informed of the time and date of the Licensing Sub-Committee meeting and have been informed of their right to attend.

5.0 LEGAL CONSIDERATIONS

- 5.1 Conditions may only be attached to a Premises Licence where they are deemed appropriate for the promotion of the licensing objectives. They must be proportionate and not duplicate any existing provisions contained in other legislation. The justification behind a refusal or the attachment of conditions must be given to the applicant.
- 5.2 The Sub-Committee is advised that any findings on any issues of fact should be on the balance of probabilities and any decision should be based on the individual merits of the application.
- 5.3 The Sub-Committee, in arriving at its decision; must have regard to relevant provisions of national guidance and its own statement of licensing policy and reasons should be given for any departure.
- 5.4 There is a right of appeal to the Magistrates Court within 21 days from the date the Applicant is notified of the decision of the Licensing Sub-Committee.

Appendices:

- A) Application for a New Premises Licence
- B) Plan of the Premises

C) Representation from Environmental Health