



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	29 July 2022
Licensing Ref No:	22/05200/LIPN - New Premises Licence
Title of Report:	French Tacos 414 Harrow Road London W9 2HU
Report of:	Director of Public Protection and Licensing
Wards involved:	Harrow Road
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: <a href="mailto:kjackaman@westminster.gov.uk">kjackaman@westminster.gov.uk</a>

<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	16 May 2022		
<b>Applicant:</b>	Food Genie London Limited		
<b>Premises:</b>	French Tacos		
<b>Premises address:</b>	414 Harrow Road London W9 2HU	<b>Ward:</b>	Harrow Road
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application form the premises is a fast food takeaway/restaurant which caters for a maximum 15 covers.		
<b>Premises licence history:</b>	This is a new premises licence application and no premises history exists.		
<b>Applicant submissions:</b>	<p>The premises has been managed and operated by the same company now since September 2020 unlicensed opening 11am to 11pm 7 days a week.</p> <p>A French Taco is essentially a tortilla wrap filled with fries, cheese, meat and other deli ingredients, which originated from France some 20 years ago. There are very few outlets across the UK and only a handful in London. The demand for this food is increasing hence the applicants desire to be able to continue serving the dish to the early hours each day.</p> <p>There will be no alcohol served or permitted to be drunk at the premises and the applicant already adheres to exceptional hygiene and safety standards, respectful of the local area and its residents the applicant has an excellent relationship with nearby residents and businesses alike that are in support of their application.</p> <p>Albeit the applicant uses outside agencies to deliver their products, they already administer strict guidelines to the delivery teams and will act swiftly on complaint of any delivery rider/driver as they are well aware that not only will this impact their business, but moreover it will have a negative impact on their already excellent relationship with local residents and businesses.</p> <p>As stated within the operating schedule, the applicant will be closing the doors of the premises at 2am each day to customers walking into the premises. However, thereafter the kitchen will remain open till 5am to continue the offer of a delivery service.</p>		
<b>Applicant amendments:</b>	None		

<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			<b>Both</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	05:00	05:00	05:00	05:00	05:00	05:00	05:00
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	11:00	11:00	11:00	11:00	11:00	11:00	11:00
<b>End:</b>	05:00	05:00	05:00	05:00	05:00	05:00	05:00
<b>Seasonal variations/ Non-standard timings:</b>		None					
<b>Adult Entertainment:</b>		None					

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Maxwell Koduah
<b>Received:</b>	25 May 2022

I refer to the application for a new Premises Licence number for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Council's Statement of Licensing Policy dated October 2021.

The applicant is seeking to provide late night refreshment indoors & outdoors Monday to Sunday from 23:00 to 05 hours

**Following consideration of the application and how it may affect the Licensing Objectives meeting the requirements of the Council's Statement of Licensing Policy I wish to make following representations:**

1. The hours requested to provide late night refreshment may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

There are no toilet(s) shown on the accompanying floor plans. If there are no toilets for use by patrons, then no persons would be permitted to consume food on the premises. This would be discussed further.

As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

Conditions to form part of the operating schedule have been proposed below to support the licensing objectives of Prevention of Public Nuisance and Public Safety. Applicant is advised to study the

conditions for further discussion during an agreed site visit.

**The seven conditions proposed by Environmental Health are set out at appendix 5**

<b>Responsible Authority:</b>	Metropolitan Police Service
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<b>Representative:</b>	Reaz Guerra
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<b>Received:</b>	09 June 2022
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With reference to the above applications, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

There is insufficient detail contained within the operating schedule to promote the licensing objectives, the hours sought exceed Westminster's core hours policy.

It is for these reasons that we object to this application.

**The Metropolitan Police Service have submitted further supporting evidence which appears at appendix 3**

## 2-B Other Persons

<b>Name:</b>	[REDACTED]
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<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
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<b>Received:</b>	17 May 2022
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I have noted there is no information at all on this application available online. There is no detail of the type of business that is being applied for or the application details. However the opening hours being proposed: 11 am to 5 am seem to be completely off for the area. This premises are right behind a residential News Street, with a primary school in the corner and a nursery school across the road. Any business conducted at 5 am will have a serious disruption on residents life

## 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

### Policy HSR1 applies

- A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.
- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:
1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
  2. If the application is located within a Special Consideration Zone

they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.

3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
5. The proposed hours when any music, including incidental music, will be played.
6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
9. The capacity of the premises.
10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

- 10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol) Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.
- 10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.

D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.

	E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.
<b>Policy FFP1(A) applies</b>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meet the definition of a fast food premises in Clause D.</li> </ol> <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <ol style="list-style-type: none"> <li>1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption.</li> <li>2. Food and drink are: <ol style="list-style-type: none"> <li>a. Available on the premises for self-selection.</li> <li>b. Prepared on the premises.</li> <li>c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers.</li> </ol> </li> <li>3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption.</li> <li>4. A fast-food premises can provide a delivery service as part of its operation, however that service must be ancillary to the main function of the premises as defined within sub-clauses D,1 to D,3 above.</li> </ol>

#### 4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

<b>5.</b>	<b>Appendices</b>
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Evidence from the Metropolitan Police Service
<b>Appendix 4</b>	Premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

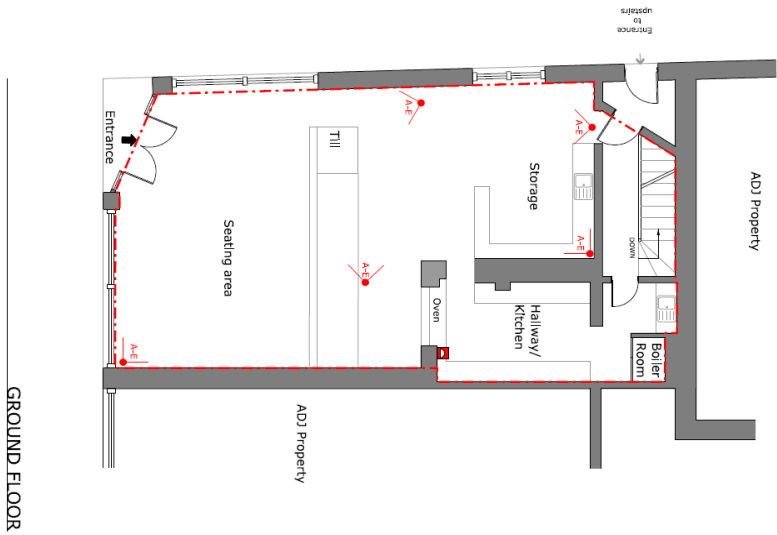
**Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health representation	25 May 2022
<b>5</b>	Metropolitan Police Service representation	09 June 2022
<b>6</b>	Interested party representation	17 May 2022

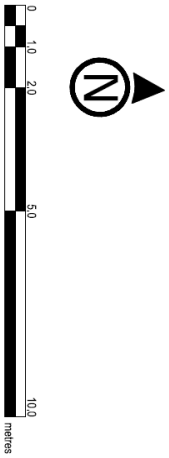
25 Masons Avenue,  
Harrow  
HA3 7LZ  
Harry & Jacobs  
1207 210 8880  
www.harryandjacobs.com

**KEYS**

- Red line delineates licensable area
- A-E CCTV camera positions
- Fire equipment



GROUND FLOOR



**HARRY & JACOBS**

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**NOTES**

Revision	Notes	Date

KEY		
	Existing walls	Proposed beam
	Proposed walls	Proposed drainage
	Existing removal	Proposed change
	Proposed ceiling	Proposed height
	Proposed ceiling	1.5m hand height

**Property Details**

414 Harrow Rd  
Maida Vale  
London  
W9 2HU

<b>STATUS</b>	EXISTING
<b>DRAWING TITLE</b>	GROUND FLOOR PLAN
<b>CLIENT</b>	0059
<b>SCALE</b>	1:100 at A3
<b>DATE</b>	OCT 2021
<b>DRAWN</b>	JD
<b>CHECKED</b>	JD
<b>DRAWING NO.</b>	1718 - 101



**Applicant Supporting Documents**

**Appendix 2**

None

**OFFICIAL (When Completed)**

CP6



**City of Westminster**  
**WITNESS STATEMENT**

Reference Number: *Reference number*

**STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r. 16.2;*

*Criminal Justice Act 1967, s. 9)*

**STATEMENT OF** Richard Arthur

**Age of witness:** over 18

**This statement** (consisting of Three pages) **is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.**

I am employed by Westminster City Council as a City Inspector for City Operations, Public Protection and Licensing. I have held this position since 1<sup>st</sup> of August 2019. I am authorised to enter and inspect premises, make enquiries within these premises, then to exercise the functions and powers as contained under the provisions of the Licensing Act 2003 and the Health Act 2006.

On the 30th of April at 00:06am I and another colleague Audrey Ofori who is also a city inspector visited French Tacos 414 Harrow W9 2HU. During our observation of the premises we witnessed the business owner Mr. Syed Andrabi was still open and serving customers via the side window, pictures were taken as evidence. We also checked the online status of French Tacos on "UberEATS" and it confirmed that they were still accepting orders at 00:11am.



## City of Westminster

Again on the 1st of May at 00:35am and 01:48am, We visit the premises and witnessed the business owner Mr. Syed Andrabi serving customers via the side window on both occasions.

I approached the premises and attempted to speak with Mr. Syed Andrabi, but he became very apprehensive and uncooperative, and only wanted to speak to me from behind the glass doors. He later agreed to speak to me from the side window, but denied he was selling to customer, even after showing him photographic evidence of him handing over hot food to a deliver rider via the side window.

Mr. Syed Andrabi has a history of disregarding, and ignoring verbal warnings from enforcement officers, and has continued to sell hot food after 11pm without a valid late night refreshment license.

According to unform Case Ref:20/21670/ELSELF, there were legal proceeding been initiated by Steve Pennington back in November of 2020, but I could not establish if this enforcement action lead to the successful prosecution of Mr. Syed Andrabi.

I understand that Mr. Syed Andrabi has submitted an application last year for a late-night refreshment license for this premises, and he is fully aware that part of the licensing requirement is that he is not allowed to trade after 11:00pm while is application is been processed.

Mr. Syed Andrabi has not been granted a license but have continued to ignore the requirement for his late night refreshment application by selling hot food after 11pm without a valid license, and may continue to do so.

We left the location ataproxmately 01:52am.

**Signed:** Richard Arthur

**Date:** 05/05/2022



## City of Westminster

*To be completed if applicable (or if, not applicable please check here ):*

*Name* being unable to read the above statement I, *Name of Company or Address*, read it to *him or her* before *he or she* signed it.

**Signed:** *Name*

**Date:** *Date*







There is no licence or appeal history for the premises.



**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING**

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Conditions consistent with the operating schedule**

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

### **The Metropolitan Police have proposed the following alternative model condition**

- (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.**
  - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.**
  - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.**
  - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.**
  - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.**
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. Signage stating that CCTV is in operation at the premises will be clearly displayed at the premises
12. The use of CCTV at the premises will be registered with the Information Commissioners officer (ICO)
13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
  - a. all crimes reported to the venue
  - b. all ejections of patrons
  - c. any complaints received concerning crime and disorder
  - d. any incidents of disorder
  - e. any faults in the CCTV system
  - f. any visit by a relevant authority or emergency service.
14. The premises will close to the general public at 0200 hours to prevent any person walking into the venue. The kitchen may remain open, and the premises permitted to offer delivery by telephone/online order only until 5am each day

15. No persons carrying open vessels of alcohol will be permitted to enter or remain on the premises at any time.
16. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
  - The police (and, where appropriate, the London Ambulance Service) are called without delay;
  - All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
  - The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
  - Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
17. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times
18. A health and safety risk assessment will be completed and reviewed regularly, and will be made available to authorised officers of the council and the Metropolitan Police upon request
19. Staff will attend to any spillages within the venue as soon as practicable to minimise risk of injury to customers.
20. Customers will be actively discouraged from gathering outside of the premises
21. Staff shall carry out regular checks to monitor customer behaviour and to ensure there is no outbreak of noise from the premises.
22. Notices shall be prominently displayed at the exit requesting patrons to respect the needs of local residents and businesses and leave the area quietly
23. The main doors of the premises shall be kept closed throughout the duration of licensable activity except for access and egress
24. During licensable hours there will always be a minimum of two members of staff present
25. Staff will be trained to identify signs of intoxication, suspicious or aggressive behaviour and how to appropriately deal with such customers so as to provide adequate care and minimise risk
26. There will be no takeaway service of food for immediate consumption – all food taken away is to be closed/wrapped up.
27. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor by vibration be transmitted through the structure of the premises which gives rise to a nuisance.
28. All windows and external doors shall be kept closed after 23:00 hours except for the immediate access and egress of persons

29. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
30. No deliveries to the premises shall take place between 2100 hours and 0800 hours the following day
31. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order
32. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified.
33. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous
34. No fumes, steam or odours shall be omitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated
35. The licensee will provide adequate bins for use by customers and encourage their use
36. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between the hours of 22:00 and 08:00
37. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day
38. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time
39. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business
40. The licensee undertakes to use only experienced and reputable delivery companies whereby the following will be adhered to by all delivery staff;
  - Drivers/Riders will switch off their engines and wait inside the licensed premises while awaiting the collection of a delivery
  - Deliveries will only be made to the registered address as per the booking
  - Drivers/Riders will switch off their engines when their vehicle is stationary outside the address being delivered to
  - Any drivers found to be breaching these policies, or in any way causing a nuisance will have their services terminated
41. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority be consumed on the premises.
42. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing

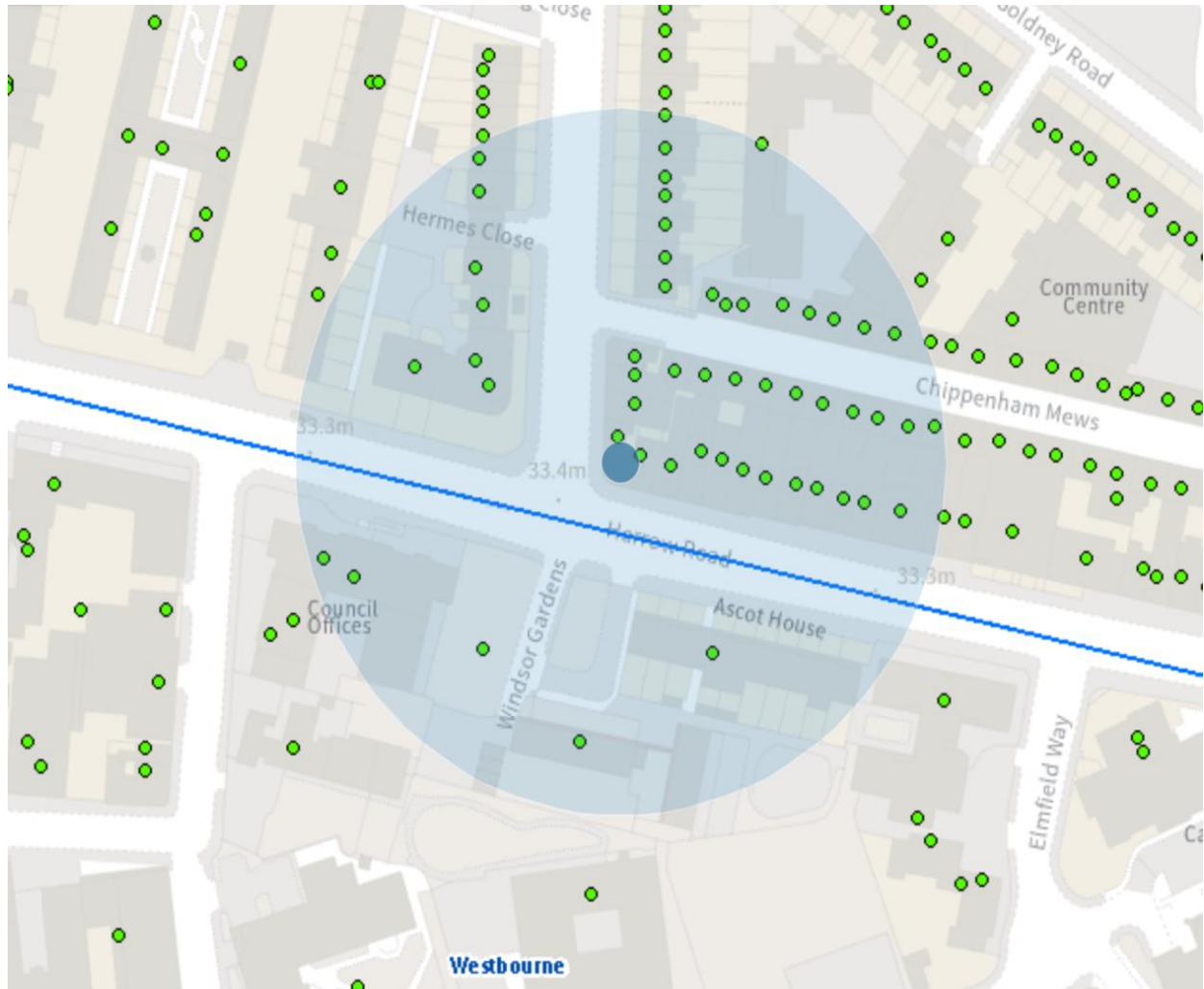
authority has replaced this condition on the licence with a condition detailing the capacity so determined

**Conditions proposed by the Environmental Health not yet agreed by the applicant**

43. Notices shall be prominently displayed at the entrance advising patrons that the premises is closed to all persons except delivery personnel after 02:00 hours each day
44. There shall be no queuing outside the premises between 23:00 and 05:00 hours
45. Delivery drivers/riders shall wait inside the premises between deliveries/ for deliveries
46. The premises Licence Holder shall ensure that delivery riders/drivers will be instructed not to loiter in the vicinity of residential premises
47. The premises Licence Holder shall ensure that delivery riders/drivers will not be permitted to congregate in the immediate vicinity of the premises
48. The premises Licence Holder shall ensure that riders/drivers will not be permitted to smoke in the immediate vicinity of the premises
49. Deliveries shall only be made to a bonafide residential or business addresses

**Conditions proposed by the Police not yet agreed by the applicant**

See condition 9 above



Resident count: 236

Licensed premises within 75m of 414 Harrow Road, London, W9 2HU				
Licence Number	Trading Name	Address	Premises Type	Time Period
11/07847/LIPN	Supermercado Portugal	Basement And Ground Floor 396 Harrow Road London W9 2HU	Cafe	Sunday; 10:00 - 22:00   Monday to Saturday; 08:00 - 22:00