

# Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Jacu  
75 Page Street  
London  
SW1P 4EJ

Report of:

Director of Public Protection and Licensing

Wards involved:

Vincent Square

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Kevin Jackaman  
Senior Licensing Officer

Contact details

Telephone: 020 7641 8094  
Email: [kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	16 October 2019		
<b>Applicant:</b>	Jacu Restaurant & Coffee Shop Limited		
<b>Premises:</b>	Jacu Restaurant and Coffee Shop		
<b>Premises address:</b>	75 Page Street London SW1P 4EJ	<b>Ward:</b>	Vincent Square
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	According to the application form the premises will trade as an all day menu cafe/brasserie.		
<b>Premises licence history:</b>	<p>There have been a number of premises licences associated with the premises since 2005.</p> <p>A premises licence is currently in existence for the premises (licence number 18/04975/LIPN) held by Mr Yasar Tunc and Mr Yunus Tarhan which permits the sale of alcohol from 11:00 to 23:00 Monday to Saturday and 12:00 to 22:30 Sunday.</p> <p>A full licence history for the premises appears at <b>Appendix 3</b>.</p>		
<b>Applicant submissions:</b>	Submissions from the applicant are shown at <b>Appendix 2</b> of the Report in the form of a letter sent to those who made representations.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>		The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those					

	activities on New Year's Day.
--	-------------------------------

<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>	06:00	06:00	06:00	06:00	06:00	08:00	08:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.						

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Maxwell Owusu Koduaah
<b>Received:</b>	25 October 2019

I refer to the application for a new Premises Licence 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 Councils Statement of Licensing Policy dated January 2016.

The applicant is seeking to:

1. Provide late night refreshment "Indoors" and outdoors" at the following times:

Monday – Thursday: 23:00 to 23:30 hours

Friday and Saturday: 23:00 to 00:00 hours (midnight)

From the terminal hour on New Year's Eve through the commencement time on New Year's Day

2. Supply of alcohol for consumption "on" and "off" the premise at the following times:

Monday – Thursday: 10:00 to 23:30 hours

Friday – Saturday: 10:00 to 00:00 hours (midnight)

Sunday: 12:00 to 22:30 hours

From the terminal hour on New Year's Eve through the commencement time on New Year's Day

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

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

2. The supply of alcohol and the hours requested may have the likely effect of increasing Public Nuisance and impact on Public Safety within the area

It is my view that there is insufficient information to address the concerns of Environmental Health and the granting of this application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

The applicant is asked to contact the undersigned to arrange a site visit to assess the premises

to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

**Responsible Authority:** Metropolitan Police Service (**Withdrawn 6 November 2019**)

**Representative:** Adam Deweltz

**Received:** 30 October 2019

With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.

It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

**Following agreement of additional conditions, the Metropolitan Police withdrew their representation on 6 November 2019).**

## 2-B Other Persons

**Name:** [REDACTED] (**Withdrawn 21 November 2019**)

**Address and/or Residents Association:**

**Received:** 31 October 2019

I wish to express concern around this application, and specifically smoking.

Looking at the plans, there will be seating outside, which will probably cater for smokers.

Additionally, those sitting inside, and smoke, will be stepping outside to have a drag.

Considering there's a bus stop on what is a relatively narrow pavement, is there anything that can be done to control the smoking, restrict it elsewhere?

Meanwhile, could you confirm what type of establishment it will be? A day to day cafe, restaurant, licensed bistro?

**Following correspondence from the applicant, the objector withdrew their representation on 21 November 2019.**

**Name:**

**Address and/or Residents Association:**

**Received:** 24 October 2019

I'm concerned about the application to serve alcohol.

While there was a pub on this site in the past, since it shut, rough sleeping and begging and associated antisocial behaviour have emerged as a problem in the area. Indeed the premises in question are often used by rough sleepers. Consequently I am opposed to an alcohol license in view of these changed circumstances. More particularly, the previous establishment did not have a late night licence, nor did it have outside seating.

As this a residential area with flats immediately above and to the side of the premises, I think outside seating with a late night license will be intolerable for neighbours. Also, the pavements are not wide enough for outside seating without impeding pedestrians, especially as there is a

bus stop and post box around there.

**The applicant wrote to those residents making representation and the letter can be seen at Appendix 2 of the Report. The objector responded and wished to maintain their representation.**

### 3. Policy & Guidance

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

<b>Policy HRS1 applies</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
<b>Policy PB1 applies</b>	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

### 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, pregnancy and maternity, race, religion or belief, sex, and sexual orientation

## 5. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 8094 Email: <a href="mailto:kjackaman@westminster.gov.uk">kjackaman@westminster.gov.uk</a>

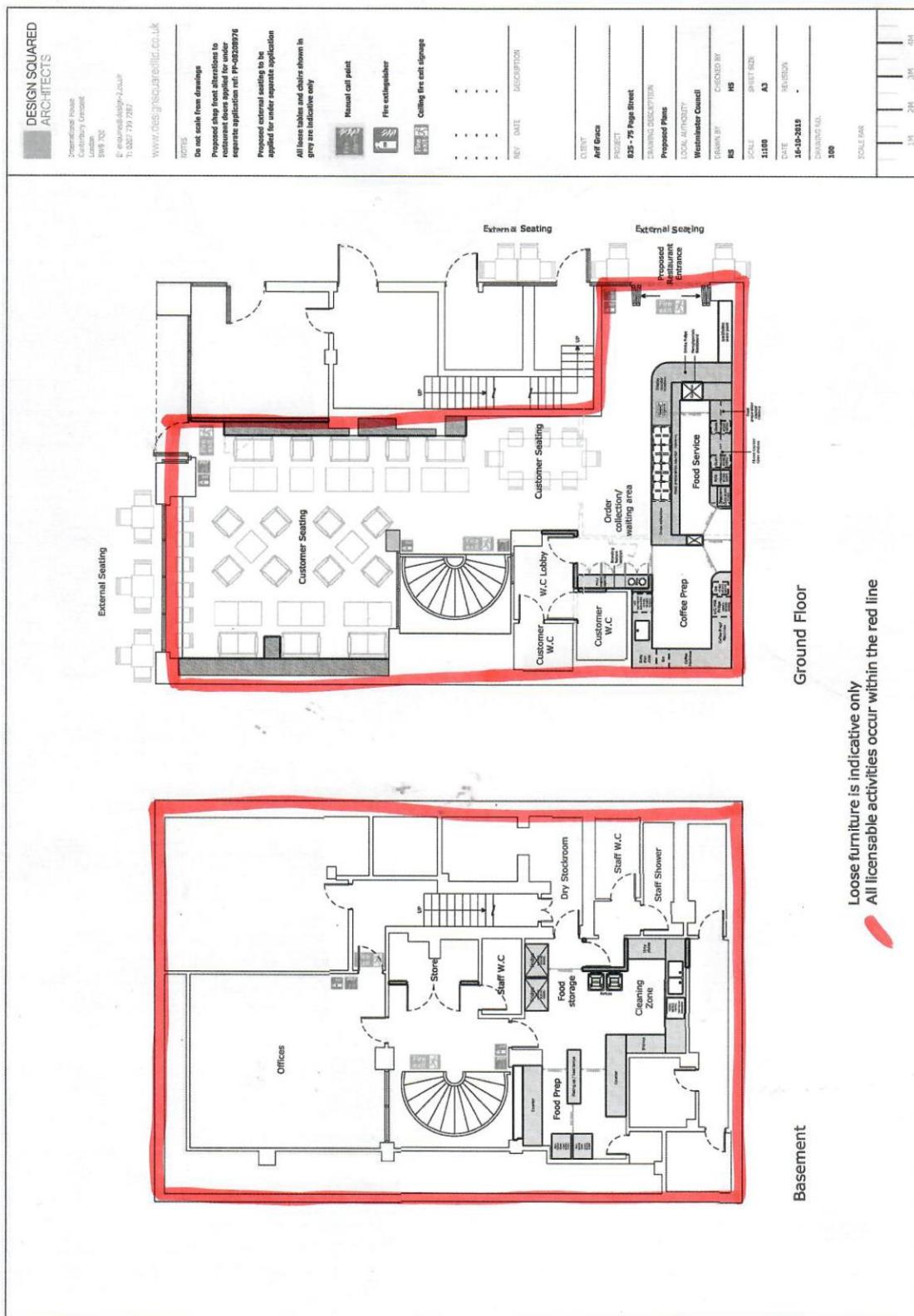
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

### 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 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2019
<b>4</b>	Metropolitan Police Service Representation ( <i>Withdrawn</i> )	30 October 2019
<b>5</b>	Environmental Health Service Representation	25 October 2019
<b>6</b>	Interested Party Representation (1) ( <i>Withdrawn</i> )	21 November 2019
<b>7</b>	Interested Party Representation (2)	24 October 2019

## Premises Plans

## Appendix 1



Dear Resident,

We act for the applicant, Jacu Restaurant and Coffee Shop Limited, who have applied for a new premises licence with Westminster City Council in relation to the above premises.

We have been passed on details of your representations by the Licensing Officer dealing with the application and we would like to provide further details in relation to the application and the premises site.

We confirm that 75 Page Street shall operate as an all-day café by the name of Jacu Restaurant & Coffee Shop where there shall be an offering of high quality Jacu coffee and sit down meals.

In terms of the coffee, the indigenous Jacu birds inhabit the forests in Brazil and feast on ripe coffee cherries produced in the forest shade. Once the Jacu bird has ingested the cherry, it goes through its digestive system and the local villagers collect the odourless droppings, composed of the extremely rare coffee beans, and transport them to the drying areas where they are dried, cleaned and stored in their parchment for up to three months. The end result is an expensive, creamy, dense coffee with a delicate balance of flavours, which growers feel is worth the time and effort that goes into collecting the beans by hand. The coffee has already had a positive reception in foreign countries, winning praise for its chocolatey and fruity flavour notes and its balance of an acidic base and a sweeter taste, and our clients think this will become a hit in its Coffee Shop as well.

As well for a coffee, customers are invited to sit and dine within the premises also. A selection of hamburgers, grills and pizzas will be available to order along with both alcoholic and non-alcoholic beverages.

Having discussed the application with the police, we have agreed a number of conditions limiting the operation, such as:

1. *There shall be no vertical drinking of alcohol at the premises.*
2. *There shall be waiter/waitress service at the premises.*
3. *There shall be no self service of alcohol*

As a result of the conditions proposed and agreed, the Police are not objecting to the application

Our client is also seeking to use tables and chairs outside the premises until 9pm, but these will of course be subject to a separate approved tables and chairs licence, issued by the Council Street Trading team, and subject to the necessary planning permission required. This regime will take into account the amount of the pavement that may be granted to be used for the purposes of tables and chairs; the Council will of course take into account the bus stop and post box in that location.

We also confirm that the following model condition has been proposed in the application to ensure that there is no negative impact on the use of the outside area:

***The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.***

With the style of operation and the size of the public area, we do not expect large numbers of people smoking in the outside area at any one time.

We appreciate your concerns with rough sleepers and anti-social behaviour in the area but we believe that by having this upmarket café in this location it will prevent rough sleepers from using the area, create a positive atmosphere in the vicinity and by having an all-day presence, it will have a positive impact on crime prevention.

We hope the above goes some way in addressing your concerns however we are happy to meet on site should you feel this would be beneficial to you.

**Premises History****Appendix 3**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/11049/LIPC	Conversion	03.09.2005	Granted under delegated authority
07/00713/WCCMAP	Master licence	03.09.2005	Granted under delegated authority
09/09787/LIPDPS	Variation of designated premises supervisor	16.12.2009	Granted under delegated authority
09/09951/LIPT	Transfer – Jurva Holding Ltd to Anyting will do Ltd	12.03.2010	Granted under delegated authority
11/01423/LIPDPS	Variation of designated premises supervisor	28.02.2011	Granted under delegated authority
11/07753/LIPDPS	Variation of designated premises supervisor	09.09.2011	Granted under delegated authority

**This licence was surrendered in December 2011**

07/11199/LIPN	New premises licence	13.02.2008	Granted under delegated authority
08/02399/WCCMAP	Master licence	13.02.2008	Granted under delegated authority
10/02120/LIPT	Transfer – Jurva Holding Ltd to Anyting will do Ltd	12.04.2010	Granted under delegated authority

**This licence was surrendered in December 2011**

18/04975/LIPN	New premises licence	06.09.2018	Granted by licensing sub committee
---------------	----------------------	------------	------------------------------------

## **Appendix 4**

### **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. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
10. 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.
11. 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.
12. There shall be waiter/waitress service at the premises.
13. The sale and supply of alcohol for consumption immediately off the premises shall be alcohol consumed at the tables and chairs in the external area as shown on the licence plan.
14. There shall be no self service of alcohol
15. There shall be no deliveries from the premises, made by a third party company, after 23:00.
16. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
17. 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.
18. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours.
19. No deliveries to the premises shall take place between 23:00 hours and 06:00 hours on the following day
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

21. Persons temporarily leaving the premises onto the public highway for the purposes of smoking shall not take any alcoholic drinks with them.
22. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
23. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
24. 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.
25. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
26. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
27. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
30. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
31. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
32. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and 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) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.

33. The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
34. 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.
35. The Licence will have no effect until the Licensing Authority are satisfied that the premises are constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
36. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.

**Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the operating schedule:**

37. There shall be no sales of alcohol for consumption off the premises after (23.00).
38. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal
39. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 60 persons
40. After 21:00 hours, patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time
41. All tables and chairs shall be removed from the outside area by 21:00 hours each day
42. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00
43. 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
44. No fumes, steam or odours shall be emitted 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
45. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance

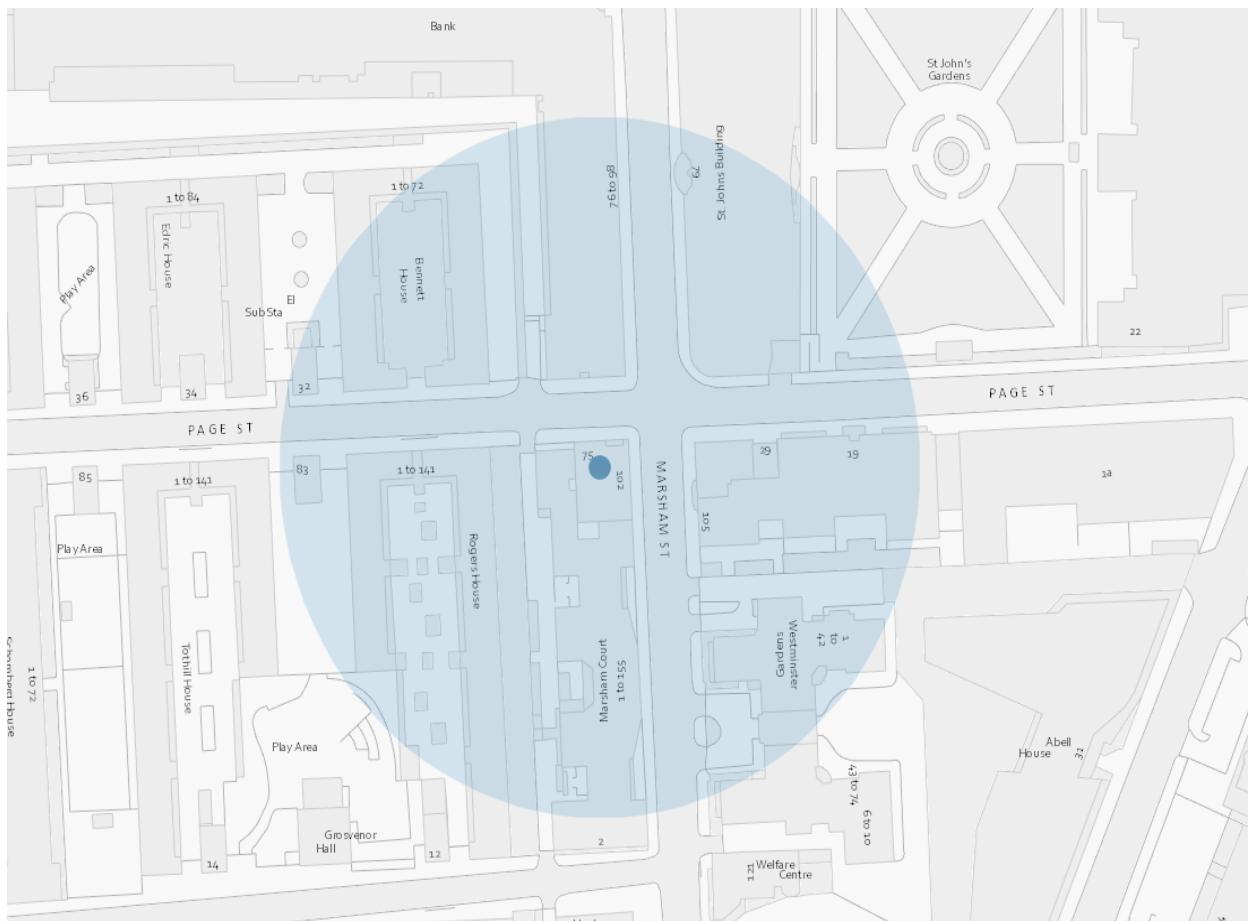
46. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons
47. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
48. The sale and supply of alcohol for consumption immediately off the premises shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only.

**Conditions proposed by the Police and agreed by the applicant so as to form part of the operating schedule:**

49. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises; save for alcohol being consumed in the external seating area.
50. There shall be no vertical drinking of alcohol at the premises.

## Residential Map and List of Premises in the Vicinity

## Appendix 5



**Resident count: 835**

### Licensed premises within 75 metres of Jacu Restaurant and Coffee Shop, 75 Page Street, London, SW1P 4EJ

Licence Number	Trading Name	Address	Premises Type	Time Period
16/00979/LIPDPS	Shepherds Restaurant	Shepherd's Restaurant Marsham Street London SW1P 4LA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/02216/LIPRW	Sainsbury's	78 - 96 Marsham Street London SW1P 4LY	Food store	Monday to Sunday; 07:00 - 23:00