



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (5)**

Meeting Date: **Thursday 3rd December, 2015**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall, 64 Victoria Street, London SW1E 6QP**

Members: **Councillors:**

Angela Harvey (Chairman)
Jan Prendergast
Rita Begum

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 9.00am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.

**Email: jdeacon@westminster.gov.uk Tel: 020 7641 2783
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

Licensing Applications for Determination

1. BEA'S OF BLOOMSBURY, 27A DEVONSHIRE STREET, W1

(Pages 1 - 24)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
1.	Marylebone High Street Ward / not in stress area	Bea's Of Bloomsbury, 27A Devonshire Street, W1	New Premises Licence	15/08801/LIPN

2. PATARA FINE THAI CUISINE, 5 BERNERS STREET, W1

(Pages 25 - 48)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / West End Stress Area	Patara Fine Thai Cuisine, 5 Berners Street, W1	New Premises Licence	15/08375/LIPN

3. SCOTCH ST JAMES, 13 MASON'S YARD, SW1

(Pages 49 - 148)

App No	Ward	Site Name and Address	Application	Licensing Reference Number
3.	St James's Ward	Scotch St James, 13 Mason's Yard, SW1	Renewal of Sexual Entertainment Venue premises licence	15/08445/LISEVR

4. THE BOX, 11-12 WALKER'S COURT, W1 - NEW SEXUAL ENTERTAINMENT VENUE PREMISES LICENCE 15/08960/LISEVN

(Pages 149 - 198)

App No	Ward	Site Name and Address	Application	Licensing Reference Number
4.	West End	The Box, 11-12 Walker's Court, W1	New Sexual Entertainment Venue premises licence	15/08960/LISEVN

5. THE BOX, 11-12 WALKER'S COURT, W1 - NEW SEXUAL ENTERTAINMENT VENUE PREMISES LICENCE 15/08973/LISEVN

(Pages 199 - 252)

App No	Ward	Site Name and Address	Application	Licensing Reference Number
5.	West End	The Box, 11-12 Walker's Court, W1	New Sexual Entertainment Venue premises licence	15/08973/LISEVN

6. THE BOX, 11-12 WALKER'S COURT, W1 - NEW PREMISES LICENCE 15/08883/LIPN

(Pages 253 - 284)

App	Ward/	Site Name	Application	Licensing
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No	Stress Area	and Address		Reference Number
6.	West End Ward / West End Stress Area	The Box, 11-12 Walker's Court, W1	New Premises Licence	15/08883/LIPN

7. THE BOX, 11-12 WALKER' COURT, W1 - NEW PREMISES LICENCE 15/08865/LIPN

(Pages 285 - 316)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
7.	West End Ward / West End Stress Area	The Box, 11-12 Walker's Court, W1	New Premises Licence	15/08865/LIPN

**Charlie Parker
Chief Executive
27 November 2015**

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

POLICY CONSIDERATIONS

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

GUIDANCE CONSIDERATIONS

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

PERMITTED TEMPORARY ACTIVITIES

The licensee of any premises is entitled under the Licensing Act 2003 to apply for permission to hold temporary events, authorising licensable activities instead of or in addition to any activities that may be authorised by a premises licence, subject to the following restrictions:

- 1) No more than 12 events over a total of 21 days may be held at any one premises in any year
- 2) Each event must last for no more than 168 hours
- 3) There must be 24 hours between each event
- 4) The number of people at each event must be less than 500.

A Temporary Event Notice for each event (a TEN) is required to be given to the licensing authority, the police and environmental health service no later than 10 working days before the event for a 'standard' TEN or 5 to 9 working days before the event is due to begin for a 'late' TEN. The licensing authority is required to send an acknowledgement by the next working day.

Once a Temporary Event Notice is given the police and environmental health service have a right to object to the event if they are satisfied that the event will undermine any of the licensing objectives of preventing crime and disorder, prevention of public nuisance, protection of children from harm and promotion of public safety. They must serve an objection notice stating their reasons as to why the objectives would be undermined to the licensing authority and the premises user within 3 working days of receiving a copy of the TEN. The licensing authority is required to hold a hearing and may issue a counter notice which will prevent the event taking place.

LIVE MUSIC ACT 2012

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES

(As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.

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Agenda Item 1 Licensing Sub-Committee Report

Item No:	
Date:	3 December 2015
Licensing Ref No:	15/08801/LIPN - New Premises Licence
Title of Report:	Bea's Of Bloomsbury 27A Devonshire Street London W1G 6PN
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	8 October 2015		
Applicant:	Bea's Of Bloomsbury Ltd		
Premises:	Bea's Of Bloomsbury		
Premises address:	27A Devonshire Street London W1G 6PN	Ward:	Marylebone High Street
		Stress Area:	No
Premises description:	Coffee Shop & Patisserie		
Premises licence history:	This is an application for a new premises and therefore no history exists.		
Applicant submissions:			

1-B Proposed licensable activities and hours							
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:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations:		None					
Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:30	07:30	07:30
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations:		None					
Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Anuja Jayawickrema
Received:	16 th October 2015
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>The applicant has submitted a plan reference 15-205-07 dated 08.10.2015.</p> <p>The applicant is seeking the following licensable activities:</p> <ol style="list-style-type: none"> 1. Supply of Alcohol for 'On' and 'Off' the premises, Monday to Sunday from 10:00 to 23:00 hours. <p>I wish to make the following representations:</p> <ol style="list-style-type: none"> 1. The Supply of Alcohol 'On' and 'Off' the premises and the hours requested may have the likely effect of increasing Public Nuisance in the area and impact on Public Safety. <p>Conditions have been offered in the operating schedule and these are under consideration but do not fully satisfy Environmental Health's concerns.</p> <p>The applicant is advised that Environmental Health will also need to be satisfied that any plant and machinery employed should have appropriate mitigation measures to prevent Public Nuisance from odour and/or noise from its use.</p> <p>The applicant is required to confirm that the external area, shown on the plans with provision of tables and chairs is either private or public highway.</p> <p>The applicant is also reminded of the Workplace (Health, Safety and Welfare) Regulations 1992 and the regulatory requirements to provide sanitary conveniences for staff.</p> <p>The applicant is therefore requested to contact the undersigned to discuss all these issues and to arrange a site visit after which Environmental Health may propose additional conditions to allay its concerns.</p> <p>Representations are therefore made on grounds of Public Nuisance and Public Safety.</p>	
Responsible Authority:	Metropolitan Police
Representative:	Bryan Lewis
Received:	9 th November 2015
<p>With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a new Premises Licence as it is our</p>	

belief that if granted the application would undermine the Licensing Objectives.

Our objections relate to the following:

- More information required about the nature of the business and why the sale of alcohol is applied for.
- No conditions offered.

Police conditions:

Sunday sale of alcohol is now amended to be between the hours of 12:00 and 22:30

1. 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 external tables shall be covered. 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 preceding 31 day period.
2. 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 are 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
3. 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, 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 refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service
4. No open containers of alcohol shall be allowed beyond the boundaries of the licensable area.
5. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
6. A record of all home or external deliveries from the store of alcohol shall be kept to include whom the package was delivered to and what proof of ID was shown (if required).
7. All staff shall receive training in the responsible sale of alcohol as required by the

2003 Licensing Act

8. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
9. In relation to off sales, no more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol, or pre-packaged hampers containing alcohol.
10. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
11. The only alcohol sold at the premises shall be Wine, beer or Champagne.
12. Signs shall be displayed in prominent places within the premises stating that it is an offence for persons under the age of 18 to purchase alcohol.
13. There shall be no self service of alcohol. There shall be waiter/waitress service only.
14. Outside tables shall be removed by 22:30 hours
15. There shall be no sale of draught beer.

Following agreement to the conditions, the police have withdrawn the representation on 4th November 2015.

2-B Other Persons	
Name:	Mr Amit Patel
Address and/or Residents Association:	26a Devonshire Street London W1G 6PJ
Received:	19 th October 2015
Unfortunately with the introduction of the Cote restaurant, there is already excessive noise, smoking, etc on this end of Devonshire Street and is no longer peaceful. The road is becoming too commercialised off the main high street, which is annoying for residents including myself who live on these off roads. I object this proposition.	

Name:	Mr David Cooper
Address and/or Residents Association:	Flat 3 Basildon Court 28 Devonshire Street London W1G 6PP
Received:	4 th November 2015
<p>My wife and I own the flat immediately above 27a Devonshire Street.</p> <p>We already are subject to noise often late from the 2 restaurants next to us, Getti's and Cote, neither of which are immediately below us as in the case with this application. At present 27a does not have direct access to our backyard but should this be opened up both noise and rubbish problems will increase. In any event noise through open windows at the rear will be audible.</p> <p>The closing hour of 11pm is too late in this overcrowded environment.</p> <p>Rubbish, so long as there is no access to the rear, will add to the present accumulations on the street pavement.</p> <p>Our other and perhaps principal objection is that there are already far too many restaurants, bars etc in this small area of Marylebone. It would be sad to see it becoming even more dominated by eating and drinking establishments.</p>	
Name:	Mrs Penelope Farquhar-Oliver
Address and/or Residents Association:	Flat 45 Basildon Court, 28 Devonshire Street London W1G 6PR
Received:	28 th October 2015
<p>I object to 27a being licensed because it is unsuitable for a busy coffee shop and bar. It is more or less contained within No 28 (Basildon Court), & appears to have nowhere suitable for rubbish & waste storage & collection. Restaurants nearby (currently Cote and Getti's) both have access to the yard behind their premises for the disposal of all their waste and rubbish, but 27a has neither access to - nor, as far as I know, any rights in that communal yard.</p> <p>Devonshire Court's part of the yard already struggles to accommodate the amount of rubbish from its residential and other premises (including Cote) ; & No 28's part of the yard is similarly near capacity with domestic waste and recycling from numerous residential flats as well as waste from Getti's restaurant.</p> <p>Rubbish from No 27a was not a problem when it housed the Homeopathic Association, but after becoming an art gallery, bags of paper or food waste and other material were often dumped on the pavement outside No 27a and the entrance doors to 28.</p> <p>Residents and Caretaker of 28 complained to inmates of No 27a, but they always said they had nowhere else to dispose of anything. It seems inevitable that this would become a major problem for a bar and coffee shop.</p>	

Secondly, No 27a is unsuitable because it is directly underneath several floors of residential flats in Basildon Court and alongside their entrance Hallway, and thus likely to pose both a noise and clutter nuisance to residents, especially from tables beneath residents' windows and next to their block's entrance doors. It will also pose an increased fire risk .

Am also unsure whether 27a has separate foul drainage from No 28? If it does not, that too could become overloaded.

In short, the confined layout & position of No 27a more-or-less within a residential block, should dictate quiet and restricted occupancy, not a use designed to attract large numbers to drink and congregate there.

Name:	Mr Alan Cox
Address and/or Residents Association:	Flat 42 Basildon Court 28 Devonshire Street London W1G 6PR
Received:	20 th October 2015

This is clearly an additional intrusion into the residential neighbourhood of Devonshire Street and Basildon Court, in particular, already surrounded by all day/evening restaurants Gettis and Cote and it would undoubtedly add a further increment to the general noise and disturbance of this corner. It is totally unacceptable that there is no clarity at all for the uses of the area, including the outside area and the rear of the premises. This should be firmly resisted Marylebone High street and Devonshire Street cannot possibly require further drinking capacity and morning to night availability.

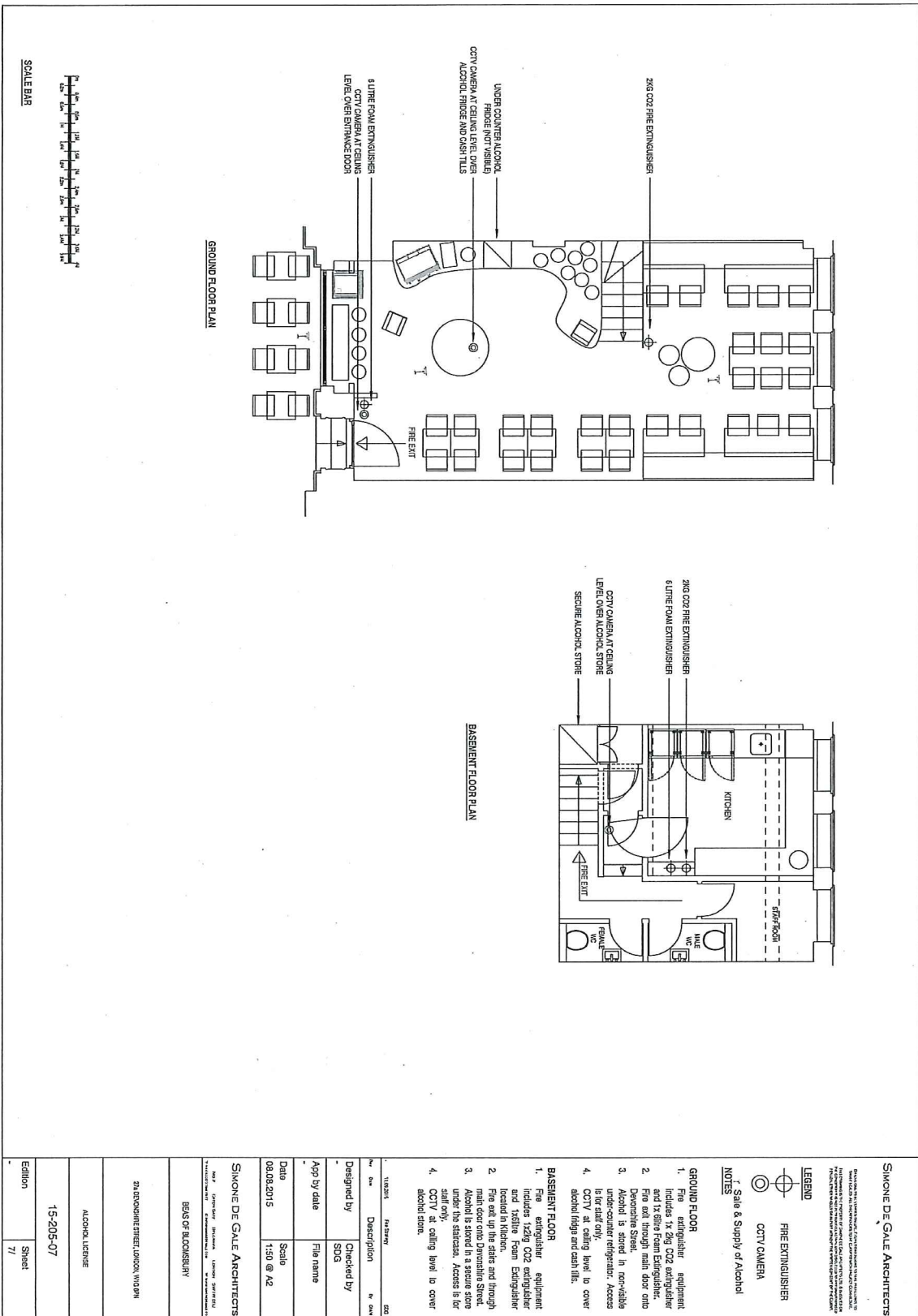
3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	(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.
Policy RNT1 applies:	(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. Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy OS1 applies:	Applications will generally be granted and reviews determined subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history - None
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk



None Provided

New premises licence and so no history exists.

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 proposed by the Police and agreed by all parties:

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 external tables shall be covered. 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 preceding 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 are 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. 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, 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 refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service
12. No open containers of alcohol shall be allowed beyond the boundaries of the licensable area.
13. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
14. A record of all home or external deliveries from the store of alcohol shall be kept to include whom the package was delivered to and what proof of ID was shown (if required).
15. All staff shall receive training in the responsible sale of alcohol as required by the 2003 Licensing Act
16. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
17. In relation to off sales, no more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol, or pre-packaged hampers containing alcohol.

18. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
19. The only alcohol sold at the premises shall be Wine, beer or Champagne.
20. Signs shall be displayed in prominent places within the premises stating that it is an offence for persons under the age of 18 to purchase alcohol.
21. There shall be no self service of alcohol. There shall be waiter/waitress service only.
22. Outside tables shall be removed by 22:30 hours
23. There shall be no sale of draught beer.

Conditions proposed by the Environmental Health:

24. The supply of alcohol shall be by waiter or waitress service only to persons seated.
25. 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.
26. There shall be no self-service of alcohol for consumption 'On' the premises.
27. Licensable activities are permitted on the ground floor only.
28. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
29. The number of persons seated in the premises at any one time (excluding staff) shall not exceed
Ground Floor 50 persons.
30. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
31. All outside tables and chairs shall be rendered unusable between 22.00 hours and 08.00 hours each day.
32. No deliveries to the premises shall take place between 23.00 hours and 07.00 hours on the following day.

33. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them, except for those persons seated at the external tables and chairs.
34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
35. 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.
36. 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.
37. 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.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
40. 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.
41. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
42. 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 preceding 31 day period.
43. 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.

44. No licensable activities shall take place at the premises until the premises have 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.

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015



APPENDIX 5

264

Residential /
Proposed
Residential

Under
Construction

Other Uses

Proportion
Residential
of all Uses

Data Source: Uniform Database

Date: 16/11/2015

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Premises w		
p / n	Name of Premises	Premises Address
14/06600/LPDP	CoCo MoMo	Third Floor East 72-75 Marylebone High Street London W1U 5JW
13/08158/LIPN	Cote	Flat 4 Devonshire Court 26A Devonshire Street London W1G 6PJ
12/08281/LIPN	Natural Kitchen	Basement 72-75 Marylebone High Street London W1U 5JW
15/00510/LIPVM	Prince Regent Public House	Third Floor 67 Marylebone High Street London W1U 5JG
06/10547/WCCMAP	Getti Restaurant	Penthouse Flat Tenby Mansions Nottingham Street London W1U 5ER
13/02984/LPDP	Le Pain Quotidien	Second Floor And Third Floor Flat 76 Marylebone High Street London W1U 5JU
14/03490/LIPV	The Conran Shop	Flat 15 Copperfield House 52-54 Marylebone High Street London W1U 5HR
10/01094/LPDP	Orery	Flat 12 Copperfield House 52-54 Marylebone High Street London W1U 5HR
14/03471/LIPV	Opso	3 Paddington Street London W1U 5QD

Within 75 metres of:

Licensed Hours

Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:20 Sunday 12:00 - 22:50 Sundays before Bank Holidays 12:00 - 23:50

Sunday 08:00 - 00:00 Monday to Saturday 08:00 - 00:30

Monday to Friday 07:00 - 20:00 Saturday to Sunday 08:00 - 20:00

Sunday 07:00 - 23:00 Monday to Saturday 07:00 - 23:30

Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

Monday to Friday 07:00 - 21:00 Saturday 08:00 - 18:00 Sunday 09:00 - 18:00

Monday to Sunday 09:00 - 22:00

Monday to Saturday 10:00 - 00:30 Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00

Sunday 08:00 - 23:00 Monday to Saturday 08:00 - 23:30



27/10/2015 12:03:18

StampThePhoto from ArvanSoft

— Highways Extent



City of Westminster

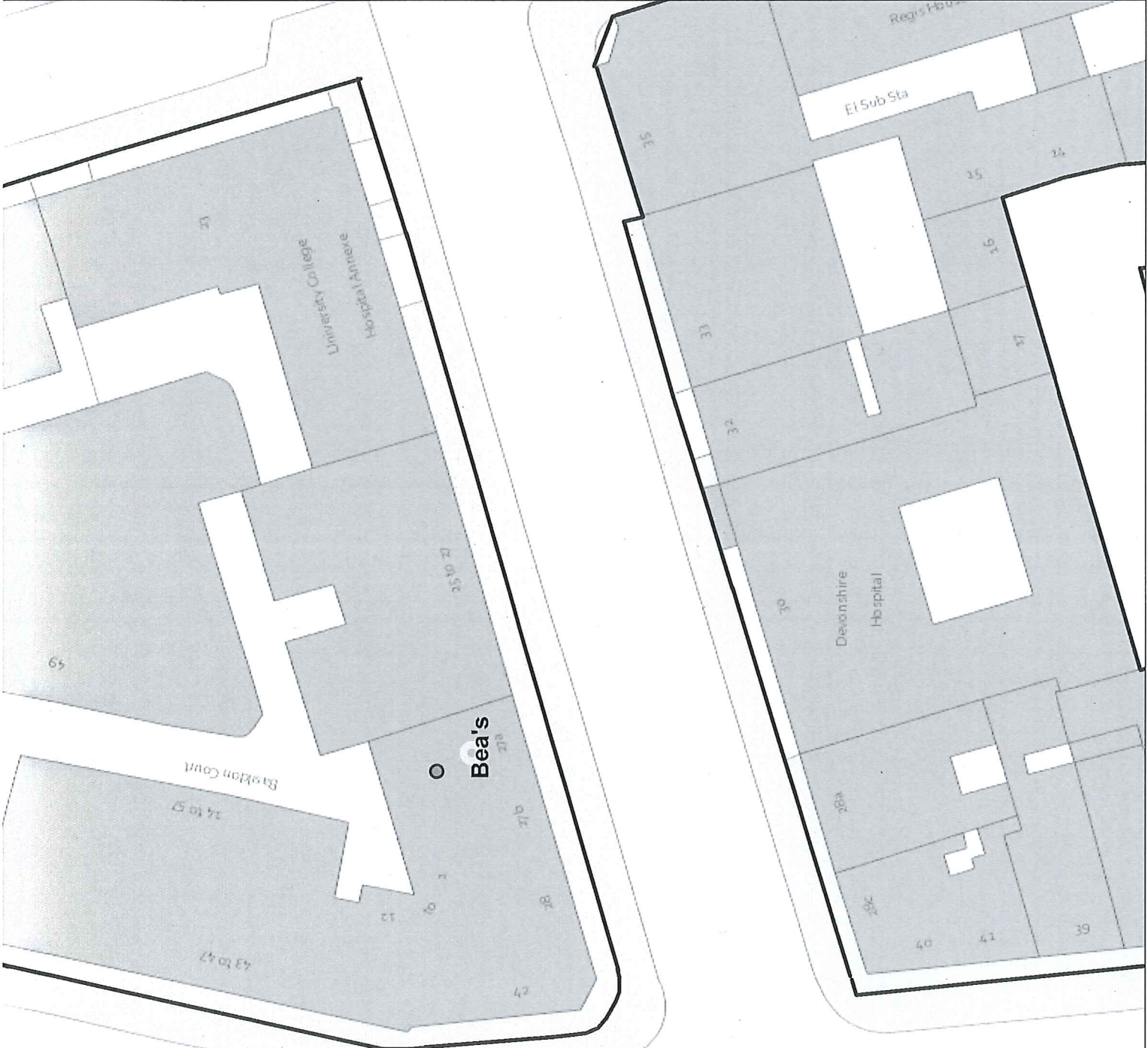


0 3.75 7.5 15 Metres

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Data Source:

Date: 25/11/2015



Agenda Item 2 Licensing Sub-Committee Report

Item No:	
Date:	3 December 2015
Licensing Ref No:	15/08375/LIPN - New Premises Licence
Title of Report:	Patara Fine Thai Cuisine 5 Berners Street London W1T 3LF
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	David Sycamore Senior Licensing Officer
Contact details	Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	29 September 2015		
Applicant:	Patara Fine Thai Cuisine Limited		
Premises:	Patara Fine Thai Cuisine		
Premises address:	5 Berners Street London W1T 3LF	Ward:	West End
		Stress Area:	West End
Premises description:	Thai Restaurant		
Premises licence history:	None – a number of TENs have been applied for.		
Applicant submissions:	Suggested conditions		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	23:30
Seasonal variations:	The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day.						
Non-standard timings:							

Sale by retail of alcohol				On or off sales or both:				ON
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00	
End:	23:30	23:30	23:30	23:30	00:00	0:00	23:30	
Seasonal variations:	The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day.							
Non-standard timings:								

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00

End:	23:30	23:30	23:30	23:30	00:00	00:00	23:30
Seasonal variations:							
Non-standard timings:		The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day.					
Adult Entertainment:							

Recorded Music							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	23:30	23:30	23:30	23:00	00:00	00:00	23:30
Seasonal variations:		The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day.					
Non-standard timings:							

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police
Representative:	Pc Guerra
Received:	In time
<p>Application for a Premises Licence – Patara Fine Thai cuisine – 5 Berners Street W1T 3LF</p> <p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives. It is for this reason that we are objecting to the application.</p> <p>Conditions have been proposed by the Police but at time of publication they have not been agreed.</p>	
Responsible Authority:	Environmental Health
Representative:	Mr Nevitt
Received:	In time
<p>REF: 15/08375/LIPN</p> <p>13.11.2015</p>	

The application includes 'Recorded Music' – if the premises is to operate as a Restaurant I suggest that this aspect of the application is withdrawn. If this aspect of the application is to remain I will be proposing a number of noise control conditions – e.g. sound limiter MC11, MC13, MC14, and provision of an acoustic lobby.

The application includes a number of Proposed Conditions (nos. 1- 14) – these are all acceptable.

I also propose the following conditions:

MC66

MC37 - there are two exits from the **ground floor so up to 100 acceptable** and they have an accommodation stair to basement and also a separate protected route from basement. Therefore up to **60 possible in basement** also. Likely figures will be lower as appears to be only 70 covers on ground and 40 in basement but the above would be maximum figures if required.

Works at the premises have already been started. I note that the customer toilet arrangements are in the form of a shared lobby space for both male and female customers with the wash basins located in the shared area. Unisex toilets are not normally acceptable in Licenced premises and I suggest that the left hand side (3 WC Cubicles) is designated for females and the right hand side (2 WC Cubicles) is designated for males. I also suggest that the shared area is monitored (toilet attendant or CCTV coverage) or opened up (removal of the sliding door) in order to eliminate an unsupervised confined shared space. The best arrangement is to provide separate facilities/lobbies for males and females.

I am concerned that a low-level discharge has been installed for the kitchen cooking equipment. The Planning Approval is for a high level extract duct. A low level system would not normally be acceptable. A recent application 15/09205/FULL has been submitted but looking at the details of the application it doesn't appear to me to make it explicitly clear that a low level discharge is intended..

Conditions have been proposed by the Environmental Health but at time of publication they have not been agreed.

2-B Other Persons	
Name:	Cllr Glanz
Address and/or Residents Association:	City Hall
Received:	In time
I am writing in my capacity of West End Ward councillor to express my concerns in relation to the application. I support the view of local residents that without suitable and enforceable conditions that the application lays them open to the risk of substantial loss	

of amenity and , as drawn , fails to comply with the Licensing objectives insomuch as it increases the likelihood of nuisance and disturbance which the Licensing Act seeks to prevent

I would therefore support the additional conditions proposed as to servicing and hours of operation as set out below.

o No servicing other than in connection with refuse and recycling shall take place on Berners Place.

o All servicing other than that in connection with refuse and recycling shall take place via the Berners Street entrance and shall only be between:

Monday to Thursday 0800 and 21:00

Friday and Saturday 08:00 and 21:00

Sunday and Bank Holiday Mondays between 10:00 and 21:00

o Waste or recyclable materials, including bottles shall only be moved, removed, placed in or removed from the waste store, placed in outside areas or collected between:

Monday to Thursday 0800 and 21:00

Friday and Saturday 08:00 and 21:00

Sunday and Bank Holiday Mondays between 10:00 and 21:00

I would also seek to impose a condition that the fire exit be kept closed except for use as emergency egress and not be allowed to be the back door for servicing, staff and smoking.

Access to or from the premises via Berners Place by public or staff shall only be in the event of an emergency and access shall be kept closed at all other times except when open for the purpose of removal of waste during permitted hours in accordance with conditions [], [] and [].

Neither public nor staff shall be permitted to use Berners Place as a smoking area at any time.

The windows onto Berners Place shall be kept sealed at all times.

2-B Other Persons			
Name:		Sacha Brooks	
Address and/or Residents Association:		Top Floor, 9 Berners Place, London, W1T 3AD	
Status:		In support or opposed:	Opposed
Received:	In time		
I write to make a representation in respect of this application, objecting to the grant of			

the application for a new premises licence in the terms applied for. I object on the basis that the likely impact of the application as presented would be to harm the licensing objective of prevention of public nuisance.

Background

1. I live at Top Floor, 9 Berners Place. I have lived at this address for 18 years. I live with one other person. My property is 2 doors south of 5 Berners Street. Berners Place is a cul-de-sac. Everything done by a business occupier of this site therefore hugely impacts our amenity and has

the potential for nuisance. There is an established record over many years of complaints to the

Council concerning issues of public nuisance including noise, danger and inconvenience caused by

stock deliveries and waste storage & handling by commercial users of premises in Berners Place..

There are no proposals in this licence application (or the planning applications) which ameliorate these problems.

2. 9 Berners Place has three self contained flats, 10 Berners Place (one door nearer to 5 Berners

Street) has 4 self-contained flats. 84 Newman Street overlooking Berners Place has one self-contained

flat. 5 Berners Street itself is now residential from 1st to 6th floor. There are further residential units at 3 and 4 Berners Street (very close to the main public entrance of the site),

numbering approximately 8 self-contained units. Other commercial premises in Berners Street and

Newman Street have recently been or are in the process of being turned over to residential use.

Berners Hotel bedrooms back on to Berners Place, adjacent to and opposite the site.

3. The character of Fitzrovia is generally mixed residential, commercial office. The character of

buildings immediately adjacent to the site is predominantly residential or hotel.

4. Berners Place is a short, narrow cul-de-sac with no turning space. Vehicles servicing Berners

Place must therefore either reverse in or reverse out through a narrow tunnel to and from a busy

four-way junction between Eastcastle Street, Berners Place and Berners Mews. Such vehicular

activity is dangerous and a nuisance in both Berners Place and Eastcastle Street as has been

repeatedly shown in recent licensing and planning decisions. Berners Place is therefore not

considered suitable for servicing activity unless it can be strictly limited or there is no alternative.

cont./

/cont.

Prevention of public nuisance

4. The application places no restriction on the kinds, amounts and timing of servicing in connection

with the licence in Berners Place, which is disappointing because the planning

permission (ref: 13/07973/FULL) does contain some appropriate restrictions. Because of the street layout and the proximity to residential premises, servicing in Berners Place is dangerous and causes a public nuisance. It is noted that, like the adjacent Berners Hotel, access from the premises to the waste store is via the public pavement as there is no internal access to the waste store. This creates a substantial possibility of public nuisance by the movement of waste and recycling, especially but not only at antisocial hours. The site can and has historically been serviced on the Berners Street frontage, which is an adequate alternative to which servicing should be restricted as much as possible. This case was also made to the relevant Planning Subcommittee for the premises the subject of this application who set out the following condition in the interests of public safety

(13/07973/FULL):

11. Only refuse collection may take place on Berners Place and all refuse collection must take place between 0800 and 1100 on Mondays to Saturdays and between 1000 and 1100 on Sundays.

The 2011 planning consent for the adjacent Berners Hotel (11/10102/FULL) contained the following

condition in order to "avoid blocking Berners Place and to protect the environment of people in neighbouring properties":

12. No servicing shall take place within the overhang (undercroft) of the Berners Hotel on

Berners Place or anywhere else on Berners Place.

The 2012 licence for the Berners Hotel, which was the subject of representations by many

residents and a closely involved councillor, contained the following conditions (12/00691/LIPN):

26. Waste or recyclable materials, including bottles shall only be moved, removed or placed in

outside areas between:

Monday to Thursday 0800 and 21:00

Friday and Saturday 08:00 and 21:00

Sunday and Bank Holiday Mondays between 10:00 and 21:00

27. Deliveries to the premises shall only be arranged between:

Monday to Thursday 0800 and 21:00

Friday and Saturday 08:00 and 21:00

Sunday and Bank Holiday Mondays between 10:00 and 21:00

These conditions on the Berners Hotel have, collectively, limited the amount of nuisance caused by

servicing and we therefore propose that the following conditions be placed in the current application

in addition to those currently proposed:

- *No servicing other than in connection with refuse and recycling shall take place on*

Berners Place.

• All servicing other than that in connection with refuse and recycling shall take place via the

Berners Street entrance and shall only be between:

Monday to Thursday 0800 and 21:00

Friday and Saturday 08:00 and 21:00

Sunday and Bank Holiday Mondays between 10:00 and 21:00

cont./

/cont.

• Waste or recyclable materials, including bottles shall only be moved, removed, placed in

or removed from the waste store, placed in outside areas or collected between:

Monday to Thursday 0800 and 21:00

Friday and Saturday 08:00 and 21:00

Sunday and Bank Holiday Mondays between 10:00 and 21:00

5. The planning consent for these premises (13/07973/FULL) contained the following condition:

20. Prior to the occupation of the premises for restaurant purposes, you shall submit and have

approved in writing by the local planning authority a detailed servicing management strategy for the

restaurant use. All servicing shall be undertaken in accordance with the approved strategy unless

otherwise agreed in writing by the local planning authority.

We propose that a servicing management strategy approved by the local planning authority be

provided and form part of the licence conditions on these premises in order to reduce the possibility

of public nuisance.

6. There is no provision in the restaurant's plans for smoking areas, therefore it must be taken that

smoking will take place adjacent to the street access to the restaurant. There is an emergency exit

on the Berners Place frontage and unless properly conditioned it is likely that smokers (both public

and staff) will use this exit for street access which would cause additional public nuisance to

residential neighbours at any hour but especially if at antisocial hours. Further, if permitted, public

or staff may use this access to and from Berners Place which would cause noise nuisance to

adjacent residential occupiers, especially if at antisocial hours. There are also windows onto

Berners Place which, if opened would cause a public noise nuisance. Although the application

contains no intention to open these doors or windows other than for emergency, it would be prudent

to set conditions in the following form:

• Access to or from the premises via Berners Place by public or staff shall only be in the event of an

emergency and access shall be kept closed at all other times except when open for the purpose of

removal of waste during permitted hours in accordance with conditions [], [] and [].

- Neither public nor staff shall be permitted to use Berners Place as a smoking area at any time.
- The windows onto Berners Place shall be kept sealed at all times.

I would respectfully ask that the Sub-Committee take this representation into account when considering the application. I confirm that I would like to attend the hearing when it takes place.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
STR1	<p>Policy STR1 applies:</p> <p>(i) It is the Licensing Authorities policy to refuse applications in the Stress Areas for: pubs and bars; fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas. Policy STR2 applies:</p> <p>In deciding what steps, if any, are necessary to promote the licensing objectives in the determination of a review of a premises licence in a Stress Area, that the premises are in an area where special policies of cumulative impact apply and the need to reduce the cumulative impact of licensed premises within the Stress Area, will be taken into account. Policy HRS1 applies:</p>
HRS1	<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>

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents – Proposed Conditions
Appendix 3	Premises history – none
Appendix 4	Proposed conditions – Applicant, EH, Police
Appendix 5	Residential map and list of premises in the vicinity

Report author:	David Sycamore Senior Licensing Officer
Contact:	Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk

5 BERNERS STREET

[Mandatory Conditions]

FOR BREVITY HAVE NOT BEEN REPRODUCED

[Conditions Consistent with the Operating Schedule]

1. 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.

2. 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.

3. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

4. 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.

5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

6. The supply of alcohol shall be by waiter or waitress service only.

7. 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.

8. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

9. No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises is 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 shall be removed from the licence by the licensing authority.

10. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

11. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.

12. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between **(23.00)** hours and **(08.00)** hours on the following day.

13. 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.

14. 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.

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

1. 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.

2. 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.

3. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

4. 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.

5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

6. The supply of alcohol shall be by waiter or waitress service only.

7. 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.

8. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

9. No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises is 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 shall be removed from the licence by the licensing authority.

10. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

11. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.

12. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between **(23.00)** hours and **(08.00)** hours on the following day.

13. 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.

14. 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.

Conditions proposed by Environmental Health

The application includes 'Recorded Music' – if the premises is to operate as a Restaurant I suggest that this aspect of the application is withdrawn. If this aspect of the application is to remain I will be proposing a number of noise control conditions – e.g. sound limiter MC11, MC13, MC14, and provision of an acoustic lobby.

The application includes a number of Proposed Conditions (nos. 1- 14) – these are all acceptable.

I also propose the following conditions:

MC66

MC37 - there are two exits from the **ground floor so up to 100 acceptable** and they have an accommodation stair to basement and also a separate protected route from basement. Therefore up to **60 possible in basement** also. Likely figures will be lower as appears to be only 70 covers on ground and 40 in basement but the above would be maximum figures if required.

Conditions proposed by Police

Hours for Sale of Alcohol amended to – Sunday 1200 -2230

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals **or to those who are waiting to dine (limited to a maximum of 10 persons) in the area cross hatched on the deposited plan**

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

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, 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) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

Premises within 75 metres of: 5 Berners Street			
p / n	Name of Premises	Premises Address	Licensed Hours
-12446	Stef's	Basement And Ground Floor 3 Berners Street London W1T 3LF	Sunday 12:00 - 23:00 Monday to Saturday 12:00 - 23:30
22735	Nando's	Ground Floor 1-2 Berners Street London W1T 3LA	Monday to Sunday 11:00 - 00:30
-29773	The London Edition	10 Berners Street London W1A 3BE	Monday to Sunday 00:00 - 00:00
-24981	100 Club	Basement Century House 100 - 102 Oxford Street London W1D 1LL	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 03:30
-2596	The Blue Post Public House	81 Newman Street London W1T 3ET	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
9176	Sainsbury's	Basement And Ground Floor 1 Berners Street London W1T 3LA	Monday to Sunday 00:00 - 00:00



5 Berners Street



9 Meters

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Residential / Proposed Residential	44
Under Construction	
Other Uses	4 Premises Licence
Proportion Residential of all Uses	
Data Source: Uniform Database	
Date: 26/11/2015	

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Various emails sent from EH/Police to applicants agent.	November 2015
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Published -



City of Westminster Licensing Sub-Committee

Meeting: *Licensing Sub-Committee*

Date: *03 December 2015*

Classification: *General Release*

Premises: *Scotch St James, 13 Mason's Yard, London, SW1Y 6BU*

Wards Affected: *St James*

Financial Summary: *None*

Report of: *Director of Public Protection and Licensing*

1. Executive Summary

- 1.1 The Council has received an application for the renewal of the Sexual Entertainment Venue ("SEV") premises licence from Great Club Limited, 37-38 Margaret Street, London, W1G 0JF Scotch St James, 13 Mason Yard, London, SW1Y 6BU. The report sets out the application details, objections, policy and legal context along with other considerations that the Licensing Sub-Committee ("The Committee") requires to determine this application under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("The 1982 Act") as amended by Section 27 of the Policing and Crime Act 2009.

2. Options

- 2.1 That subject to the Committee hearing the oral and written evidence from the applicants, Responsible Authorities and objectors the -Committee has the powers granted to it under the 1982 Act (as amended) to:
- (a) Grant the application in full
 - (b) Grant with additional special conditions which the Committee deem appropriate; or
 - (b) Refuse the application.

3. Application

3.1 On 30 September 2015 the applicant applied to renew the SEV premises licence to provide pole dancing, table dancing and striptease including full nudity between the hours of 09:00 to 05:00 on each of the days Monday to Saturday and from 09:00 to 03:00 on Sundays. The applicant has not requested change to the regulated entertainment or to remove any standard conditions to the licence should the Committee be minded to grant the application. A copy of the application is attached as **Appendix A1**.

4. Objections

4.1 The application has received one objection (attached as **Appendix B1**).

4.2 On 19 October 2015, a local resident wrote to the Licensing Authority objecting on the grounds of public nuisance -commenting on there being a large amount of rowdy noise and that the front of the shop had been littered with cigarettes.

4.3 The applicant's agent has advised the Council that this particular SEV licence is not in use, but is maintained as a term of the lease due to the limit of current SEV licence numbers.

5. Licensing Act 2003 Premises Licence ("The 2003 Act")

5.1 The table below sets out the current activities and times permitted by the premises licence.

5.2 A copy of the current Premises Licence is attached to this report as **Appendix C1**.

5.3 A copy of the current SEV Licence is attached at **Appendix C2**.

<u>Existing Premises Licence (14/01174/LIPDPS) permitted Licensable Activities</u>	
Regulated Entertainment:	
Performance of Dance	Monday to Saturday: 09:00 to 05:00
Performance of Live Music	Monday to Saturday: 09:00 to 05:00 Sunday: 09:00 to 03:00
Playing of Recorded Music	Unrestricted
Anything of a similar description to Live Music, Recorded music or Performance of Dance	09:00 to 03:00
Late Night Refreshment:	Monday to Saturday: 23:00 to 05:00

	Sunday: 23:00 to 03:00
Sale of Alcohol: On and off the premises	Monday to Saturday: 11:00 to 04:45 Sunday: 12:00 to 22:30
Non Standard Timings/Seasonal Variations – only timing conditions listed	
<p>10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).</p> <p>14. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition, permitted hours means:</p> <p>(a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30. (b) On Christmas Day, 12.00 to 15.00 and 19.00 to 22.30. (c) On New Year's Eve on a Sunday, 12.00 to 22.30. (d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).</p> <p>NOTE - The above restrictions do not prohibit:</p> <p>(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises; (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals; (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises; (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered; (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club; (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces; (h) the taking of alcohol from the premises by a person residing there; (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.</p> <p>In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.</p>	

Capacity (excluding staff and performers):

Ground floor: 50

Basement: 100

In the whole of the premises between 03:00 and 05:00hrs – 50.

Opening hours:

Monday to Saturday: 10:00 to 06:00

Sunday: 10:00 to 00:30

6. Policy Considerations

6.1 Suitability of applicant – SU1

The applicant has stated that no relevant offences have been committed. No adverse comments have been made by the Metropolitan Police and the Westminster City Council Inspectors.

6.2 SEV carried on for the benefit of another person – SU2

The Police and the Council's Licensing Inspectorate carry out routine checks and no comments have been made.

6.3 Appropriate number of SEV in a locality – NO1

The appropriate number of sexual entertainment venues in the relevant localities is 25 in the Westminster core CAZ north. As the premises are currently licensed this application, if granted, will not exceed 25.

6.4 Character of the relevant locality – LO1

Masons Yard is in an area which combines a mixed of business which include but are not limited to, bars and art galleries.

6.5 Use of premises in the vicinity – LO2

The premises within the vicinity are predominantly retail use. A map showing the residential density within the vicinity is attached to this report as, 101 residential properties within 50m **Appendix D**.

7. Legal Implications

7.1 The Committee using its powers as aforesaid may determine to:

- (a) Grant the application in full
- (b) Grant with additional special conditions which the Licensing Sub-Committee deem appropriate; or
- (b) Refuse the application.

7.2 Before refusing to grant a licence to the applicant, the Licensing Authority shall give the applicant an opportunity to appear before and of being heard by the Committee under paragraph 10(19) to Schedule 3. .,

7.3 In considering this application, the Committee shall have regard to any observations submitted to them by the Chief Officer of Police and any objections

that have been received in writing within the 28 day consultation period under para 10(18) to Schedule 3.1982.

- 7.4 The Committee may refuse to grant or renew a licence for the following reasons:
- (a) that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
 - (b) that if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
 - (c) that the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;
 - (d) that the grant or renewal of the licence would be inappropriate, having regard—
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- 7.5 If the Committee determine to grant a SEV licence, the licence will be subject to the Standard Conditions for such licences, unless the Committee determines that certain Standard Conditions should be expressly excluded or otherwise varied pursuant to paragraph 13(4) to Schedule 3..
- 7.6 Should the Committee determine to refuse the application for the grant of a licence under paragraph 12(3)(a) or (b) to Schedule 3 , the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application under paragraph 27(1) to Schedule 3. .

8. Human Rights and Equality Implications

- 8.1 In making a decision consideration will need to be given to the applicants rights under the Human Rights Act 1998 (incorporating the European Convention on Human Rights). The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant. The Home Office Guidance suggests that "local authorities would be well advised to consider whether any interference with the applicants rights under Article 10 or

Article 1, Protocol 1 of the European Convention on Human Rights is necessary and proportionate for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of other, or in the case of Article 1, Protocol 1, can be justified in the general interest”.

8.2 The Council in its capacity as Licensing Authority has a duty to ensure that all applications for SEV's are dealt with in accordance with its public sector duty under section 149 of the Equalities Act 2010 (“The 2010 Act”). In summary section 149 provides:-

(1) “ 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 of equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).....”

8.3 Accordingly, section 149 (7) of the 2010 Act defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.3 This duty places an obligation on the Committee to ensure that the need to promote equality is taken into consideration with regard to every aspect of its decision making, This will include the circumstances of each individual application, the findings of fact once the application has been considered, including the taking into account of any objection and response the applicant may choose to make.

Appendices

A – Application Form

B – Objection

C1 – Current Licensing Act 2003 Premises Licence

C2 – Current Sexual Entertainment Venue Licence and Committee report from 30th July 2015.

D – Map of the locality

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: David Sycamore on 020 7641 8556 or at dsycamore@westminster.gov.uk

BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1982

Policing and Crime Act 2009

Sexual Entertainment Venues Statement of Licensing Policy 2012

Sexual Entertainment Venues Guidance and Procedure effective 17 February 2012



City of Westminster

APPLICATION TO RENEW A SEXUAL ENTERTAINMENT VENUE LICENCE

IMPORTANT: This form is open to inspection by the public.

I / WeGreat Club Limited.....
(Insert name(s) of applicant)

apply to renew the Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982 for the following premises:

Premises name:Scotch St James.....

Premises address:13 Mason's Yard, London, SW1Y 6BU.....

Licence reference number:12/02584/LISEVN.....

Important Note: Before completing this application, please read the following:

- WCC's Statement of Licensing Policy for Sexual Entertainment Venues
- WCC's Standard Conditions for Sexual Entertainment Venues
- WCC's Rules of Procedure governing Sexual Entertainment Venue applications

PART 1 – Applicant Details

Please state whether you are renewing the Sexual Entertainment Venue licence as:

a) an individual or individuals complete section (A)

b) a person other than an individual:

i. as a body corporate complete section (B)

ii. as an unincorporated body complete section (B)

Section A – Individual Licensee Details

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Licensee Details (if necessary)

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section B – Body Corporate or Unincorporated Body Details

Business Name: (if your business is registered, use its registered name)	Great Club Limited
Is your business registered in the UK with Companies House?	Yes <input checked="" type="checkbox"/> Registered Number: 04425678
	No <input type="checkbox"/>
Is your business registered in another EEA state:	Yes <input type="checkbox"/> EEA State: Registered Number:
	No <input checked="" type="checkbox"/>
Legal Status: (e.g. Company Partnership, etc)	Private Limited Company
Home Country: (the country where the headquarters of your business is located)	England
Registered Address:	54 Poland Street London
Postcode:	W1F 7NJ
Directors, Partners, Owners and Managers	
You must provide details of all DIRECTORS (if the applicant is a company), all PARTNERS (if it is a partnership), and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES.	
Have there been any changes to the directors, partners or managers involved with the premises?	Yes <input type="checkbox"/> (please see below) No <input checked="" type="checkbox"/>
If yes, please provide details of the changes on a separate sheet, including the full name, private address and capacity of each director, partner and manager involved with the operation of the premises.	

Other Business Interests

Is the applicant, or any person named in this application, involved in any way with any other sex establishment (e.g. sexual entertainment venue, sex shop, sex cinema, hostess bar)?

Yes (please complete below) No

Please provide details, including the name and address of the establishment and the nature and extent of the interest. (If necessary please provide a separate sheet).

PART 2 – Premises Details

Premises name:	Scotch St James
Premises address:	13 Masons Yard London
Postcode:	SW1Y 6BU
Premises telephone number:	0207 339 7000
Email:	progression@jgrlaw.co.uk
Website address:	N/A
Where the licence is for a vehicle, vessel or stall, state where it is used as a sexual entertainment venue:	N/A
Have there been any changes to the nature of the relevant entertainment since the licence was last granted / renewed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide details below.

PART 3 – Convictions / Disqualifications

Have you, or any person named in or associated with this application, been convicted of any crime or offence?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, please provide details on a separate sheet	
Have you been refused the renewal of a licence for this premises, vehicle, vessel or stall within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, has the refusal been reversed on appeal?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you had a sex establishment licence revoked in Westminster within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

PART 4 - Checklist

Please tick as appropriate:

All relevant sections of the application form have been completed in full	<input checked="" type="checkbox"/>
Payment of the fee has been made in full (refer to Part 6 of this form)	<input checked="" type="checkbox"/>
Notice of this application has been published in a local newspaper / will be published in a local newspaper within the next 7 days, a full copy of the newspaper to be provided to the Licensing Authority as soon as possible	<input checked="" type="checkbox"/>
Notice of this application has been displayed at the premises	<input checked="" type="checkbox"/>
The application has been served on the Metropolitan Police Service	<input checked="" type="checkbox"/>

PART 5 - Declaration

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE RENEWAL OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TWENTY THOUSAND POUNDS (£20,000).

I Jeffrey Green Russell Ltd declare that the information given above is true and complete in every respect.

Signed	Jeffrey Green Russell Limited
Date:	30/09/15.
Capacity:	Solicitors

For joint applications:

Signed	
Date:	
Capacity:	

Agent Details

Are you an authorised agent acting on behalf of the applicant?

Yes No

If yes, please provide the following:

Agent name:	Jeffrey Green Russell Limited
Agent Address:	Waverley House 7-12 Noel Street London
Postcode:	W1F 8GQ
Agent Telephone Number:	020 7339 7000
Agent Email:	progression@jgrlaw.co.uk

Correspondence Details

Please provide the details to which all correspondence should be sent:

Name:	Jeffrey Green Russell Limited
Address:	Waverley House 7-12 Noel Street London
Postcode:	W1F 8GQ
Telephone Number:	020 7339 7000
Email:	progression@jgrlaw.co.uk

PART 6 – Payment

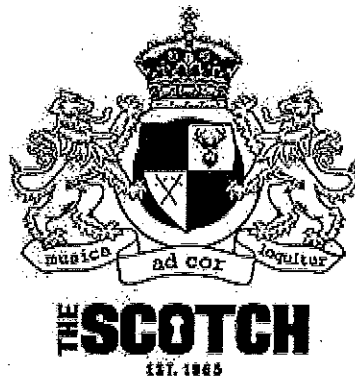
If applying by post you can pay by cheque, postal order or credit / debit card. Please make cheques and postal orders payable to 'City of Westminster'.

If you would like to pay by credit / debit card please complete this section:

Type of credit / debit card:	Visa <input type="checkbox"/>	MasterCard <input type="checkbox"/>
	Solo <input type="checkbox"/>	Maestro <input type="checkbox"/> Delta <input type="checkbox"/>
Card number:		
Issue date:	/	(mm/yy)
Expiry date:	/	(mm/yy)
Issue number:	(for Maestro / Solo)	
Name on card:		
Amount (£):		

THIS APPLICATION SHOULD BE COMPLETED IN FULL AND RETURNED TO THE LICENSING SERVICE, PREMISES MANAGEMENT, WESTMINSTER CITY HALL, 64 VICTORIA STREET, LONDON, SW1E 6QP.

SCOTCH SEV RENEWAL APPLICATION



APPLICANT'S
SUPPLEMENTARY DOCUMENTS
TO
WESTMINSTER CITY COUNCIL

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SEX ESTABLISHMENT LICENCE

Sexual Entertainment Venue

Premises licence number:

14/11495/LISEVR

Original Reference:

12/02584/LISEVN

The CITY OF WESTMINSTER, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

hereby licences:
to use the premises:

GREAT CLUB LIMITED
SCOTCH ST JAMES
13 MASON'S YARD
LONDON
SW1Y 6BU

as a Sexual Entertainment Venue.

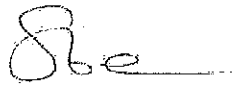
This licence commences from the 01 October 2014 and will expire on the 30 September 2015.

Relevant Entertainment (namely full and partial nudity striptease, pole dancing and table dancing) may be provided during the following times:

Monday to Saturday	09:00 to 05:00
Sunday	09:00 to 03:00

Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

This licence is granted subject to the conditions attached at Appendix 2.

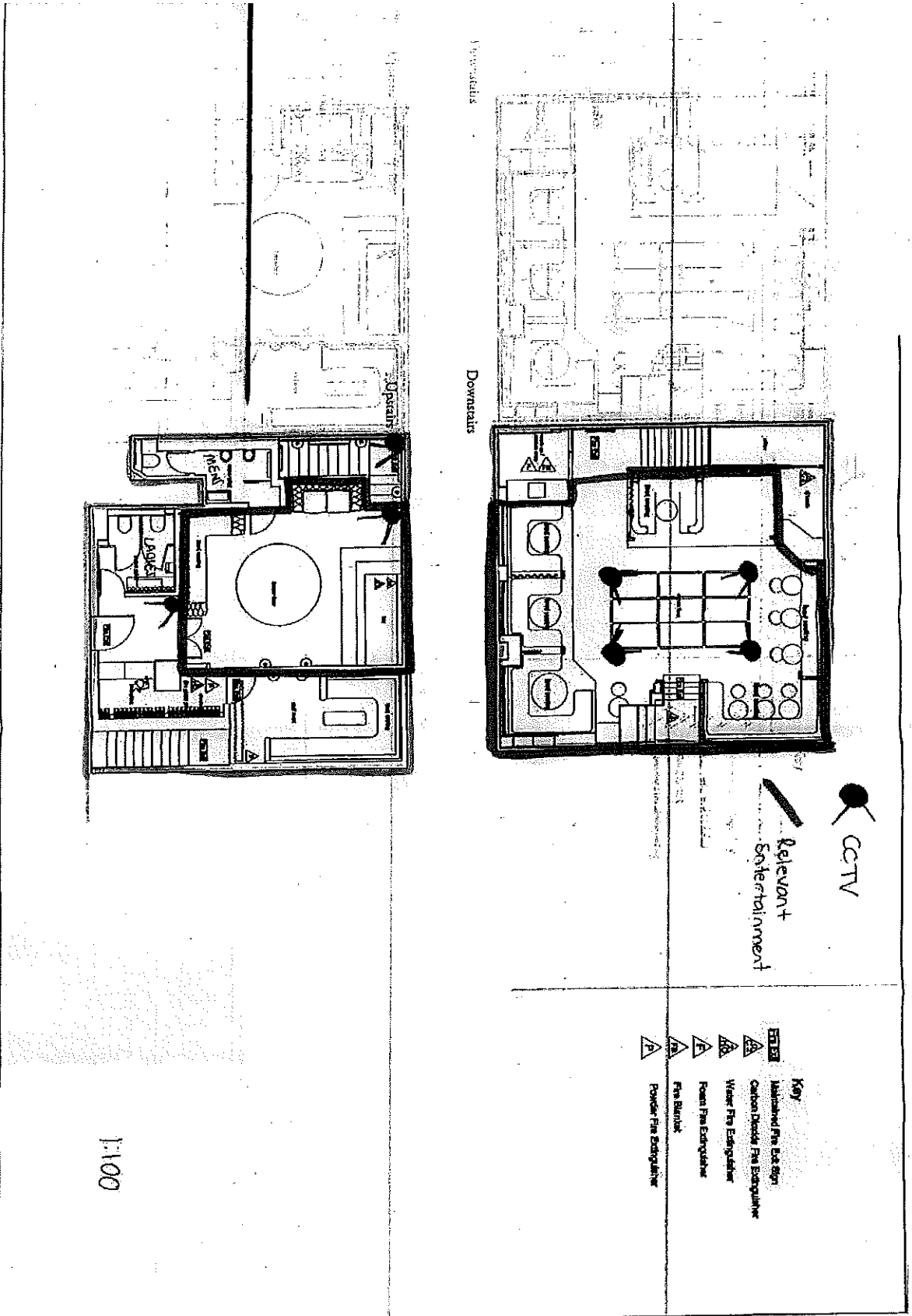


DATE: 30.07.15

SIGNED:

**On behalf of the Operational Director -
Premises Management**

Appendix 1 – Plans



LICENSING SUB-COMMITTEE No. 1

Thursday 30th July 2015

Membership: Councillor Tim Mitchell (Chairman), Councillor Louise Hyams and Councillor Rifa Begum

Legal Adviser: Barry Panto

Policy Adviser: Chris Wroe

Committee Officer: Jonathan Deacon

Objections: 2 objectors.

Present: Mr Gary Grant (Counsel, representing the Applicant) and Mr Tim Lalic (owner of premises).

Declarations: Councillors Tim Mitchell and Louise Hyams declared that the venue is located in the ward they both represent, St James's. Councillor Mitchell also declared that he had previously made a representation for a previous application relating to the premises on behalf of St James's Conservation Trust. Neither Member had a personal or prejudicial interest in respect of the application. Mr Grant stated at the hearing that he had no objection to the two Members considering the application.

Scotch St James, 13 Masons Yard, SW1 13/07456/LISEVR and 14/11495/LISEVR

- 1.1 The Council has received two renewal applications of the Sexual Entertainment Venue ('SEV') premises licence from Great Club Limited for Scotch St James, 13 Masons Yard, London, SW1Y 6BU. The report set out the application details, representations, policy and legal context along with other considerations that the Committee required to determine this application.
- 1.2 On 30th September 2013 the Applicant applied to renew the SEV premises licence to provide full nudity striptease, pole dancing and table dancing between the hours of 09:00 to 05:30 on each of the days Monday to Saturday and 09:00 to 03:30 on Sunday. The Applicant did not request to change the relevant entertainment or to remove any standard conditions to the licence if the application was granted. The original hearing to determine the 2013-2014 renewal was scheduled for the 17th December 2013 however this was adjourned at the request of the applicant. The case was not re-scheduled as the Licensing Authority did not get a response from the Applicant.
- 1.3 On the 19th January 2015 the Licensing Authority contacted the Applicant to advise that as the 12 month period that licences are issued for had passed without the application being determined by the Licensing Sub Committee and as no renewal application had been received, the premises were deemed unlicensed for relevant entertainment.
- 1.4 On the 23rd January 2015 the Applicant's solicitor responded stating that in

accordance with Section 20(10) of the 1982 Act it must be deemed to remain in force until such determination takes place or the application is withdrawn. Legal advice has confirmed that this should have been a reference to paragraph 11(1) of Schedule 3 to the 1982 Act but also confirms that the licence would remain in force until the renewal application is determined.

- 1.5 After seeking legal advice the Licensing Authority advised the Applicant to submit a further renewal application as a potential means by which renewal of the licence for 2014-2015 could be considered. On 8th May 2015 the Applicant applied to renew the sexual entertainment venue premises licence on exactly the same terms as those in the existing SEV licence and in the application for 2013-14.

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

Granted, subject to the same conditions as attached to the previous licence in 2012.

The Sub-Committee in granting the applications accepted the point of the Applicant's Representative, Mr Grant, that there were not any grounds for the applications not to be renewed. The proposed hours and conditions were the same as those attached to the SEV licence in 2012. Complaints were not being received about how the venue was being run since the current operator had taken over (Objector 3 to the application had referred to noise disruption, bad behaviour and general issues relating to people leaving the premises). Previous management had been running Scotch St James when the review of the premises licence had taken place in November 2012. There were few representations in respect of the 2013-14 and 2014-15 applications in comparison to the SEV application granted in 2012. There was no evidence in terms of complaints received to suggest that Scotch St James was now having an adverse impact on the character of the relevant locality or that anything had changed within the locality since 2012 to make it unsuitable. It is located in Westminster core CAZ north. The appropriate number of SEVs in this area had been set by the Council at 25 and as the premises are currently licensed, the maximum of 25 would not be exceeded.

Mr Grant advised the Sub-Committee that his client was not currently using the SEV licence. Mr Lalic was applying because it was a valuable asset and it was a condition on his lease that it remained in force. The representation of Objector 1 had been withdrawn on the basis of the Applicant's assurances that it was not the intention to operate Scotch St James as a sexual entertainment venue. The Sub-Committee had taken note of the objections of Objector 2 and had requested legal advice from Mr Panto on the points that the objector had raised. Mr Panto stated that it had been unfortunate that a year had passed without the application being processed and that the Licensing Authority had incorrectly stated that as no renewal application had been received, the premises were deemed unlicensed for relevant

entertainment. Under the provisions of The Local Government Miscellaneous Provisions Act 1982, the previous licence did indeed remain in force. It was permitted for the Applicant to submit a further renewal application as had now taken place and for the Sub-Committee to consider the first and second applications submitted. The Licensing Service was satisfied that the notice (blue) of the application was displayed on the premises within the required time limit.

Conditions on the Licence

Standard Conditions

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.

10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
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 to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.
12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer.
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a

customer shall be surrendered to the premises manager as soon as is practicable.

19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.
23. Performers must redress fully immediately after each performance.

Additional Conditions

24. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed.
25. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing.
26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons, with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.
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 signs.
30. 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.
31. 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.

32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.

Appendix 2 – Conditions

Standard Conditions:

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
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 to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.

12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.

23. Performers must redress fully immediately after each performance.

Additional Conditions:

24. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed.
25. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing.
26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons, with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.
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 signs.
30. 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.
31. 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.
32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.

LICENSING SUB-COMMITTEE No. 1

Monday 11 June 2012

Membership: Councillor Audrey Lewis (Chairman), Councillor Michael Brahams and Councillor Nicholas Evans

Legal Adviser: Harjinder Bhela
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon

Relevant Representations: Environmental Health, Licensing Service, 8 local businesses, 2 residents associations and 7 local residents objecting to application.

Present: Ms Lana Tricker (representing the Applicant), Mr James Hoffelner (Applicant Company), Mr Nick Nelson (Licensing Service), Mr Ian Watson (Environmental Health), Mr Patrick Matthiesen, Mr Brian Woodham (St James's Conservation Trust), Mr Hamish Dewar, Mr David Mason OBE, Objector 7 and Objector 13.

**Scotch St James, 13 Mason's Yard, SW1
12/02584/LISEVN**

Application:

An application for a new sexual entertainment venue premises licence to provide full nudity striptease, pole dancing and table dancing between the hours of 09:00 to 05:30 Monday to Saturday and 09:00 to 03:30 on Sunday.

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

Subject to the conditions listed below, the Sub-Committee granted the hours already permitted for regulated entertainment on the existing Licensing Act 2003 premises licence (Monday to Saturday 09:00 to 05:00 hours and Sunday 09:00 to 03:00 hours).

The Sub-Committee heard from Ms Tricker, representing the Applicant. Ms Tricker added that her client was content with the standard conditions, Environmental Health proposed conditions and the conditions that the Licensing Service sought to retain from the Licensing Act 2003 licence being attached to the licence. An additional 'works condition' had been agreed between the Applicant and Environmental Health.

The Sub-Committee read and heard the concerns of local residents and businesses

in respect of the application. Local residents and businesses raised specific issues relating to the existing nightclub at the premises and the potential effect of operating a Sexual Entertainment Venues licence at the premises. The Applicant was currently operating the premises as a nightclub but wanted to keep options open. Members took into account in granting the application that they were permitting the same hours and style of operation as was already the case on the existing premises licence. If interested parties or the Responsible Authorities took the view that it was necessary, they had the ability to apply for a review of the existing premises licence.

The Sub-Committee considered it appropriate in order to promote the policy aims and objectives to apply all the standard conditions to the licence, and for the purposes of clarity varied standard conditions 6, 16 and 21 as set out below. It is stated in Paragraph 3.1.9 of the Sexual Entertainment Venues Statement Of Licensing Policy 2012 that if the Council considers it appropriate to promote the policy aims and objectives the Council may attach conditions, in addition to the standard conditions, to a sexual entertainment venue licence in the individual circumstances of an application. The Sub-Committee decided that it was appropriate to add 2 conditions which the Licensing Service had requested be replicated from the existing premises licence and attached to the licence the 10 conditions proposed by Environmental Health, including the proposed works condition (as set out below).

Conditions attached to the Licence

Standard Conditions for Sexual Entertainment Venue Premises dated 17 February 2012 will apply with the following variations to conditions 6, 16 and 21

6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.

Additional Conditions – Existing conditions replicated from Licensing Act 2003 premises licence as requested by Licensing Service

1. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed. (condition 21 on existing premises licence)

2. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing. (condition 23 on existing premises licence)

Additional Conditions – as requested by Environmental Health

1. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons, with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.
2. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
3. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
4. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
5. 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.
6. 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.
7. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
8. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
10. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.

LICENSING SUB-COMMITTEE No. 3

Thursday 26th March 2015

Membership: Councillor Melvyn Caplan (Chairman), Councillor Nick Evans and Councillor Peter Freeman

Legal Adviser: Barry Panto
Committee Officer: Jonathan Deacon

Relevant Representations: In support – the owner of the premises
Objecting - Environmental Health,
Metropolitan Police, 1 amenity association, 2
local residents and 2 local businesses.

Present: Mr Gary Grant (Barrister, representing the Applicant), Mr Tim Lalic and Mr Rob Harrod (Applicant Company), Mr Andrew Wong (Director, JGR, on behalf of the Applicant), Mr Richard Vivian (Big Sky Acoustics), Mr Anil Drayan (Environmental Health), PC Sandy Russell (Metropolitan Police) and Mr John Woods (local resident).

The Scotch of St James, Basement and Ground Floor, 13 Mason's Yard, SW1 14/11389/LIPN

1.	Regulated Entertainment
	<p>Performance of Dance Monday to Saturday: 09:00 to 05:00</p> <p>Performance of Live Music Monday to Saturday: 09:00 to 05:00 Sunday: 09:00 to 03:00</p> <p>Private Entertainment consisting of dancing, music or other entertainment of a like for consideration and with a view to profit. Unrestricted.</p> <p>Playing of Recorded Music Monday to Sunday: 00:00 to 00:00</p> <p>Anything of a similar description to live music, recorded music or performance of dance Monday to Saturday: 09:00 to 03:00</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>

Decision (including reasons if different from those set out in report):

A new premises licence application had been submitted so as to increase the capacity at the premises. No increase in hours for licensable activities had been sought. It was proposed that the maximum capacity would be 150 throughout the hours of operation. The previous capacity under the existing licence was 100 patrons until 03:00 and 50 patrons between 03:00 and 05:00.

Mr Grant, representing the Applicant, provided some background to the application and the reasoning for it. The capacity condition had been attached to the licence during the transition period in 2005 and had not been an issue when the premises had been a hostess club and had lower numbers of patrons. However, since that time the clientele had increased. The need for the capacity condition to be increased was the potential for the licensing objectives to be adversely impacted by queuing outside. With a 'one in, one out' door policy, queues built up which leads to noise and residents being disturbed. The inside of the premises was noise insulated and residents would not be susceptible to public nuisance if patrons were able to gain immediate access. A further issue with the capacity condition was that at 03:00 hours, management were required to select 50% of the current 100 capacity to stay and the rest to leave. This was not good for business as it created a rushed environment. Patrons would either leave and potentially enter the stress area or wait outside the premises and queue in the hope that one of the patrons who was permitted to remain there decided to leave.

Mr Grant stated that new WCs would be installed. It was perfectly safe to have a capacity of 150 with the fire safety estimate of the capacity being 164. Temporary event notices had been operated without the restricted capacity and no issues had been raised. There had been some teething problems which had led to a review of the premises licence but these had been resolved under new management. There had been two minor incidents over the previous twelve months. Measures that had been taken included a third SIA security person being employed and wooden barriers being used to contain smokers. Mr Grant made the point that it was better for patrons to be leaving the premises at 05:00 than 03:00 as it was a commercial area and activity such as deliveries was taking place then. He also referred to Mr Vivian's acoustic report which supported the concept of limiting the potential for queuing to prevent the licensing objectives being undermined and that patrons be diverted away from Ormond Yard. The Applicants were proposing a condition that a SIA Registered Door Supervisor would act as a Noise Control Officer in the immediate vicinity of Mason's Yard after 23:00 hours when there are patrons present in the premises and would endeavour to ensure persons depart from the premises quietly and away from Ormond Yard. This was in keeping with a request on behalf of the Gaslight Club for patrons of The Scotch of St James to avoid, and not cause public nuisance in, Ormond Yard.

The Sub-Committee next heard from PC Russell. She advised the Sub-Committee that she had searched through Police records over a two year period and The Scotch of St James was not a problem premises. The Police were

content with the Applicant's proposed last entry time of 3am providing that members in attendance were limited to a maximum of four bona fide guests. All other conditions were agreed with the Applicant if the Sub-Committee was minded to grant the application.

Mr Drayan for Environmental Health informed Members that the capacity had originally been reduced by the Sub-Committee to 50 people after 3am largely to control public nuisance. Since that time there had been public nuisance issues which had led to the review of the premises licence in 2012 and which had also taken place in early 2013. These had now been resolved with no record of noise complaints over the last eighteen months. The cul-de-sac had the potential to be used by rough sleepers and the premises operating the hours that it did and as a result of its security arrangements limited the likelihood of this. Mr Drayan stated he was relatively neutral on the application. He maintained his representation as there had been a restriction originally imposed on the previous capacity. The means of escape were acceptable for a capacity of 150 and there was a commitment on the part of the Applicant to install additional WCs. He was requesting that the last entry was 02:00 except for members and their bona fide guests in order to properly manage any potential public nuisance issues.

Mr Woods, a local resident, commented that the situation had improved enormously since new management had taken over The Scotch of St James. Duke Street, where he lived, was the main entrance to Mason's Yard. He requested that steps were taken to ensure that residents of Duke Street were not adversely affected by the application including briefing the taxi firm and the noise control officer to prevent those arriving at and leaving the premises from causing noise nuisance and management being available at all times to respond to any concerns residents had. Mr Grant responded that his client would implement the suggestions of Mr Woods.

Mr Grant referred to the last entry time in his final comments. The club was open until 05:00. There was no evidence that there would be particular problems at 02:00 which would justify last entry being in force then rather than 03:00. There was less potential for the clientele to leave and enter the stress area if last entry was 03:00.

The Sub-Committee granted the application. Members considered that the conditions attached to the licence, which were agreed between the Applicant and the Responsible Authorities, would promote the licensing objectives. These included employing a SIA registered door supervisor to act as a noise control officer in the immediate vicinity of Mason's Yard after 23:00 and that patrons depart from the premises quietly and away from Ormond Yard. The key concerns of the Responsible Authorities had been addressed. There was every indication that the increased capacity would be managed, including a last entry time of 03:00. There had been a review of the premises in the past but steps had been taken to address the public nuisance issues and the premises had been well managed for the last eighteen months. The management was aware that if significant public issues did begin to reoccur then there was the potential for a review. As requested by the Police, members entering after 03:00 would be limited to four bona fide guests. It was noted that no increase in the

	proposed hours for licensable activities was sought from the existing licence.
2.	Late Night Refreshment
	Monday to Saturday: 23:00 to 05:00 Sunday: 23:00 to 03:00.
	Amendments to application advised at hearing: None.
	Decision (including reasons if different from those set out in report): Granted, subject to conditions as set out below (see reasons for decision in Section 1). No increase in the proposed hours for licensable activities was sought from the existing licence.
3.	Sale by Retail of Alcohol
	Monday to Saturday: 11:00 to 04:45 Sunday: 12:00 to 22:30.
	Amendments to application advised at hearing: None.
	Decision (including reasons if different from those set out in report): Granted, subject to conditions as set out below (see reasons for decision in Section 1). No increase in the proposed hours for licensable activities was sought from the existing licence.
4.	Opening Hours:
	Monday to Saturday: 09:00 to 05:30 Sunday: 09:00 to 03:30.
	Amendments to application advised at hearing: None.
	Decision (including reasons if different from those set out in report):

	Granted, subject to conditions as set out below (see reasons for decision in Section 1). No increase in the proposed hours for licensable activities was sought from the existing licence.
5.	Non-standard Timings:
	<p>(i) New Year's Eve – To extend opening times and licensable hours from the end of permitted hours until the start of permitted hours New Year's Day.</p> <p>(ii) To extend the terminal hour for sale of alcohol by one hour on the morning in which British Summertime begins.</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to conditions as set out below (see reasons for decision in Section 1). No increase in the proposed hours for licensable activities was sought from the existing licence.</p>

Conditions attached to the Licence	
<u>Mandatory Conditions</u>	
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.	<p>(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.</p> <p>(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</p>

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.
 - (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.
- (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.
- (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.

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Additional Conditions

- 10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 11. An attendant shall be stationed in the vicinity of the cloakroom during the whole time it is in use.
- 12. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to:

- (a) Persons taking table meals there and for consumption by any such person as an ancillary to his meal.
 - (b) Persons attending and paying a minimum attendance fee of £3 for admission to the premises for the purposes of music and dancing.
13. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.
14. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

15. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
16. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day
17. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
18. There shall be no payment made by or on behalf of the licence holder to any

person for bringing customers to the premises.

19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
21. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
22. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless a sexual entertainment venue licence is in operation.
23. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
24. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.
25. 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.
26. 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.
27. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
30. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should 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, should be non-combustible.
31. Curtains and hangings shall be arranged so as not to obstruct emergency signs or means of escape.
32. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard Specification 4293: 1993.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system
34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
35. 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 preceding 31 day period.
36. 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.
37. The maximum number of persons accommodated in the whole of the premises at any one time (excluding staff) shall not exceed 150 persons with the following further restrictions also applying:
 - i) Basement – 100
 - ii) Ground Floor- 50

38. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means:
- (a) The permitted hours on Monday to Saturday shall commence at 11:00 and extend until 04:45 on the following morning, except that:
 - i) The permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - ii) On any day that music and dancing end between 00:00 midnight and 05:00, the permitted hours shall end half hour before the music and dancing end;
 - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:
 - i) With the substitution of reference to 06:00 for references to 05:00 and 05:45 for references to 04:45;
 - (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment
 - (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day;

NOTE: The above restrictions do not prohibit:

- (a) during the first 45 minutes after the above hours the consumption of alcohol on the premises;
- (b) during the first thirty minutes after the above hours off sales which must be in sealed containers only;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;

- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 39. Flashing or particularly bright lights from the premises shall not cause a nuisance to nearby properties.
- 40. After 23:00 patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
- 41. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
- 42. After 23:00 patrons permitted to smoke shall be restricted to the external area between 9 and 13 Mason's Yard which shall be supervised by staff from the premises together with notices prominently displayed there requesting patrons to respect the needs of local residents and use the area quietly.
- 43. After 23:00 the designated smoking area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
- 44. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- 45. All staff engaged outside the entrance to the premises, or supervising or controlling queues and external areas, shall wear high visibility armbands.
- 46. 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.
- 47. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
- 48. Patrons waiting for taxis shall be encouraged to wait inside the premises until the taxi arrives.

49. After 23:00 hours a minimum of two door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
50. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
51. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
52. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00hours.
53. No deliveries to the premises shall be arranged to occur between 23.00 and 08.00.
54. The premises will employ a SIA Registered Door Supervisor who will act as a Noise Control Officer in the immediate vicinity of Mason's Yard after 23:00 hours when there are patrons present in the premises. He will endeavour to ensure persons depart from the premises quietly and away from Ormond Yard.
55. After 1am, the licensee shall take counts of customers on the premises at 30 minute intervals until the premises closes and shall have records of such counts available for inspection by an authorised officer of the Council or Police.
56. Door staff shall be trained to monitor patron noise and actively discourage any noisy and otherwise unacceptable behaviour, encouraging customers to consider local residents when making their way home. Records of such training are to be maintained and held on site for inspection by any Authorised Officer.
57. Upon the premises reaching its capacity figure detailed in condition 37, Management of the Club shall take all reasonable steps to disperse any queue that has formed at the premises and actively encourage any persons so dispersed leave the Mason's Yard area in a quiet and orderly manner.
58. Once the premises has reached its capacity figure detailed in Condition 37 , Management of the Club shall take all reasonable steps to prevent a queue forming outside the premises
59. The licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the licence.

60. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
61. All SIA registered door supervisors engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
62. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
63. 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, 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) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
64. There shall be no entry to the premises after 03:00 except to the following persons:
 - (a) Scotch of St James members and their bona fide guests (not exceeding four guests per member). A list of all members to be held at reception for inspection by the relevant authorities. No person shall be admitted to the membership of the premises without an interval of at least 48 hours between application and acceptance to membership;
 - (b) Persons admitted to the premises by prior invitation to a bona fide private function held at the premises;
 - (c) Guests of the proprietor listed by name at the reception prior to admission;
 - (d) Performers and staff employed by the premises;
 - (e) Persons who have temporarily left the premises to smoke.
65. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS hologram.

66. The licence will have no effect until the Licencing Authority are satisfied that the premises is 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 license. Where the premises layout has changed during the course of construction, new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
67. This licence shall not take effect until notice of surrender of licence number 15/01174/LIPDPS (and any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under section 28 of the Licensing Act 2003.



Schedule 12
Part A

WARD: St James's
UPRN: 010033538222

City of Westminster
64 Victoria Street, London, SW1E 6QP

Premises licence

Régulation 33, 34

Premises licence number:

14/11389/LIPN

Original Reference:

14/11389/LIPN

Part 1 – Premises details

Postal address of premises:

The Scotch Of St James
Basement And Ground Floor
13 Mason's Yard
London
SW1Y 6BU

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance
Monday to Saturday:

09:00 to 05:00

Performance of Live Music

Monday to Saturday:
Sunday:

09:00 to 05:00
09:00 to 03:00

Playing of Recorded Music

Monday to Sunday:

00:00 to 00:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday:

09:00 to 03:00

Private Entertainment consisting of dancing, music or other entertainment of a like for consideration and with a view to profit. Unrestricted

Late Night Refreshment

Monday to Saturday:
Sunday:

23:00 to 05:00
23:00 to 03:00

Sale by Retail of Alcohol

Monday to Saturday: 11:00 to 04:45
Sunday: 12:00 to 22:30

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 05:30
Sunday: 09:00 to 03:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Alula Leisure Limited
54 Poland Street
London
W1F 7NJ
Electronic Mail : aww@jgrlaw.co.uk

Registered number of holder, for example company number, charity number (where applicable)

07703389

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Tihomir Lalic

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: 07/00513/PER
Licensing Authority: Oxford City Council

Date: 12 May 2015

This licence has been authorised by Mr Ola Owojori on behalf of the Director - Public Protection and Licensing.

Annex 1 – 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.
- (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.
- (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.
- (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.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
11. An attendant shall be stationed in the vicinity of the cloakroom during the whole time it is in use.
12. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to:
 - (a) Persons taking table meals there and for consumption by any such person as an ancillary to his meal.
 - (b) Persons attending and paying a minimum attendance fee of £3 for admission to the premises for the purposes of music and dancing.
13. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.
14. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

15. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
16. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day
17. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the

surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.

18. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
21. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
22. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless a sexual entertainment venue licence is in operation.
23. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
24. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.
25. 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.
26. 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.
27. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
30. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should 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, should be non-combustible.

31. Curtains and hangings shall be arranged so as not to obstruct emergency signs or means of escape.
32. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard Specification 4293: 1993.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system
34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
35. 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 preceding 31 day period.
36. 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.
37. The maximum number of persons accommodated in the whole of the premises at any one time (excluding staff) shall not exceed 150 persons with the following further restrictions also applying:
 - i) Basement – 100
 - ii) Ground Floor- 50
38. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means:
 - (a) The permitted hours on Monday to Saturday shall commence at 11:00 and extend until 04:45 on the following morning, except that:
 - i) The permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - ii) On any day that music and dancing end between 00:00 midnight and 05:00, the permitted hours shall end half hour before the music and dancing end;
 - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:
 - i) With the substitution of reference to 06:00 for references to 05:00 and 05:45 for references to 04:45;

- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day;

NOTE: The above restrictions do not prohibit:

- (a) during the first 45 minutes after the above hours the consumption of alcohol on the premises;
- (b) during the first thirty minutes after the above hours off sales which must be in sealed containers only;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 39. Flashing or particularly bright lights from the premises shall not cause a nuisance to nearby properties.
- 40. After 23:00 patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
- 41. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
- 42. After 23:00 patrons permitted to smoke shall be restricted to the external area between 9 and 13 Mason's Yard which shall be supervised by staff from the premises together with notices prominently displayed there requesting patrons to respect the needs of local residents and use the area quietly.
- 43. After 23:00 the designated smoking area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.

44. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction of the public highway.
45. All staff engaged outside the entrance to the premises, or supervising or controlling queues and external areas, shall wear high visibility armbands.
46. 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.
47. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
48. Patrons waiting for taxis shall be encouraged to wait inside the premises until the taxi arrives.
49. After 23:00 hours a minimum of two door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
50. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
51. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
52. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
53. No deliveries to the premises shall be arranged to occur between 23.00 and 08.00.
54. The premises will employ a SIA Registered Door Supervisor who will act as a Noise Control Officer in the immediate vicinity of Mason's Yard after 23:00 hours when there are patrons present in the premises. He will endeavour to ensure persons depart from the premises quietly and away from Ormond Yard.
55. After 1am, the licensee shall take counts of customers on the premises at 30 minute intervals until the premises closes and shall have records of such counts available for inspection by an authorised officer of the Council or Police.
56. Door staff shall be trained to monitor patron noise and actively discourage any noisy and otherwise unacceptable behaviour, encouraging customers to consider local residents when making their way home. Records of such training are to be maintained and held on site for inspection by any Authorised Officer.
57. Upon the premises reaching its capacity figure detailed in condition 37, Management of the Club shall take all reasonable steps to disperse any queue that has formed at the premises and actively encourage any persons so dispersed leave the Mason's Yard area in a quiet and orderly manner.

58. Once the premises has reached its capacity figure detailed in Condition 37 , Management of the Club shall take all reasonable steps to prevent a queue forming outside the premises
59. The licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the licence.
60. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
61. All SIA registered door supervisors engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
62. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
63. 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, 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) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
64. There shall be no entry to the premises after 03:00 except to the following persons:
- (a) Scotch of St James members and their bona fide guests (not exceeding four guests per member). A list of all members to be held at reception for inspection by the relevant authorities. No person shall be admitted to the membership of the premises without an interval of at least 48 hours between application and acceptance to membership;
 - (b) Persons admitted to the premises by prior invitation to a bona fide private function held at the premises;
 - (c) Guests of the proprietor listed by name at the reception prior to admission;
 - (d) Performers and staff employed by the premises;
 - (e) Persons who have temporarily left the premises to smoke.
65. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS hologram.
66. The licence will have no effect until the Licensing Authority are satisfied that the premises is 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 license. Where the premises layout has changed during the course of construction, new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

67 This licence shall not take effect until notice of surrender of licence number 15/01174/LIPDPS (and any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under section 28 of the Licensing Act 2003.

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: St James's
UPRN: 010033538222

City of Westminster
64 Victoria Street, London, SW1E 6QP

Premises licence
summary

Regulation 33, 34

Premises licence number:

14/11389/LIPN

Part 1 – Premises details

Postal address of premises:

The Scotch Of St James
Basement And Ground Floor
13 Mason's Yard
London
SW1Y 6BU

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance

Monday to Saturday: 09:00 to 05:00

Performance of Live Music

Monday to Saturday: 09:00 to 05:00

Sunday: 09:00 to 03:00

Playing of Recorded Music

Monday to Sunday: 00:00 to 00:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 03:00

Private Entertainment consisting of dancing, music or other entertainment of a like for consideration and with a view to profit. Unrestricted

Late Night Refreshment	
Monday to Saturday:	23:00 to 05:00
Sunday:	23:00 to 03:00
Sale by Retail of Alcohol	
Monday to Saturday:	11:00 to 04:45
Sunday:	12:00 to 22:30
<i>For times authorised for New Year see conditions at Annex 3</i>	

The opening hours of the premises:	
Monday to Saturday:	09:00 to 05:30
Sunday:	09:00 to 03:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:
Alula Leisure Limited 54 Poland Street London W1F 7NJ

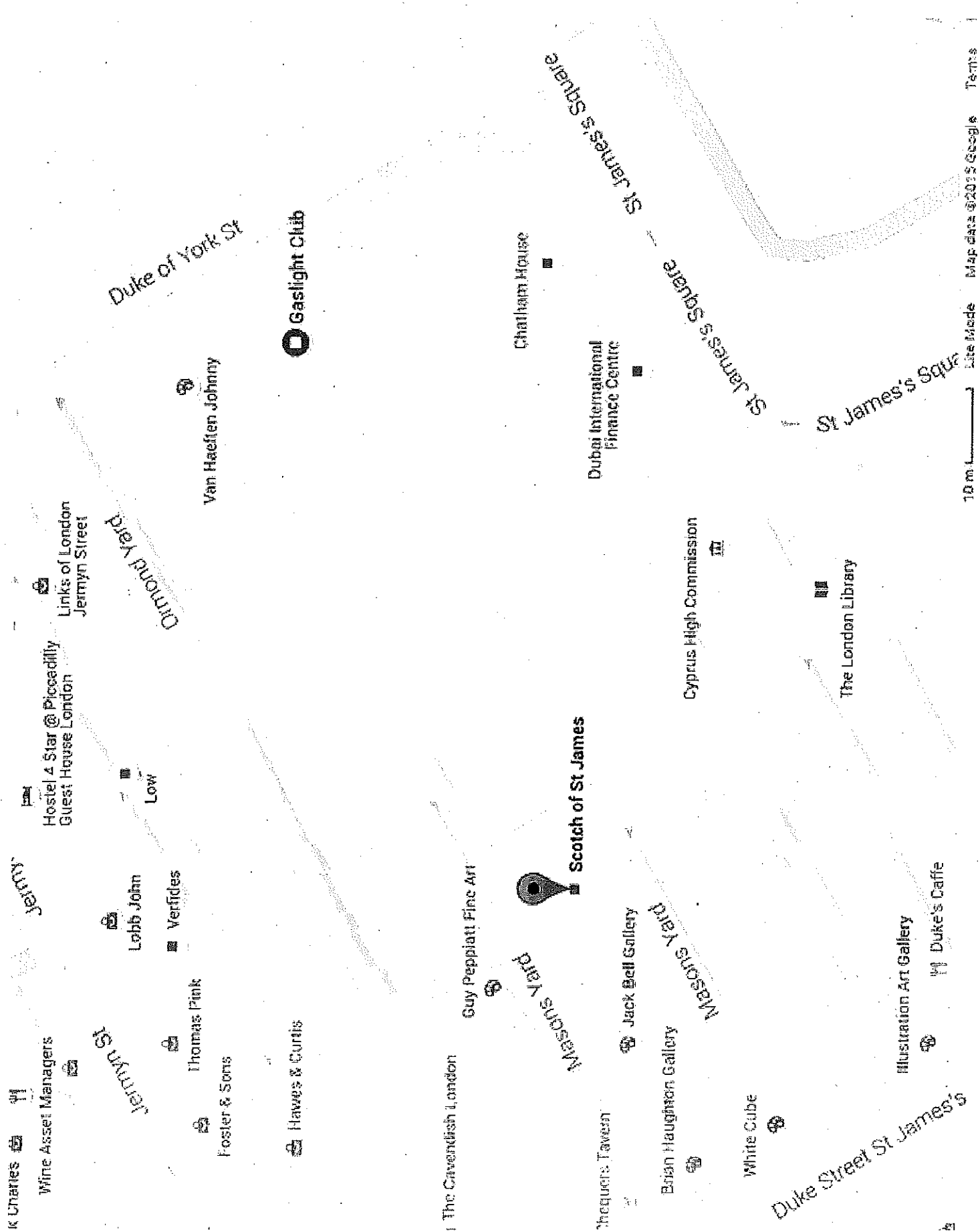
Registered number of holder, for example company number, charity number (where applicable)
07703389

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:
Name: Tihomir Lalic

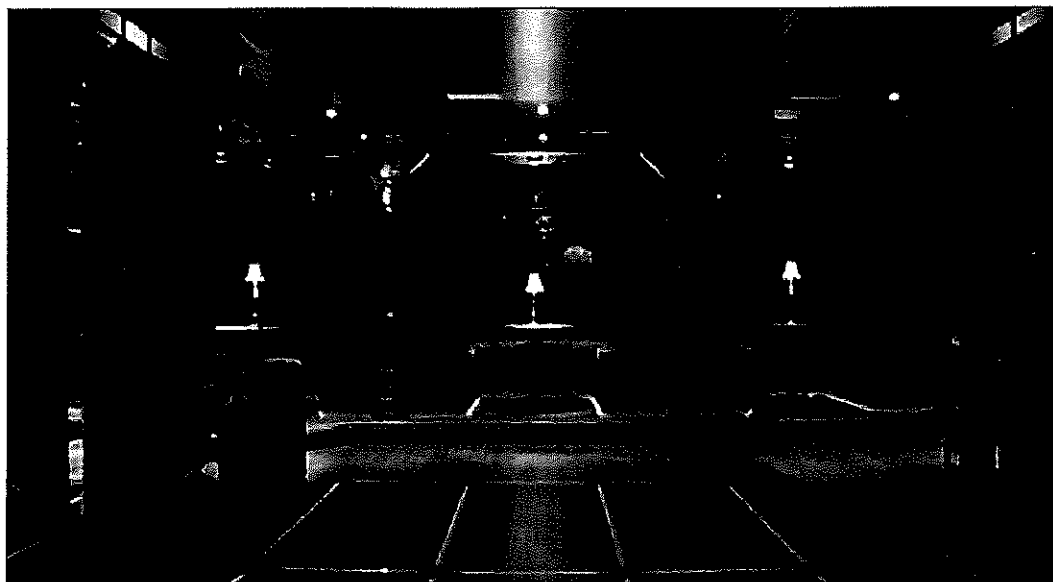
State whether access to the premises by children is restricted or prohibited:
Restricted

Date: 12 May 2015

This licence has been authorised by Mr Ola Owojori on behalf of the Director - Public Protection and Licensing.



PHOTOS OF SCOTCH



**MILESTONE INVESTMENTS
LIMITED**

13 MASONS YARD
ST. JAMES'S
LONDON SW1Y 6BU
Tel: 020-7930 4981
Fax: 020-7321 0426

Our ref: MJB/EAB/MI

29 July 2015

Westminster City Council
Licensing Department
4th Floor
Westminster City Hall
64 Victoria Street
LONDON SW1E 6QP

For the attention of: Steve Rowe

TO WHOM IT MAY CONCERN

Milestone Investments Limited owns the freehold interest in 13 Masons Yard London SW1Y 6BU where the ground floor and basement are currently the subject of an application to renew the licensing.

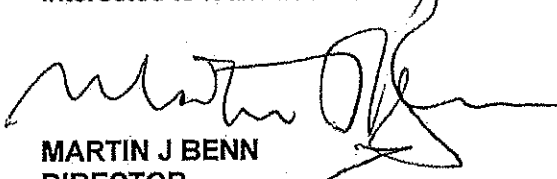
The occupier has a specific leasehold obligation to renew and keep in order any licensing attached to the premises and to appeal any refusal to do that on the part of the Council.

Towards this end the conduct of the tenant is closely monitored. In particular local occupants of Masons Yard are frequently canvassed to find out if they have any valid objections and these are normally withdrawn on the basis that the Club operator pursues their best endeavours and is sympathetic to all complaints which they may come across.

Consistent with this the Club operator spares no expense to make the Club an attractive venue for foreign and local visitors alike.

I do not believe that there are any reasonable demands made by the Council which have been flouted or ignored by the occupier and therefore their continued occupation should be encouraged and the licensing renewed.

If you have information or observations to the contrary, as freeholders we should be extremely interested to learn about this either formally or informally.

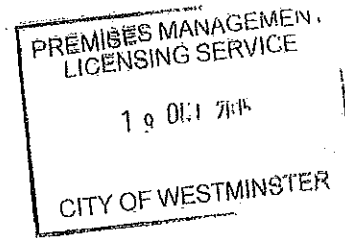
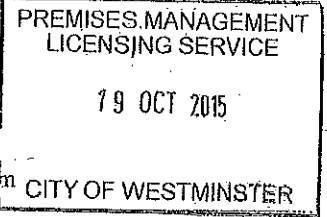


**MARTIN J BENN
DIRECTOR
MILESTONE INVESTMENTS LIMITED**

cc: generallicensing@westminster.gov.uk – by e-mail and post
srowe@westminster.gov.uk – by e-mail and post
t.lalic@alulaleisure.com

Appendix B

Name + address
redacted



City of Westminster Licencing Services
Westminster City Hall
68 Victoria Street
SW1E 6QP London

16.10.15

Reference: 15/08445/LISEVR Scotch St James 13 Masons Yard SW1Y 6BU

Dear Sirs,

We noted with some surprise yet another notification of a renewal for this licence which was understood has already been renewed in the summer. We would make the following observation regarding undertakings to control noise and disturbance which were given during previous hearings. The applicant had undertaken to insure that there would be no local disturbance but recently there has been a great deal of rowdy noise outside their premises continuing until 6am in the morning making it impossible to sleep. Your council has laid down strict parameters but these are being ignored. We also found our frontage littered with cigarettes stubs coming from the club revellers who are compelled to smoke outside.

Yours sincerely,

A handwritten signature in black ink, appearing to be "A. Smith", written over a diagonal line.



Schedule 12
Part A

WARD: St James's
UPRN: 010033538222

City of Westminster
64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/01174/LIPDPS

Original Reference:

05/06843/LIPCV

Part 1 – Premises details

Postal address of premises:

Scotch St James
Ground Floor
13 Mason's Yard
London
SW1Y 6BU

Telephone Number: 020 7307 0202

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music or Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance

Monday to Saturday: 09:00 to 05:00

Performance of Live Music

Monday to Saturday: 09:00 to 05:00

Sunday: 09:00 to 03:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music or Recorded Music

Sunday: 09:00 to 03:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 03:00

Late Night Refreshment

Monday to Saturday: 23:00 to 05:00
Sunday: 23:00 to 03:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

Sale by Retail of Alcohol

Monday to Saturday: 11:00 to 04:45
Sunday: 12:00 to 22:30

For times authorised for Christmas and New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 05:30
Sunday: 09:00 to 03:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Alula Leisure Limited
54 Poland Street
London
W1F 7NJ

Registered number of holder, for example company number, charity number (where applicable)

07703389

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Mr Christopher Burrows

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: 223211549
Licensing Authority: London Borough of Brent

Date: 05 October 2015

**This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director -
Public Protection and Licensing.**

Annex 1 – 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.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
11. An attendant shall be stationed in the vicinity of the cloakroom during the whole time it is in use.
12. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to:
 - (a) Persons taking table meals there and for consumption by any such person as an ancillary to his meal.
 - (b) Persons attending and paying a minimum attendance fee of £3 for admission to the premises for the purposes of music and dancing.
13. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.
14. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30.
- (b) On Christmas Day, 12.00 to 15.00 and 19.00 to 22.30.
- (c) On New Year's Eve on a Sunday, 12.00 to 22.30.
- (d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 15. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

- 16. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
- 17. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day
- 18. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
- 19. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.

20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
22. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
23. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless a sexual entertainment venue licence is in operation.
24. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
25. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.
26. 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.
27. 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.
28. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should 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, should be non-combustible.

32. Curtains and hangings shall be arranged so as not to obstruct emergency signs or means of escape.
33. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard Specification 4293: 1993.
34. The certificates listed below shall be submitted to the Licensing Authority upon written request.
- Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system
35. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
36. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
37. 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 are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
38. The maximum number of persons accommodated in the whole of the premises at any one time (excluding staff) shall not exceed 100 persons with the following further restrictions also applying:
- i) Basement - 100
 - ii) Ground Floor- 50
 - iii) in the whole of the premises between 03:00 and 05:00 hours - 50
39. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means:
- (a) The permitted hours on Monday to Saturday shall commence at 11:00 and extend until 04:45 on the following morning, except that:
 - i) The permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - ii) On any day that music and dancing end between 00:00 midnight and 05:00, the permitted hours shall end half hour before the music and dancing end;
 - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:
 - i) With the substitution of reference to 06:00 for references to 05:00 and 05:45 for references to 04:45;
 - (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment

- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day;

NOTE: The above restrictions do not prohibit:

- (a) during the first 45 minutes after the above hours the consumption of alcohol on the premises;
- (b) during the first thirty minutes after the above hours off sales which must be in sealed containers only;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 40. Flashing or particularly bright lights from the premises shall not cause a nuisance to nearby properties.
- 41. After 23:00 patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
- 42. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
- 43. After 23:00 patrons permitted to smoke shall be restricted to the external area between 9 and 13 Mason's Yard which shall be supervised by staff from the premises together with notices prominently displayed there requesting patrons to respect the needs of local residents and use the area quietly.
- 44. After 23:00 the designated smoking area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
- 45. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction of the public highway.

46. All staff engaged outside the entrance to the premises, or supervising or controlling queues and external areas, shall wear high visibility armbands.
47. 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.
48. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
49. Patrons waiting for taxis shall be encouraged to wait inside the premises until the taxi arrives.
50. After 23:00 hours a minimum of two door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
51. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
52. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
53. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00hours.
54. No deliveries to the premises shall be arranged to occur between (23.00) and (08.00).
55. The premises will employ a SIA Registered Door Supervisor who will act as a Noise Control Officer in the immediate vicinity of Mason's Yard after 23:00 hours when there are patrons present in the premises. He will endeavour to ensure persons depart from the premises quietly.
56. The licensee shall take counts of customers on the premises at 02.00, 02.30 and 03.00 and shall have records of such counts available for inspection by an authorised officer of the Council or Police.

Annex 4 – Plans

Attached



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: St James's
UPRN: 010033538222

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/01174/LIPDPS

Part 1 – Premises details

Postal address of premises:

Scotch St James
Ground Floor
13 Mason's Yard
London
SW1Y 6BU

Telephone Number: 020 7307 0202

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music or Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance

Monday to Saturday: 09:00 to 05:00

Performance of Live Music

Monday to Saturday: 09:00 to 05:00

Sunday: 09:00 to 03:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music or Recorded Music

Sunday: 09:00 to 03:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday:	09:00 to 03:00
Late Night Refreshment	
Monday to Saturday:	23:00 to 05:00
Sunday:	23:00 to 03:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	
Sale by Retail of Alcohol	
Monday to Saturday:	11:00 to 04:45
Sunday:	12:00 to 22:30
<i>For times authorised for Christmas and New Year see conditions at Annex 3</i>	

The opening hours of the premises:

Monday to Saturday:	09:00 to 05:30
Sunday:	09:00 to 03:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:

Alula Leisure Limited
54 Poland Street
London
W1F 7NJ

Registered number of holder, for example company number, charity number (where applicable)

07703389

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Mr Christopher Burrows

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 05 October 2015

**This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director -
Public Protection and Licensing.**

SEX ESTABLISHMENT LICENCE Sexual Entertainment Venue

Prémises licence number:	14/11495/LISEVR
Original Reference:	12/02584/LISEVN

The CITY OF WESTMINSTER, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

hereby licences:
to use the premises:

**GREAT CLUB LIMITED
SCOTCH ST JAMES
13 MASON'S YARD
LONDON
SW1Y 6BU**

as a Sexual Entertainment Venue.

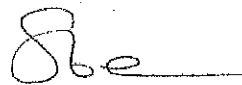
This licence commences from the **01 October 2014** and will expire on the **30 September 2015**.

Relevant Entertainment (namely full and partial nudity striptease, pole dancing and table dancing) may be provided during the following times:

Monday to Saturday	09:00 to 05:00
Sunday	09:00 to 03:00

Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

This licence is granted subject to the conditions attached at Appendix 2.

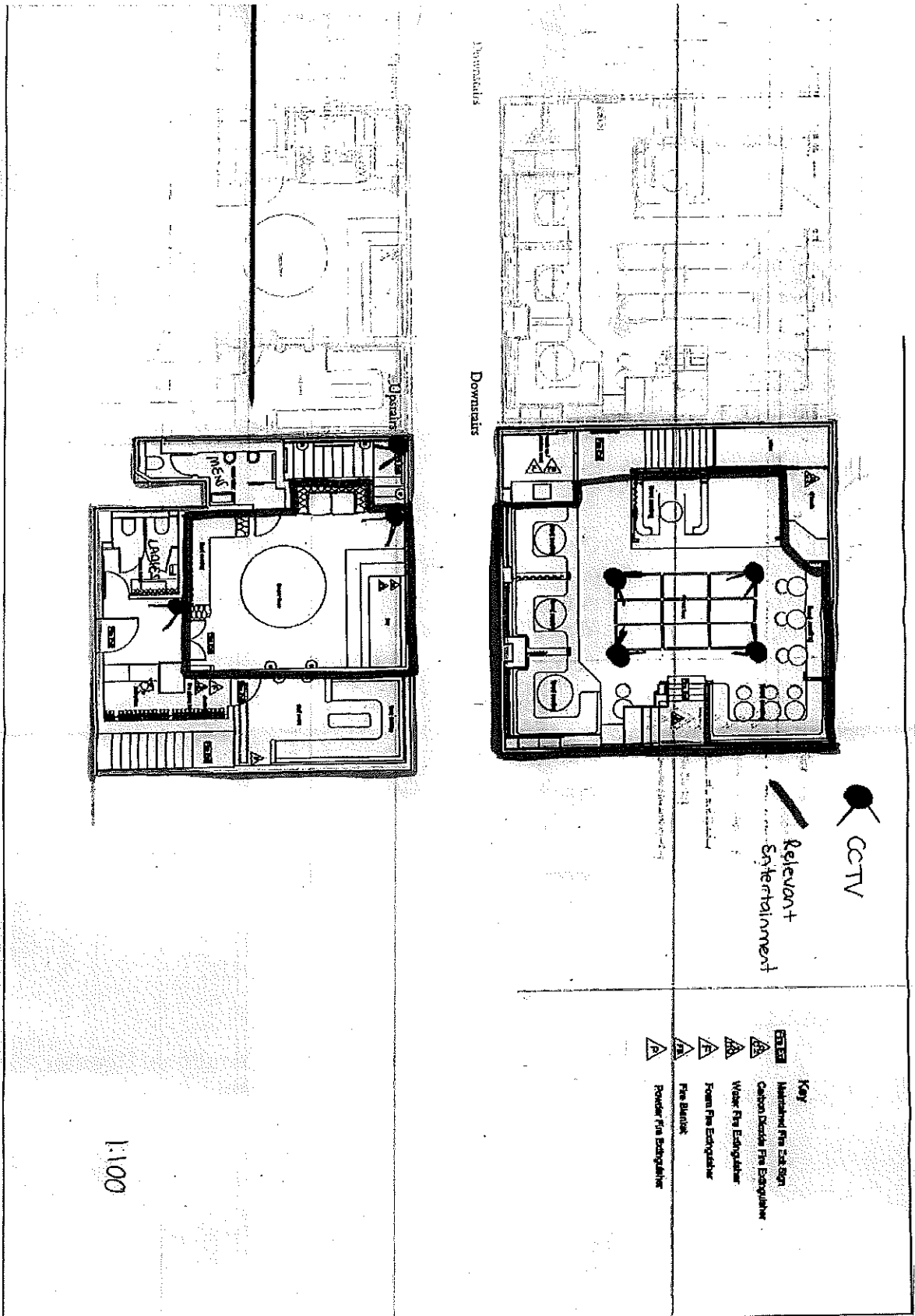


DATE: 30.07.15

SIGNED:

**On behalf of the Operational Director -
Premises Management**

Appendix 1 – Plans



Appendix 2 – Conditions

Standard Conditions:

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
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 to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.

12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.

23. Performers must redress fully immediately after each performance.

Additional Conditions:

24. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed.

25. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing.

26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons, with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.

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 signs.

30. 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.

31. 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.

32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.

- i. pyrotechnics including fire works
- ii. firearms
- iii. lasers
- iv. explosives and highly flammable substances.
- v. real flame.
- vi. strobe lighting.

34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

35. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.

LICENSING SUB-COMMITTEE No. 1

Thursday 30th July 2015

Membership: Councillor Tim Mitchell (Chairman), Councillor Louise Hyams and Councillor Rita Begum

Legal Adviser: Barry Panto
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon

Objections: 2 objectors.

Present: Mr Gary Grant (Counsel, representing the Applicant) and Mr Tim Lalic (owner of premises).

Declarations: Councillors Tim Mitchell and Louise Hyams declared that the venue is located in the ward they both represent, St James's. Councillor Mitchell also declared that he had previously made a representation for a previous application relating to the premises on behalf of St James's Conservation Trust. Neither Member had a personal or prejudicial interest in respect of the application. Mr Grant stated at the hearing that he had no objection to the two Members considering the application.

**Scotch St James, 13 Masons Yard, SW1
13/07456/LISEVR and 14/11495/LISEVR**

- 1.1 The Council has received two renewal applications of the Sexual Entertainment Venue ('SEV') premises licence from Great Club Limited for Scotch St James, 13 Masons Yard, London, SW1Y 6BU. The report set out the application details, representations, policy and legal context along with other considerations that the Committee required to determine this application.
- 1.2 On 30th September 2013 the Applicant applied to renew the SEV premises licence to provide full nudity striptease, pole dancing and table dancing between the hours of 09:00 to 05:30 on each of the days Monday to Saturday and 09:00 to 03:30 on Sunday. The Applicant did not request to change the relevant entertainment or to remove any standard conditions to the licence if the application was granted. The original hearing to determine the 2013-2014 renewal was scheduled for the 17th December 2013 however this was adjourned at the request of the applicant. The case was not re-scheduled as the Licensing Authority did not get a response from the Applicant.
- 1.3 On the 19th January 2015 the Licensing Authority contacted the Applicant to advise that as the 12 month period that licences are issued for had passed without the application being determined by the Licensing Sub Committee and as no renewal application had been received, the premises were deemed unlicensed for relevant entertainment.
- 1.4 On the 23rd January 2015 the Applicant's solicitor responded stating that in

accordance with Section 20(10) of the 1982 Act it must be deemed to remain in force until such determination takes place or the application is withdrawn. Legal advice has confirmed that this should have been a reference to paragraph 11(1) of Schedule 3 to the 1982 Act but also confirms that the licence would remain in force until the renewal application is determined.

- 1.5 After seeking legal advice the Licensing Authority advised the Applicant to submit a further renewal application as a potential means by which renewal of the licence for 2014-2015 could be considered. On 8th May 2015 the Applicant applied to renew the sexual entertainment venue premises licence on exactly the same terms as those in the existing SEV licence and in the application for 2013-14.

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

Granted, subject to the same conditions as attached to the previous licence in 2012.

The Sub-Committee in granting the applications accepted the point of the Applicant's Representative, Mr Grant, that there were not any grounds for the applications not to be renewed. The proposed hours and conditions were the same as those attached to the SEV licence in 2012. Complaints were not being received about how the venue was being run since the current operator had taken over (Objector 3 to the application had referred to noise disruption, bad behaviour and general issues relating to people leaving the premises). Previous management had been running Scotch St James when the review of the premises licence had taken place in November 2012. There were few representations in respect of the 2013-14 and 2014-15 applications in comparison to the SEV application granted in 2012. There was no evidence in terms of complaints received to suggest that Scotch St James was now having an adverse impact on the character of the relevant locality or that anything had changed within the locality since 2012 to make it unsuitable. It is located in Westminster core CAZ north. The appropriate number of SEVs in this area had been set by the Council at 25 and as the premises are currently licensed, the maximum of 25 would not be exceeded.

Mr Grant advised the Sub-Committee that his client was not currently using the SEV licence. Mr Lalic was applying because it was a valuable asset and it was a condition on his lease that it remained in force. The representation of Objector 1 had been withdrawn on the basis of the Applicant's assurances that it was not the intention to operate Scotch St James as a sexual entertainment venue. The Sub-Committee had taken note of the objections of Objector 2 and had requested legal advice from Mr Panto on the points that the objector had raised. Mr Panto stated that it had been unfortunate that a year had passed without the application being processed and that the Licensing Authority had incorrectly stated that as no renewal application had been received, the premises were deemed unlicensed for relevant

entertainment. Under the provisions of The Local Government Miscellaneous Provisions Act 1982, the previous licence did indeed remain in force. It was permitted for the Applicant to submit a further renewal application as had now taken place and for the Sub-Committee to consider the first and second applications submitted. The Licensing Service was satisfied that the notice (blue) of the application was displayed on the premises within the required time limit.

Conditions on the Licence

Standard Conditions

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.

10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
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 to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.
12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer.
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a

customer shall be surrendered to the premises manager as soon as is practicable.

19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.
23. Performers must redress fully immediately after each performance.

Additional Conditions

24. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed.
25. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing.
26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons; with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.
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 signs.
30. 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.
31. 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.

32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.



Residential properties 13 Mason's Yard

City of Westminster



Appendix D

Residential / Proposed Residential	101 current		
	Under Construction	Other Uses	Proportion Residential of all Uses

Data Source: Uniform D

Date: 19/11/2015

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City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>3 December 2015</i>
Classification:	<i>General Release</i>
Premises:	<i>15/08960/LISEVN The Box, 11-12 Walker's Court, London, W1F 0ED</i>
Wards Affected:	<i>West End, Core CAZ North</i>
Financial Summary:	<i>None</i>
Report of:	<i>Director of Public Protection and Licensing</i>

1. Executive Summary

- 1.1 The Council has received an application for a new Sexual Entertainment Venue (SEV) premises licence from Too 2 Much Limited for The Box, 11-12 Walker's Court, London, W1F 0ED. The report sets out the application details, objections, policy and legal context along with other considerations that the Licensing Sub-Committee ("The Committee") requires to determine this application under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("The 1982 Act") as amended by section 27 of the Policing and Crime Act 2009.

2. Options

- 2.1 That subject the Committee hearing the oral and written evidence from the applicants, Responsible Authorities and objectors to the Committee has the powers granted to it under the 1982 Act (as amended) to:
 - 2.1.1 Grant the application in full
 - 2.1.2 Grant the application subject to the standard conditions and/or any modifications to any part of the application and imposition of any additional conditions proposed by a party to the hearing, or
 - 2.1.3 Refuse the application

3. Application

- 3.1 On 13 October 2015 the applicant applied for a temporary interim new sexual entertainment venue premises licence to provide burlesque, nude cabaret, nude performances and plays, adult related theatrical performances, striptease, pole dancing and table dancing and involve implied nudity, full and partial nudity between the hours of 09:00 to 04:00 on each of the days Monday to Saturday and 09:00 to 00:30 on Sundays.
- 3.2 The premises already holds a SEV licence (15/06091/LISEVR), attached at **Appendix C2**. The applicant states that Walker's Court is undergoing a redevelopment following the grant of planning permission and parts of The Box premises are being relocated within the development in accordance with the attached plans. As such a new SEV Licence is being applied for on the same terms and hours as currently permitted by licence 15/06091/LISEVR.
- 3.3 It is proposed that the capacities for each individual rooms is amended to Ground Floor VIP: 75 and First Floor Main Room: 213. The overall capacity of 288 will remain the same.
- 3.4 The premises is located at the heart of London's leisure and entertainment district in Soho which houses casinos, nightclubs, betting shops, restaurants, cinemas, hotels, bars and retail outlets. The proposal will not adversely alter the character and function of this part of Walker's Court. The facade of the premises is not imposing and there are no advertisements or signage relating to relevant entertainment outside the premises.
- 3.5 The applicant has requested that all conditions attached to that licence apply to this licence, should the Committee be minded to grant amend where necessary to reflect the new layout and proposed capacities. A copy of the application is attached as **Appendix A1**.
- 3.6 A copy of the proposed plans for this application is attached at **Appendix A2**.

4. Objections

- 4.1 The application has received two objections (attached as **Appendix B1 and B2**).
- 4.2 On 30 October 2015, the Westminster Police Licensing Team made an objection to the application on the basis that, if granted, the application would undermine the licensing objectives. The venue is situated within the West End stress area where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact (see **Appendix B1**).

4.3 On 4 November 2015, the Council's Environmental Health Service made an objection on the basis that the grant of the licence would be inappropriate having regard to the layout, character or condition of the premises. No conditions have been proposed with the application and a visit will need to be made to the premises to ensure compliance with Westminster licensing policy and conditions may be proposed (see **Appendix B2**).

5. Licensing Act 2003 Premises Licence ("The 2003 Act")

5.1 A temporary interim application for a new Premises Licence under the Licensing Act 2003 has been applied for in tandem with this application. The table below sets out the requested activities and times under that application.

5.2 A copy of the temporary interim new Premises Licence application under the Licensing Act 2003 is attached to this report as **Appendix C1**.

5.3 A copy of the current Sexual Entertainment Venue Licence is attached at **Appendix C2**.

<u>Premises Licence application (15/08883/LIPN) requested Licensable Activities</u>
Regulated Entertainment: Indoors
Performance of Plays
Monday to Saturday 09:00 to 04:00 Sunday 14:00 to 00:00
Exhibition of Films
Monday to Saturday 09:00 to 04:00 Sunday 09:00 to 00:00
Performance of Live Music
Monday to Saturday 09:00 to 04:00 Sunday 09:00 to 00:00
Performance of Dance
Monday to Saturday 09:00 to 04:00 Sunday 09:00 to 00:00
Anything of a similar description to Live Music, Recorded music or Performance of Dance

<p>Monday to Saturday 09:00 to 04:00 Sunday 09:00 to 00:00</p> <p>Playing of Recorded Music Monday to Sunday: 00:00 to 00:00</p>
<p>Late Night Refreshment: Indoors & Outdoors</p> <p>Monday to Saturday 23:00 to 04:00 Sunday 23:00 to 00:30</p>
<p>Sale of Alcohol: On and Off the premises</p> <p>Monday to Saturday 10:00 to 03:00 Sunday 12:00 to 00:00</p>
<p>Capacity:</p> <p>First Floor Main Room – 213 Basement VIP Room – 75</p>
<p>Opening hours:</p> <p>Monday to Saturday 09:00 to 04:00 Sunday 09:00 to 00:30</p>

6. Policy Considerations

6.1 Suitability of applicant – SU1

The applicant has stated that no relevant offences have been committed. In addition the Police and the Council's Licensing Inspectorate have carried out fit and proper persons checks and have not made any representations to the application on that basis.

6.2 SEV carried on for the benefit of another person – SU2

The Police and the Council's Licensing Inspectorate have undertaken appropriate checks and have made no comments on that basis.

6.3 Appropriate number of SEV in a locality – NO1

The appropriate number of sexual entertainment venues in the relevant localities is 25 in the Westminster core CAZ north. This application, if granted, will not exceed 25.

6.4 Character of the relevant locality – LO1

Walker's Court is a small and narrow pedestrianized street off Brewer Street.

6.5 Use of premises in the vicinity – LO2

The main use of the premises in the area is commercial. There are no other SEV premises, one school and one place of worship within 100 metre radius of the premises (see **Appendix D**).

7. Legal Implications

7.1 The Committee using its powers as aforesaid may determine to:

- (a) Grant the application in full
- (b) Grant with additional special conditions which the Licensing Sub-Committee deem appropriate; or
- (c) Refuse the application.

7.2 Before refusing to grant a licence to the applicant, the Licensing Authority shall give the applicant an opportunity to appear before and of being heard by the Committee Para 10(19) Schedule 3.

7.3 In considering this application, the Licensing Sub-Committee shall have regard to any observations submitted to them by the Chief Officer of Police and any objections that have been received in writing within the 28 day consultation period (Para 10(18) Schedule 3 LG(MP)A1982).

7.4 The Committee may refuse to grant a licence for the following reasons:

- (a) that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
- (b) that if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
- (c) that the number of sex establishments in the relevant locality at the time the application is *made* [determined] is equal to or exceeds the number which the authority consider is appropriate for that locality;
- (d) that the grant or renewal of the licence would be inappropriate, having regard—
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

7.5 If the Committee determine to grant a SEV licence, the licence will be subject to the Standard Conditions for Sexual Entertainment Venue licences, unless the

Sub-Committee determines that certain Standard Conditions should be expressly excluded or otherwise varied pursuant to Para 13(4) to Schedule 3.

- 7.6 Should the Licensing Sub-Committee determine to refuse the application for the grant of a licence under Paragraph 12(3)(a) or (b) to Schedule 3, the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application under Para 27(1) to Schedule 3.

8. Human Rights and Equality Implications Act

- 8.1 In making a decision consideration will need to be given to the applicants rights under the Human Rights Act 1998 (incorporating the European Convention on Human Rights). The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant. The Home Office Guidance suggests that "local authorities would be well advised to consider whether any interference with the applicants rights under Article 10 or Article 1, Protocol 1 of the European Convention on Human Rights is necessary and proportionate for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of other, or in the case of Article 1, Protocol 1, can be justified in the general interest".

- 8.2 The Council in its capacity as Licensing Authority has a duty to ensure that all applications for SEV's are dealt with in accordance with its public sector duty under section 149 of the Equalities Act 2010 ("The 2010 Act"). In summary section 149 provides:-

- (1) "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 of equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it
- (2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1)"

- 8.3 Accordingly, section 149 (7) of the 2010 Act defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 8.4 This duty places an obligation on the Committee to ensure that the need to promote equality is taken into consideration with regard to every aspect of its

decision making, this will include the circumstances of each individual application, the findings of fact once the application has been considered, including the taking into account of any objection and response the applicant may choose to make.

Appendices

- A1** – Application Form
- A2** – Plans
- A3** – Performers' Code of Conduct
- B1** – Police objection
- B2** – Environmental Health objection
- C1** – Licensing Act 2003 Premises Licence application 15/08883/LIPN
- C2** – Current Sexual Entertainment Venue Licence
- D** – Map of the locality

If you have any queries about this report or wish to inspect any of the Background Papers please contact: Yolanda Wade on 020 7641 1872 or at ywade@westminster.gov.uk

BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009
Sexual Entertainment Venues Statement of Licensing Policy 2012
Sexual Entertainment Venues Guidance and Procedure effective 17 February 2012



City of Westminster

PREMISES MANAGEMENT
LICENSING SERVICE
13 OCT 2015
CITY OF WESTMINSTER

APPLICATION FOR A NEW SEXUAL ENTERTAINMENT VENUE LICENCE

IMPORTANT: This form is open to inspection by the public.

Too 2 Much Limited

I / We
(Insert name(s) of applicant)

apply for a new Sexual Entertainment Venue licence under the Local Government
(Miscellaneous Provisions) Act 1982

Important Note: Before completing this application, please read the following:

- WCC's Statement of Licensing Policy for Sexual Entertainment Venues
- WCC's Standard Conditions for Sexual Entertainment Venues
- WCC's Rules of Procedure governing Sexual Entertainment Venue applications

PART 1 – Applicant Details

Please state whether you are applying for a Sexual Entertainment Venue licence as:

- a) an individual or individuals complete section (A)
- b) a person other than an individual:
- i. as a body corporate complete section (B)
- ii. as an unincorporated body complete section (B)

Section A – Individual Licensee Details

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Licensee Details (if necessary)

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section B – Body Corporate or Unincorporated Body Details

Business Name: (if your business is registered, use its registered name)	Too 2 Much Limited
Is your business registered in the UK with Companies House?	Yes <input checked="" type="checkbox"/>
	Registered Number: 07159258
Is your business registered in another EEA state:	No <input type="checkbox"/>
	Yes <input type="checkbox"/> EEA State: Registered Number:
Legal Status: (e.g. Company Partnership, etc)	No <input checked="" type="checkbox"/>
	Private Limited Company
Home Country: (the country where the headquarters of your business is located)	England
Registered Address:	25A Western Avenue Milton Abingdon
Postcode:	OX14 4SH
Directors, Partners, Owners and Managers	
You must provide details of all DIRECTORS (if the applicant is a company), all PARTNERS (if it is a partnership), and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES.	
Are there any such people for whom you need to provide details?	Yes <input checked="" type="checkbox"/> (please complete below) No <input type="checkbox"/>
Full name:	Edward Randall Weiner

Private address:	535 W110 Street, New York NY 10025 USA
Capacity:	Director
Full name:	Richard Louis Kimmel
Private address:	136 Allen Street #16 New York NY 10002 USA
Capacity:	Director
Full name:	Aasim Chaudhri
Private address:	12 Heatherset Gardens London SW16 3LW
Capacity:	Manager
Full name:	Emre Dandil
Private address:	Flat 10 5 Greyfields Close Purley CR8 1BW
Capacity:	Manager
Full name:	Mark Hladnik
Private address:	61 Broadley Terrace London W2 2HH
Capacity:	Manager
Full name:	
Private address:	
Capacity:	
Full name:	
Private address:	
Capacity:	

Other Business Interests

Is the applicant, or any person named in this application, involved in any way with any other sex establishment (e.g. sexual entertainment venue, sex shop, sex cinema, hostess bar)?

Yes (please complete below) No

Please provide details, including the name and address of the establishment and the nature and extent of the interest. (If necessary please provide a separate sheet).

PART 2 – Premises Details

Premises name:	The Box	
Premises address:	11-12 Walker's Court (as more particularly shown on the enclosed plans) London	
Postcode:	W1F 0ED	
Premises telephone number:	020 7434 4374	
Email:	info@theboxsoho.com	
Website address:	http://theboxsoho.com/	
Where the licence is for a vehicle, vessel or stall, state where it is to be used as a sexual entertainment venue:	N/A	
Describe the nature of the relevant entertainment (e.g. striptease, pole dancing, table dancing etc):	As per the existing licence.	
Does the relevant entertainment involve:	Full nudity	<input checked="" type="checkbox"/>
	Partial nudity	<input checked="" type="checkbox"/>
	No nudity (including implied nudity)	<input checked="" type="checkbox"/>

Opening Hours

Please provide the proposed opening hours of the premises:

Day:	Start:	Finish:
Monday	0900	0400
Tuesday	0900	0400
Wednesday	0900	0400
Thursday	0900	0400
Friday	0900	0400
Saturday	0900	0400
Sunday	0900	0030

PART 3 – Policy & Conditions

Please refer to the Council's Statement of Licensing Policy for Sexual Entertainment Venues.

State how your application will promote the following licensing objectives:

Prevention of crime and disorder:
The conditions as per the existing licence will apply.
Public safety:
Please see above and attached
Prevention of public nuisance:
Please see above and attached
Protection of children from harm:
Please see above and attached

Improvement in the character and function of the city, or areas of it:
<p>The Box Soho is a cabaret nightclub, located at 11-12 Walker's Court.</p> <p>Walker's Court is undergoing redevelopment following the grant of planning permission and parts of the premises are being relocated within the development.</p> <p>To enable The Box to continue to operate while these works are undertaken, a temporary, interim Sexual Entertainment Venue licence is sought in accordance with the enclosed plans and on the same terms, hours and capacities as currently permitted by licence 14/08146/LISEVR.</p> <p>The premises is located at the heart of London's leisure and entertainment district in Soho which houses casinos, nightclubs, betting shops, restaurants, cinemas, hotels, bars and retail outlets.</p> <p>The proposal will not adversely alter the character and function of this part of Walker's Court.</p> <p>The façade of the premises is not imposing and there are no advertisements or signage relating to relevant entertainment outside the premises.</p>
Please use a separate sheet if necessary

If your application is in conflict with any of the policies listed in the Statement of Licensing Policy, state why you believe an exception should be made in your particular circumstances:

Policy:	Reason for exception:
	The applicant does not believe that the application made is in conflict with any of the policies listed in the Statement of Licensing Policy
Please use a separate sheet if necessary	

Standard Conditions

Please refer to the Council's Standard Conditions for Sexual Entertainment Venues. Should the application be granted, your licence will be subject to all standard conditions unless specifically excluded from your licence.

State which (if any) standard conditions you wish to disapply from your licence and the reasons you feel they should be disappplied, including any individual circumstances relating to your operation:

Condition:	Reason for removing the condition:
Please use a separate sheet if necessary	

State any other conditions you wish to be attached to your licence:

<p>All those conditions currently attached to licence 14/08146/LISEVR, amended where necessary to reflect the new layout.</p>

Please use a separate sheet if necessary

PART 4 – Previous Convictions/Disqualifications

Have you, or any person named in or associated with this application, been convicted of any crime or offence?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, please provide details on a separate sheet
Have you been refused the grant or renewal of a licence for this premises, vehicle, vessel or stall within the last 12 months?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, has the refusal been reversed on appeal?
Yes <input type="checkbox"/> No <input type="checkbox"/>
Have you had a sex establishment licence revoked in Westminster within the last 12 months?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

PART 5 - Checklist

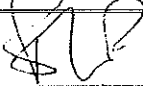
Please tick as appropriate:

All relevant sections of the application form have been completed in full	<input checked="" type="checkbox"/>
Payment of the fee has been made in full (refer to Part 7 of this form)	<input checked="" type="checkbox"/>
A plan of the premises in accordance with the Rules of Procedure for Sexual Entertainment Venues has been included	<input checked="" type="checkbox"/>
A drawing showing the front elevation of the premises as proposed has been included	<input checked="" type="checkbox"/>
The code of conduct for performers has been included	<input checked="" type="checkbox"/>
Notice of this application has been published in a local newspaper / will be published in a local newspaper within the next 7 days, a full copy of the newspaper to be provided to the Licensing Authority as soon as possible	<input checked="" type="checkbox"/>
Notice of this application has been displayed at the premises	<input checked="" type="checkbox"/>
The application has been served on the Metropolitan Police Service	<input checked="" type="checkbox"/>

PART 6 - Declaration

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TWENTY THOUSAND POUNDS (£20,000).

We, Berwin Leighton Paisner LLP declare that the information given above is true and complete in every respect.

Signed	
Date:	13/10/15
Capacity:	Solicitors for applicant

For joint applications:

Signed	
Date:	
Capacity:	

Agent Details

Are you an authorised agent acting on behalf of the applicant?

Yes No

If yes, please provide the following:

Agent name:	Craig Baylis
Agent Address:	Berwin Leighton Paisner LLP Adelaide House London Bridge London
Postcode:	EC4R 9HA
Agent Telephone Number:	0203 400 2326
Agent Email:	craig.baylis@blplaw.com

APPROVED BY CONTRACTOR RELEASE
ADDITIONAL NOTES:
 1. This floor plan is for information only and is not to be used for construction purposes.
 2. The floor plan is subject to change without notice.
 3. The floor plan is subject to change without notice.
GENERAL NOTES ON THE DRAWING:
 1. All dimensions are in millimeters.
 2. All dimensions are to the centerline of the wall unless otherwise specified.
 3. All dimensions are to the centerline of the wall unless otherwise specified.
 4. All dimensions are to the centerline of the wall unless otherwise specified.



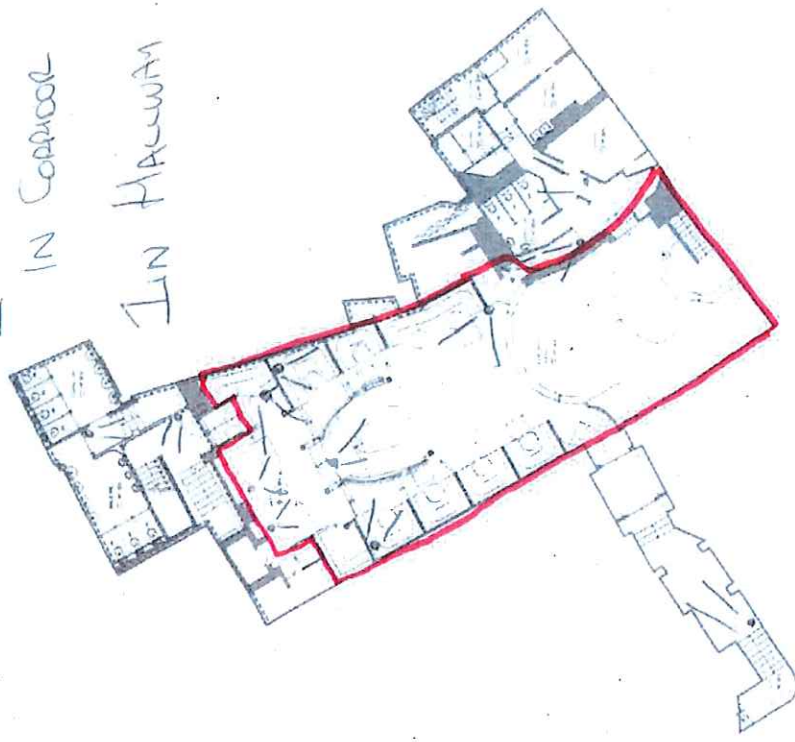
- THE SYMBOLS**
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soda. MATT
 ARCHITECTURE
 1000 BROADWAY
 NEW YORK, NY 10018
 TEL: 212 512 1000
 WWW.SODAMATT.COM

PROJECT: 932A P01
 DATE: 10/11/11

7 CAMERAS IN
 MAIN ROOM

2 CAMERAS
 IN CORRIDOR
 IN HALLWAY

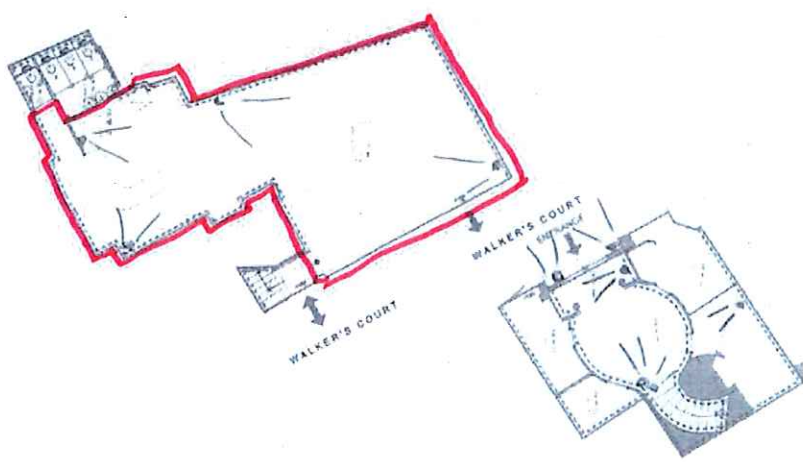


CCTV

932A.02
 INTERIM FIRST FLOOR
 10/11/11

INTERIM

TEMPORARY
 GREEN ROOM
 - 4 CAMERAS

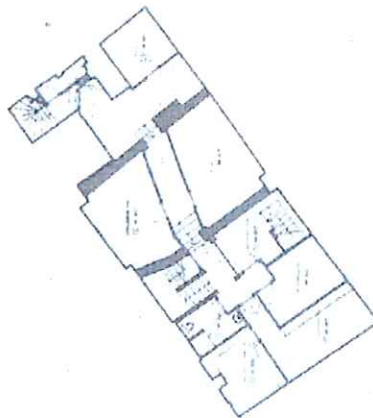


Area for
 performance
 of relevant entertainment

932A.01
 INTERIM GROUND FLOOR
 10/11/11

INTERIM

BACK of
HOUSE



932B.01
INTERIM SECOND FLOOR
1/28/11 12:08

4. MATERIALS TO BE USED IN THE CONSTRUCTION OF THE WORK SHALL BE AS SPECIFIED IN THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.



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- 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.

932B.01
INTERIM SECOND FLOOR
1/28/11 12:08

soda. MATT
ARCHITECTURE

PROJECT NO.	932B	DATE	P01
CLIENT	1300 14th St NW	ARCHITECT	
DATE	1/28/11	SCALE	AS SHOWN

APPENDIX A3

The Box

DANCER CODE OF CONDUCT- NUDE TABLE SIDE DANCING

1. There is zero tolerance for prostitution, solicitation, illegal drugs and unlawful conduct
2. Dancers must have sufficient and suitable outer clothing in order that they leave the premises decently attired
3. If you are the subject of interference by a customer, you are to inform the duty manager or security immediately
4. Dancers must not give out any personal contact information to customers
5. Performances may only be provided either dancing on the stage areas or dancing to customers seated at tables in the approved part of the premises.
6. No table side dancing shall be given to customers seated at the bar or to standing customers.
7. During the performance of a dance customers must remain seated and refrain from participating in the performance other than as a spectator
8. No physical contact is allowed between dancers during the performance of a dance except for the placing of money or tokens into the hands of the dancer at the beginning or the conclusion of the performance.
9. Dancers must not continue with a performance unless the customer remains fully clothed at all times
10. Dancers must redress after each performance has finished.

The Box

CODE FOR NUDE CABARET/PERFORMANCES

1. There is zero tolerance for prostitution, solicitation, illegal drugs and unlawful conduct
2. Performers must have sufficient and suitable outer clothing in order that they leave the premises decently attired
3. Nude or partially nude performances may be provided solely by performers

APPENDIX B1

Wade, Yolanda

From: Marriott, Chris
Sent: 30 October 2015 16:14
To: craig.baylis@blplaw.com
Cc: Wade, Yolanda; PremisesLicensing
Subject: The Box 11-12 Walkers Court, W1 - 15/08960/LISEVN

Follow Up Flag: Follow up
Flag Status: Completed

The Box 11-12 Walkers Court, W1 - 15/08960/LISEVN

Dear Sir/Madam,

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority have representations to this application. It is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated within the West End stress area where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact.

Police would like to arrange a site visit in order for the application to be discussed and the licensing objectives demonstrated. Could this please be facilitated?
Should you wish to discuss the matter further please contact me on **0207 641 3179** or via email cmarriott2@westminster.gov.uk

Kind regards,

PC Chris Marriott 3540CW

Westminster Police Licensing Team

**4th floor, 64 Victoria Street,
London, SW1 EQP
Tel: 02076411709**

APPENDIX B2

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 15/08960/LISEVN

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY I Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 4th November 2015

Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009

The Box, 11-12 Walker's Court, W1

I refer to the application for a Sexual Entertainment Venue Licence.

The premises are located within the Westminster Core Commercial Activity Zone.

The applicant has submitted two sets of floor plans of the premises reference 942A PO1 and 942B PO1 of the ground and first floors but these differ in relation to the licensed areas and layout.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. The application is to provide Burlesque, Nude Cabaret, Nude performance and plays, Adult related theatrical performances, Striptease, Pole dancing, Table dancing with full nudity on the ground and first floor only during the opening hours of 09.00 – 04.00 Monday to Saturday and 09.00 – 00.30 hours Sunday.

I wish to make the following representation

1. The grant of the licence would be inappropriate having regard to the layout, character or condition of the premises.

No conditions have been proposed with the application and a visit will need to be made to the premises to ensure compliance with Westminster licensing policy and conditions may be proposed.

The applicant states that this application is for an interim licence but does not state any period of time that the licence will have effect.

Should you wish to discuss the matter further please do not hesitate to contact me.

Ian Watson
Senior Practitioner Environmental Health (Licensing)



Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **Soho Estates Limited**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description The Box 11-12 Walker's Court (as more particularly shown on the enclosed plans)			
Post town	London	Postcode	W1F 0ED

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£Unrated

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Soho Estates Limited
Address PORTLAND HOUSE 12-13 GREEK STREET LONDON UNITED KINGDOM W1D 4DL
Registered number (where applicable) 00473566
Description of applicant (for example, partnership, company, unincorporated association etc.) private limited company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
The Box Soho is a cabaret nightclub, located at 11-12 Walker's Court.

Walker's Court is undergoing redevelopment following the grant of planning permission and parts of the premises are being relocated within the development.

To enable The Box to continue to operate while these works are undertaken, a temporary, interim premises licence is sought in accordance with the enclosed plans and on the same terms, hours and capacities as currently permitted by premises licence 12/10998/LIPDPS.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0900	0400			
Tue	0900	0400	State any seasonal variations for performing plays (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Wed	0900	0400			
Thur	0900	0400	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0900	0400			
Sat	0900	0400			
Sun	1400	0000			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	0400	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	0900	0400			
Wed	0900	0400	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Thur	0900	0400			
Fri	0900	0400	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	0900	0400			
Sun	0900	0000			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0900	0400			
Tue	0900	0400			
Wed	0900	0400	State any seasonal variations for the performance of live music (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Thur	0900	0400			
Fri	0900	0400	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	0400			
Sun	0900	0000			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon	0000	0000						
Tue	0000	0000						
Wed	0000	0000				State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	0000	0000						
Fri	0000	0000				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0000	0000						
Sun	0000	0000						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0900	0400			
Tue	0900	0400	State any seasonal variations for the performance of dance (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Wed	0900	0400			
Thur	0900	0400	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0900	0400			
Sat	0900	0400			
Sun	0900	0000			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	0900	0400		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0900	0400	<p>Please give further details here (please read guidance note 3)</p>		
Wed	0900	0400			
Thur	0900	0400	<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day</p>		
Fri	0900	0400			
Sat	0900	0400	<p>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>		
Sun	0900	0000			

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	2300	0400			
Tue	2300	0400	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Wed	2300	0400			
Thur	2300	0400	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	2300	0400			
Sat	2300	0400			
Sun	2300	0030			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Mon	1000	0300			
Tue	1000	0300			
Wed	1000	0300			
Thur	1000	0300			
Fri	1000	0300			
Sat	1000	0300			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	1200	0000	These hours to be extended by one hour on the morning that British Summer Time commences		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
 Adult entertainment is provided at the venue. The premises will operate under a Sexual Entertainment Venue Licence.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day
Day	Start	Finish	
Mon	0900	0400	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	0900	0400	
Wed	0900	0400	
Thur	0900	0400	
Fri	0900	0400	
Sat	0900	0400	
Sun	0900	0030	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The conditions currently attached to premises licence 12/10998/LIPDPS to be attached to this licence, with the exception of condition 37 which shall be amended to read:

The number of persons accommodated at any one time (excluding staff) shall not exceed the following;
First Floor Main Room - 213, Ground Floor VIP Room - 75

In addition the following conditions are to be added to the licence:

a) The licence will have no effect until the works are assessed as satisfactory by the Police, District Surveyor and the Environmental Health Consultation Team and letters approving the works from each of the authorities have been submitted to the Licensing Authority at which time this condition shall be removed from the licence.

b) Before the premises open to the public, the plans as deposited (or as amended) must be approved by the Environmental Health Consultation Team to ensure that they are an accurate reflection of the premises constructed. Where the premises layout changes during the course of construction, new plans shall be provided to the Licensing Authority, District Surveyor, Police and Environmental Health Consultation Team.

b) The prevention of crime and disorder

Please refer to box a) above

c) Public safety

Please refer to box a) above

d) The prevention of public nuisance

Please refer to box a) above

e) The protection of children from harm

Please refer to box a) above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Thomas & Thomas</i>
Date	09/10/2015
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf of the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Amy Catlin (SOH.4.5)
Thomas & Thomas Partners LLP
38a Monmouth Street

Post town	London	Postcode	WC2H 9EP
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Telephone number (if any)	020 7042 0418
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
acatlin@tandtp.com

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

SEX ESTABLISHMENT LICENCE Sexual Entertainment Venue

Premises licence number:	15/06091/LISEVR
Original Reference:	12/02615/LISEVN

The CITY OF WESTMINSTER, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

hereby licences:
to use the premises:

Too 2 Much Limited
The Box
11-12 Walker's Court
London
W1F 0ED

as a Sexual Entertainment Venue.

This licence commences from the 01 October 2015 and will expire on the 30 September 2016.

Relevant Entertainment may be provided during the following times:

Monday to Saturday	09:00 to 04:00
Sunday	09:00 to 00:00

Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

This licence is granted subject to the conditions attached at Appendix 2.

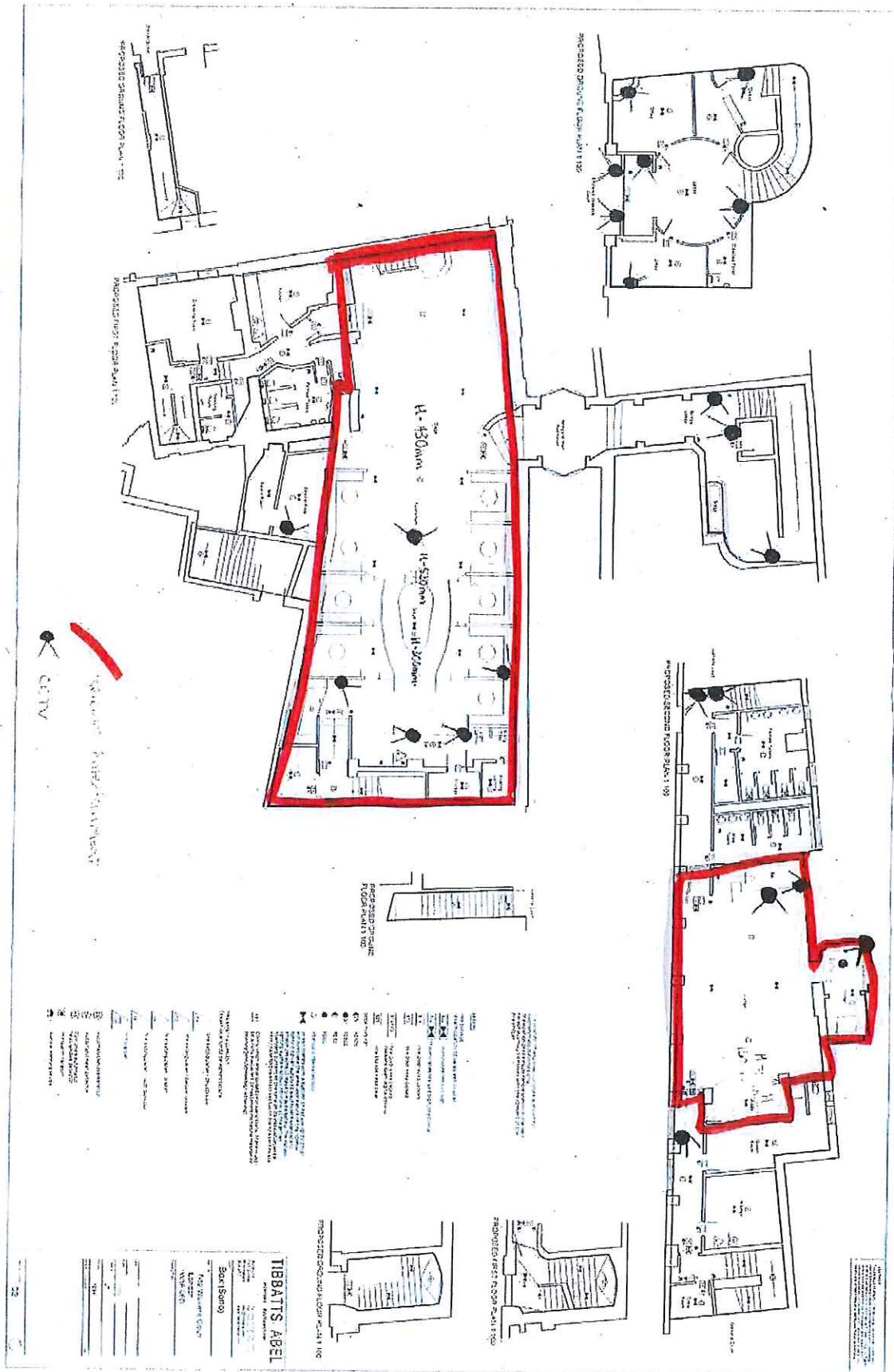


DATE: 18.11.2015

SIGNED:

**On behalf of the Operational Director -
Premises Management**

Appendix 1 – Plans



Appendix 2 – Conditions

Standard Conditions

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
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 to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.

continued..

12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.

continued..

22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.
23. Performers must redress fully immediately after each performance.

Additional Conditions

24. At least one SIA registered door supervisor shall be permanently employed in the first floor licensed area of the premises and at least one permanently employed in the area providing entrance to the second floor bar area and the entrance to the male/female toilets. In addition on such occasions that both floors are used for nude cabaret or nude table side dancing two additional door supervisors shall be so employed.
25. In the first floor theatre and second floor bar (a) nude cabaret may be provided and (b) nude table side dancing may be provided, for the avoidance of doubt, nude table side dancing is the performance of dance, either nude or partially nude, for customers seated at a table in return for consideration.
26. The number of persons accommodated at any one time (excluding staff) shall not exceed the following; First Floor Theatre – 213, Second Floor Bar - 75.
27. When nude table side dancing is taking place the capacity shall be 233 (excluding staff) (First Floor Theatre – 183, Second Floor Bar – 50).
28. Notwithstanding standard condition 17, necessary contact in order to perform skilled dance or acrobatic routines is permitted.
29. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
31. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
32. 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.
33. 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.
34. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

continued..

35. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
36. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

The Box, 11-12 Walker's Cour

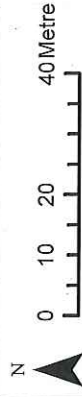
APPENDIX D

Schools

- Primary
- Secondary
- Faith Groups

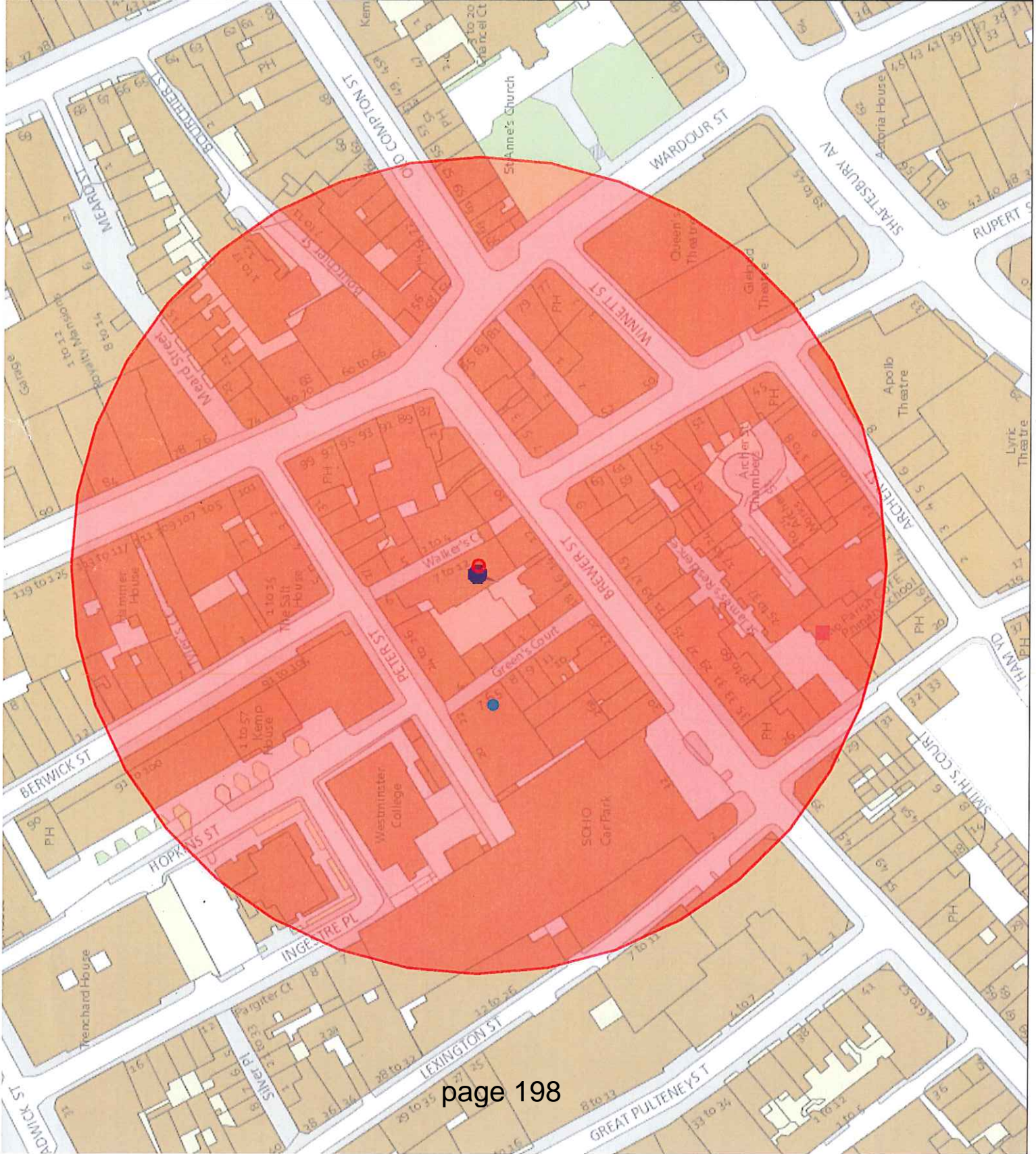


City of Westminster



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Data Source:
Date: 17/11/2015





City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>3 December 2015</i>
Classification:	<i>General Release</i>
Premises:	<i>15/08973/LISEVN The Box, 11-12 Walker's Court, London, W1F 0ED</i>
Wards Affected:	<i>West End, Core CAZ North</i>
Financial Summary:	<i>None</i>
Report of:	<i>Director of Public Protection and Licensing</i>

1. Executive Summary

- 1.1 The Council has received an application for a new Sexual Entertainment Venue (SEV) premises licence from Too 2 Much Limited for The Box, 11-12 Walker's Court, London, W1F 0ED. The report sets out the application details, objections, policy and legal context along with other considerations that the Licensing Sub-Committee ("The Committee") requires to determine this application under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("The 1982 Act") as amended by section 27 of the Policing and Crime Act 2009.

2. Options

- 2.1 That subject to the Committee hearing the oral and written evidence from the applicants, Responsible Authorities and objectors the Committee has the powers granted to it under the 1982 Act (as amended) to:
 - 2.1.1 Grant the application in full
 - 2.1.2 Grant the application subject to the standard conditions and/or any modifications to any part of the application and imposition of any additional conditions proposed by a party to the hearing, or
 - 2.1.3 Refuse the application

3. Application

- 3.1 On 13 October 2015 the applicant applied for a new SEV premises licence to provide burlesque, nude cabaret, nude performances and plays, adult related theatrical performances, striptease, pole dancing and table dancing and involve implied nudity, full and partial nudity between the hours of 09:00 to 04:00 on each of the days Monday to Saturday and 09:00 to 00:30 on Sundays.
- 3.2 The premises already holds a SEV licence (15/06091/LISEVR), attached at **Appendix C2**. The applicant states that Walker's Court is undergoing a redevelopment following the grant of planning permission and parts of The Box premises are being relocated within the development in accordance with the attached plans. As such a new SEV Licence is being applied for on the same terms and hours as currently permitted by licence 15/06091/LISEVR.
- 3.4 As the VIP room is being moved from the second Floor to the Basement it is proposed that the capacities for each individual room is amended to Basement VIP: 75 (a reduction of 17) and First Floor Main Room: 230 (an increase of 17). The overall capacity of 288 will remain the same.
- 3.5 The premises is located at the heart of London's leisure and entertainment district in Soho which houses casinos, nightclubs, betting shops, restaurants, cinemas, hotels, bars and retail outlets. The proposal will not adversely alter the character and function of this part of Walker's Court. The facade of the premises is not imposing and there are no advertisements or signage relating to relevant entertainment outside the premises.
- 3.6 The applicant has requested that all conditions attached to that licence apply to this licence, should the Committee be minded to grant amend where necessary to reflect the new layout and proposed capacities. A copy of the application is attached as **Appendix A1**.
- 3.7 A copy of the proposed plans for this application is attached at **Appendix A2**.

4. Objections

- 4.1 The application has received three (3) objections (attached as **Appendix B1, B2 and B3**).
- 4.2 On 30 October 2015, the Westminster Police Licensing Team made an objection to the application on the basis that, if granted, the application would undermine the licensing objectives. The venue is situated within the West End stress area where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact (see **Appendix B1**).

- 4.3 On 4 November 2015, the Council's Environmental Health Service made an objection on the basis that the grant of the licence would be inappropriate having regard to the layout, character or condition of the premises. No conditions have been proposed with the application and a visit will need to be made to the premises to ensure compliance with Westminster licensing policy and conditions may be proposed (see **Appendix B2**).
- 4.4 On 21 October 2015, a local resident made an objection to the application on the basis that they believe the existing plans should be followed. The noise has increased around the area recently and the applicant should ensure that customers visiting the premises are respectful of neighbours in the area. The terminal hour of 04:00 does affect the area in which the resident lives (see **Appendix B3**).
- 5. Licensing Act 2003 Premises Licence ("The 2003 Act")**
- 5.1 An application for a new Premises Licence under the Licensing Act 2003 has been applied for in tandem with this application. The table below sets out the requested activities and times under that application.
- 5.2 A copy of the new Premises Licence application under the Licensing Act 2003 is attached to this report as **Appendix C1**.
- 5.3 A copy of the current SEV Licence is attached at **Appendix C2**.

<u>Premises Licence application (15/08865/LIPN) requested Licensable Activities</u>
<p>Regulated Entertainment: Indoors</p> <p>Performance of Plays Exhibition of Films Performance of Live Music Performance of Dance Anything of a similar description to Live Music, Recorded music or Performance of Dance Monday to Saturday 09:00 to 04:00 Sunday 09:00 to 00:00</p> <p>Playing of Recorded Music Monday to Sunday: 00:00 to 00:00</p>
<p>Late Night Refreshment: Indoors & Outdoors</p> <p>Monday to Saturday 23:00 to 04:00 Sunday 23:00 to 00:30</p>
<p>Sale of Alcohol: On and Off the premises</p>

Monday to Saturday 10:00 to 03:00 Sunday 12:00 to 00:00
Capacity: First Floor Main Room – 230 Basement VIP Room – 58
Opening hours: Monday to Saturday 09:00 to 04:00 Sunday 09:00 to 00:30

6. Policy Considerations

6.1 Suitability of applicant – SU1

The applicant has stated that no relevant offences have been committed. In addition the Police and the Council's Licensing Inspectorate have carried out fit and proper persons checks and have not made any representations to the application on that basis.

6.2 SEV carried on for the benefit of another person – SU2

The Police and the Council's Licensing Inspectorate have undertaken appropriate checks and have made no comments on that basis.

6.3 Appropriate number of SEV in a locality – NO1

The appropriate number of sexual entertainment venues in the relevant localities is 25 in the Westminster core CAZ north. This application, if granted, will not exceed 25.

6.4 Character of the relevant locality – LO1

Walker's Court is a small and narrow pedestrianized street off Brewer Street.

6.5 Use of premises in the vicinity – LO2

The main use of the premises in the area is commercial. There are no other SEV premises, one school and one place of worship within 100 metre radius of the premises (see **Appendix D**).

7. Legal Implications

- 7.1 The Committee using its powers as aforesaid may determine to:
- (a) Grant the application in full
 - (b) Grant with additional special conditions which the Licensing Sub-Committee deem appropriate; or
 - (c) Refuse the application.
- 7.2 Before refusing to grant a licence to the applicant, the Licensing Authority shall give the applicant an opportunity to appear before and of being heard by the Committee under Para 10(19) to Schedule 3.
- 7.3 In considering this application, the Licensing Sub-Committee shall have regard to any observations submitted to them by the Chief Officer of Police and any objections that have been received in writing within the 28 day consultation period under Para 10(18) Schedule 3.
- 7.4 The Committee may refuse to grant a licence for the following reasons:
- (a) that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
 - (b) that if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
 - (c) that the number of sex establishments in the relevant locality at the time the application is *made* [determined] is equal to or exceeds the number which the authority consider is appropriate for that locality;
 - (d) that the grant or renewal of the licence would be inappropriate, having regard—
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- 7.5 If the Committee determine to grant a SEV licence, the licence will be subject to the Standard Conditions for Sexual Entertainment Venue licences, unless the Committee determines that certain Standard Conditions should be expressly excluded otherwise varied pursuant to Para 13(4) to Schedule 3.
- 7.6 Should the Committee determine to refuse the application for the grant of a licence under Paragraph 12(3)(a) or (b) Schedule 3, the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application Para 27(1) Schedule 3, the applicant may appeal to The Magistrates' Court within 21 days beginning with the

date on which the applicant is notified of the refusal of his application under Para 27(1) to Schedule 3.

8. Human Rights and Equalities Implications Act

- 8.1 In making a decision consideration will need to be given to the applicants rights under the Human Rights Act 1998 (incorporating the European Convention on Human Rights). The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant. The Home Office Guidance suggests that "local authorities would be well advised to consider whether any interference with the applicants rights under Article 10 or Article 1, Protocol 1 of the European Convention on Human Rights is necessary and proportionate for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of other, or in the case of Article 1, Protocol 1, can be justified in the general interest".
- 8.2 The Council in its capacity as Licensing Authority has a duty to ensure that all applications for SEV's are dealt with in accordance with its public sector duty under section 149 of the Equalities Act 2010 ("The 2010 Act"). In summary section 149 provides:-
- (1) "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 of equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it
 - (2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1)....."
- 8.3 Accordingly, section 149 (7) of the 2010 Act defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.4 This duty places an obligation on the Committee to ensure that the need to promote equality is taken into consideration with regard to every aspect of its decision making, this will include the circumstances of each individual application, the findings of fact once the application has been considered, including the taking into account of any objection and response the applicant may choose to make.

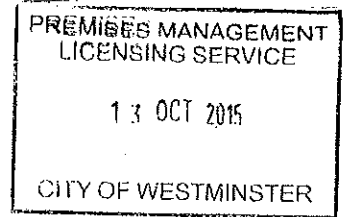
Appendices

- A1 – Application Form
- A2 – Plans
- A3 – Performers' Code of Conduct
- B1 – Police objection
- B2 – Environmental Health objection
- B3 – Local resident objection
- C1 – Licensing Act 2003 Premises Licence application 15/08865/LIPN
- C2 – Current Sexual Entertainment Venue Licence
- D – Map of the locality

If you have any queries about this report or wish to inspect any of the Background Papers please contact: Yolanda Wade on 020 7641 1872 or at ywade@westminster.gov.uk

BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009
Sexual Entertainment Venues Statement of Licensing Policy 2012
Sexual Entertainment Venues Guidance and Procedure effective 17 February 2012



City of Westminster

APPLICATION FOR A NEW SEXUAL ENTERTAINMENT VENUE LICENCE

IMPORTANT: This form is open to inspection by the public.

Too 2 Much Limited

I / We
(Insert name(s) of applicant)

apply for a new Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982

Important Note: Before completing this application, please read the following:

- WCC's Statement of Licensing Policy for Sexual Entertainment Venues
- WCC's Standard Conditions for Sexual Entertainment Venues
- WCC's Rules of Procedure governing Sexual Entertainment Venue applications

PART 1 – Applicant Details

Please state whether you are applying for a Sexual Entertainment Venue licence as:

- | | | |
|---------------------------------------|-------------------------------------|----------------------|
| a) an individual or individuals | <input type="checkbox"/> | complete section (A) |
| b) a person other than an individual: | | |
| i. as a body corporate | <input checked="" type="checkbox"/> | complete section (B) |
| ii. as an unincorporated body | <input type="checkbox"/> | complete section (B) |

Section A – Individual Licensee Details

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Licensee Details (if necessary)

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section B – Body Corporate or Unincorporated Body Details

Business Name: (if your business is registered, use its registered name)	Too 2 Much Limited
Is your business registered in the UK with Companies House?	Yes <input checked="" type="checkbox"/>
	Registered Number:
Is your business registered in another EEA state:	No <input type="checkbox"/>
	Yes <input type="checkbox"/> EEA State: Registered Number:
Legal Status: (e.g. Company Partnership, etc)	No <input checked="" type="checkbox"/>
	Private Limited Company
Home Country: (the country where the headquarters of your business is located)	England
Registered Address:	
Postcode:	
Directors, Partners, Owners and Managers	
You must provide details of all DIRECTORS (if the applicant is a company), all PARTNERS (if it is a partnership), and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES.	
Are there any such people for whom you need to provide details?	Yes <input checked="" type="checkbox"/> (please complete below) No <input type="checkbox"/>
Full name:	Edward Randall Weiner

Private address:	535 W110 Street, New York NY 10025 USA
Capacity:	Director
Full name:	Richard Louis Kimmel
Private address:	136 Allen Street #16 New York NY 10002 USA
Capacity:	Director
Full name:	Aasim Chaudhri
Private address:	12 Heatherset Gardens London SW16 3LW
Capacity:	Manager
Full name:	Emre Dandil
Private address:	Flat 10 5 Greyfields Close Purley CR8 1BW
Capacity:	Manager
Full name:	Mark Hladnik
Private address:	61 Broadley Terrace London W2 2HH
Capacity:	Manager
Full name:	
Private address:	
Capacity:	
Full name:	
Private address:	
Capacity:	

Other Business Interests

Is the applicant, or any person named in this application, involved in any way with any other sex establishment (e.g. sexual entertainment venue, sex shop, sex cinema, hostess bar)?

Yes (please complete below)

No

Please provide details, including the name and address of the establishment and the nature and extent of the interest. (If necessary please provide a separate sheet).

PART 2 – Premises Details

Premises name:	The Box	
Premises address:	11-12 Walker's Court (as more particularly shown on the enclosed plans) London	
Postcode:	W1F 0ED	
Premises telephone number:	020 7434 4374	
Email:	info@theboxsoho.com	
Website address:	http://theboxsoho.com/	
Where the licence is for a vehicle, vessel or stall, state where it is to be used as a sexual entertainment venue:	N/A	
Describe the nature of the relevant entertainment (e.g. striptease, pole dancing, table dancing etc):	As per the existing licence.	
Does the relevant entertainment involve:	Full nudity	<input checked="" type="checkbox"/>
	Partial nudity	<input checked="" type="checkbox"/>
	No nudity (including implied nudity)	<input checked="" type="checkbox"/>

Opening Hours

Please provide the proposed opening hours of the premises:

Day:	Start:	Finish:
Monday	0900	0400
Tuesday	0900	0400
Wednesday	0900	0400
Thursday	0900	0400
Friday	0900	0400
Saturday	0900	0400
Sunday	0900	0030

PART 3 – Policy & Conditions

Please refer to the Council's Statement of Licensing Policy for Sexual Entertainment Venues.

State how your application will promote the following licensing objectives:

Prevention of crime and disorder:
The conditions as per the existing licence will apply.
Public safety:
Please see above and attached
Prevention of public nuisance:
Please see above and attached
Protection of children from harm:
Please see above and attached

<p>Improvement in the character and function of the city, or areas of it:</p> <p>Walker's Court is undergoing a redevelopment following the grant of planning permission and parts of The Box premises are being relocated within the development in accordance with the attached plans.</p> <p>As such a new Sexual Entertainment Venue Licence is being applied for on the same terms and hours as currently permitted by licence 14/08146/LISEVR.</p> <p>As the VIP room is being moved from the 2nd Floor to the Basement it is proposed that the capacities for each individual room is amended to Basement VIP: 75 (a reduction of 17) and First Floor Main Room: 230 (an increase of 17). The overall capacity of 288 will remain the same.</p> <p>The premises is located at the heart of London's leisure ad entertainment district in Soho which houses casinos, nightclubs, betting shops, restaurants, cinemas, hotels, bars and retail outlets.</p> <p>The proposal will not adversely alter the character and function of this part of Walker's Court.</p> <p>The façade of the premises is not imposing and there are no advertisements or signage relating to relevant entertainment outside the premises.</p> <p style="text-align: center;">Please use a separate sheet if necessary</p>

If your application is in conflict with any of the policies listed in the Statement of Licensing Policy, state why you believe an exception should be made in your particular circumstances:

Policy:	Reason for exception:
	The applicant does not believe that the application made is I conflict with any of the policies listed in the Statement of Licensing Policy.

The Box – FINAL layout

Please use a separate sheet if necessary	

Standard Conditions

Please refer to the Council's Standard Conditions for Sexual Entertainment Venues. Should the application be granted, your licence will be subject to all standard conditions unless specifically excluded from your licence.

State which (if any) standard conditions you wish to disapply from your licence and the reasons you feel they should be disappplied, including any individual circumstances relating to your operation:

Condition:	Reason for removing the condition:
Please use a separate sheet if necessary	

State any other conditions you wish to be attached to your licence:

All those conditions currently attached to licence 14/08146/LISEVR, amended where necessary to reflect the new layout and proposed capacities.

Please use a separate sheet if necessary

PART 4 – Previous Convictions/Disqualifications

Have you, or any person named in or associated with this application, been convicted of any crime or offence?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, please provide details on a separate sheet	
Have you been refused the grant or renewal of a licence for this premises, vehicle, vessel or stall within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, has the refusal been reversed on appeal?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you had a sex establishment licence revoked in Westminster within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

PART 5 - Checklist


Please tick as appropriate:

All relevant sections of the application form have been completed in full	<input checked="" type="checkbox"/>
Payment of the fee has been made in full (refer to Part 7 of this form)	<input checked="" type="checkbox"/>
A plan of the premises in accordance with the Rules of Procedure for Sexual Entertainment Venues has been included	<input checked="" type="checkbox"/>
A drawing showing the front elevation of the premises as proposed has been included	<input checked="" type="checkbox"/>
The code of conduct for performers has been included	<input checked="" type="checkbox"/>
Notice of this application has been published in a local newspaper / will be published in a local newspaper within the next 7 days, a full copy of the newspaper to be provided to the Licensing Authority as soon as possible	<input checked="" type="checkbox"/>
Notice of this application has been displayed at the premises	<input checked="" type="checkbox"/>
The application has been served on the Metropolitan Police Service	<input checked="" type="checkbox"/>

PART 6 - Declaration

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TWENTY THOUSAND POUNDS (£20,000).

We, Berwin Leighton Paisner LLP declare that the information given above is true and complete in every respect.

Signed	
Date:	13/10/15
Capacity:	Solicitors for applicant

For joint applications:

Signed	
Date:	
Capacity:	

Agent Details

Are you an authorised agent acting on behalf of the applicant?

Yes No

If yes, please provide the following:

Agent name:	Craig Baylis
Agent Address:	BLP Adelaide House London Bridge London
Postcode:	EC4R 9HA
Agent Telephone Number:	0203 400 2326
Agent Email:	Craig.baylis@blplaw.com

Correspondence Details

Please provide the details to which all correspondence should be sent:

Name:	BLP
Address:	Adelaide House London Bridge London
Postcode:	EC4R 9HA
Telephone Number:	0203 400 2326
Email:	craig.baylis@blplaw.com

PART 7 – Payment

If applying by post you can pay by cheque, postal order or credit / debit card. Please make cheques and postal orders payable to 'City of Westminster'.

If you would like to pay by credit / debit card please complete this section:

Type of credit / debit card:	Visa <input type="checkbox"/>	MasterCard <input type="checkbox"/>																				
	Solo <input type="checkbox"/>	Maestro <input type="checkbox"/>	Delta <input type="checkbox"/>																			
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Issue number:	(for Maestro / Solo)																					
Name on card:																						
Amount (£):																						

THIS APPLICATION SHOULD BE COMPLETED IN FULL AND RETURNED TO THE LICENSING SERVICE, PREMISES MANAGEMENT, WESTMINSTER CITY HALL, 64 VICTORIA STREET, LONDON, SW1E 6QP.

Appendix A2

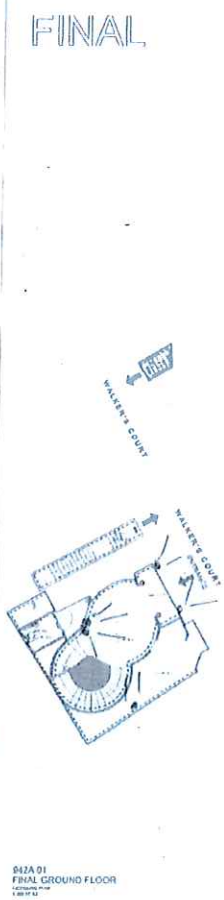
APPENDIX A2 - CCTV PLACEMENT
 This document details the proposed CCTV camera locations for the Soda Matt venue. The cameras are strategically placed to provide comprehensive coverage of the main room, corridors, and customer areas. The locations are indicated by red lines and numbers on the floor plan.

- LEGEND**
- 1. MAIN ROOM
 - 2. CORRIDOR
 - 3. CUSTOMER AREAS
 - 4. BAR
 - 5. RESTROOMS
 - 6. OFFICES
 - 7. STORAGE
 - 8. SERVICE STAIRS
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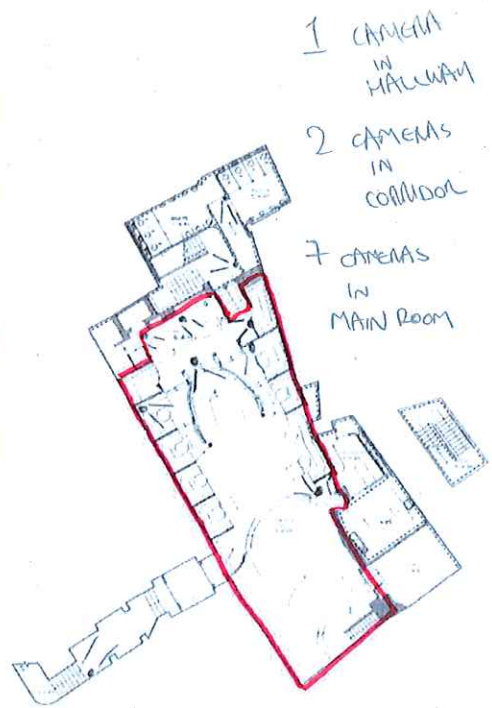
Architectural details and contact information for Soda Matt.

942A P01



3 CAMERAS
 2 IN CUSTOMER AREAS

Area for performance of relevant entertainment

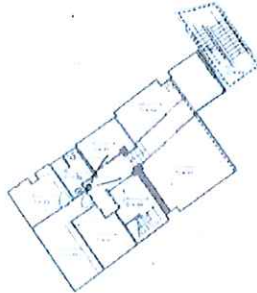


CCTV

FINAL



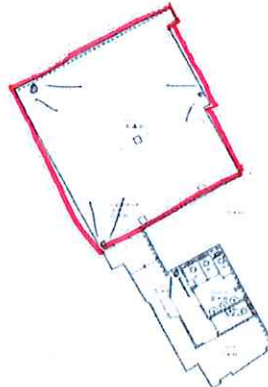
BACK OF HOUSE
1 CAMERA



9420 01
FINAL SECOND FLOOR
DATE: 10/11/11

NEW GREEN ROOM

4 - CAMERAS
3 in Room
1 in Corridor



CCTV

Area for performance of relevant entertainment

9420 02
FINAL BASEMENT FLOOR
DATE: 10/11/11

4. REGULATORY COMPLIANCE
4.1. FIRE
4.2. HEALTH AND SAFETY
4.3. ACCESSIBILITY
4.4. SOUND
4.5. LIGHTING
4.6. VIBRATION
4.7. AIR QUALITY
4.8. ELECTROMAGNETIC INTERFERENCE
4.9. RADIATION
4.10. OTHER
4.11. OTHER



- 1.1. GENERAL INFORMATION
- 1.2. PROJECT INFORMATION
- 1.3. PROJECT LOCATION
- 1.4. PROJECT DESCRIPTION
- 1.5. PROJECT OWNER
- 1.6. PROJECT TEAM
- 1.7. PROJECT PHASE
- 1.8. PROJECT STATUS
- 1.9. PROJECT RISK
- 1.10. PROJECT COST
- 1.11. PROJECT SCHEDULE
- 1.12. PROJECT CONTACTS
- 1.13. PROJECT DOCUMENTS
- 1.14. PROJECT HISTORY
- 1.15. PROJECT LEGAL
- 1.16. PROJECT ETHICS
- 1.17. PROJECT SUSTAINABILITY
- 1.18. PROJECT INCLUSIVITY
- 1.19. PROJECT RESILIENCE
- 1.20. PROJECT WELLBEING
- 1.21. PROJECT EQUITY
- 1.22. PROJECT JUSTICE
- 1.23. PROJECT DIVERSITY
- 1.24. PROJECT INCLUSION
- 1.25. PROJECT PARTICIPATION
- 1.26. PROJECT TRANSPARENCY
- 1.27. PROJECT ACCOUNTABILITY
- 1.28. PROJECT INTEGRITY
- 1.29. PROJECT HONESTY
- 1.30. PROJECT COURAGE
- 1.31. PROJECT KINDNESS
- 1.32. PROJECT PATIENCE
- 1.33. PROJECT HUMILITY
- 1.34. PROJECT GRACE
- 1.35. PROJECT MERCY
- 1.36. PROJECT COMPASSION
- 1.37. PROJECT LOVE
- 1.38. PROJECT FAITH
- 1.39. PROJECT HOPE
- 1.40. PROJECT CHARITY
- 1.41. PROJECT SERVICE
- 1.42. PROJECT SACRIFICE
- 1.43. PROJECT GIVING
- 1.44. PROJECT RECEIVING
- 1.45. PROJECT SHARING
- 1.46. PROJECT Caring
- 1.47. PROJECT Respect
- 1.48. PROJECT Honor
- 1.49. PROJECT Dignity
- 1.50. PROJECT Worth
- 1.51. PROJECT Value
- 1.52. PROJECT Importance
- 1.53. PROJECT Significance
- 1.54. PROJECT Meaning
- 1.55. PROJECT Purpose
- 1.56. PROJECT Mission
- 1.57. PROJECT Vision
- 1.58. PROJECT Strategy
- 1.59. PROJECT Tactics
- 1.60. PROJECT Operations
- 1.61. PROJECT Processes
- 1.62. PROJECT Systems
- 1.63. PROJECT Structures
- 1.64. PROJECT Mechanisms
- 1.65. PROJECT Incentives
- 1.66. PROJECT Disincentives
- 1.67. PROJECT Rewards
- 1.68. PROJECT Penalties
- 1.69. PROJECT Consequences
- 1.70. PROJECT Outcomes
- 1.71. PROJECT Impacts
- 1.72. PROJECT Effects
- 1.73. PROJECT Results
- 1.74. PROJECT Achievements
- 1.75. PROJECT Successes
- 1.76. PROJECT Failures
- 1.77. PROJECT Lessons
- 1.78. PROJECT Insights
- 1.79. PROJECT Discoveries
- 1.80. PROJECT Innovations
- 1.81. PROJECT Breakthroughs
- 1.82. PROJECT Milestones
- 1.83. PROJECT Landmarks
- 1.84. PROJECT Monuments
- 1.85. PROJECT Memorials
- 1.86. PROJECT Testaments
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9420 P01

DANCER CODE OF CONDUCT- NUDE TABLE SIDE DANCING

1. There is zero tolerance for prostitution, solicitation, illegal drugs and unlawful conduct
2. Dancers must have sufficient and suitable outer clothing in order that they leave the premises decently attired
3. If you are the subject of interference by a customer, you are to inform the duty manager or security immediately
4. Dancers must not give out any personal contact information to customers
5. Performances may only be provided either dancing on the stage areas or dancing to customers seated at tables in the approved part of the premises.
6. No table side dancing shall be given to customers seated at the bar or to standing customers.
7. During the performance of a dance customers must remain seated and refrain from participating in the performance other than as a spectator
8. No physical contact is allowed between dancers during the performance of a dance except for the placing of money or tokens into the hands of the dancer at the beginning or the conclusion of the performance.
9. Dancers must not continue with a performance unless the customer remains fully clothed at all times
10. Dancers must redress after each performance has finished.

The Box

CODE FOR NUDE CABARET/PERFORMANCES

1. There is zero tolerance for prostitution, solicitation, illegal drugs and unlawful conduct
2. Performers must have sufficient and suitable outer clothing in order that they leave the premises decently attired
3. Nude or partially nude performances may be provided solely by performers

Appendix B1

From: [Marriott, Chris](#)
To: craig.baylis@blplaw.com
Cc: [Nelson, Nicholas](#); [PremisesLicensing](#)
Subject: The Box 11-12 Walkers Court, W1 - 15/08973/LISEVN
Date: 30 October 2015 16:15:16

The Box 11-12 Walkers Court, W1 - 15/08973/LISEVN

Dear Sir/Madam,

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority have representations to this application. It is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated within the West End stress area where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact.

Police would like to arrange a site visit in order for the application to be discussed and the licensing objectives demonstrated. Could this please be facilitated? Should you wish to discuss the matter further please contact me on **0207 641 3179** or via email cmarriott2@westminster.gov.uk

Kind regards,

PC Chris Marriott 3540CW

Westminster Police Licensing Team

**4th floor, 64 Victoria Street,
London, SW1 EQP
Tel: 02076411709**

Appendix B2

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 15/08973/LISEVN

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY I Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 4th November 2015

Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009

The Box, 11-12 Walker's Court, W1

I refer to the application for a Sexual Entertainment Venue Licence.

The premises are located within the Westminster Core Commercial Activity Zone.

The applicant has submitted floor plans of the premises reference 942A PO1, 942B PO1, 942A PO1 and 942B PO1 of the basement, ground and first floors but state within the application that relevant entertainment will only be offered in the basement and first floors.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. The application is to provide Burlesque, Nude Cabaret, Nude performance and plays, Adult related theatrical performances, Striptease, Pole dancing, Table dancing with full nudity on the ground and first floor only during the opening hours of 09.00 – 04.00 Monday to Saturday and 09.00 – 00.30 hours Sunday.

I wish to make the following representation

1. The grant of the licence would be inappropriate having regard to the layout, character or condition of the premises.

No conditions have been proposed with the application and a visit will need to be made to the premises to ensure compliance with Westminster licensing policy and conditions may be proposed.

Should you wish to discuss the matter further please do not hesitate to contact me.

Ian Watson
Senior Practitioner Environmental Health (Licensing)

Appendix B3

Comments for Licensing Application 15/08973/LISEVN

Application Summary

Application Number: 15/08973/LISEVN

Address: 11-12 Walker's Court London W1F 0ED

Proposal: Sexual Entertainment Venue - New

Case Officer: Mr Nick Nelson

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 6:55 PM on 21 Oct 2015 I object to the change in the venue as i think that the existing plans should be followed. Also with regards to the venue please can they minimise noise during the evenings after 11pm. The noise has increased around the area recently. Please could the venue ensure that the clients that visit the venue are respectful of neighbours in the area. As this venue is open until 4am this does affect the area where i live.

Appendix C1

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Soho Estates Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Box 11-12 Walker's Court (as more particularly shown on the enclosed plans)			
Post town	London	Postcode	W1F 0ED
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£Unrated	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Soho Estates Limited
Address PORTLAND HOUSE 12-13 GREEK STREET LONDON UNITED KINGDOM W1D 4DL
Registered number (where applicable) 00473566
Description of applicant (for example, partnership, company, unincorporated association etc.) private limited company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
 The Box Soho is a cabaret nightclub, located at 11-12 Walker's Court.

Walker's Court is undergoing a redevelopment following the grant of planning permission and parts of the premises are being relocated within the development in accordance with the attached plans.

As such a new premises licence is being applied for on the same terms and hours as currently permitted by premises licence 12/10998/LIPDPS.

As the VIP room is being moved from the 2nd Floor to the Basement it is proposed that the capacities for each individual room is amended as follows:

Basment VIP: 75 (a reduction of 17) and First Floor Main Room: 230 (an increase of 17). The overall capacity of 288 will remain the same.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment | Please tick any that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |
| Provision of late night refreshment (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| Supply of alcohol (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	0400	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	0900	0400			
Wed	0900	0400	State any seasonal variations for performing plays (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Thur	0900	0400			
Fri	0900	0400	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	0400			
Sun	1400	0000			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0900	0400			
Tue	0900	0400	State any seasonal variations for the exhibition of films (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Wed	0900	0400			
Thur	0900	0400	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0900	0400			
Sat	0900	0400			
Sun	0900	0000			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	0900	0400			
Tue	0900	0400			
Wed	0900	0400	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Thur	0900	0400			
Fri	0900	0400	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	0900	0400			
Sun	0900	0000			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0000	0000			
Tue	0000	0000	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	0000	0000			
Thur	0000	0000	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0000	0000			
Sat	0000	0000			
Sun	0000	0000			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	0900	0400		Please give further details here (please read guidance note 3)	
Tue	0900	0400			
Wed	0900	0400	State any seasonal variations for the performance of dance (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Thur	0900	0400			
Fri	0900	0400	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	0400			
Sun	0900	0000			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	0900	0400		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0900	0400	<p>Please give further details here (please read guidance note 3)</p>		
Wed	0900	0400			
Thur	0900	0400			
Fri	0900	0400	<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day</p>		
Sat	0900	0400	<p>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>		
Sun	0900	0000			

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	2300	0400			
Tue	2300	0400			
Wed	2300	0400	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Thur	2300	0400			
Fri	2300	0400	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	2300	0400			
Sun	2300	0030			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Mon	1000	0300			
Tue	1000	0300			
Wed	1000	0300			
Thur	1000	0300			
Fri	1000	0300			
Sat	1000	0300			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) These hours to be extended by one hour on the morning that British Summer Time commences		
Sun	1200	0000			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
 Adult entertainment is provided at the venue. The premises will operate under a Sexual Entertainment Venue Licence.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day
Day	Start	Finish	
Mon	0900	0400	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	0900	0400	
Wed	0900	0400	
Thur	0900	0400	
Fri	0900	0400	
Sat	0900	0400	
Sun	0900	0030	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The conditions currently attached to premises licence 12/10998/LIPDPS to be attached to this licence, with the exception of condition 37 which shall be amended to read:

"The number of persons accommodated at any one time (excluding staff) shall not exceed the following; First Floor Main Room - 230, Basement VIP Room - 58."

In addition the following conditions are to be added to the licence:

a) The licence will have no effect until the works are assessed as satisfactory by the Police, District Surveyor and the Environmental Health Consultation Team and letters approving the works from each of the authorities have been submitted to the Licensing Authority at which time this condition shall be removed from the licence.

b) Before the premises open to the public, the plans as deposited (or as amended) must be approved by the Environmental Health Consultation Team to ensure that they are an accurate reflection of the premises constructed. Where the premises layout changes during the course of construction, new plans shall be provided to the Licensing Authority, District Surveyor, Police and Environmental Health Consultation Team.

b) The prevention of crime and disorder

Please refer to box a) above

c) Public safety

Please refer to box a) above

d) The prevention of public nuisance

Please refer to box a) above

e) The protection of children from harm

Please refer to box a) above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	<i>Thomas & Thomas</i>
Date	09/10/2015
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf of the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Amy Catlin (SOH.4.5)
Thomas & Thomas Partners LLP
38a Monmouth Street

Post town	London	Postcode	WC2H 9EP
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Telephone number (if any)	020 7042 0418
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
acatlin@tandtp.com

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

SEX ESTABLISHMENT LICENCE Sexual Entertainment Venue

Premises licence number:	15/06091/LISEVR
Original Reference:	12/02615/LISEVN

The CITY OF WESTMINSTER, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

hereby licences:
to use the premises:

Too 2 Much Limited
The Box
11-12 Walker's Court
London
W1F 0ED

as a Sexual Entertainment Venue.

This licence commences from the 01 October 2015 and will expire on the 30 September 2016.

Relevant Entertainment may be provided during the following times:

Monday to Saturday	09:00 to 04:00
Sunday	09:00 to 00:00

Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

This licence is granted subject to the conditions attached at Appendix 2.



DATE: 18.11.2015

SIGNED:

**On behalf of the Operational Director -
Premises Management**

Appendix 2 – Conditions

Standard Conditions

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
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 to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.

continued..

12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.

continued..

22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.
23. Performers must redress fully immediately after each performance.

Additional Conditions

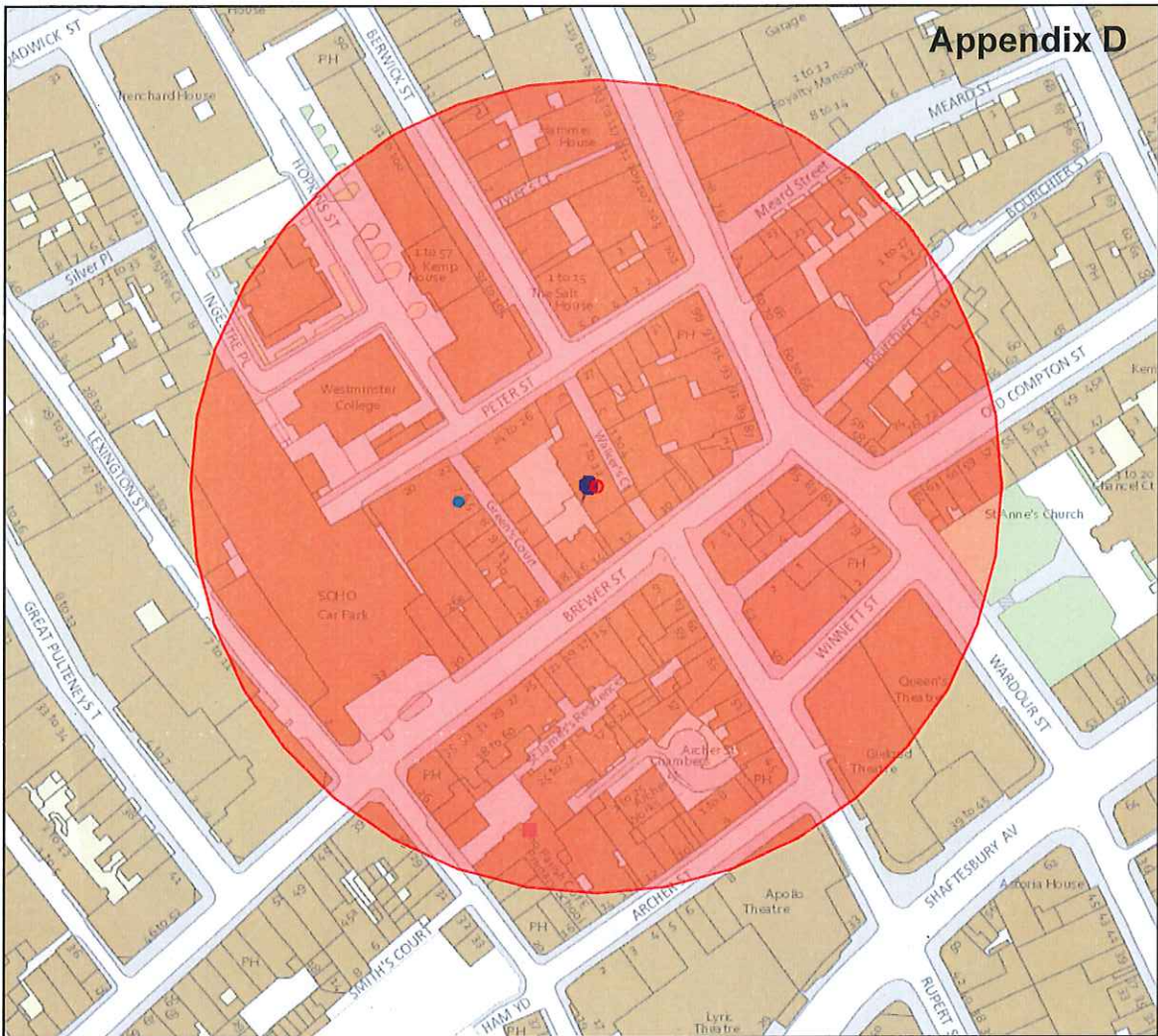
24. At least one SIA registered door supervisor shall be permanently employed in the first floor licensed area of the premises and at least one permanently employed in the area providing entrance to the second floor bar area and the entrance to the male/female toilets. In addition on such occasions that both floors are used for nude cabaret or nude table side dancing two additional door supervisors shall be so employed.
25. In the first floor theatre and second floor bar (a) nude cabaret may be provided and (b) nude table side dancing may be provided, for the avoidance of doubt, nude table side dancing is the performance of dance, either nude or partially nude, for customers seated at a table in return for consideration.
26. The number of persons accommodated at any one time (excluding staff) shall not exceed the following; First Floor Theatre – 213, Second Floor Bar - 75.
27. When nude table side dancing is taking place the capacity shall be 233 (excluding staff) (First Floor Theatre – 183, Second Floor Bar – 50).
28. Notwithstanding standard condition 17, necessary contact in order to perform skilled dance or acrobatic routines is permitted.
29. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
31. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
32. 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.
33. 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.
34. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

continued..

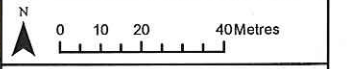
35. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
36. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Appendix D

The Box, 11-12 Walker's Court



- Schools
- Primary
 - ▲ Secondary
 - Faith Groups



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Agenda Item 6 Licensing Sub-Committee Report

Item No:	
Date:	3 December 2015
Licensing Ref No:	15/08883/LIPN- New Premises Licence
Title of Report:	The Box 11-12 Walker's Court London W1F 0ED
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	9 October 2015		
Applicant:	Soho Estates Limited		
Premises:	The Box		
Premises address:	11-12 Walker's Court London W1F 0ED	Ward:	West End
		Stress Area:	West End
Premises description:	The premises is a cabaret nightclub. Walker's Court is undergoing a redevelopment following the grant of planning permission and parts of the premises are being relocated within the development in accordance with the plans submitted (see Appendix 1).		
Premises licence history:	The premises already holds premises licences under the Licensing Act 2003 (12/10998/LIPDPS), held by Too 2 Much Limited, a shadow licence (14/05202/LIPN) and a premises licence 14/01180/LIPN, held by Soho Estates Limited since conversion in 2005.		
Applicant submissions:	<p>Conditions attached to the current premises licence, 12/10998/LIPDPS are to be attached to this licence, if granted, with the exception of condition 37 which shall be amended to read:</p> <p>"The number of persons accommodated at any one time (excluding staff) shall not exceed the following: First Floor Main Room – 213, Basement VIP Room – 75".</p> <p>In addition, 2 works conditions have been proposed (see Appendix 4).</p>		

1-B Proposed licensable activities and hours							
Plays:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	14:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:		These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					
Non-standard timings:		N/A					

Films:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:		These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					
Non-standard timings:		N/A					

Live Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:		These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					
Non-standard timings:		N/A					

Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations:		N/A					
Non-standard timings:		N/A					

Performances of dance:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:		These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					
Non-standard timings:		N/A					

Anything of a similar description to live music, recorded music or performances of dance:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00

End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:	These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.						
Non-standard timings:	N/A						

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	23:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:30
Seasonal variations:	These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.						
Non-standard timings:	N/A						

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:	03:00	03:00	03:00	03:00	03:00	03:00	00:00
Seasonal variations:	These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.						
Non-standard timings:	These hours to be extended by one hour on the morning that British Summer Time commences.						

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:30
Seasonal variations:	These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.						
Non-standard timings:	N/A						
Adult Entertainment:	Adult entertainment is provided at the venue. The premises will operate under a Sexual Entertainment Venue licence.						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Westminster Police Licensing Team
Representative:	PC Chris Marriott
Received:	30 October 2015
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority have representations to this application. It is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The venue is situated within the West End stress area where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact.</p>	
Responsible Authority:	Environmental Health Service
Representative:	Ian Watson – Senior Practitioner
Received:	3 November 2015
<p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> 1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 10.00 and 03.00 hours and Sunday between 12.00 to 00.00 hours. 2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Saturday between 23.00 and 04.00 hours and Sunday between 23.00 to 00.30 hours. 3. To provide regulated entertainment 'indoors' comprising <ul style="list-style-type: none"> • Plays • Films • Live Music • Recorded Music (unrestricted) • Performance of Dance • Anything of a similar description to Live Music, Recorded Music and Performance of Dance <p>Monday to Saturday between 09.00 and 04.00 hours and Sunday between 09.00 to 00.00 hours. Plays Sunday 14.00 to 00.00 hours.</p> 4. On New Year's Eve to provide regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours to commencement of authorised hours on New Year's Day. 5. The terminal hour for the supply of alcohol will extend by one hour on the morning on which British summer time commences. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area. 2. The hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area. 	

3. The hours requested for the provision of regulated entertainment and the type of regulated entertainment will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.
4. The hours requested to permit the provision of regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours on New Year's Eve to commencement of authorised hours on New Year's Day will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area.
5. The additional hour requested to permit the supply of alcohol on the morning on which British summer time begins will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area.

The applicant has provided additional information with the application which is being addressed but there is no indication of the term of this licence.

An additional statement was supplied on 24th November 2015 summarising noise Complaints received by WCC noise team (**Appendix 2**)

The Environmental Health Service has proposed conditions which the applicant has Agreed (**see Appendix 4**)

2-B Other Persons	
Name:	Miss Sarah Taylor
Address and/or Residents Association:	Flat 8 20 Peter street london London W1F 0AW
Received:	21 st October 2015
My objection is to the extension of sale of alcohol and music on new year's eve/new year's day. Also the extension of music playing. As a neighbour the music and drunk people often end up towards where I live. The venue needs to be soundproofed sufficiently. Also the current venue has clients leaving at 4am which the clients then make lots of drunk noise and shouting at 4am in the morning. As i need to get up and out to work at 6.15am this disruption around the Peter street area is unacceptable.	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	(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

	<p>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 and with particular regard to the criteria specified.</p>
Policy STR1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Stress Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Stress Areas.</p>
Policy MD2 applies:	<p>It is the Licensing Authority's policy to refuse applications in the Stress Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.</p>
Policy NS1 applies:	<p>(i) Applications involving nudity or striptease or sex related entertainment will only be granted in exceptional circumstances and if the proposal meets the relevant criteria specified in Policies CD1, PS1, PN1, CH1 and HRS1.</p> <p>(ii) Applications will be subject to appropriate conditions which promote the licensing objectives.</p> <p>(iii) Applications will not be granted in proximity to:</p> <ul style="list-style-type: none"> (a) residential accommodation; (b) schools; (c) places of worship; (d) community facilities or public buildings. <p>(iv) The Licensing Authority will have regard to the cumulative effect of the number of such premises in proximity to each other and in the vicinity.</p>

4. Appendices

Appendix 1	Premises plans
Appendix 2	List of complaints relating to noise from the venue for the past two years
Appendix 3	Applicant supporting documents - None
Appendix 4	Premises history

Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1884 Email: ywade@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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer
REFERENCE 15/08883/LIPN and 15/08865/LIPN

FROM EH Consultation Team
REFERENCE
BEING DEALT WITH BY Ian Watson (iwatson@westminster.gov.uk)
TELEPHONE 020 7641 3183
DATE 24th November 2015

The Licensing Act 2003

The Box, 11-12 Walker's Court, W1

I refer to the application for New Premises Licence for the above premises.

The premises are located within the West End Stress Area as stated in the City of Westminster's Statement of Licensing Policy.

List of complaints relating to noise from the venue for the past two years.

Friday 18th September 2015 @ 02:59 hours. Complaint that The box is blaring music very loudly. He suspects they may be having an illegal rave. Call back required. Customer contacted @ 03.08 and noise on going. Agreed to visit later after dealing with current jobs. Visited @ 04.20 and No noise heard at time of visit. Left a voicemail message advising customer that I was outside his building and there was no noise at time of visit.

Sunday 10th August 2014 @ 01:52 hours. Complaint of noise from a nightclub causing noise disturbance. No call back request. Passed to SJP to drive by. SJP went to 11-12 Walkers Court - some breakout but not a nuisance. Also some breakout from Escape night clubs fire exit and also breakout from Wardour Street premises. Difficult to know which source was the problem.

Should you wish to discuss the matter further please do not hesitate to contact me.

Ian Watson
Senior Practitioner Environmental Health (Licensing)

APPENDIX 3

No supporting documentation

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
Conversion and variation 05/06475/LIPCV	Application to convert the Justices' On Licence, Special Hours Certificate, Weekday Music and Dancing licence and Plays licence.	28.09.2005	Granted under delegated authority
Transfer 06/03643/LIPT	Transfer of licence from Too 2 Much Limited to Soho Clubs & Bars Plc	16.05.2006	Granted under delegated authority
DPS Variation 06/03645/LIPDPS	Application to vary the designated premises supervisor	16.05.2006	Granted under delegated authority
Variation 06/03798/LIPV	To increase the capacity and to permit the exhibition of films	17.08.2006	Granted by Licensing Sub-Committee
Transfer 08/04501/LIPT	Transfer of licence to administrators of Soho Clubs & Bars Limited	30.11.2008	Granted under delegated authority
DPS Variation 08/06232/LIPDPS	Application to vary the designated premises supervisor	03.11.2008	Granted under delegated authority
Transfer 09/06672/LIPT	Transfer of licence to Soho Estates Limited	26.11.2009	Granted under delegated authority
Transfer 10/02033/LIPT	Transfer of licence to Too 2 Much Limited	18.05.2010	Granted under delegated authority
Variation 10/06750/LIPV	To vary conditions and layout of the premises	04.11.2010	Granted by Licensing Sub-Committee
DPS Variation 11/00104/LIPDPS	Application to vary the designated premises supervisor	09.03.2011	Granted under delegated authority
DPS Variation 11/11719/LIPDPS	Application to vary the designated premises supervisor	17.02.2012	Granted under delegated authority

DPS Variation 12/10998/LIPDPS	Application to vary the designated premises supervisor	02.01.2013	Granted under delegated authority
New Premises 14/01180/LIPN	Application for a new premises by Soho Estates Ltd	17.04.2014	Granted by Licensing Sub-Committee
New Premises 14/05202/LIPN	Application for a new premises (shadow licence) by Soho Estates Ltd	21.08.2014	Granted by Licensing Sub-Committee
New application 15/08865/LIPN	Current application	To be determined	

There is no appeal history

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.

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

Conditions relating to regulated entertainment:

11. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001
12. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
13. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 04:00am day following and from 23:00 to midnight on Sunday.
14. Where there is any doubt whatsoever as to the age of a patron no other proof of identity shall be accepted except the 'Portman Group Prove it Scheme, a photocard driving licence of the person concerned, a passport or a similar document which bears both a picture and date of birth of the holder.

Performance of Plays:

15. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 04:00am day following and from 23:00 to midnight on Sunday.
16. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
17. Any scenery to be kept or used on the premises shall be constructed only from such material as the Council accepts for use on open stages and such scenery shall be restricted to that necessary for the current performance and shall be used on the stages only.

Conditions for Sale of Alcohol:

18. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

19. Alcohol shall not be sold, supplied, consumed in or taken away from the premises except during permitted hours:

- a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following except that -
 - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
 - (i) with the substitution of references to 04.00 for references to 03.00
- (c) On Sundays the permitted shall commence at 12:00 and shall extend until 00.00.
- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day.

NOTE - The above restrictions do not prohibit:

- a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- g) the taking of alcohol from the premises by a person residing there;
- h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

20. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
- 21.* Notwithstanding Rule of Management No.4 in the first floor theatre and second floor bar (a) nude cabaret may be provided and (b) nude table-side dancing may be provided, for the avoidance of doubt 'nude table side dancing' is the performance of dance, either nude or partially nude, for customers seated at a table in return for consideration.
22. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Crime Prevention Officer. 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 venue 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. Recordings shall be made available immediately upon the request of the police or authorised officer throughout the preceding 31 day period.

(b) A member of staff from the premises who is fully conversant with the operation of CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
- 23.* (a) In relation to nude cabaret, nude or partially nude performances may be provided solely by performers.

(b) In relation to nude table side dancing, performances may only be provided either dancing on the stage areas or dancing to customers seated at tables in the approved part of the premises. No table side dancing shall be given to customers seated at the bar or to standing customers. No audience participation shall be permitted.
- 24.* On any day when nude table side dancing is taking place, there shall be no physical contact between customers and the dancers except for the placing of money or tokens into the hands of the dancer at the beginning or the conclusion of the performance. Whilst the dancers are performing there shall be a minimum distance of one metre between the dancer and the customers. Notices to this effect shall clearly be displayed at each table and at the entrance of the premises.
- 25.* On any day when nude table side dancing takes place all seating shall consist of a tables and chairs arrangement and there shall be no cinema style seating.
- 26.* When nude table side dancing takes place, the dancers shall re-dress at the conclusion of the performance and are to remain fully clothed at all times except when giving a performance.
- 27.* On any day when nude table side dancing takes place, there shall be a minimum charge for each performance of £10 per music track with no discount being given for multiple performances.
- 28.* On those days when nude table side dancing takes place only those dancers engaged by or through Too 2 Much Limited or the Box Soho Limited shall be permitted to perform nude or partially nude performances.

- 29.* Nude or partially nude performers shall be engaged subject to the Rules the same as or similar to the Management Rules of Conduct and shall be agreed in writing with Environmental Health and Metropolitan Police and deposited with the Licensing Authority. The nude or partially nude performers shall be provided with a copy of those Rules upon engagement.
- 30.* On any day when nude table side dancing takes place, no performer shall dance with or towards any other performer, and shall make no physical contact with another performer save for when the performance is a choreographed revue on the stage.
- 31.* Whilst nude or partially nude performances are taking place (whether nude cabaret or nude table side dancing) no patron under the age of 18 shall be on the first and second floors of the licensed premises and a clear notice shall be displayed at each entrance to the premises in a prominent position so that it can be easily read by the persons entering the premises in following terms:
- "NO PERSON UNDER 18 WILL BE ADMITTED TO THE FIRST AND SECOND FLOORS OF THE PREMISES."
- 32.* At least one SIA registered door supervisor shall be permanently employed in the first floor licensed area of the premises and at least one permanently employed in the area providing entrance to the second floor bar area and the entrance to the male/female toilets. In addition on such occasions that both floors are used for nude cabaret or nude table side dancing two additional door supervisors shall be so employed.
- 33.* On any day when nude table side dancing takes place, the premises licence holder, designated premises supervisor, performer and/or any person concerned with the organisation or management of the entertainment shall not permit, encourage, or permit others to encourage the audience to throw money at or otherwise to give gratuities to the performers (except as permitted by condition 24).
- 34.* No person under 18 years of age shall take part in nude cabaret or nude table side dancing or shall otherwise be employed or allowed in the premises whilst that entertainment is being provided under this licence.
35. On any evening where the premises or part of the premises are open for the purpose of music, dance or entertainment in which the sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment, intoxicating liquor shall not be sold or supplied to persons admitted to the premises after 23:00 other than to:
- a) Persons who will pay an admission or table fee (not to be credited against consumables).
 - b) Artistes or person employed at the premises.
 - c) Bona fide guests of the proprietor, the total number of whom shall not exceed at any one time 10% of the total capacity for the premises (as specified on the Premises Licence for the premises). A list individually naming all such persons shall be kept at reception for inspection by the appropriate authorities.
 - d) Persons taking pre-booked full table meals, a list of whom shall be kept at the reception for inspection by the appropriate authorities.
 - e) Persons attending private functions, booked at least 24 hours in advance, the function organisers name and address to be recorded and kept for inspection by the Police and authorised officers of the council for a minimum 31 days.

- f) Members of the club and their bona fide guests (no member to be permitted more than 3 guests at a time) a list of whom shall be held at reception for inspection by the relevant authorities. No persons shall be admitted to membership without an interval of at least 24 hours between nomination or application for membership or admission.
- 36.* Tableside dancers are to remain standing during their performance.
37. The number of persons accommodated at any one time (excluding staff) shall not exceed the following; First Floor Theatre - 213, Second Floor Bar - 75
38. When nude table side dancing is taking place the capacity shall be 233 (excluding staff) (First Floor Theatre - 183, Second Floor Bar - 50).
39. Door staff shall remind patrons to minimise disturbance when they leave.
40. The sale and supply of alcohol and food shall only take place within the premises and customers shall not be permitted to remove these from the premises.
41. A daily log is to be maintained to ensure that any capacity limit set is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or police officer on request.
42. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of the local residents and to leave the premises and area quietly.
43. The premises shall order cabs for patrons on request and the basis for the operation is to be agreed with the Metropolitan Police, Environmental Health and Highways Authority.
44. The sale and supply of alcohol and food shall only take place within the premises and customers shall not be permitted to remove these from the premises.
45. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
46. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time.
47. A noise limiter located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set to a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of the officers of the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the environmental Health Service. No alteration or modification to any existing system(s) should be effected without prior knowledge of an authorised officer of the environmental health service.
48. No additional sound generation equipment shall be used on the premises without being routed through the noise limiter device.

49. Any music played in the entrance lobby on the ground floor will be way of background music only.
50. A representative of the premises licence holder shall attend the local Pubwatch meetings.
51. Whether the premises is open for licensable activities after 22:00 there shall be a minimum of 2 SIA licensed door supervisors stationed at the front entrance.
52. 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, which will record any refusal of sale of alcohol.
- 53.* There shall be a notice prominently exhibited at reception as patrons enter advising of the adult content of the entertainment being provided.
54. The premises will participate in the Westminster Licensed premises shared radio scheme approved by Westminster City Council and the Metropolitan Police.
55. If any entertainment is provided for children or if entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence:
 - a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - c) to take all other reasonable precautions for the safety of the children.
 - d) If any entertainment is provided solely for children's purposes, there shall be no retail sale of alcohol permitted and no nude cabaret or nude table side dancing permitted
 - e) If any functions or private events are attended by any children the premises licence holder shall ensure that (a) no nude cabaret or nude table side dancing is provided and a premises risk assessment is carried out and (b) there are adequate policies in place to ensure that children are not sold or supplied alcohol otherwise than in accordance with the Licensing Act 2003. Copies of the premises risk assessment in this regard shall be made available to police and authorised officers of the council upon request and will be retained for a minimum of 31 days.
56. There shall be no gambling on the premises.

*** Conditions indicated shall not apply when a Sexual Entertainment Licence is in effect at the premises**

57. The licence will have no effect until the works are assessed as satisfactory by the Police, District Surveyor and the Environmental Health Consultation Team and letters approving the works from each of the authorities have been submitted to the Licensing Authority at which time this condition shall be removed from the licence.

58. Before the premises open to the public, the plans as deposited (or as amended) must be approved by the Environmental Health Consultation Team to ensure that they are an accurate reflection of the premises constructed. Where the premises layout changes during the course of construction, new plans shall be provided to the Licensing Authority, District Surveyor, Police and Environmental Health Consultation Team.

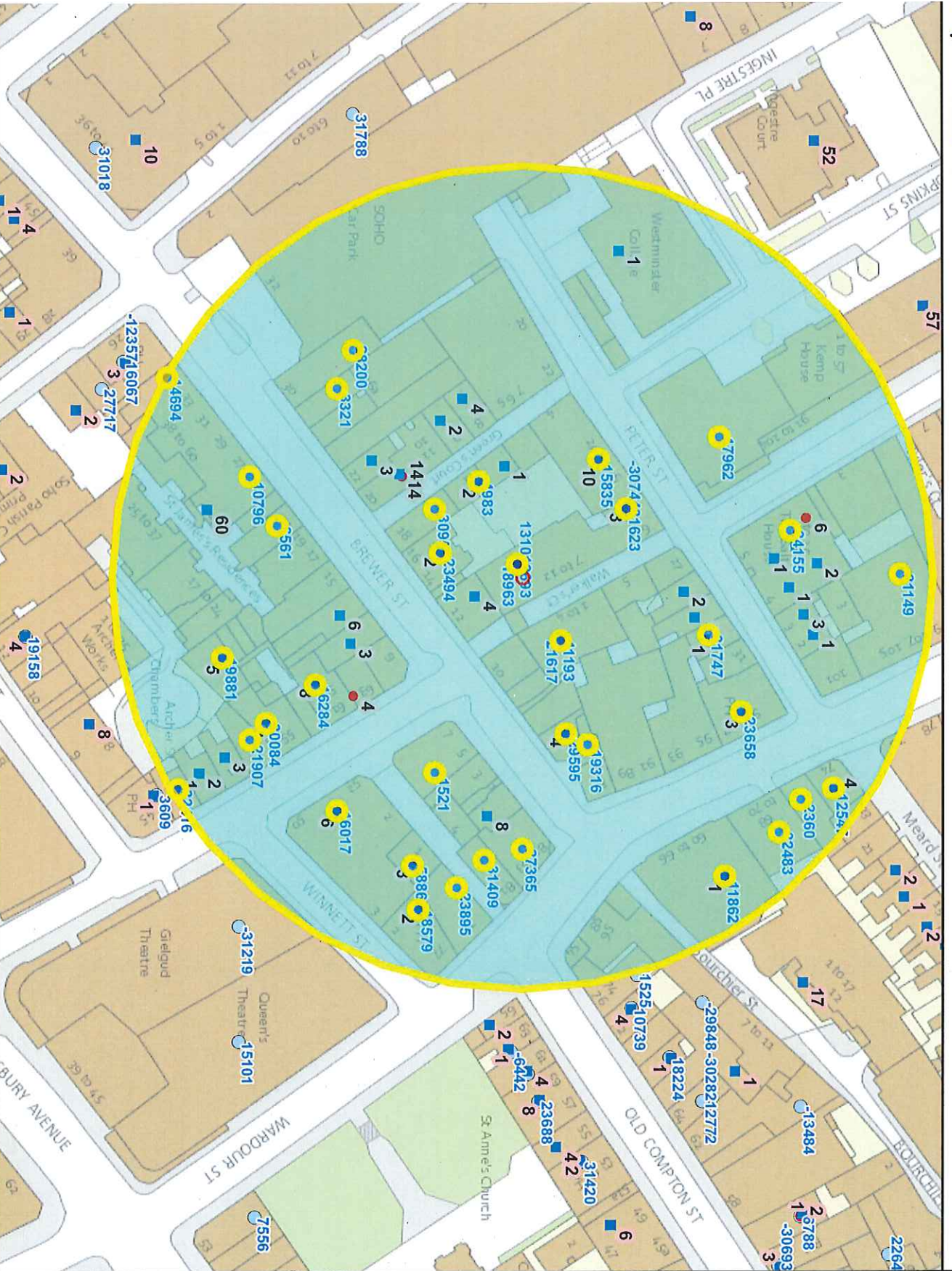
Conditions proposed by the Environmental Health Service which has been agreed by applicant

59. No licensable activities shall be carried out on the external smoking terrace.
60. No drinks or glass containers shall be permitted on the external smoking terrace.
61. The access door leading onto the external smoking terrace shall be kept closed at all times except for immediate access and egress.
62. Loudspeakers shall not be located outside the premises building including the external smoking terrace.
63. The premises licence holder shall ensure that any patrons smoking outside the premises, including on the terrace, do so in an orderly manner and are supervised by staff at all times so as to ensure that there is no public nuisance caused.



The Box, 11-12 Walker's Court

APPENDIX 6



10 Meters

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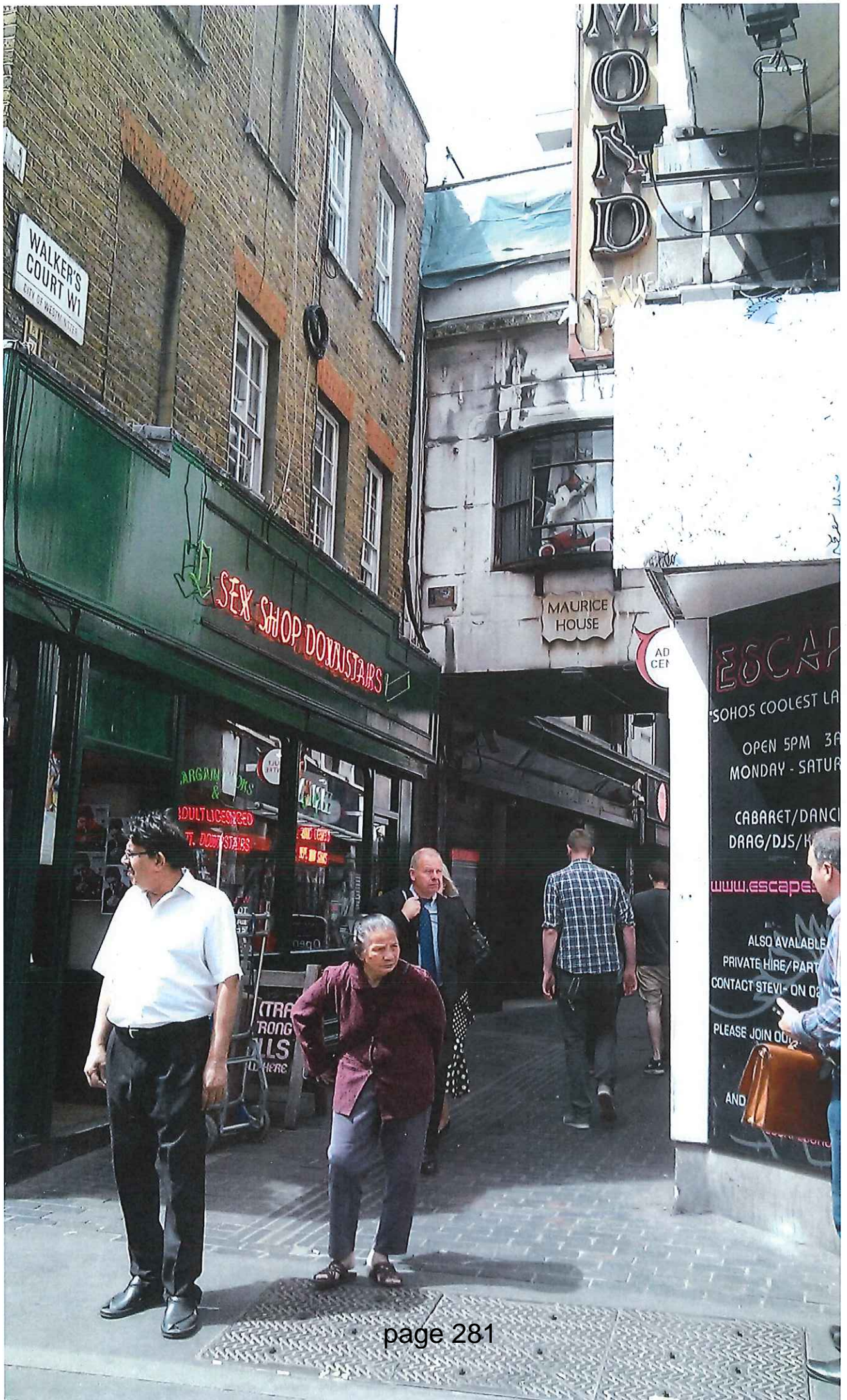
Residential / Proposed Residential	209
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

Data Source: Uniform Database
Date: 17/11/2015

Premises within 75 metres of The Box, 11 - 12 Walker's Court			
p / n	Name of Premises	Premises Address	Opening Hours
1409984LIDPDS	The Box	11-12 Walker's Court London W1F 0ED	Sunday 08:00 - 00:30 Monday to Saturday 09:00 - 04:00
1409984LIDPDS	Admiral	30 Brewer Street London W1F 0SS	Monday to Sunday 00:00 - 00:30
1409984LIDPDS	Restaurant	Basement And Ground Floor 6 Walker's Court London W1F 0B	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
1409984LIDPDS	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
1409984LIDPDS	Bona Scaffolds	30-31 Brewer Street London W1F 0AP	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 00:00
1409984LIDPDS	Opera	47 Brewer Street London W1D 2PD	Monday to Sunday 11:00 - 20:00
1409984LIDPDS	Magaretta	Basement And Ground Floor 10-12 Wandour Street London W1F 0SS	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:30
1409984LIDPDS	Vintage Bar	Basement Ground Floor And Part First Floor 81 Wandour Street London W1F 0SS	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 00:30
1409984LIDPDS	Restaurant	Basement And Ground Floor 6 Walker's Court London W1F 0B	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
1409984LIDPDS	Work To Wake	Ground Floor 2 Brewer Street London W1F 0SS	Sunday 11:00 - 00:00 Monday to Saturday 11:00 - 01:00
0912418YDCGMAP	Shin Road And View	2 Brewer Street London W1F 0SD	Monday to Sunday 09:00 - 09:00
1409984LIDPDS	(Nephthys)	Development Site A1 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SS	Monday to Saturday 09:00 - 03:00 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 00:30
1409984LIDPDS	Bron	89 Wandour Street London W1F 0UF	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday to Saturday before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
1209167SLIDPDS	Rendell & Ash	18 Brewer Street London W1F 0SS	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 00:00
1409984LIDPDS	La Pierre	26 Brewer Street London W1F 0AG	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
1409984LIDPDS	Bandstand	74 Wandour Street London W1F 0TE	Sunday 07:30 - 23:00 Monday to Saturday 07:30 - 23:30
1209480LIDPDS	Jewell's Bull Ther	28 Brewer Street London W1F 0SR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
1409984LIDPDS	Lea Stores	18 Brewer Street London W1F 0SH	Monday to Friday 07:00 - 21:00 Saturday 09:00 - 21:00 Sunday 11:30 - 18:00
1409984LIDPDS	Shaway Lounge	Basement And Part Ground Floor 2-7 Brewer Street London W1F 0ED	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
1409984LIDPDS	Solo Cinema	8 - 9 Walker's Court London W1F 0BY	Monday to Sunday 09:00 - 01:00
1409984LIDPDS	Yield Vans	Ground Floor 1 Granite Court London W1F 0VA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
1409984LIDPDS	Damen & Co	21 Brewer Street London W1F 0NL	Sunday before Bank Holidays 08:00 - 00:00 Monday to Sunday 08:00 - 21:00
1409984LIDPDS	Yield D	Development Site A1 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SS	Monday to Saturday 09:00 - 03:00 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 00:30
1409984LIDPDS	The Boulevard Theatre	8 - 9 Walker's Court London W1F 0BY	Friday to Saturday 09:00 - 00:00 Monday to Thursday 09:00 - 00:00 Sunday 09:00 - 00:00 Monday to Sunday 09:00 - 23:00
1409984LIDPDS	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00

14096924 LPDPS	Shunite	61 Rupert Street London W1D 7PQ	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 03:00
13059571 P/M	Rupert Street Cafe Bar	50 Rupert Street London W1D 6QR	Friday to Saturday 14:00 - 00:00 Monday to Thursday 10:00 - 23:00 Sunday to Saturday 12:00 - 00:00 Sunday 12:00 - 23:00
14018727 LPV	Leila of Soho	38 Brewer Street London W1F 8QU	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:00
14084481 LPN	Piggs And Toast	72 Wandour Street London W1F 8TD	Friday 07:00 - 00:00 Monday to Wednesday 07:00 - 23:00 Thursday 07:00 - 23:00 Saturday 08:00 - 00:00 Sunday 08:00 - 23:00
13002980 LPDPS	El Camion	2527 Brewer Street London W1F 8RR	Monday to Saturday 09:00 - 00:30 Sunday 12:00 - 23:00
14012980 LPDPS	Freedom	Basement And Ground Floor National House 61-68 Wandour Street London W1D 7PJ	Monday to Saturday 09:00 - 00:00 Monday to Saturday 09:00 - 03:00
14002980 LPDPS	LiLi	63 Rupert Street London W1D 7PH	Friday 07:00 - 00:00 Monday to Thursday 07:00 - 23:00 Saturday 08:00 - 00:00 Sundays before Bank Holiday 08:00 - 00:00 Sunday 09:00 - 23:00
11011084 LPDPS	Banque Tres Restaurant Ltd	103 - 109 Wandour Street London W1F 8UN	Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
09092280 W/C/C/M/A/P	Rupert Spinnaker	35 Rupert Street London W1D 7PJ	Monday to Saturday 09:00 - 23:00 Sunday 10:00 - 22:00
10048291 LPN	Forecast & Sipper	3 Brewer Street London W1F 8QR	Friday 08:00 - 00:00 Monday to Thursday 08:00 - 23:00 Saturday 08:00 - 00:00 Sunday 08:00 - 22:30
13000481 LPDPS	Diana Of Wallington	77 Wandour Street London W1D 6QA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14081890 LPDPS	Open	104-108 Banker Street London W1F 8QS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:00
13027184 LPDPS	Open Street And Reserve Bar	Basement Floor And Ground Floor 1 Tabour Court London W1	Sunday to Thursday 08:00 - 00:00 Friday to Saturday 08:00 - 01:00
13008174 LPDPS	The Family Society	Basement 79 Wandour Street London W1D 6QB	Friday to Saturday 12:00 - 00:00 Monday to Thursday 10:00 - 23:00 Sunday 12:00 - 23:00
14018920 LPDPS	C Bar	43-45 Wandour Street London W1D 6QE	Monday to Saturday 09:00 - 00:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
10017211 LP/V/L	The View Bar	57 Rupert Street London W1D 7PJ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:00 Sunday 12:00 - 23:00









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Item No:	
Date:	3 December 2015
Licensing Ref No:	15/08865/LIPN - New Premises Licence
Title of Report:	The Box 11-12 Walker's Court London W1F 0ED
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	9 October 2015		
Applicant:	Soho Estates Limited		
Premises:	The Box		
Premises address:	11-12 Walker's Court London W1F 0ED	Ward:	West End
		Stress Area:	West End
Premises description:	The premises are a cabaret nightclub. Walker's Court is undergoing a redevelopment following the grant of planning permission and parts of the premises are being relocated within the development in accordance with the plans submitted (see Appendix 1).		
Premises licence history:	The premises already holds premises licences under the Licensing Act 2003 (12/10998/LIPDPS), held by Too 2 Much Limited, a shadow licence (14/05202/LIPN) and a premises licence 14/01180/LIPN, held by Soho Estates Limited since conversion in 2005.		
Applicant submissions:	<p>As the VIP room is being moved from the 2nd floor to the basement, it is proposed that the capacities for each individual room is amended as follows:</p> <p>Basement VIP: 75 (a reduction of 17) First floor main room: 230 (an increase of 17). The overall capacity of 288 will remain the same.</p> <p>Conditions attached to the current premises licence, 12/10998/LIPDPS are to be attached to this licence, if granted, with the exception of condition 37 which shall be amended to read:</p> <p>"The number of persons accommodated at any one time (excluding staff) shall not exceed the following: First Floor Main Room – 230, Basement VIP Room – 58".</p> <p>In addition, 2 works conditions have been proposed (see Appendix 4).</p>		

1-B Proposed licensable activities and hours							
Plays:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	14:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:		These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					
Non-standard timings:		N/A					

Films:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:		These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					
Non-standard timings:		N/A					

Live Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:		These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					
Non-standard timings:		N/A					

Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations:		N/A					
Non-standard timings:		N/A					

Performances of dance:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:		These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					
Non-standard timings:		N/A					

Anything of a similar description to live music, recorded music or performances of dance:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00

End:	04:00	04:00	04:00	04:00	04:00	04:00	00:00
Seasonal variations:	These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.						
Non-standard timings:	N/A						

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	23:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:30
Seasonal variations:	These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.						
Non-standard timings:	N/A						

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:	03:00	03:00	03:00	03:00	03:00	03:00	00:00
Seasonal variations:	These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.						
Non-standard timings:	These hours to be extended by one hour on the morning that British Summer Time commences.						

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	00:30
Seasonal variations:	These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.						
Non-standard timings:	N/A						
Adult Entertainment:	Adult entertainment is provided at the venue. The premises will operate under a Sexual Entertainment Venue licence.						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Westminster Police Licensing Team
Representative:	PC Chris Marriott
Received:	30 October 2015
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority have representations to this application. It is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The venue is situated within the West End stress area where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact.</p>	
Responsible Authority:	Environmental Health Service
Representative:	Ian Watson – Senior Practitioner
Received:	2 November 2015
<p>The premises are located within the West End Stress Area as stated in the City of Westminster's Statement of Licensing Policy.</p> <p>The applicant has submitted floor plans of the premises reference 942A PO1 and 942B PO1.</p> <p>This representation is based on the plans and operating schedule submitted. The applicant is seeking the following:</p> <ol style="list-style-type: none"> 1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 10.00 and 03.00 hours and Sunday between 12.00 to 00.00 hours. 2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Saturday between 23.00 and 04.00 hours and Sunday between 23.00 to 00.30 hours. 3. To provide regulated entertainment 'indoors' comprising <ul style="list-style-type: none"> • Plays • Films • Live Music • Recorded Music (unrestricted) • Performance of Dance • Anything of a similar description to Live Music, Recorded Music and Performance of Dance Monday to Saturday between 09.00 and 04.00 hours and Sunday between 09.00 to 00.00 hours. Plays Sunday 14.00 to 00.00 hours. 4. On New Years Eve to provide regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours to commencement of 	

authorised hours on New Years Day.

5. The terminal hour for the supply of alcohol will extend by one hour on the morning on which British summer time commences.

I wish to make the following representation:

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.
2. The hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.
3. The hours requested for the provision of regulated entertainment and the type of regulated entertainment will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.
4. The hours requested to permit the provision of regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours on New Years Eve to commencement of authorised hours on New Years Day will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area.
5. The additional hour requested to permit the supply of alcohol on the morning on which British summer time begins will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area.

The applicant has provided additional information with the application which is being addressed.

2-B Other Persons	
Name:	Mr Eric Rose
Address and/or Residents Association:	30 Peter Street London W1F 0AW
Received:	20 October 2015
<p>The Box has its smoking area up stairs on the fire escape over the bridge and the noise that comes from the people / club noise when the door is open outside smoking is very loud at night and needs to be stopped (even more noise during the warmer weather when people are out there longer smoking and cooling down etc). It's a fire exit not a smoking area.</p> <p>Also the customers leaving the club late at night make a lot of noise screaming and yelling, drunken behaviour etc. Ever since Madame Jojo's and The Escape were closed down you know this noise is coming only from the customers attending the Box.</p>	

They also need to keep the customers from not blocking the whole of Walker's Court when they are trying to get into the club. It blocks the pathway for other people trying to pass by.

I also think the plans for the new building works / development are not fitting with the street and they should be keeping the original fronts of the brick buildings on Peter Street and Walker's Court and incorporate the old building fronts into the plans for the new redevelopment of Walker's Court.

The "glass" imagines of the redevelopment to Walker's Court are very ugly and not fitting with the look of the street and the history of the area.

An additional statement was supplied on 24th November 2015 summarising noise Complaints received by WCC noise team (**Appendix 2**)

The Environmental Health Service has proposed conditions which the applicant has Agreed (**Appendix 5**)

Name:	Mrs Hilary Wright
Address and/or Residents Association:	30D Peter Street London W1F 0AW
Received:	19 October 2015

As I practically live next door I would like to not exactly object to their licence but wish to state that they should not be given outside space for smokers on the overhead walkway. This has been going on for a long time and Westminster's Noise Team do nothing. The noise especially over the summer was unbelievable with their customers screaming and shouting whilst out on their balcony area smoking (the walkway space over Walker's Court).

Myself and my neighbours cannot believe that Westminster have been ignoring this and I gave up complaining as I had to stay up until 3am some nights for Noise Team to come, said they would speak with The Box and then nothing happens!

Over the summer we couldn't sleep with our windows open due to the excessive noise.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<ul style="list-style-type: none"> (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. (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 and with particular regard to the

	criteria specified.
Policy STR1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Stress Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Stress Areas.</p>
Policy MD2 applies:	It is the Licensing Authority's policy to refuse applications in the Stress Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.
Policy NS1 applies:	<p>(i) Applications involving nudity or striptease or sex related entertainment will only be granted in exceptional circumstances and if the proposal meets the relevant criteria specified in Policies CD1, PS1, PN1, CH1 and HRS1.</p> <p>(ii) Applications will be subject to appropriate conditions which promote the licensing objectives.</p> <p>(iii) Applications will not be granted in proximity to:</p> <ul style="list-style-type: none"> (a) residential accommodation; (b) schools; (c) places of worship; (d) community facilities or public buildings. <p>(iv) The Licensing Authority will have regard to the cumulative effect of the number of such premises in proximity to each other and in the vicinity.</p>

4. Appendices

Appendix 1	Premises plans
Appendix 2	List of complaints relating to noise from the venue for the past two years
Appendix 3	Applicant supporting documents - None
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

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Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1884 Email: ywade@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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015

CITY OF WESTMINSTER

MEMORANDUM

TO	Licensing Officer
REFERENCE	15/08883/LIPN and 15/08865/LIPN

FROM	EH Consultation Team
REFERENCE	
BEING DEALT WITH BY	Ian Watson (iwatson@westminster.gov.uk)
TELEPHONE	020 7641 3183
DATE	24th November 2015

The Licensing Act 2003

The Box, 11-12 Walker's Court, W1

I refer to the application for New Premises Licence for the above premises.

The premises are located within the West End Stress Area as stated in the City of Westminster's Statement of Licensing Policy.

List of complaints relating to noise from the venue for the past two years.

Friday 18th September 2015 @ 02:59 hours. Complaint that The box is blaring music very loudly. He suspects they may be having an illegal rave. Call back required. Customer contacted @ 03.08 and noise on going. Agreed to visit later after dealing with current jobs. Visited @ 04.20 and No noise heard at time of visit. Left a voicemail message advising customer that I was outside his building and there was no noise at time of visit.

Sunday 10th August 2014 @ 01:52 hours. Complaint of noise from a nightclub causing noise disturbance. No call back request. Passed to SJP to drive by. SJP went to 11-12 Walkers Court - some breakout but not a nuisance. Also some breakout from Escape night clubs fire exit and also breakout from Wardour Street premises. Difficult to know which source was the problem.

Should you wish to discuss the matter further please do not hesitate to contact me.

Ian Watson
Senior Practitioner Environmental Health (Licensing)

APPENDIX 3

No supporting documentation

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
Conversion and variation 05/06475/LIPCV	Application to convert the Justices' On Licence, Special Hours Certificate, Weekday Music and Dancing licence and Plays licence.	28.09.2005	Granted under delegated authority
Transfer 06/03643/LIPT	Transfer of licence from Too 2 Much Limited to Soho Clubs & Bars Plc	16.05.2006	Granted under delegated authority
DPS Variation 06/03645/LIPDPS	Application to vary the designated premises supervisor	16.05.2006	Granted under delegated authority
Variation 06/03798/LIPV	To increase the capacity and to permit the exhibition of films	17.08.2006	Granted by Licensing Sub-Committee
Transfer 08/04501/LIPT	Transfer of licence to administrators of Soho Clubs & Bars Limited	30.11.2008	Granted under delegated authority
DPS Variation 08/06232/LIPDPS	Application to vary the designated premises supervisor	03.11.2008	Granted under delegated authority
Transfer 09/06672/LIPT	Transfer of licence to Soho Estates Limited	26.11.2009	Granted under delegated authority
Transfer 10/02033/LIPT	Transfer of licence to Too 2 Much Limited	18.05.2010	Granted under delegated authority
Variation 10/06750/LIPV	To vary conditions and layout of the premises	04.11.2010	Granted by Licensing Sub-Committee
DPS Variation 11/00104/LIPDPS	Application to vary the designated premises supervisor	09.03.2011	Granted under delegated authority
DPS Variation	Application to vary the designated premises	17.02.2012	Granted under delegated authority

11/11719/LIPDPS	supervisor		
DPS Variation 12/10998/LIPDPS	Application to vary the designated premises supervisor	13.02.2013	Granted under delegated authority
New Premises 14/01180/LIPN	Application for a new premises by Soho Estates Limited	17.04.2014	Granted by Licensing Sub-Committee
New Premises 14/05202/LIPN	Application for a new premises by Soho Estates Limited (shadow licence)	21.08.2014	Granted by Licensing Sub-Committee
New application 15/08883/LIPN	Current application	To be determined	

There is no appeal history

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.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

Conditions relating to regulated entertainment:

11. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001
12. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
13. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 04:00am day following and from 23:00 to midnight on Sunday.
14. Where there is any doubt whatsoever as to the age of a patron no other proof of identity shall be accepted except the 'Portman Group Prove it Scheme, a photocard driving licence of the person concerned, a passport or a similar document which bears both a picture and date of birth of the holder.

Performance of Plays:

15. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 04:00am day following and from 23:00 to midnight on Sunday.
16. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
17. Any scenery to be kept or used on the premises shall be constructed only from such material as the Council accepts for use on open stages and such scenery shall be restricted to that necessary for the current performance and shall be used on the stages only.

Conditions for Sale of Alcohol:

18. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

19. Alcohol shall not be sold, supplied, consumed in or taken away from the premises except during permitted hours:

- a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following except that -
 - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
 - (i) with the substitution of references to 04.00 for references to 03.00
- (c) On Sundays the permitted shall commence at 12:00 and shall extend until 00.00.
- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day.

NOTE - The above restrictions do not prohibit:

- a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- g) the taking of alcohol from the premises by a person residing there;
- h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

20. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
- 21.* Notwithstanding Rule of Management No.4 in the first floor theatre and second floor bar (a) nude cabaret may be provided and (b) nude table-side dancing may be provided, for the avoidance of doubt 'nude table side dancing' is the performance of dance, either nude or partially nude, for customers seated at a table in return for consideration.
22. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Crime Prevention Officer. 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 venue 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. Recordings shall be made available immediately upon the request of the police or authorised officer throughout the preceding 31 day period.

(b) A member of staff from the premises who is fully conversant with the operation of CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
- 23.* (a) In relation to nude cabaret, nude or partially nude performances may be provided solely by performers.

(b) In relation to nude table side dancing, performances may only be provided either dancing on the stage areas or dancing to customers seated at tables in the approved part of the premises. No table side dancing shall be given to customers seated at the bar or to standing customers. No audience participation shall be permitted.
- 24.* On any day when nude table side dancing is taking place, there shall be no physical contact between customers and the dancers except for the placing of money or tokens into the hands of the dancer at the beginning or the conclusion of the performance. Whilst the dancers are performing there shall be a minimum distance of one metre between the dancer and the customers. Notices to this effect shall clearly be displayed at each table and at the entrance of the premises.
- 25.* On any day when nude table side dancing takes place all seating shall consist of a tables and chairs arrangement and there shall be no cinema style seating.
- 26.* When nude table side dancing takes place, the dancers shall re-dress at the conclusion of the performance and are to remain fully clothed at all times except when giving a performance.
- 27.* On any day when nude table side dancing takes place, there shall be a minimum charge for each performance of £10 per music track with no discount being given for multiple performances.
- 28.* On those days when nude table side dancing takes place only those dancers engaged by or through Too 2 Much Limited or the Box Soho Limited shall be permitted to perform nude or partially nude performances.

- 29.* Nude or partially nude performers shall be engaged subject to the Rules the same as or similar to the Management Rules of Conduct and shall be agreed in writing with Environmental Health and Metropolitan Police and deposited with the Licensing Authority. The nude or partially nude performers shall be provided with a copy of those Rules upon engagement.
- 30.* On any day when nude table side dancing takes place, no performer shall dance with or towards any other performer, and shall make no physical contact with another performer save for when the performance is a choreographed revue on the stage.
- 31.* Whilst nude or partially nude performances are taking place (whether nude cabaret or nude table side dancing) no patron under the age of 18 shall be on the first and second floors of the licensed premises and a clear notice shall be displayed at each entrance to the premises in a prominent position so that it can be easily read by the persons entering the premises in following terms:
- "NO PERSON UNDER 18 WILL BE ADMITTED TO THE FIRST AND SECOND FLOORS OF THE PREMISES."
- 32.* At least one SIA registered door supervisor shall be permanently employed in the first floor licensed area of the premises and at least one permanently employed in the area providing entrance to the second floor bar area and the entrance to the male/female toilets. In addition on such occasions that both floors are used for nude cabaret or nude table side dancing two additional door supervisors shall be so employed.
- 33.* On any day when nude table side dancing takes place, the premises licence holder, designated premises supervisor, performer and/or any person concerned with the organisation or management of the entertainment shall not permit, encourage, or permit others to encourage the audience to throw money at or otherwise to give gratuities to the performers (except as permitted by condition 24).
- 34.* No person under 18 years of age shall take part in nude cabaret or nude table side dancing or shall otherwise be employed or allowed in the premises whilst that entertainment is being provided under this licence.
35. On any evening where the premises or part of the premises are open for the purpose of music, dance or entertainment in which the sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment, intoxicating liquor shall not be sold or supplied to persons admitted to the premises after 23:00 other than to:
- a) Persons who will pay an admission or table fee (not to be credited against consumables).
 - b) Artistes or person employed at the premises.
 - c) Bona fide guests of the proprietor, the total number of whom shall not exceed at any one time 10% of the total capacity for the premises (as specified on the Premises Licence for the premises). A list individually naming all such persons shall be kept at reception for inspection by the appropriate authorities.
 - d) Persons taking pre-booked full table meals, a list of whom shall be kept at the reception for inspection by the appropriate authorities.
 - e) Persons attending private functions, booked at least 24 hours in advance, the function organisers name and address to be recorded and kept for inspection by the Police and authorised officers of the council for a minimum 31 days.

- f) Members of the club and their bona fide guests (no member to be permitted more than 3 guests at a time) a list of whom shall be held at reception for inspection by the relevant authorities. No persons shall be admitted to membership without an interval of at least 24 hours between nomination or application for membership or admission.
- 36.* Tableside dancers are to remain standing during their performance.
37. The number of persons accommodated at any one time (excluding staff) shall not exceed the following; First Floor Theatre - 213, Second Floor Bar - 75
38. When nude table side dancing is taking place the capacity shall be 233 (excluding staff) (First Floor Theatre - 183, Second Floor Bar - 50).
39. Door staff shall remind patrons to minimise disturbance when they leave.
40. The sale and supply of alcohol and food shall only take place within the premises and customers shall not be permitted to remove these from the premises.
41. A daily log is to be maintained to ensure that any capacity limit set is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or police officer on request.
42. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of the local residents and to leave the premises and area quietly.
43. The premises shall order cabs for patrons on request and the basis for the operation is to be agreed with the Metropolitan Police, Environmental Health and Highways Authority.
44. The sale and supply of alcohol and food shall only take place within the premises and customers shall not be permitted to remove these from the premises.
45. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
46. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time.
47. A noise limiter located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set to a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of the officers of the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the environmental Health Service. No alteration or modification to any existing system(s) should be effected without prior knowledge of an authorised officer of the environmental health service.
48. No additional sound generation equipment shall be used on the premises without being routed through the noise limiter device.

49. Any music played in the entrance lobby on the ground floor will be way of background music only.
50. A representative of the premises licence holder shall attend the local Pubwatch meetings.
51. Whether the premises is open for licensable activities after 22:00 there shall be a minimum of 2 SIA licensed door supervisors stationed at the front entrance.
52. 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, which will record any refusal of sale of alcohol.
- 53.* There shall be a notice prominently exhibited at reception as patrons enter advising of the adult content of the entertainment being provided.
54. The premises will participate in the Westminster Licensed premises shared radio scheme approved by Westminster City Council and the Metropolitan Police.
55. If any entertainment is provided for children or if entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence:
 - a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - c) to take all other reasonable precautions for the safety of the children.
 - d) If any entertainment is provided solely for children's purposes, there shall be no retail sale of alcohol permitted and no nude cabaret or nude table side dancing permitted
 - e) If any functions or private events are attended by any children the premises licence holder shall ensure that (a) no nude cabaret or nude table side dancing is provided and a premises risk assessment is carried out and (b) there are adequate policies in place to ensure that children are not sold or supplied alcohol otherwise than in accordance with the Licensing Act 2003. Copies of the premises risk assessment in this regard shall be made available to police and authorised officers of the council upon request and will be retained for a minimum of 31 days.
56. There shall be no gambling on the premises.

*** Conditions indicated shall not apply when a Sexual Entertainment Licence is in effect at the premises**

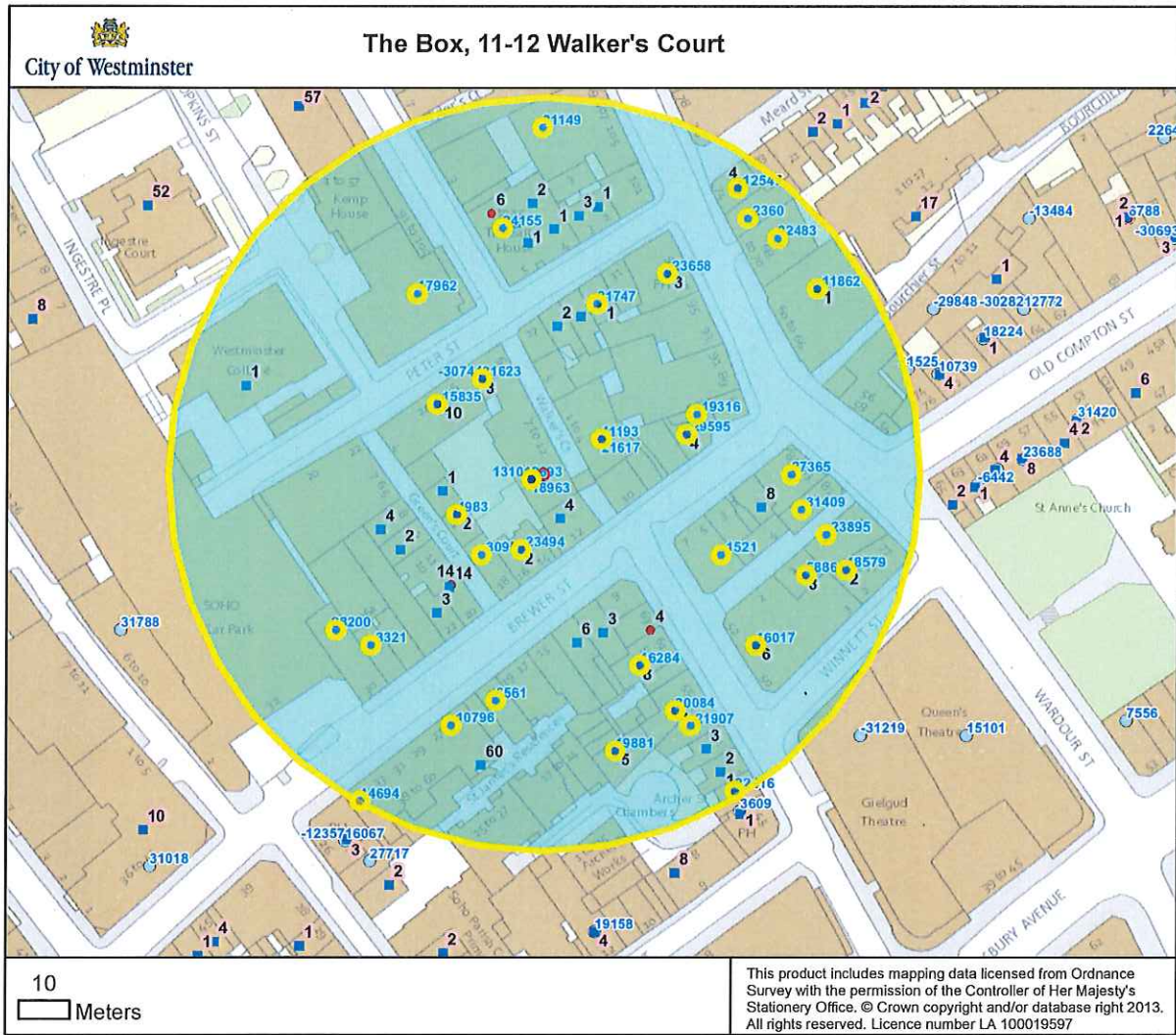
57. The licence will have no effect until the works are assessed as satisfactory by the Police, District Surveyor and the Environmental Health Consultation Team and letters approving the works from each of the authorities have been submitted to the Licensing Authority at which time this condition shall be removed from the licence.

58. Before the premises open to the public, the plans as deposited (or as amended) must be approved by the Environmental Health Consultation Team to ensure that they are an accurate reflection of the premises constructed. Where the premises layout changes during the course of construction, new plans shall be provided to the Licensing Authority, District Surveyor, Police and Environmental Health Consultation Team.

Conditions proposed by the Environmental Health Service which has been agreed by applicant

59. No licensable activities shall be carried out on the external smoking terrace.
60. No drinks or glass containers shall be permitted on the external smoking terrace.
61. The access door leading onto the external smoking terrace shall be kept closed at all times except for immediate access and egress.
62. Loudspeakers shall not be located outside the premises building including the external smoking terrace.
63. The premises licence holder shall ensure that any patrons smoking outside the premises, including on the terrace, do so in an orderly manner and are supervised by staff at all times so as to ensure that there is no public nuisance caused.

APPENDIX 6



Appendix 6

Residential / Proposed Residential	209
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10
Meters

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Data Source: Uniform Database
Date: 17/11/2015

Premises within 75 metres of: The Box, 11 - 12 Walker's Court			
p / n	Name of Premises	Premises Address	Opening Hours
12/10998/LIPDPS	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
12/02556/LIPN	Adanami	30 Brewer Street London W1F 0SS	Monday to Sunday 00:00 - 00:00
14/09064/LIDPSR	Restaurant	Basement And Ground Floor 6 Walker's Court London W1F 0B	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
14/09067/LIDPSR	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
12/08457/LIPDPS	Bone Daddies	30-31 Peter Street London W1F 0AP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/02057/LIPN	Kirazu	47 Rupert Street London W1D 7PD	Monday to Sunday 11:30 - 23:00
15/00964/LIPDPS	Masqmenos	Basement And Ground Floor 68-70 Wardour Street London W1	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:00
15/03836/LIPDPS	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
14/09063/LIDPSR	(Restaurant)	Basement And Ground Floor 6 Walker's Court London W1F 0B	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
14/08656/LIPT	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Sunday 11:00 - 00:00 Monday to Saturday 11:00 - 01:00
06/12416/WCCMAP	Soho Food And News	2 Brewer Street London W1F 0SD	Monday to Sunday 09:00 - 03:00
14/09057/LIDPSR	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer St	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 03:30
14/10187/LIPDPS	Byron	99 Wardour Street London W1F 0UF	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
12/01675/LIPDPS	Randall & Aubin	16 Brewer Street London W1F 0SQ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/02858/LIPN	La Pietra	25 Peter Street London W1F 0AG	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
14/10949/LIPN	Bunnychow	74 Wardour Street London W1F 0TE	Sunday 07:30 - 23:00 Monday to Saturday 07:30 - 23:30
12/08490/LIPVM	Janetira Eat Thai	28 Brewer Street London W1F 0SR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
10/07200/LIPN	Lina Stores	18 Brewer Street London W1F 0SH	Monday to Friday 07:00 - 21:00 Saturday 09:00 - 21:00 Sunday 11:30 - 18:30
14/03475/LIPV	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
14/06422/LIPT	Soho Cinema	8 - 9 Walker's Court London W1F 0BY	Monday to Sunday 09:00 - 01:00
10/07851/LIPDPS	Yalla Yalla	Ground Floor 1 Green's Court London W1F 0HA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/02049/LIPVM	Damson & Co	21 Brewer Street London W1F 0RL	Sundays before Bank Holidays 08:00 - 00:00 Monday to Sunday 08:00 - 21:45
14/08062/LIDPSR	Unit D	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer St	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 03:30
13/09651/LIPN	The Boulevard Theatre	8 - 9 Walker's Court London W1F 0BY	Friday to Saturday 09:00 - 00:00 Sundays before Bank Holidays 09:00 - 00:00 Monday to Saturday 09:00 - 01:00 Monday to Sunday 09:00 - 22:00 Sunday 09:00 - 22:30 Monday to Thursday 09:00 - 23:30
14/09066/LIDPSR	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00

14/09602/LIPT	Spuntino	61 Rupert Street London W1D 7PW	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
13/03507/LIPVM	Rupert Street Cafe Bar	50 Rupert Street London W1D 6DR	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:50
15/01372/LIPV	Lights Of Soho	35 Brewer Street London W1F 0RU	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
14/09446/LIPN	Pickle And Toast	72 Wardour Street London W1F 0TD	Friday 07:00 - 00:00 Monday to Wednesday 07:00 - 23:00 Thursday 07:00 - 23:30 Saturday 08:00 - 00:00 Sunday 08:00 - 22:30
15/02786/LIPDPS	El Carnion	25-27 Brewer Street London W1F 0RR	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 23:00
14/01268/LIPDPS	Freedom	Basement And Ground Floor National House 60-66 Wardour S	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
14/04290/LIPDPS	Lils	53 Rupert Street London W1D 7PH	Friday 07:00 - 00:00 Monday to Thursday 07:00 - 23:00 Saturday 08:00 - 00:00 Sundays before Bank Holidays 08:00 - 00:00 Sunday 08:00 - 22:30
11/11034/LIPDPS	Banana Tree Restaurants Ltd	103 - 109 Wardour Street London W1F 0UN	Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
06/06238/WCCMAP	Rupert Supermarket	55 Rupert Street London W1D 7PJ	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
13/04632/LIPN	Foxcroft & Ginger	3 Berwick Street London W1F 0DR	Friday 08:00 - 00:00 Monday to Thursday 08:00 - 23:00 Saturday 09:00 - 00:00 Sunday 09:00 - 22:30
13/04048/LIPDPS	Duke Of Wellington	77 Wardour Street London W1D 6QA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/08759/LIPDPS	Co-op	104-105 Berwick Street London W1F 0QS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
12/07184/LIPT	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1	Sunday to Thursday 09:00 - 00:00 Friday to Saturday 09:00 - 01:00
12/00517/LIPDPS	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
14/01932/LIPDPS	O' Bar	83-85 Wardour Street London W1D 6QE	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
10/01721/LIPVM	The Yard Bar	57 Rupert Street London W1D 7PJ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00



