

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>		

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 DanceMonday 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 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

APPENDIX 2

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.

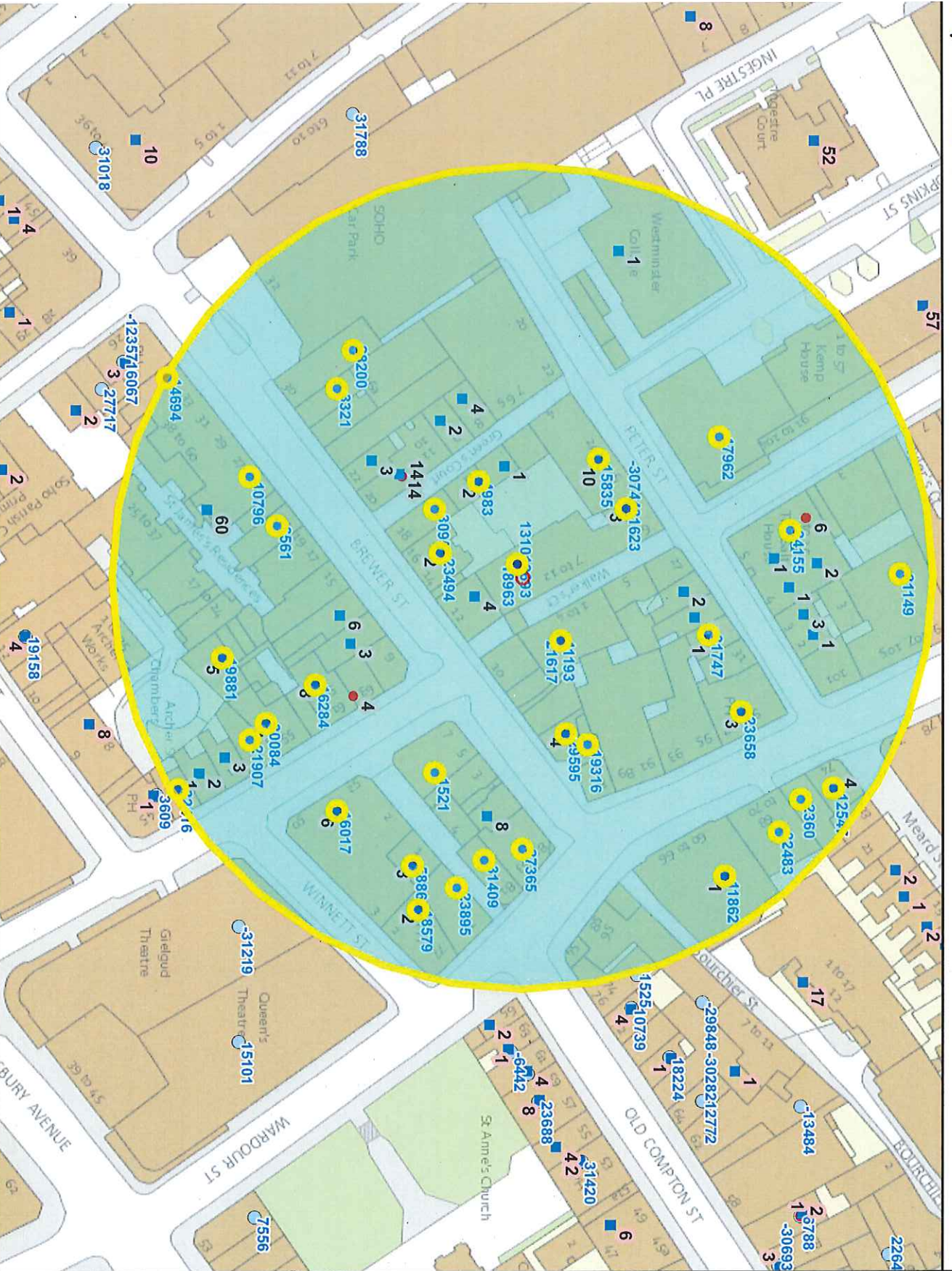
Conditions proposed by the Environmental Health Service which has been agreed by applicant

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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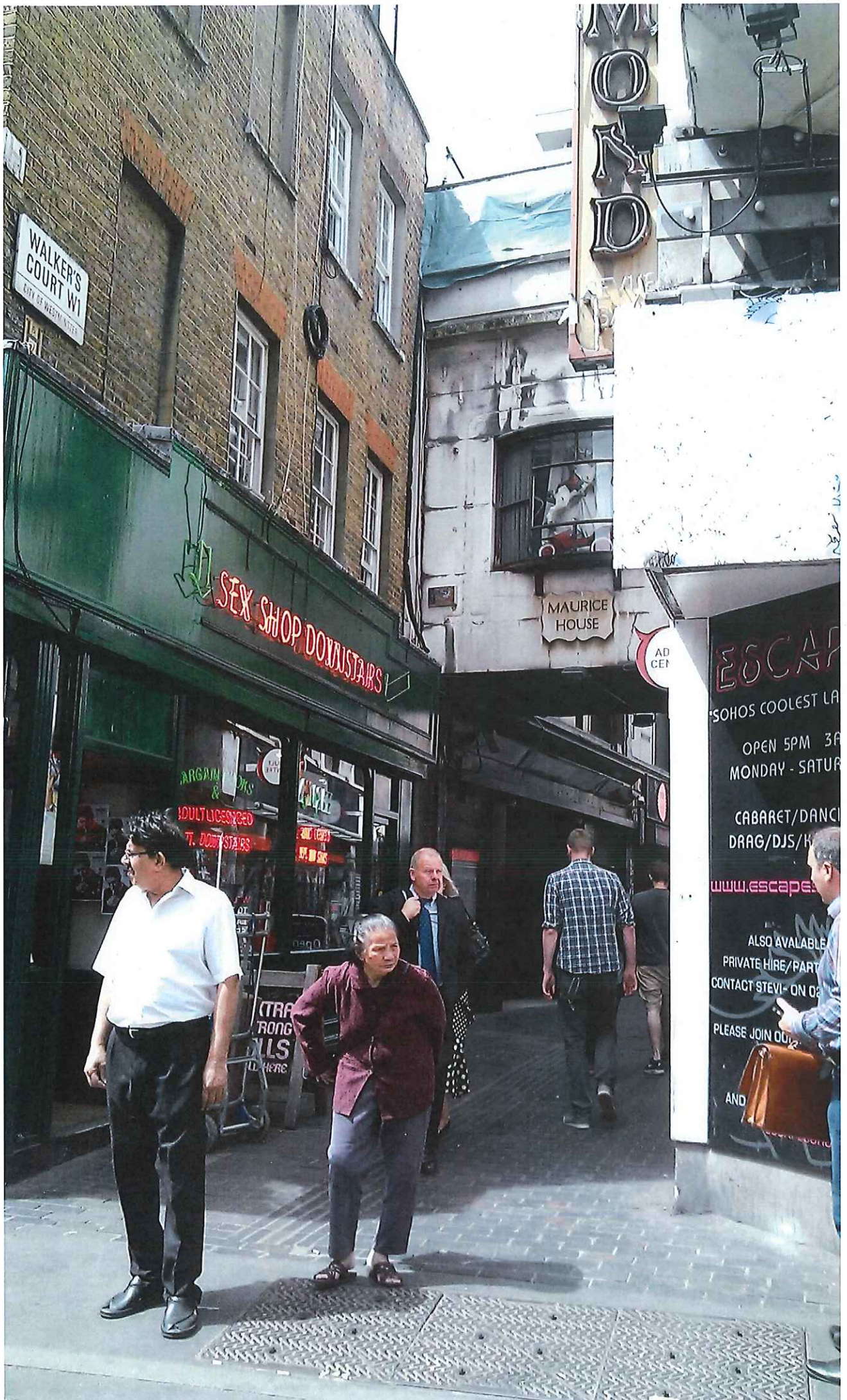
Residential / Proposed Residential	209
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known
Data Source: Uniform Database	
Date: 17/11/2015	

Premises within 75 metres of The Box, 11 - 12 Walker's Court

p / n	Name of Premises	Premises Address	Opening Hours
1201998ULDPDS	The Box	11-12 Walker's Court London W1F 0ED	Sunday 08:00 - 00:30 Monday to Saturday 09:00 - 04:00
1202298ULPDI	Admiral	30 Brewer Street London W1F 0SS	Monday to Sunday 00:00 - 00:30
1409064ALDPDSR	Restaurant	Basement And Ground Floor 6 Walker's Court London W1F 0B	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
1409067ALDPDSR	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
1004387LDPDS	Bona Scaffolds	30-31 Peter Street London W1F 0AP	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 00:00
1302037LPII	Opera	47 Rupert Street London W1D 7PQ	Monday to Sunday 11:00 - 20:00
1409064ALDPDS	Magaretta	Basement And Ground Floor 6b, 70, Wandour Street London W1F 0SS	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:30
1409067ALDPDS	Vintage Bar	Basement Ground Floor And Part First Floor 61 Wandour Street	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 00:30
1409064ALDPDSR	Restaurant	Basement And Ground Floor 6, 10 Walker's Court London W1F 0B	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
1409066LPII	Work To Wake	Ground Floor 2 Brewer Street London W1F 0SS	Sunday 11:00 - 00:00 Monday to Saturday 11:00 - 01:00
0912418YDGMAPP	Sho Road And View	2 Brewer Street London W1F 0SD	Monday to Sunday 09:00 - 09:00
1409067ALDPDSR	(Nephews)	Development Site A1 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0AP	Monday to Saturday 09:00 - 03:00 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 00:30
1409067ALDPDS	Bron	89 Wandour 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
1201678LDPDS	Rendell & Ash	18 Brewer Street London W1F 0SS	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 00:00
1307068LPII	La Pierre	26 Peter Street London W1F 0AQ	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
1409064ALPDI	Bandstand	74 Wandour Street London W1F 0TE	Sunday 07:30 - 23:00 Monday to Saturday 07:30 - 23:30
1202480LPII	Jewellry Edit The	28 Brewer Street London W1F 0SR	Monday to Saturday 10:00 - 02:00 Sunday 12:00 - 00:00
1307068LPII	Lea Shoes	18 Brewer Street London W1F 0SH	Monday to Friday 07:00 - 21:00 Saturday 09:00 - 21:00 Sunday 11:30 - 18:00
1409064ALPDI	Shaway Lounge	Basement And Part Ground Floor 2, 7 Brewer Street London W1F 0ED	Monday to Saturday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
1409067LPII	Solo Cinema	8 - 9 Walker's Court London W1F 0BY	Monday to Sunday 09:00 - 01:00
1007064LDPDS	Y&A V&A	Ground Floor 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000	

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	Pop's And Toot	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	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 09:00 - 23:00 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
10046829 LPN	Forecast & Grey	3 Brewer Street London W1F 8QR	Friday 08:00 - 00:00 Monday to Thursday 08:00 - 23:00 Saturday 09:00 - 00:00 Sunday 09:00 - 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
14081894 LPDPS	Open	104-108 Banker Street London W1F 8QS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:00
13071844 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
14018924 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
10017214 LPV/A	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





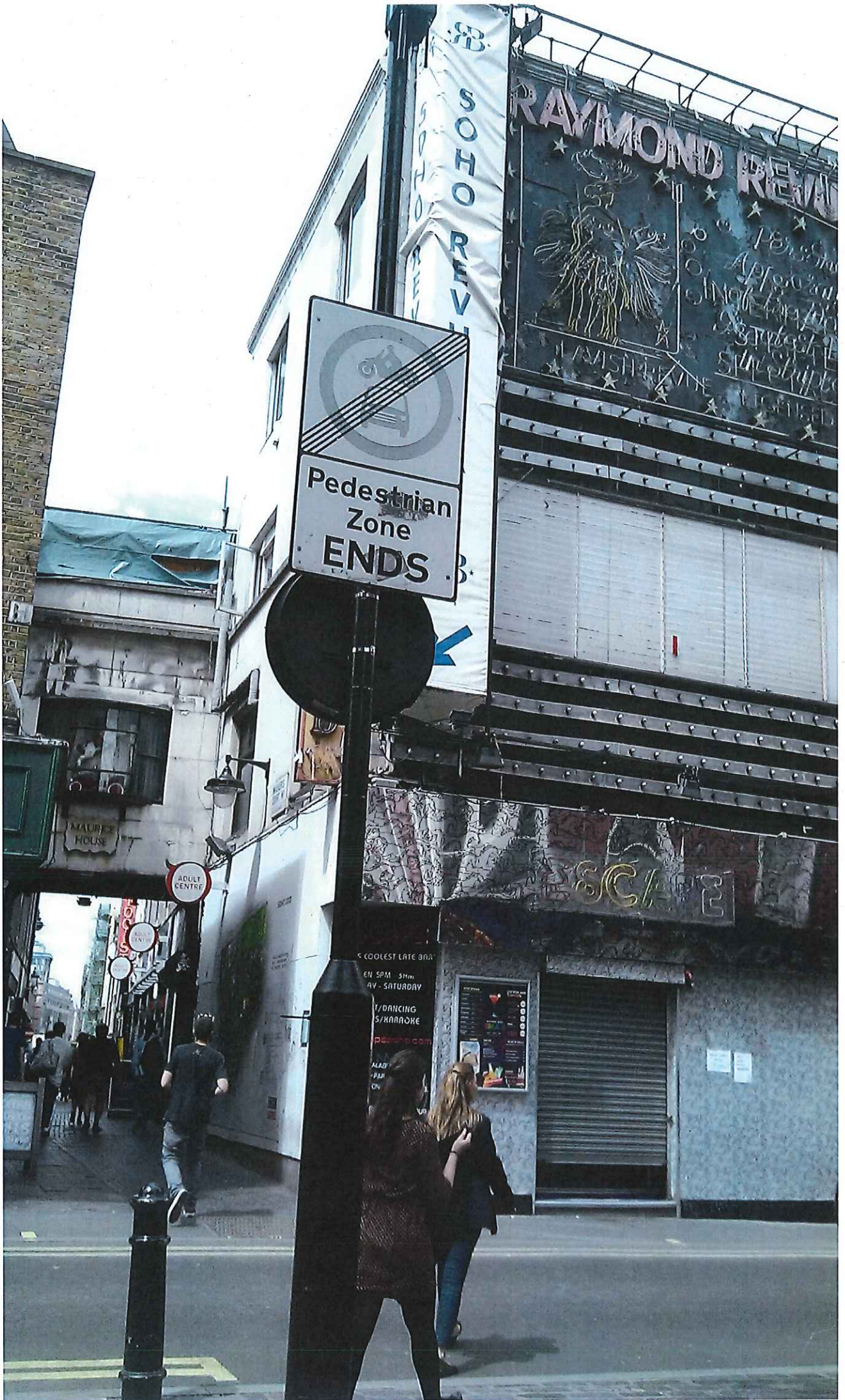
WALKER'S COURT W1
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HOUSE

