



# City of Westminster Licensing Sub-Committee

<b>Meeting:</b>	<i>Licensing Sub-Committee</i>
<b>Date:</b>	<i>7 July 2021</i>
<b>Classification:</b>	<i>General Release</i>
<b>Premises:</b>	<i>The Box, 11-12 Walker's Court, London, W1F 0ED</i> <i>21/00868/LISEVN</i>
<b>Wards Affected:</b>	<i>West End, Core CAZ North</i>
<b>Financial Summary:</b>	<i>None</i>
<b>Report of:</b>	<i>Operational Director for Public Protection &amp; Licensing</i>

## **1. Executive Summary**

- 1.1 The Council has received an application for a new of the sexual entertainment venue licence under the Local Government (Miscellaneous Provisions) Act 1982 ("The Act") for The Box, 11-12 Walker's Court, London, W1F 0ED ("The Premises"). The Premises was previously licensed to operate as a sexual entertainment venue under the Act. The report sets out the application details, objections, policy and legal context along with other considerations that the Licensing Sub-Committee requires in order to determine this application.

## **2. Recommendations**

- 2.1 That following consideration of this report, any information given orally at the hearing and/or in writing by the applicants and objectors the Licensing Sub-Committee may determine 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. Relevant history**

- 3.1 The Premises has operated as a sex establishment since 2012. Following the grant of the sex establishment licence for The Premises in 2012, annual renewal applications on

behalf of the applicant, Too 2 Much Limited have been submitted and granted by the Licensing Sub-Committee in 2014 and granted under delegated authority in the subsequent years. The last renewal application for this licence was submitted on 27 September 2019 and was granted by the Licensing Sub-Committee on the 28 November 2019.. The applicant submitted a variation application on 1 September 2020. This was to vary the layout of the Premises following construction and was granted under delegated authority on the 16 November 2020. This licence (reference 20/07617/LISEVV) expired on 2 December 2020 and was not subsequently renewed. A copy of this licence is attached as **Appendix A1**.

- 3.2 On 5 February 2021, Too 2 Much Limited submitted an application for a new sexual entertainment venue licence in respect of the Premises 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..
- 3.3 The Premises has previously been licensed as an sexual entertainment venue however the applicant failed to renew the licence prior to the expiry date and therefore has applied under the same terms as the licence numbered 20/07617/LISEVV and is attached at **Appendix A1**.
- 3.4 A copy of the full sexual entertainment venue licence history for this premises since 2012 is attached as **Appendix B1**.

#### **4. Application being considered**

- 4.1 On 5 February 2021, the applicant submitted an application for a new sexual entertainment venue licence to operate the Premises as a sexual entertainment venue under the same terms as the previously granted Sexual Entertainment Venue Licence numbered 20/07617/LISEVV and a copy of the application is attached at **Appendix C1**.

#### **5. Objections**

- 5.1 On 16 February 2021, an objection was received to the new sexual entertainment venue application from the Licensing Authority (attached as **Appendix D1**) and was received within the statutory 28 day consultation period.

The Licensing Authority considered the application and deemed it appropriate to raise an objection in relation to this application in order that the application can be determined by the Licensing Sub Committee in accordance with the Sexual Entertainment Venues – Schedule of Delegation as set out at appendix 1 of Westminster’s SEV Statement of Licensing Policy 2012

The Licensing Sub Committee will need to determine whether the layout, character and condition of premises are appropriate for the grant of a sexual entertainment venue licence in accordance with Policy LO3. In this regard, when determining this application, the Licensing Sub Committee will need to take into consideration several factors, namely the locality of the venue and its surrounding premises such as schools and places of worship.

5.2 No further objections were received during the statutory consultation period.

## **6. Licensing Act 2003 Premises Licence**

6.1 The Premises currently benefits from a premises licence (reference 20/07614/LIPVM) issued under the provisions of the Licensing Act 2003. A copy of the current premises licence is provided at **Appendix E1** of this report.

## **7. Policy Considerations**

### 7.1 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 objections to the application.

### 7.2 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.

### 7.3 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.

### 7.4 Character of the relevant locality – LO1

Walker's Court is a small and narrow pedestrianised street off Brewer Street. Within a 100 metre radius of the premises, there is a resident count of 490.

### 7.5 Use of premises in the vicinity – LO2

The main use of the premises in the immediate vicinity are commercial. There is one school and one place of worship within a 100 metre radius of the premises (see map as attached at **Appendix F1**). There are no other SEV premises, schools, or places of worship in a 100 metre radius of the premises.

### 7.6 Layout, character or condition of the venue – LO3

The premises is a nightclub spread over the ground and first floors. Both the ground and first floors are included within the licensable area for Relevant Entertainment purposes.

## **8. Legal Implications**

8.1 The Licensing Sub-Committee 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.

- 8.2 Before refusing to renew an application, the Licensing Authority shall give the licence holder an opportunity to appear before and of being heard by the Licensing Sub-Committee (Para 10(19) Schedule 3 LG(MP)A1982).
- 8.3 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).
- 8.4 The Licensing Sub-Committee may refuse to grant or renew a licence for the following reasons set out in (Para 12(3) Schedule 3 LG(MP)A1982):
- (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, or of sex establishments of a particular kind, in the relevant locality at the time the application is 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 appropriate, 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.

An applicant whose application for the grant or renewal of a licence is refused on either ground specified in paragraph (c) or (d) above shall not have the right to appeal to the magistrates' court.

- 8.5 If the Licensing Sub-Committee determine to grant a Sexual Entertainment Venue 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 varied (Para 13(4) Schedule 3 LG(MP)A1982).
- 8.6 Should the Licensing Sub-Committee determine to refuse the application for the grant, of a licence under Paragraph 12(3)(a) or (b) Schedule 3 LG(MP)A 1982, 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 LG(MP)A1982).

## **9. Human Rights and Equality Issues**

- 9.1.1 In making a decision consideration will need to be given to the applicant's rights under 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.
- 9.1.2 The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary section 149

provides that a Public Authority must, in the exercise of its functions, have due regard to the need to-

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

9.3.1 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

An Equalities Impact Assessment has been conducted and the Council believes that the granting of this application for the sexual entertainment venue licence renewal for The Box will not have an adverse impact or unlawfully discriminates against any protected characteristics.

## Appendices

- A1 – Copy of sex establishment licence 20/07617/LISEVV
- B1 – Sex establishment licence history
- C1 – Application form
- D1 – Licensing Authority Representation
- E1 – Copy of current premises licence 20/07614/LIPVM
- F1 – Map of locality

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Michelle Steward on 020 7641 6500 or at [msteward1@westminster.gov.uk](mailto:msteward1@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  
Home Office Guidance March 2010

**SEX ESTABLISHMENT LICENCE**  
**Sexual Entertainment Venue**

Premises licence number:

20/07617/LISEVV

Original Reference:

15/08960/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 16<sup>th</sup> November 2020 and will expire on the 2<sup>nd</sup> December 2020.

Relevant Entertainment may be provided during the following times:

Monday to Saturday	09:00 to 04:00
Sunday	09:00 to 00:30

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.

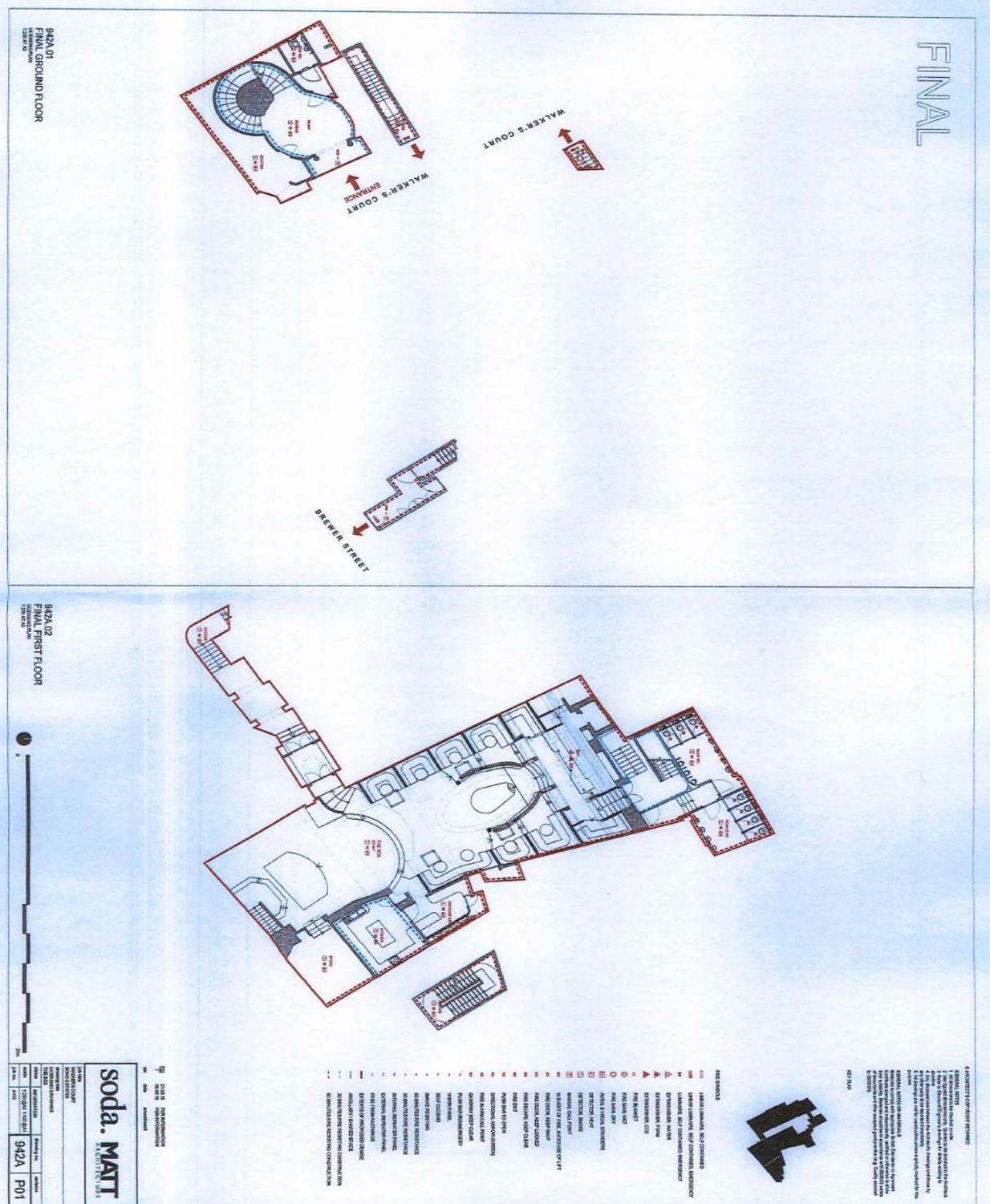
**DATE: 22 JUNE 2021**

**SIGNED:**

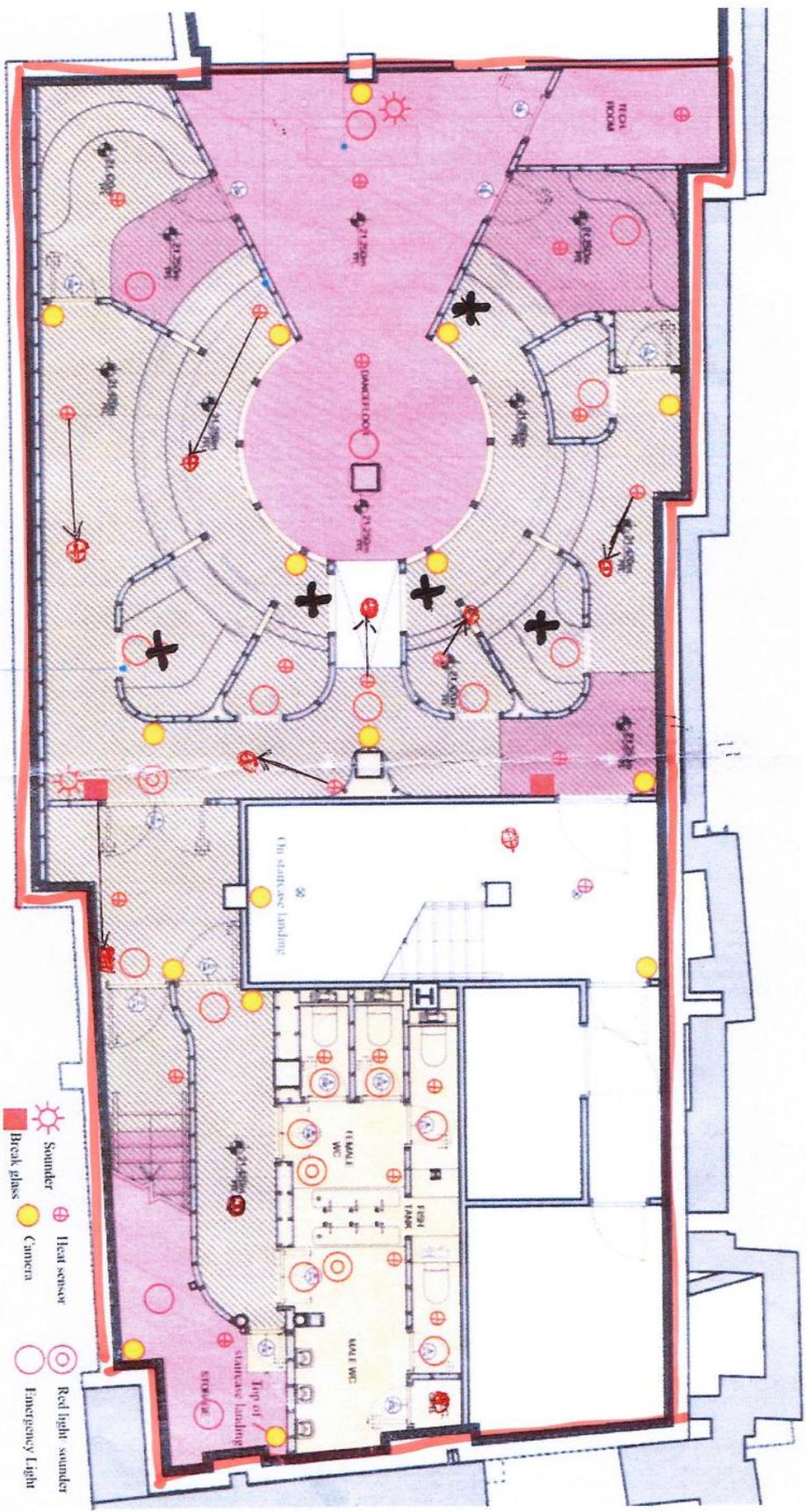


**On behalf of the Operational Director -  
Premises Management**

# Appendix 1 – Plans



Basement Plan



Area of licensable activity

- New location
- ⊕ Removed
- ☀ Sounder
- ⊕ Heat sensor
- ◻ Break glass
- Camera
- Red light sounder
- ⊕ Emergency Light

## 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. 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 basement area. 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 basement area (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.
26. The number of persons permitted in the premises (excluding staff) shall not exceed 288 at any one time.
27. Notwithstanding standard condition 17, necessary contact in order to perform skilled dance or acrobatic routines is permitted.
28. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
31. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
32. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
33. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

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

Sex Establishment Licence HistoryAppendix B1

<b>Sex Establishment Licence history – The Box</b>			
<b>Application reference</b>	<b>Application details</b>	<b>Decision</b>	<b>Date of licence expiration</b>
15/08960/LISEVN	Application for a New Sexual Entertainment Venue Licence. This particular application was for a temporary interim solution to ensure that The Box would be able to keep trading whilst works were completed over an estimated two and a half year to three year period.	Granted by Licensing Sub-Committee	2 December 2016
16/10111/LISEVR	Application to renew the Sexual Entertainment Venue Licence.	Granted under Delegated Authority	2 December 2017
17/00260/LISEVV	Application to vary the Sexual Entertainment Venue licence that sought to changes to the layout of the premises.	Granted under Delegated Authority	2 December 2017
17/10857/LISEVR	Application to renew the Sexual Entertainment Venue Licence.	Granted under Delegated Authority	2 December 2018
18/10921/LISEVR	Application to renew the Sexual Entertainment Venue Licence	Granted by Licensing Sub-Committee	8 November 2018
18/13609/LISEVV	Application to vary the Sexual Entertainment Venue licence that sought to remove conditions	Granted under Delegated Authority	27 December 2018
19/12517/LISEVR	Application to renew the Sexual Entertainment Venue Licence.	Granted by Licensing Sub-Committee	28 November 2019
20/07617/LISEVV	Application to vary the layout of the premises	Granted under Delegated Authority	16 November 2020 <b>Licence Expired 2 December 2020</b>

Westminster City Council	
<b>Application for a sexual entertainment venue licence</b> Local Government (Miscellaneous Provisions) Act 1982	
Application is hereby made and the necessary fee will be sent for a:	
New Licence	<input checked="" type="checkbox"/>
Transfer of Licence	<input type="checkbox"/>
Renewal of Licence	<input type="checkbox"/> Licence number <input type="text"/>
Variation of Licence	<input type="checkbox"/>

Part 1 - Application Details	
Name of premises	<input type="text" value="The Box"/>
Search for address	
Address of premises	<input type="text" value="11 - 12 Walker's Court&lt;br/&gt;London"/>
Postcode	<input type="text" value="W1F 0BZ"/>
The application is being made -	<input type="text" value="on behalf of an unincorporated or body corporate"/>
<b>If application is made on behalf of an individual:</b>	
Title	<input type="text"/>
Name	<input type="text"/>
Sumame	<input type="text"/>
Date of birth	<input type="text"/>
Occupation (during preceding six months)	<input type="text"/>
Telephone number	<input type="text"/>
<b>If application is made on behalf of a corporate or incorporated body:</b>	
Name of applicant body:	<input type="text" value="Too 2 Much Ltd"/>
Is this an unincorporated or body corporate?	<input type="checkbox"/> Unincorporated <input checked="" type="checkbox"/> Body corporate
Registered / principal office address:	<input type="text" value="18 Great Jubilee Wharf&lt;br/&gt;78 Wapping Wall&lt;br/&gt;London"/>
Postcode	<input type="text" value="E1W 3TH"/>
Company number	<input type="text" value="07159258"/>
Full names of directors and other persons responsible for the management of the body, including the names of managers, company secretary and similar officers and the manager of the establishment	
<input type="text"/>	

Please continue by answering the questions you are asked below -

## Part 2 - Licence Details

What hours and what days are you applying for?

Mon to Sat 09.00 to 04.00  
Sun 09.00 to 00.30

What *relevant* entertainment will be performed?

striptease/cabaret/burlesque

For variation applications - what does the variation consist of?

Is only part of the building to be licensed?

No

Yes  Please provide details

Will any part of the premises be used for the exhibition of moving pictures?

No

Yes  Please provide details

Does the applicant presently use the premises as a sex establishment?

No

Yes  If yes, when did the use commence?

If not, what is the present use?

Nightclub but was previously licensed with SEV 20/07617/LISEVV and continuously since 2012

### Supporting Material Checklist - tick to confirm

- I understand that I am required to send this application with a plan showing the area to be licensed and the statutory declarations for the applicants, the directors of the company applying for the licence and any other person who will be responsible for the management of the licensed premises.

upload attachments

I confirm that no changes have taken place since the last renewal

All supporting material should be sent / provided to the address shown on the declaration.

## Declaration Page

### Important

It is an offence, liable on conviction to a fine up to 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

### Fee

The non-returned fee for this application is  and must be submitted with this application.

An additional fee of  will be payable before any approval is issued

### Declaration

I hereby declare that the information given on this form is correct to the best of my knowledge and belief.

I understand we are required to send / provide the sum of , being the fee for this application.

*Confirmation*      *Date*       *Name*   
*Capacity*

Contact details for correspondence, leave blank if due to be provided premises address

<i>Title</i>	<input type="text" value="Mr"/>	<i>Telephone number</i>	<input type="text"/>
<i>Name</i>	<input type="text" value="Craig"/>	<i>Email address</i>	<input type="text" value="craig.baylis@bcplaw.com"/>
<i>Surname</i>	<input type="text" value="Baylis"/>		
<i>Postal address</i>	<input type="text" value="Bclp&lt;br/&gt;Governor's House&lt;br/&gt;5 Laurence Pountney Hill&lt;br/&gt;London"/>		
	<i>Postcode</i> <input type="text" value="EC4R 0BR"/>		

### Supporting Material Return Address

Please send all supporting material to the address below. Specific documents will be returned to the correspondence address after a decision has been made regarding the application.

**Received on the 16 February 2021**

The Licensing Authority have considered the application for a new Sexual Entertainment Venue Licence submitted on behalf of Too 2 Much Limited for The Box, 11 - 12 Walker's Court, London, W1F 0BZ.

In considering this application the Licensing Authority has reviewed its Statement of Licensing Policy 2012 which sets out its policy approach when regulating sexual entertainment venues as defined under the Local Government (Miscellaneous Provisions) Act 1982, as amended under the Policing and Crime Act 2009.

The aim of the Council's Statement of Licensing Policy 2012 is to promote the 4 licensing objectives identified in the Licensing Act 2003, and also to promote the improvement in the character and function of the city, or areas of it.

The aims and objectives of this policy are to promote:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm
- Improvement in the character and function of the city, or areas of it.

The applicant has applied for Relevant Entertainment to be provided from 09:00 to 04:00 on Monday to Saturday and from 09:00 to 22:30 on Sunday. The Relevant Entertainment is described as "striptease/cabaret/burlesque"

This premises has been licensed as a sexual entertainment venue to provide relevant entertainment since 2012. Since this time, the Licensing Authority has received annual renewal applications for the sexual entertainment venue licence, all of which have been granted by the Licensing Authority. However the previous licence 20/07617/LISEVV expired on the 27 November 2020.

The Licensing Authority understand that the applicant has now submitted a new application on the same terms as the previously expired licence

The Licensing Authority has considered it appropriate to raise an objection in relation to this application in order that the application can be determined by the Licensing Sub Committee in

accordance with the Sexual Entertainment Venues – Schedule of Delegation as set out at appendix 1 of Westminster’s SEV Statement of Licensing Policy 2012

The Licensing Sub Committee will need to determine whether the layout, character and condition of premises are appropriate for the grant of a sexual entertainment venue licence in accordance with Policy LO3. In this regard, when determining this application, the Committee will need to take into consideration several factors, namely the locality of the venue and its surrounding premises such as schools and places of worships.

Walker’s Court is a small and narrow pedestrianised street off of Brewer Street in Soho. The main use of the premises in the area is commercial. Within a 250m radius of the premises, there is an estimated residential count of 1,519 persons. There are also 2 faith groups and 1 school within 250m of the premises.

Please accept this as a formal objection.

# Copy of current premises licence

# Appendix E1



Schedule 12  
Part A

WARD: West End  
UPRN: 100023470325

## City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

20/07614/LIPVM

Original Reference:

05/06475/LIPCV

### Part 1 – Premises details

#### Postal address of premises:

The Box  
11 - 12 Walker's Court  
London  
W1F 0BZ

Telephone Number: Not Supplied

#### Where the licence is time limited, the dates:

Not applicable

#### Licensable activities authorised by the licence:

Performance of Dance  
Exhibition of a Film  
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  
Performance of a Play  
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 04:00  
Sunday: 09:00 to 00:00

Seasonal Details: 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

##### Exhibition of a Film

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

Seasonal Details: 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

**Performance of Live Music**

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

Seasonal Details: 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

**Playing of Recorded Music** Unlimited

**Anything of a similar description to Live Music or Recorded Music**

Monday to Saturday: 09:00 to 04:00

Seasonal Details: 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

**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

Seasonal Details: 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

**Performance of a Play**

Monday to Saturday: 09:00 to 04:00  
Sunday: 14:00 to 00:00

Seasonal Details: 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.

**Late Night Refreshment**

Monday to Saturday: 23:00 to 04:00  
Sunday: 23:00 to 00:30

Seasonal Details: 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

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00  
Sunday: 12:00 to 00:00

Seasonal Details: 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

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 3*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 04:00  
Sunday: 09:00 to 00:30

**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:**

Too 2 Much Limited  
25A Western Avenue  
Milton Park  
Milton  
Abingdon  
OX14 4SH  
Electronic Mail : cara@theboxsoho.com

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

07159258

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

**Name:** Aasim Chaudhri

*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:** 13/00934/LIPERS  
**Licensing Authority:** London Borough Of Croydon

**Date:** 20 January 2021

**This licence has been authorised by Mary Pring 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. 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

**Annex 2 – Conditions consistent with the operating Schedule**

None

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

11. 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).
12. 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.
13. 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.
14. Substantial food and suitable beverages other than alcohol (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where alcohol is sold or supplied.
15. The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
16. The sale or supply of alcohol must end at midnight on any day on which music and dancing is not provided after midnight.
17. On any day that music and dancing end between midnight and 03.00, the sale or supply of alcohol shall end when the music and dancing end.
18. In relation to the morning on which summertime begins, the terminal hour for the sale or supply of alcohol on weekdays (Monday to Saturday) shall extend until 04.00
19. The sale or supply of alcohol on New Year's Eve will extend to the time when the sale or supply of alcohol can commence on New Year's Day.
20. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
21. 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.
22. 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.
23. 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, alcohol 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.

- 24. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed;
  - a) First Floor 230 persons
  - b) Basement 70 persons
  - c) With no more than 288 persons at any one time.
- 25. Door staff shall remind patrons to minimise disturbance when they leave.
- 26. 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.
- 27. 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.
- 28. 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.
- 29. 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.
- 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 waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time.
- 32. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management 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 by key or password to the

satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

33. Any music played in the entrance lobby on the ground floor will be way of background music only.
34. A representative of the premises licence holder shall attend the local Pubwatch meetings.
35. When 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.
36. 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.
37. The premises will participate in the Westminster Licensed premises shared radio scheme approved by Westminster City Council and the Metropolitan Police.
38. 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.
39. There shall be no gambling on the premises.
40. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
41. No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.
42. No licensable activities shall be carried out on the external smoking terrace.

43. No drinks or glass containers shall be permitted on the external smoking terrace.
44. The access door leading onto the external smoking terrace shall be kept closed at all times except for immediate access and egress.
45. Loudspeakers shall not be located outside the premises building including the external smoking terrace.
46. 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.







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

Schedule 12  
Part B

**WARD: West End**  
**UPRN: 100023470325**

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

20/07614/LIPVM

**Part 1 – Premises details**

**Postal address of premises:**

The Box  
11 - 12 Walker's Court  
London  
W1F 0BZ

**Telephone Number:** Not Supplied

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
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  
Performance of a Play  
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 04:00  
Sunday: 09:00 to 00:00

Seasonal Details: 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

**Exhibition of a Film**

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

Seasonal Details: 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

**Performance of Live Music**

Monday to Saturday: 09:00 to 04:00

Sunday: 09:00 to 00:00

Seasonal Details: 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

**Playing of Recorded Music**

Unlimited

**Anything of a similar description to Live Music or Recorded Music**

Monday to Saturday: 09:00 to 04:00

Seasonal Details: 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

**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

Seasonal Details: 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

**Performance of a Play**

Monday to Saturday: 09:00 to 04:00

Sunday: 14:00 to 00:00

Seasonal Details: 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.

**Late Night Refreshment**

Monday to Saturday: 23:00 to 04:00

Sunday: 23:00 to 00:30

Seasonal Details: 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

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00

Sunday: 12:00 to 00:00

Seasonal Details: 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

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 3*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 04:00

Sunday: 09:00 to 00:30

**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:**

Too 2 Much Limited  
25A Western Avenue  
Milton Park  
Milton  
Abingdon  
OX14 4SH

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

07159258

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

Name: Aasim Chaudhri

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

Restricted

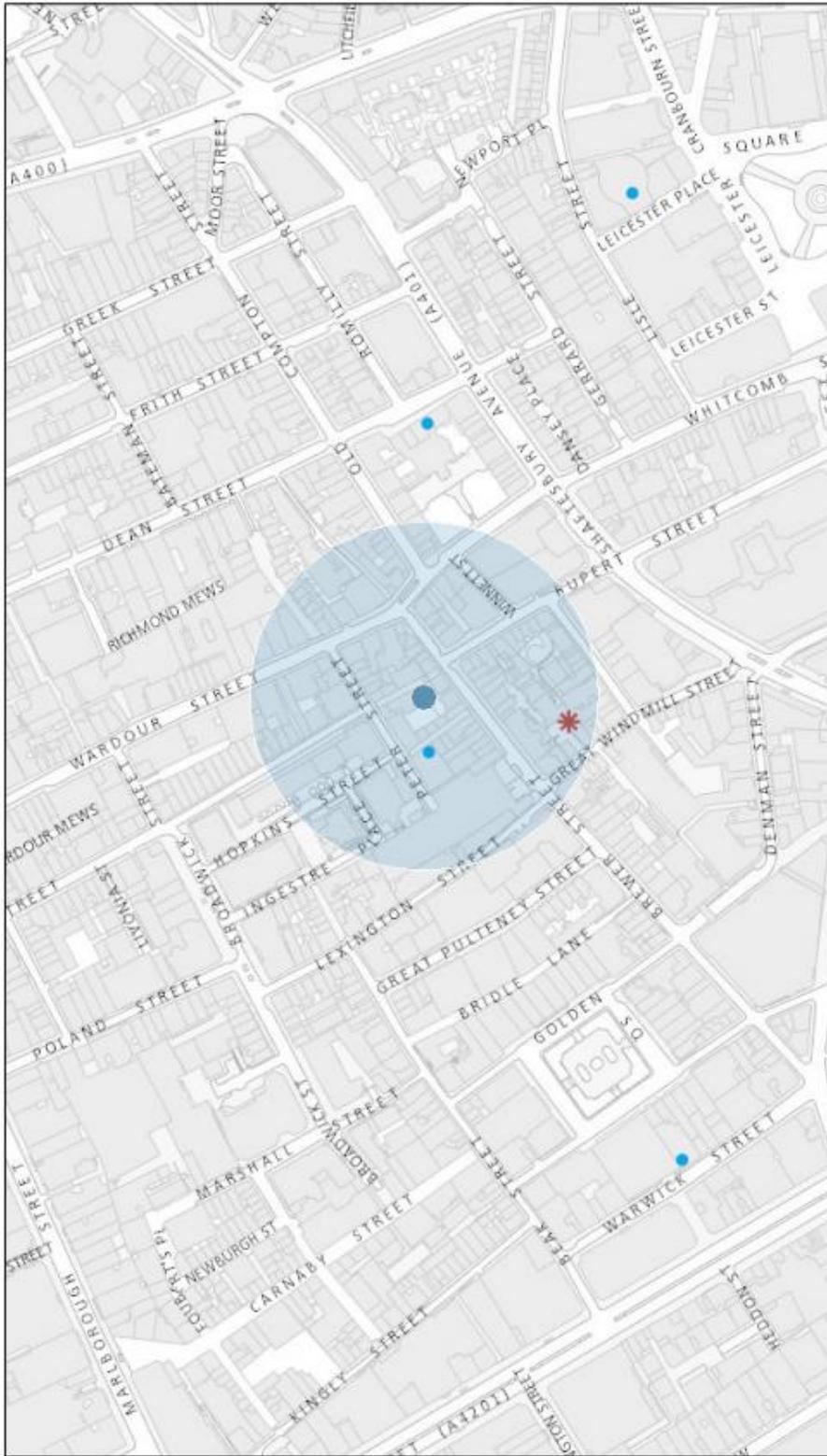
**Date:** 20 January 2021

**This licence has been authorised by Mary Pring on behalf of the Director - Public Protection and Licensing.**

# Map of locality

# Appendix F1

The Box



October 26, 2018

- Schools**
- Others
  - Academy
  - Primary
  - Free School
  - Special
  - Independent
  - Nursery
  - Secondary
  - Faith Groups

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