



# City of Westminster Licensing Sub-Committee

<b>Meeting:</b>	<i>Licensing Sub-Committee</i>
<b>Date:</b>	<i>23 March 2023</i>
<b>Classification:</b>	<i>General Release</i>
<b>Premises:</b>	<i>La Capannina, Basement, 21 Bateman Street, London, W1D 3AL</i>  <i>23/00288/LISEVR</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 Premises Management</i>

## **1. Executive Summary**

- 1.1 The Council has received an application for the Renewal of the Sex Establishment Licence (Sexual Entertainment Venue) under the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009) for the Premises known as La Capannina, Basement, 21 Bateman Street, London, W1D 3AL. The report sets out the application details, representations, policy and legal context along with other considerations that the Licensing Sub-Committee requires to determine this application.

## **2. Powers of the Licensing Sub-Committee**

- 2.1 That following consideration of the application and evidence given orally at the hearing and in writing by the applicant and objectors the Licensing Sub-Committee's powers are 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 with the licence held by Goldhonour Limited. Following the grant of the sex establishment licence in 2012, annual renewal applications on behalf of Goldhonour Limited have been submitted and granted under delegated authority since 2014. The last renewal application was submitted on 13 January 2022 and was granted under delegated authority. This licence (reference 22/00285/LISEVR) expired on 20 January 2023. A copy of licence 22/00285/LISEVR is attached as **Appendix A**.
- 3.2 A copy of the full sex establishment licence history for this Premises since 2012 is attached at **Appendix B**.

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

- 4.1 On 17 January 2023 Goldhonour Limited submitted an application to renew the sexual entertainment venue premises licence to provide full and partial nudity striptease, pole dancing and table dancing on Monday to Saturday from 10:00 to 03:00, and on Sunday from 10:00 to 00:00.
- 4.2 The applicant has not requested to change the relevant entertainment or to remove any standard conditions to the licence if this application is granted. A copy of the application form is attached at **Appendix C**.
- 4.3 As a valid application has been received prior to the expiry of the SEV Premises Licence, the licence is deemed to continue until it is determined by the Council.

### **5. Objections**

- 5.1 The application has received one objection from an interested party, set out at **Appendix D**.

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

- 6.1 The Premises also have the benefit of a Premises Licence. The Current Premises Licence reference is 19/09656/LIPDPS and a copy of the Premises Licence appears at **Appendix E**.

### **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

Bateman Street is located in Soho and is surrounded by a range of premises with a mix of entertainment and social venues and business spaces, together with a small number of residential use. Within a 100 metre radius of the premises, there is a resident count of 155.

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

The main use of the Premises in the immediate vicinity are commercial. There is one sex shop and one other SEV premises, within a 100 metre radius of the Premises. There is one place of worship and no schools located within a 100 metre radius of the Premises. A map of the relevant locality is attached to this report at **Appendix F**.

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

The Premises is spread over the basement and ground floor. Only the basement floor is 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 inappropriate, having regard:
  - (i) to the character of the relevant locality; or
  - (ii) to the use to which any premises in the vicinity are put; or
  - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

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 renewal 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 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.
- 9.2 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 Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 9.4 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 Sophisticats will not have an adverse impact or unlawfully discriminates against any protected characteristics.

## **Appendices**

- A - Copy of existing sex establishment licence 22/00285/LISEVR
- B - Sex establishment licence history
- C - Application form
- D - Objections
- E - Copy of premises licence 19/09656/LIPDPS
- F – Map of locality

**If you have any queries about this Report or wish to inspect any of the background papers please contact: Jessica Donovan on 020 7641 6500 or at [Jdonovan@westminster.gov.uk](mailto:Jdonovan@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:** 22/00285/LISEVR

**Original Reference:** 12/02623/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: Goldhonour Limited  
to use the premises: La Capannina  
Basement  
21 Bateman Street London  
W1D 3AL

as a Sexual Entertainment Venue.

This licence commences from the **21 January 2022** and will expire on the **20 January 2023**.

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

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

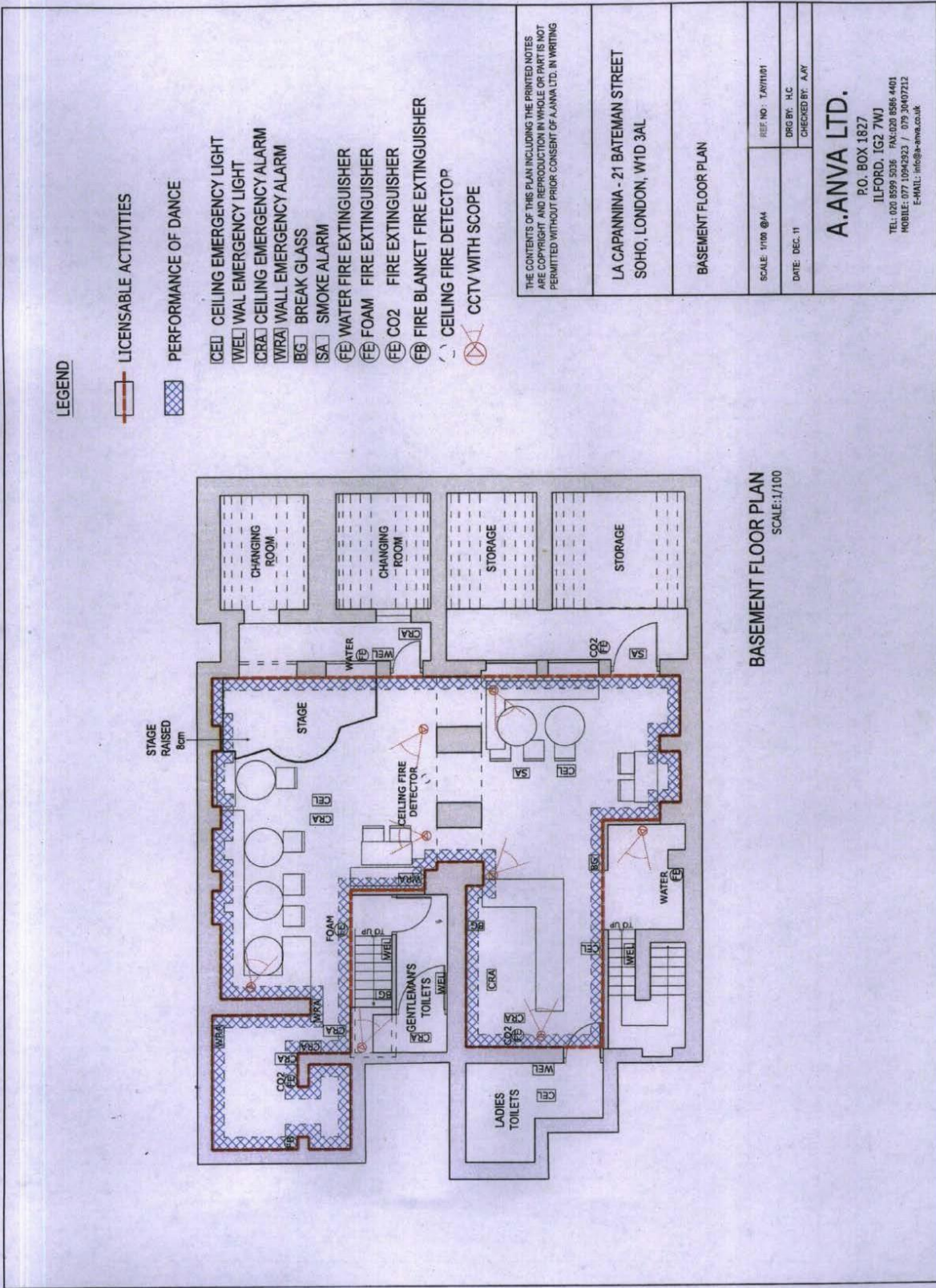
Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

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

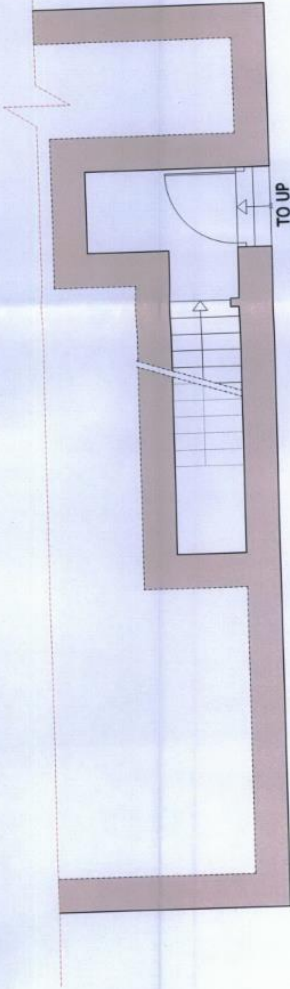
**DATE:** 21 April 2022

**SIGNED:** 

**On behalf of the Operational Director -  
Public Protection and Licensing.**



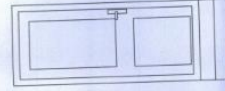
BATEMAN STREET



TO UP  
ENTRANCE TO  
LA CAPANNINA

GROUND FLOOR PLAN  
SCALE: 1/50

RENDERED WALL  
PAINTED BLACK



FRONT ELEVATION  
SCALE: 1/50

THE CONTENTS OF THIS DRAWING, INCLUDING THE PRINTED MATTER, ARE THE PROPERTY OF A.A.N.V.A. LTD. AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF A.A.N.V.A. LTD.

LA CAPANNINA - 21 BATEMAN STREET  
SOHO, LONDON, W1D 3AL

GROUND FLOOR PLAN  
FRONT ELEVATION

SCALE: 1/50 (GND)  
DATE: DEC 11  
REF NO: 1/01/11/16  
DRAWN: A.C.  
CHECKED: A.J.F.

**A.A.N.V.A. LTD.**

P.O. BOX 1827  
ILFORD, IG2 7WJ  
TEL: 020 859 6506 FAX: 020 859 4451  
EMAIL: [info@aanva.co.uk](mailto:info@aanva.co.uk)  
[www.aanva.co.uk](http://www.aanva.co.uk)

## 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. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 50 persons.
25. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
26. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
24. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
25. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
27. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

28. 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 fireworks.
  - (ii) Firearms.
  - (iii) Lasers.
  - (iv) Explosives and highly flammable substances.
  - (v) Real flame.
  - (vi) Strobe lighting.
29. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
30. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.

**Sex Establishment Licence History****Appendix B**

<b><u>Application reference</u></b>	<b><u>Details of application</u></b>	<b><u>Date of determination</u></b>	<b><u>Decision</u></b>
12/02623/LISEVN	Application for a new Sexual Entertainment Venue licence	17.07.2012	Granted by Licensing Sub-Committee
14/00209/LISEVR	Application to renew the Sexual Entertainment Venue licence	10.03.2014	Granted under Delegated Authority
15/00589/LISEVR	Application to renew the Sexual Entertainment Venue licence	02.06.2015	Granted under Delegated Authority
16/00394/LISEVR	Application to renew the Sexual Entertainment Venue licence	04.03.2016	Granted under Delegated Authority
17/00685/LISEVR	Application to renew the Sexual Entertainment Venue licence	08.03.2017	Granted under Delegated Authority
18/00707/LISEVR	Application to renew the Sexual Entertainment Venue licence	07.03.2018	Granted under Delegated Authority
19/00855/LISEVR	Application to renew the Sexual Entertainment Venue licence	21.03.2019	Granted under Delegated Authority
20/00813/LISEVR	Application to renew the Sexual Entertainment Venue licence	24.02.2020	Granted under Delegated Authority
21/00324/LISEVR	Application to renew the Sexual Entertainment Venue licence	17.02.2021	Granted under Delegated Authority
22/00285/LISEVR	Application to renew the Sexual Entertainment Venue licence	10.02.2022	Granted under Delegated Authority

**Westminster City Council**

**Application for a sexual entertainment venue licence**  
Local Government (Miscellaneous Provisions) Act 1982

**Application is hereby made and the necessary fee will be sent for a:**

New Licence	<input type="checkbox"/>	
Transfer of Licence	<input type="checkbox"/>	Licence search
Renewal of Licence	<input checked="" type="checkbox"/>	Licence number <input type="text" value="22/00285/LISEVR"/>
Variation of Licence	<input type="checkbox"/>	

**Part 1 - Application Details**

Name of premises

Address of premises

Postcode

The application is being made -

**If application is made on behalf of an individual:**

Title	<input type="text"/>	<input type="text"/>
Name	<input type="text"/>	Occupation (during preceding six months)
Surname	<input type="text"/>	<input type="text"/>
Date of birth	<input type="text"/>	Telephone number

**If application is made on behalf of a corporate or incorporated body:**

Name of applicant body:

Is this an unincorporated or body corporate?  Unincorporated  Body corporate

Registered / principal office address:

Postcode

Company number

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

Please continue by answering the questions you are asked below -

## Part 2 - Licence Details

What hours and what days are you applying for?

What *relevant* entertainment will be performed?

**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?

### 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.

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-returnable fee for this application is £1096.00 and must be submitted with this application.

An additional fee of £2379.00 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 £1096.00, being the fee for this application.

Confirmation      Date       Name   
Capacity

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

Title   
Name   
Surname   
Postal address   
Postcode   
Telephone number   
Email address

### 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.

- [REDACTED]

**Received: 10 Feb 2023**

23/00288/LISEVR

OBJECTION to renewal premises licence application for La Capannina

Dear Sir/Madam,

I write as a local resident to object to the renewal of this SEV licence.

I understand that the SEV licence has a condition that:

'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.'

I believe that this condition is breached on a regular and ongoing basis.

Specifically, there is a woman who touts for business for the club, at the top of her voice, on the street [REDACTED] until the early hours almost every night. I believe that she is employed by the club but even if not she is still clearly doing it for pecuniary gain. Whether she is employed or not, the condition should still prevent this happening. It is very disturbing in many ways. It wakes us up or keeps us awake and serves to encourage people, who are frequently drunk, to hang around in a threatening way. We have had a number of arrests in recent weeks in the immediate vicinity including a mass brawl around 3am on 1st February that left someone fighting for their life.

I am concerned about increasing public nuisance in the immediate area and indeed public safety and crime and disorder. La Capannina opens late. Zebrano opens late, Simmons has applied for a 3am licence. With other late night venues further afield, the touting attracts people to the vicinity (as it is obviously intended to do) and the attendant additional footfall can easily lead to flashpoints at worst, noise nuisance at best.

I understand that the Council applies standard conditions to all SEV licences.

The Council's SEV Policy states that:

3.1.7 Through standard conditions the council seeks to ensure that sexual entertainment venues are well managed and supervised, restrict the sexual entertainment activities and the manner in which they are permitted to be provided, protect performers, and control the impact of the venue and its customers in relation to its locality.

3.1.8 Specifically, standard conditions could include measures which would: (a) [ ] (b) [ ] (c) control advertising and touting of the venue at the premises and in the locality

The issues I have experienced are clearly anticipated in the SEV policy e.g.:



2.4.9 The council is also aware of the potential for crime and anti social behaviour associated with the location of sexual entertainment venues, such as prostitution, touting and "clipping", which it would be particularly inappropriate to introduce in localities of the character identified in paragraph 2.4.6 above (i.e. predominately residential, high profile retail, of historic importance or iconic in nature, or one of family entertainment or leisure).

This issue is specifically related to the operation of the premises as an SEV.

I question the suitability of an applicant who permits this to happen i) in breach of a condition to which every SEV is subject; and ii) when it causes a nuisance to residents. My main objection is that with this issue ongoing and unresolved, to grant the renewal would be inappropriate, having regard:

- i) To the character of the relevant locality; and
- ii) To the use to which any premises in the vicinity are put;

These points align with policies LO1 (character of relevant locality' and LO2 (use of premises in the vicinity) in the Council's SEV policy.

I confirm that I do not waive my right to anonymity.



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

Schedule 12  
Part A

WARD: West End  
UPRN: 010033589966

Premises licence

Regulation 33, 34

Premises licence  
number:

19/09656/LIPDPS

Original Reference:

05/10471/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

La Capannina Club  
Basement  
21 Bateman Street  
London  
W1D 3AL

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

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

**Performance of Live Music**

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

**Playing of Recorded Music**

Unrestricted

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

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

**Late Night Refreshment**

Monday to Saturday: 23:00 to 03:30  
Sunday: 23:00 to 00:30

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

Unrestricted

**Sale by Retail of Alcohol**

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

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30  
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:**

Goldhonour Limited  
21 Bateman Street  
London  
W1D 3AL

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

05305669

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

**Name:** Peter Eyre

***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:** 26047

**Licensing Authority:** London Borough Of Tower Hamlets

**Date:** 22 October 2019

**This licence has been authorised by Emanuela Meloyan 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.

## **Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

### **Conditions relating to regulated entertainment**

9. 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.
10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
11. 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 03:00 on the day following and from 23:00 to 00:00 on Sundays.
12. The main entrance door shall be locked back in the open position during the whole time the premises are open to the public
- 13.\* Notwithstanding the provisions of rule of management no. 4 entertainment by way of traditional strip tease may be provided.
14. All refuse must be paid, properly presented, and can only be placed on the street 30 minutes before the scheduled collection time
15. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public that advertises or promotes the establishment, its premises, or any of its events, facilities, goods and services.
16. The number of persons accommodated at any one time (excluding staff) in the basement shall not exceed 50.

### **Conditions for Sale of Alcohol**

17. Substantial food and suitable non intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.



18. On any evening where the premises are open for music, dance or entertainment and a section 77 special hours certificate is in operation, intoxicating liquor may not be sold or supplied to persons admitted to the premises after 23:00 other than to Persons who have paid a minimum admission fee of at least £5 Sunday to Thursday, and £7 Friday and Saturday for admission (not to be credited against consumables); or Persons who have paid a minimum annual admission fee of at least £150 payable; or members of the club and their bone fide guests, a list of whom will be held at reception for inspection by the appropriate authorities. No person shall be admitted to membership without an interval of at least 24 hours between nomination or application for membership or admission. Any person attending a private function at the premises, details of the type of function, host and list of persons attending having been provided to police at least 24 hours previously; or Artistes or persons employed on the premises; or Bone fide guests of the proprietor (not exceeding 10% of the total capacity for the premises as specified in the Public Entertainment Licence for the premises), a list of whom shall be kept at reception for inspection by appropriate authorities; or Persons taking full table meals a list of whom are held for inspection by the relevant statutory authorities.
19. A closed circuit television system shall be installed, maintained and operated correctly as agreed with by a Metropolitan Police Crime Prevention Officer. The tapes from the system to be retained for a period of 28 days.
20. No payment to be made by or on behalf of the premises for distribution of flyers or tickets within public areas in the Licensing Districts of Westminster
21. \* No Performers under 21 years of age to be allowed admittance.
22. \* All persons employed as performers must provide to the licence holders the following documentation Birth Certificate or passport/ID documentation. The documents to be copied and retained by the licensees. The documents to be made available to the statutory authorities at their request.
- 23.\* The licence holders are to introduce a code of conduct for performers, to be approved by the police, which is to be deposited with licensing Justices'.

**Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments**

24. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) 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) The permitted hours on Sundays shall commence at 12.00 and extend until 00.00 on the morning following.

(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, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

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.

25. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence.

(b) He resides in the premises, but is not employed there.

(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the

service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

26. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):

(a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,

(b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and

(c) to take all other reasonable precautions for the safety of the children.

27. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

\*Conditions indicated shall not apply when a Sexual Entertainment Licence is in effect at the premises.

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

None

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



None

# Annex 4 – Plans

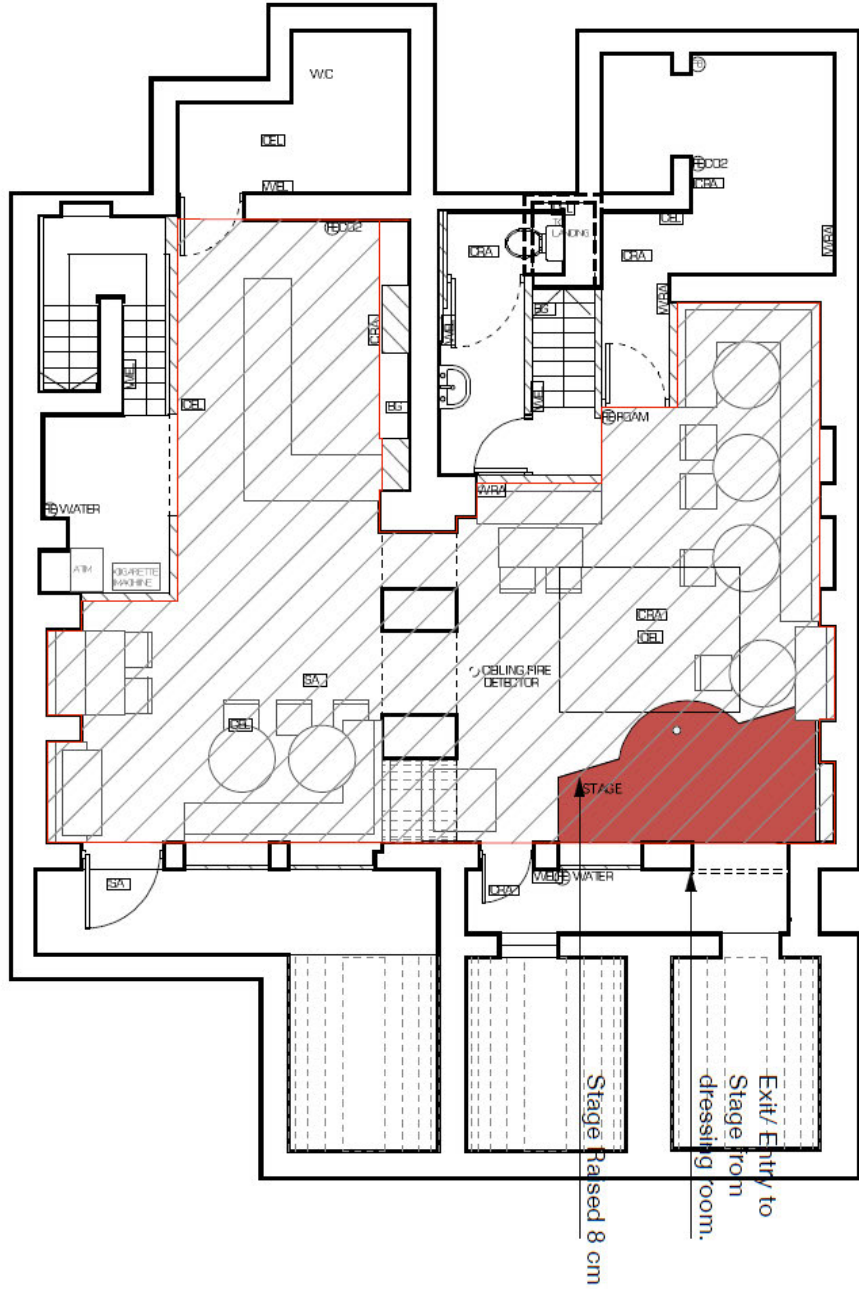
NOTE:  
DO NOT SCALE DRAWINGS  
DO NOT REPRODUCE OR REPRODUCE IN ANY  
MANNER WITHOUT THE WRITTEN PERMISSION OF  
OTB DESIGN LTD. ALL RIGHTS RESERVED.  
DRAWINGS ARE TO BE REFERRED TO AS  
"DRAWINGS" UNLESS OTHERWISE STATED.  
CONTRACTOR TO BE ADVISED PRIOR TO  
COMMENCEMENT OF WORKS.

## KEY

- CEL CEILING EMERGENCY LIGHT
- WEL WALL EMERGENCY LIGHT
- GRA CEILING EMERGENCY ALARM
- WRA WALL EMERGENCY ALARM
- BG BREAK GLASS
- SA SMOKE ALARM
- WATER FIRE EXTINGUISHER
- FB FIRE Blanket FIRE EXTINGUISHER
- FOO2 FIRE EXTINGUISHER
- FOAM FIRE EXTINGUISHER
- CEILING FIRE DETECTOR

- 
 Authorized Licensable Activities - Regulated Ent./ Sale of Alcohol by Retail / Late Night Refreshment
- 
 Performance of Dance

# La Capannina Location of New Stage area & Licensable Activities Areas



MAIN LEVEL

<b>OTB DESIGN</b> A Creative Design & Production Company 11, 02086 W1D 3AL COMPANY No: 723845 STAFF: 18	Project: <b>LA CAPANNINA,          21 BATEMAN ST          SOHO, LONDON, W1D 3AL</b>	Client: <b>LA CAPANNINA</b>	Details: <b>La Capannina Location of          New Stage area &amp; Licensable          Activities Areas</b>	Project No: <b>CO09021</b>	Scale: <b>1:75 @ A4, 1:100 @ A3</b>	Drawn By: <b>TC</b>
	Drawing No: <b>D-003</b>	Date: <b>MAR 2010</b>	Checked By: <b>JA</b>			

Copyrights are included in drawings only.  
 All rights reserved.  
 No reproduction or distribution of any part of this drawing is permitted without the written consent of OTB Design Ltd.



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

Schedule 12  
Part B

WARD: West End  
UPRN: 010033589966

Premises licence  
summary

Regulation 33, 34

Premises licence  
number:

19/09656/LIPDPS

Part 1 – Premises details

**Postal address of premises:**

La Capannina Club  
Basement  
21 Bateman Street  
London  
W1D 3AL

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

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

**Performance of Live Music**

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

**Playing of Recorded Music**

Unrestricted

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

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

**Late Night Refreshment**

Monday to Saturday: 23:00 to 03:30  
Sunday: 23:00 to 00:30

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

Unrestricted

**Sale by Retail of Alcohol**

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

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30  
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:**

Goldhonour Limited  
21 Bateman Street  
London  
W1D 3AL

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

05305669



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

**Name:** Peter Eyre

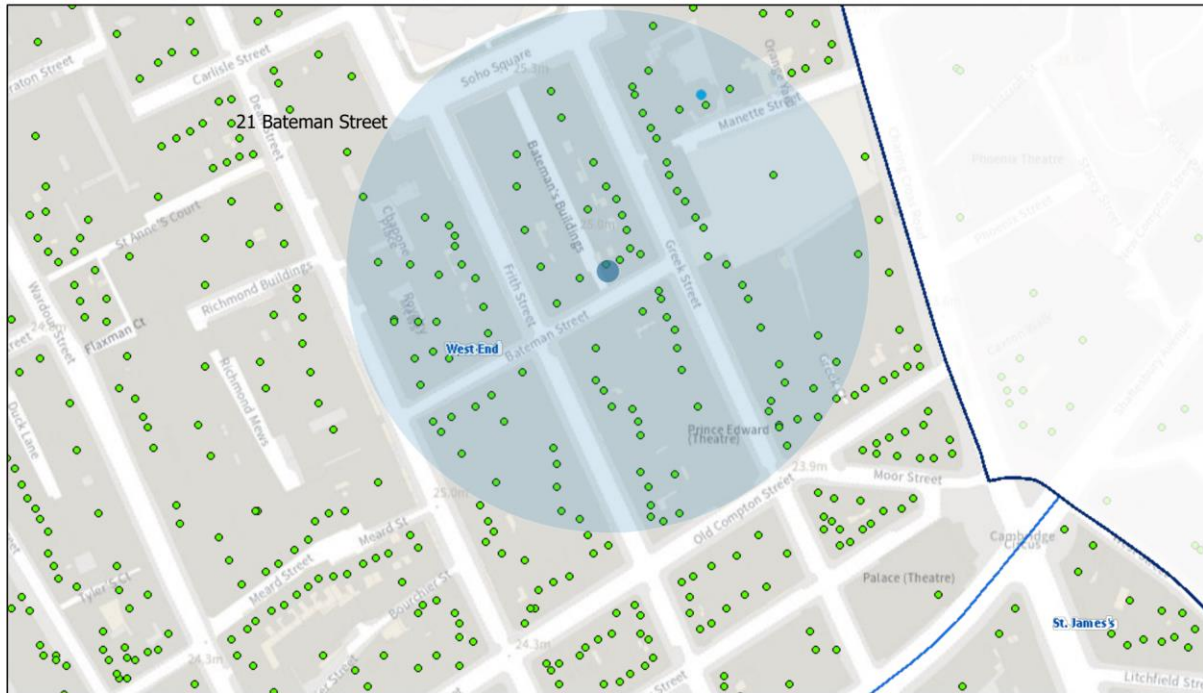
**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** 22 October 2019

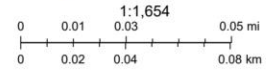
**This licence has been authorised by Emanuela Meloyan on behalf of the Director - Public Protection and Licensing.**

**Basement, 21 Bateman Street, London, W1D 3AL**



08/03/2023, 14:58:10

- Property Mailing List
- Borough Boundary - Mask
- Ward Boundaries
- Ward Labels
- Borough Boundary - Detailed
- Faith Groups
- Schools
- Others
- Academy
- Primary
- Free School
- Special
- Independent
- Nursery
- Secondary



**Resident Count: 155**

**Faith Groups: 1**

**Schools: 0**

**Sexual Entertainment Venues: 1**

**Sex Establishment: 1**