

06/09/2023

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 2077820

Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	VX Capital Limited
Premises licence number	876444

## Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains

licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.

15. This is the address which we shall use to correspond with you about this application.

Non-domestic rateable value of premises in order to see your rateable value [click here](#) (opens in new window)

£	27000
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Postal address of premises or, if none, ordnance survey map reference or description

Address Line 1	211 WALWORTH ROAD
Address Line 2	
Town	LONDON
County	
Post code	SE17 1RL
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

Part 2 - Applicant details

Daytime contact telephone number	██████████
Email address	██████████
Postal Address if different from premises address	Unit 4, Kentish Town Business Park, Regis Road
Town / City	London
Postcode	NW5 3EW

Do you want the premises licence to have effect as soon as possible?

Please tick	Yes
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If not from what date do you want the variation to take effect?

(DD/MM/YYYY)	
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Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

	No
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Please describe briefly the nature of the proposed variation ( see guidance note 2 )

A variation is sought to the premises licence following several years of operation at the premises without any significant issues arising as a result of the Licensable Activities undertaken.

The variation seeks to align the opening hours and the hours during which Regulated Entertainment is undertaken on Sunday to Thursday, with those of the weekend.

No change is sought to the hours during which the Sale of Alcohol or Late Night Refreshment is permitted.

This application also seeks to remove and replace two conditions currently listed on the premises licence; numbered 362 & 364.

Condition 362 deals with the requirement for Door Supervisors and suggest that, subject to certain conditions, a Door Supervisor is required from 20.00. This application seeks to push this start time for the Door Supervisor requirement back to 22.00.

The experience of the Premises Licence holder since they opened, is that there is no requirement for a Door Supervisor to start as early as 20.00. There have been no significant instances over this time which would suggest that pushing the hour back to 22.00 would undermine the Crime & Disorder Objective. The premises licence holder would of course keep this under constant review and make arrangements for special occasions as necessary.

Condition 364 deals with the pre-booked nature of the karaoke sessions. The condition is restrictive without, in our opinion, providing any great benefit in relation to the Licensing Objectives.

Operationally it could even lead to possible conflict. For example, if a customer arrives at 18.00 hoping to take part in a low-key private karaoke session, they would be told that as they have not prebooked before 17.00 that is not possible. A customer who is unfamiliar with Licensing regulation, might find this quite frustrating.

These changes are also sought to enable the Premises Licence Holder to maintain as similar an operation as possible across their different premises. On their other premises licence, held with a different Licensing Authority, the following condition appears on that Licence:

All karaoke sessions after 22.00 must either be booked in advance or when customers arrive at the premises after 22.00 without a booking, they must provide the following details for the main guest in the group:

- a) Full Name (Backed up by a valid form of ID)
- b) Contact Telephone Number
- c) Email Address

We feel this is an easier approach operationally and still offers the protections sought by the condition on the existing Premises Licence. It still ensures that anyone attending the premises either books in advance or has their details recorded. Therefore, at all material times the Premises Licence holder will have details of all their customers using the premises for the purpose of karaoke.

On a final point of administration, we would also like to use this Variation to notify the Licensing Authority of a change in address of the registered holder of the premises licence namely VX Capital Limited to:  
 211 Walworth Road  
 London SE17 1RL

And to update the home address of the DPS namely Ning Liu to:  
 [REDACTED]

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number

Please select number from range	Less than 5000
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Notes

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy

2. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

IN ALL CASES COMPLETE BOXES K, L AND M

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

	f) Recorded music (If ticking, fill in box F)
	h) anything of similar description to that falling within (e), (f) or (g) (Fill in box H)

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

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Supply of alcohol (if ticking fill in box J)

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In all cases complete boxes K, L and M

Will the playing of recorded music take place indoors or outdoors or both? ( Please read guidance note 4 )

	Indoors
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Please give further details here ( Please read guidance note 5 )

	Amplified music and music in connection with karaoke
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Standard days and timings for Recorded Music ( Please read guidance note 8 )

Day	Start	Finish
Mon	11:30	03:00
Tues	11:30	03:00

Wed	11:30	03:00
Thur	11:30	03:00
Fri	11:30	03:00
Sat	11:30	03:00
Sun	11:30	03:00

State any seasonal variations for playing recorded music ( Please read guidance note 6 )

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Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. ( Please read guidance note 7 )

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- 4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 5. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

Please give a description of the type of entertainment you will be providing

	Karaoke
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Will the entertainment take place indoors or outdoors or both? ( Please read guidance note 4 )

	Indoors
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Please give further details here ( Please read guidance note 5 )

	Music and signing in connection with karaoke
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Standard days and timings for Anything of a similiar description to that falling within (e), (f) or (g) ( Please read guidance note 8 )

Day	Start	Finish
Mon	11:30	03:00
Tues	11:30	03:00
Wed	11:30	03:00

Thur	11:30	03:00
Fri	11:30	03:00
Sat	11:30	03:00
Sun	11:30	03:00

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) ( Please read guidance note 6 )

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Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. ( Please read guidance note 7 )

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4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children ( Please read guidance note 10 )

	N/A
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Guidance Notes

10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

Hours premises are open to the public ( standard timings Please read guidance note 8 )

Day	Start	Finish
Mon	11:30	03:30
Tues	11:30	03:30
Wed	11:30	03:30
Thur	11:30	03:30
Fri	11:30	03:30
Sat	11:30	03:30
Sun	11:30	03:30

State any seasonal variations ( Please read guidance note 6 )

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Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, ( Please read guidance note 7 )

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6. For example (but not exclusively), where the activity will occur on additional days during the summer months.


7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

	<p>362 That if more than four of the karaoke rooms are in use after 20.00hrs, then an SIA registered door supervisor shall be employed at the premises until the premises is closed, the last customer has left and all customers have dispersed from the premises.</p> <p>364 That there shall be no admission to the Karaoke rooms other than to pre-booked groups, which must be booked before 17.00 on the date for which the booking is due or for bookings due between midnight and 03.30, by 17.00 on the day before the date for which the booking is due.</p>
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I have uploaded relevant part of the previous premises licence (Please send a hard copy in the post)

Reason for not uploading the premises licence

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a) General - all four licensing objectives (b,c,d,e) ( Please read guidance note 11 )

	<p>1. All karaoke sessions after 22.00 must either be booked in advance or when customers arrive at the premises after 22.00 without a booking, they must provide the following details for the main guest in the group:</p> <p>d) Full Name (Backed up by a valid form of ID)</p> <p>e) Contact Telephone Number</p> <p>f) Email Address</p>
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b) the prevention of crime and disorder



	2. That if more than four of the karaoke rooms are in use after 22.00hrs, then an SIA registered door supervisor shall be employed at the premises until the premises is closed, the last customer has left and all customers have dispersed from the premises.
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c) public safety

	The existing conditions are sufficient to promote this Licensing Objective
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d) the prevention of public nuisance

	The existing conditions are sufficient to promote this Licensing Objective
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e) the protection of children from harm

	The existing conditions are sufficient to promote this Licensing Objective
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Guidance note 11

Please list here steps you will take to promote all four licensing objectives together.

If the plan of the premises are varying please upload a plan of the premises,









Upload proposed plans	
Upload existing plans	

Checklist

	I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application  will be rejected.
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I/We Hereby declare the Information we have provided is true and Accurate.

I agree to the above statement

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state in what capacity.

Full name	Peter Mayhew
Date (DD/MM/YYYY)	06/09/2023
Capacity	Agent (Licensing Consultant)

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 14). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	
Capacity	

Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 15)

Contact name and address for correspondence	Peter Mayhew [Redacted]
Telephone No.	[Redacted]
If you prefer us to correspond with you by e-mail, your email address (optional)	[Redacted]

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAYBE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

**GUIDANCE NOTES**

15. This is the address which we shall use to correspond with you about this application.

Please tick to indicate agreement

<input type="checkbox"/>	I am a company or limited liability partnership
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[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK. The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate.

I/We Hereby declare the Information we have provided is true and Accurate.

I agree to the above statement

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Once you complete form you will be redirected to payments and won't be able to return back.

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.