



City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>28 February 2019</i>
Classification:	<i>General Release</i>
Premises:	<i>Vanity Bar and Night Club, Basement to First Floor, 4 Carlisle Street, London, W1D 3BJ.</i> <i>18/15940/LISEVR</i>
Wards Affected:	<i>West End</i>
Financial Summary:	<i>None</i>
Report of:	<i>Operational Director for Public Protection & Licensing</i>

1. Executive Summary

- 1.1 The council has received an application for the renewal of the sex establishment licence under the Local Government (Miscellaneous Provisions) Act 1982 (the Act) for Vanity Bar and Night Club, Basement to First Floor, 4 Carlisle Street, London, W1D 3BJ. Vanity Bar is 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 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 Basement to First Floor at 4 Carlisle Street has operated as a sex establishment (Sexual Entertainment Venue) since 2012. In 2014, the licence was transferred to the current Premises Licence Holder. Following the grant of the sex establishment licence for the premises in 2012, annual renewal applications have been submitted and granted under delegated authority. Following the transfer of the Sexual Entertainment Venue Licence in 2014, the grant of the renewal in 2014 was determined by the Licensing Sub-Committee and subsequent renewals have been granted under delegated authority. The last renewal application for this venue was submitted on the 8th December 2017 and was granted under delegated authority. The current licence (reference 17/14637/LISEVR) expired on the 16 December 2018. A copy of the licence 17/14637/LISEVR is attached as **Appendix A1**.
- 3.2 A copy of the full sex establishment licence history for this premises since 2012 is attached as **Appendix B1**.

4. Application being considered

- 4.1 On 11 December 2018, Nags Head Limited submitted an application to renew the sex establishment licence to continue to operate the premises as a sexual entertainment venue. The licence permits relevant entertainment Monday to Saturday from 09:00 to 03:00 and Sunday from 09:00 to 23:00.
- 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 as **Appendix C1**.
- 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

Objection 1

- 5.1 On 5 January 2019, an objection was received to the renewal application within the statutory 28 day consultation period (attached as **Appendix D1A**). In the objection, the objector stated that noise emanates from the premises in bursts when the dancers have customers and is clearly audible from neighbouring premises. A large number of pedicabs congregate outside the club at about 02:00 in readiness for closing time at 03:00 and during December 2018 the club was open much later. Customers also congregate outside the club causing noise and disruption with no care with for residents.
- 5.2 The objector has not confirmed to the Licensing Service that they wish to waive their right to anonymity, and for this reason the objector will remain anonymous.
- 5.3 On 7 January 2019 an email in support of Objector one was submitted. This is attached as **Appendix D1B**.

Objection 2

- 5.3 On 7 January 2019, an objection was received to the renewal application within the statutory 28 day consultation period (attached as **Appendix D2**). In the objection, the objector stated that the premises causes disturbance and nuisance to residents and other occupiers.
- 5.4 The objector has not confirmed to the Licensing Service that they wish to waive their right to anonymity, and for this reason the objector will remain anonymous.

Objection 3

- 5.5 On 7 January 2019, an objection was received to the renewal application within the statutory 28 day consultation period (attached as **Appendix D3**). The objector submitted the representation on the grounds of public nuisance and the prevention of crime of disorder. The objector stated that the club's management has failed to monitor and dissuade pedicabs gathering outside the premises and that sporadic noise emanates from the premises when the customer requests dancer entertainment. It is understood that although the basement has been soundproofed, the ground and first floors have not.
- 5.6 The objector has not confirmed to the Licensing Service that they wish to waive their right to anonymity, and for this reason the objector will remain anonymous.

Objection 4

- 5.7 On the 28 December 2019, an objection was received to the renewal application within the statutory day consultation period (attached as **Appendix D4**). The objector submitted the representation on the grounds of public nuisance. The objector has witnessed that the premises are regularly open later than the hours permitted on their licence, loud music emanates from the premises, pedicabs and customers congregate outside the premises causing noise nuisance.
- 5.8 The objector has not confirmed to the Licensing Service that they wish to waive their right to anonymity, and for this reason the objector will remain anonymous.

6. Licensing Act 2003 Premises Licence

- 6.1 The premises currently benefits from a premises licence (reference 15/03179/LIPDPS) 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.

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

The applicant has confirmed that they will not be carrying out the functions of regulated entertainment at this premises for the benefit of another person.

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

Carlisle Street is a small cul-de-sac with little or no vehicle traffic

7.5 Use of premises in the vicinity – LO2

The main use of the premises in the immediate vicinity is residential with a few licensed premises (Licensing Act 2003). There are no other SEV premises or schools within 100 metres of the premises. There is 1 place of worship within 100 metres of the premises. A map of the relevant locality is attached to this report as **Appendix F1**.

7.6 Layout, character or condition of the venue – LO3

The premises has its main entrance on Carlisle Street. The basement, ground and first floors are included within the licensable areas 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 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). The licence will remain in force until the time for bringing an appeal has expired and, if such an appeal is brought, until the determination or abandonment of that appeal (Para 27(10) 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.

Appendices

- A1 – Copy of sex establishment licence 17/14637/LISEVR
- B1 – Sex establishment licence history
- C1 – Application form
- D1A – Objection 1
- D1B – In support of Objection 1
- D2 – Objection 2
- D3 – Objection 3
- D4 – Objection 4
- E1 – Copy of premises licence 15/03179/LIPDPS
- 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

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:	17/14637/LISEVR
Original Reference:	12/02694/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: Nags Head Limited
to use the premises: Vanity Bar and Night Club
 4 Carlisle Street
 London
 W1D 3BJ

as a Sexual Entertainment Venue.

This licence commences on 16 December 2017 and will expire on 16 December 2018.

Relevant Entertainment may be provided during the following times:

Monday to Saturday	09:00 to 03:00
Sunday	09:00 to 23:00

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: 09 MARCH 2018

SIGNED:



On behalf of the Director – Public Protection
and Licensing



Appendix 1 – Plans

Attached

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. No Relevant Entertainment shall take place unless CCTV adequately covers and monitors the stage area to the satisfaction of the Environmental Health Consultation Team and the Licensing Service.
25. Relevant Entertainment shall be restricted to the area outlined in red. On the ground floor performers may only perform on the stage area.
26. Whilst Relevant Entertainment is taking place at the premises, the maximum number of persons accommodated at any one time (excluding staff and dancers) shall not exceed 10 persons in the basement, 70 persons on the ground floor and 9 persons on the first floor.
27. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. There shall be at least one SIA registered door supervisor on duty on every floor where Relevant Entertainment is provided for the entire time the Relevant Entertainment is provided.
36. a) Applying to the basement only:

- i. Licensable activity is not to take place until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association - Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
- ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

b) Applying to the ground floor only:

- i. Licensable activity is not to take place until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association - Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
- ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

c) Applying to the first floor / mezzanine only:

- i. Licensable activity is not to take place until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association - Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
 - ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
37. All windows and external doors shall be kept closed at any time when Relevant Entertainment takes place, except for the immediate access and egress of persons.
38. 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.

39. No sexual entertainment performances will take place which will involve the passing round of a glass or jar or any other container that has to be filled with money before the performers remove any clothing.

Sex establishment licence history**Appendix B1**

<u>Application reference</u>	<u>Details of application</u>	<u>Date of determination</u>	<u>Decision</u>
12/02694/LISEVN	Application for a new Sexual Entertainment Venue licence.	Granted by Licensing Sub-Committee	12 June 2012
14/01806/LISEVT	Transfer of SEV licence from Allied Promotions Ltd to Nags Head Ltd	Granted under delegated authority	16 June 2014
14/06704/LISEVV	Application to vary Sexual Entertainment Venue licence	Granted by Licensing Sub-Committee	18 December 2014
14/11173/LISEVR	Application to renew Sexual Entertainment Venue licence	Granted by Licensing Sub-Committee	12 February 2015
15/11556/LISEVR	Application to renew Sexual Entertainment Venue licence	Granted under delegated authority	01 March 2016
16/13696/LISEVR	Application to renew Sexual Entertainment Venue licence	Granted under delegated authority	11 January 2017
17/14637/LISEVR	Application to renew Sexual Entertainment Venue licence	Granted under delegated authority	07 March 2018



APPLICATION TO RENEW A SEXUAL ENTERTAINMENT VENUE LICENCE

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

H/ We NAGS HEAD LIMITED
(Insert name(s) of applicant)

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

Premises name: VANITY BAR AND NIGHTCLUB

Premises address: 4 CARLISLE STREET, LONDON W1D 3BJ

Licence reference number: 17/14637/LISEVR (ORIGINAL REF: 12/02694/LISVN)

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

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

PART 1 – Applicant Details

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

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

Section A – Individual Licensee Details NOT APPLICABLE

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

Additional Licensee Details (if necessary) NOT APPLICABLE

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

Section B – Body Corporate or Unincorporated Body Details

Business Name: (if your business is registered, use its registered name)	NAGS HEAD LIMITED
Is your business registered in the UK with Companies House?	Yes <input checked="" type="checkbox"/> Registered Number: 06251735
	No <input type="checkbox"/>
Is your business registered in another EEA state:	Yes <input type="checkbox"/> EEA State: Registered Number:
	No <input checked="" type="checkbox"/>
Legal Status: (e.g. Company Partnership, etc)	PRIVATE LIMITED COMPANY
Home Country: (the country where the headquarters of your business is located)	UNITED KINGDOM
Registered Address:	17 – 19 WHITECHAPEL ROAD, LONDON
Postcode:	E1 1DU
Directors, Partners, Owners and Managers	
You must provide details of all DIRECTORS (if the applicant is a company), all PARTNERS (if it is a partnership), and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES.	
Have there been any changes to the directors, partners or managers involved with the premises?	Yes <input type="checkbox"/> (please see below) No <input checked="" type="checkbox"/>
If yes, please provide details of the changes on a separate sheet, including the full name, private address and capacity of each director, partner and manager involved with the operation of the premises.	

Other Business Interests

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

Yes (please complete below) No

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

THE NAGS HEAD GENTLEMAN'S VENUE
(LICENSED BY WAY OF A SEV LICENCE)
17 – 19 WHITECHAPEL ROAD
LONDON E1 1DU

PART 2 – Premises Details

Premises name:	VANITY BAR AND NIGHTCLUB
Premises address:	4 CARLISLE STREET LONDON
Postcode:	W1D 3BJ
Premises telephone number:	0207 287 5041
Email:	info@vanity-soho.co.uk
Website address:	www.vanity-soho.co.uk
Where the licence is for a vehicle, vessel or stall, state where it is used as a sexual entertainment venue:	Not applicable
Have there been any changes to the nature of the relevant entertainment since the licence was last granted / renewed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide details below.

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PART 3 – Convictions / Disqualifications

Have you, or any person named in or associated with this application, been convicted of any crime or offence?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, please provide details on a separate sheet	
Have you been refused the renewal of a licence for this premises, vehicle, vessel or stall within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, has the refusal been reversed on appeal?	
Yes <input type="checkbox"/>	No <input type="checkbox"/> NOT APPLICABLE
Have you had a sex establishment licence revoked in Westminster within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

PART 4 - Checklist

Please tick as appropriate:

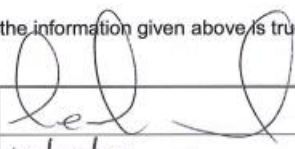
All relevant sections of the application form have been completed in full	<input checked="" type="checkbox"/>
Payment of the fee has been made in full (refer to Part 6 of this form)	<input checked="" type="checkbox"/>
Notice of this application has been published in a local newspaper will be published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

The application has been served on the Metropolitan Police Service	<input checked="" type="checkbox"/>
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PART 5 - Declaration

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

I, LUKE ELFORD declare that the information given above is true and complete in every respect.

Signed	 LUKE ELFORD FOR TLT LLP
Date:	10/12/18
Capacity:	Solicitors to the Applicant

~~For joint applications:~~ NOT APPLICABLE

Signed	
Date:	
Capacity:	

Agent Details

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

Yes No

If yes, please provide the following:

Agent name:	TLT SOLICITORS (LUKE ELFORD)
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Agent Address:	20 GRESHAM STREET LONDON
Postcode:	EC2V 7JE
Agent Telephone Number:	0333 006 1358
Agent Email:	luke.elford@ltsolicitors.com

Correspondence Details

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

Name:	AS ABOVE
Address:	AS ABOVE
Postcode:	AS ABOVE
Telephone Number:	AS ABOVE
Email:	AS ABOVE

PART 6 – Payment

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

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

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

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

Objection 1

Received 5 January 2019

I am writing to object the renewal of the Sexual Entertainments Venue licence for Vanity Bar and Nightclub.

The club is located in the basement, ground and first floor mezzanine of 4 Carlisle Street, beneath three occupied flats, with residential at no 5 next door and the landlord and his partner live above the Nellie Dean pub on the other side, The situation of the club seems inappropriate in that this part of Carlisle Street ends in a cul de sac and is a relatively quiet area of Soho. Once the pubs (Nellie Dean and Toucan), Pizza Express and the Piano Bar close, after midnight there is very little noise apart from that generated by Vanity. The other premises in this part of Carlisle Street are residential or office with the Nadler hotel at the end, which does not have bars or restaurant open to the public. Apart from Vanity there is no attraction for passing trade on the street. Venues of this type are more suited to the buzzy atmosphere of the southern parts of Dean St (Sunset strip), Old Compton St and Brewer Street area.

One of my principal objections to the renewal of the club's licence is that it attracts a large number of pedicabs which hang around outside the club particularly near closing time – the club normally closes at 3am (so we can expect noise from 2am) but it was open much later than that during December. They congregate in Carlisle Street, below our windows, 4-5 lined up under the awning outside the Nellie Dean pub next door, across the road and in Dean Street. They laugh, chat, argue etc with no care to the residents who are trying to sleep. The fact that it is a dead end and very little traffic also lends to its appeal as a pedicab park, where they can park up and lurk. Apart from Vanity there are no other very late venues in this area so this is one of the few possibilities of work. On occasions you see a customer leaving Vanity only to be harassed by a number of drivers, each trying to entice them into their vehicle, which also adds to the noise.

The problem was discussed at a meeting at WCC on 6th February 2018 with the club owners and management and they sent a letter date 19 February outlining their proposals for controlling the pedicabs. I subsequently had a meeting with [REDACTED] the Club manager, at the club to meet the member of staff who would be dealing with the problem. It all seemed to work really well for a few months and there were definitely less pedicabs about, though [REDACTED] who lives opposite on the corner of Carlisle and Dean Street, said that they were congregating beneath his windows facing Dean Street. [REDACTED] mentioned at our meeting that she too was fed up with the pedicabs hanging about and that she would also have a word with them. Sadly, however, the problem is back again as bad as ever (see attached photos taken on 20th December at 4.40 am). It started deteriorating in the summer and I kept hoping that it would improve again but no. I appreciate that the club has no specific powers to deal with the pedicabs but despite point 4 in the attached letter, staff do not seem to be able to move them on and can still be seen to chatting too them.

The building itself is inappropriate for this type of venue. It was originally built in the 17th century, with many alterations over the centuries, which does not render it suitable for a club with bursts of loud music. I have lived in this building for over 30 years and have suffered from clubs in the lower floors for a majority of the time. Due to the age of the structure it has been very difficult to show how exactly the sound travels through the building – there have been a

number of visits by acoustic engineers, sound engineers not to mention WCC officers. The problem was partially solved after 20 years by sound proofing being installed in the basement which, in past incarnations, was where the loud music/disco took place. However, when Vanity were granted their licence, despite objections from residents that the music should be basement only, the Licensing Committee allowed music to take place on all floors. So once again the residents are suffering from loud music. In this case the music is not constant but happens in bursts as required by the dancers when they have customers.

Other building residents have mentioned the problems of both internal and external noise and I also received a number of calls from the tenants of [REDACTED] saying that the noise was unbearable and that they had discussed this with the Vanity management but it did not improve. They left soon after and did not renew their tenancy of the building. This is despite [REDACTED], the owner, stating at the licensing hearing that no noise would be audible from the club. The Licensing Committee did put a condition on the licence "21. No Noise or vibration shall emanate from the premises in to adjacent residential premises."

The club says that all music is controlled via a sound limiter with limits set by the council as per condition 25 on the licence. On my above mentioned visit to the club, [REDACTED] showed me a knob located on the wall in the mezzanine area, which she said could be altered by the girls but she was going to arrange that this was caged in and inaccessible.

I am therefore objecting on the grounds that the premises are an inappropriate location for a club of this type both as to the location in a quiet area away from the main areas of nightlife of Soho and to the nature of the building with 3 flats above, and residents on both sides.

Appendix D1B

Email received in support of Objector 1

From [REDACTED]
Received 7 January 2019

Dear [REDACTED],

Many thanks for your email setting out your concerns in relation to this property.

You may recall that when this property and Licence changed hands from being Candy Bar (which rarely, if ever, use this Sexual Entertainment Licence), I objected to the proposed Transfer and expressed concern as to the track record of the Transferees.

I am sorry to note that those were not taken into account when the transfer of the Licence was granted, although I do recall there were significant and detailed Conditions applied to the Licence. If those Conditions are being ignored, then I would support residents and others affected in any review process or informal process to ensure that the Licensees operate in accordance with the terms of the Licence and in a neighbourly way.

Best wishes,

Yours sincerely,

[REDACTED]
[REDACTED]

Objection 2

[REDACTED]

Received 7 January 2019

These premises have been run for many years in a way that causes nuisance to neighbouring residents and other occupiers. Although I have not been involved in any representations about this venue before I have been aware or copied in on correspondence relating to nuisance and disturbance at this address over many years and probably decades. The addition of additional conditions at previous hearings does not seem to have been an effective way of convincing those who run these premises that they should prevent nuisance. Therefore I hope that on this occasion the licensing sub committee will take strong and firm action either to revoke the licence or restrict the hours and activities substantially so that [REDACTED] and other neighbouring residents can get a reasonable night's sleep.

Objection 3

Received – 7 January 2019

I write to make a relevant representation to the above renewal application on behalf of [REDACTED].

[REDACTED] objects to this application as it is currently presented, on the grounds of prevention of public nuisance, and prevention of crime and disorder in the West End Cumulative Impact Area.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Application summary

The applicant seeks renew the licence for this sexual entertainment venue.

The club is located in the basement, ground and first floor mezzanine of 4 Carlisle Street, beneath three occupied flats, with residential next door (no 5) and, on the other side, the Nellie Dean pub has the landlord and his partner living upstairs. The other premises in this part of Carlisle Street are residential or office with the Nadler hotel at the end, which has no licensed premises open to the public. This end of Carlisle Street is a cul-de-sac and is a relatively quiet area of Soho after midnight when the Nellie Dean and Toucan pubs, plus Pizza Express and the Piano Bar close. The only noise in the immediate area in the early hours of morning appears to emanate from Vanity Bar & Club, and besides these premises there is nothing else to attract passing trade on the street.

One objection to the renewal of this licence is the continued failure of the club’s management to monitor and dissuade pedicabs from gathering outside. Following a meeting at WCC on 06 February 2018 the management agreed to talk to pedicab drivers and ask them not to congregate in Carlisle Street. To this end, they met with local residents and worked towards eliminating the problem but to no avail. Since the summer, pedicabs have gathered in Carlisle Street from about 2am onwards, with drivers talking, laughing, and generally disturbing residents as they await customers departing Vanity Bar, with no apparent approaches by premises staff.

Another objection to this licence renewal concerns the noise nuisance. Although only the basement has been soundproofed, the club also allows sporadic bursts of dancing on the ground and first floors, whenever customers require dancer entertainment, thus intermittently disturbing residents until the premises close. From a previous hearing, we understand that condition 21 appended to the licence states: “No noise or vibration shall emanate from the

premises in to adjacent residential premises.” This is clearly not happening as residents are being regularly disturbed during the premises’ hours of operation.

Licensing policy

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

For the reasons I have set out, we believe that, without attention to the points raised above, this renewal application will fail to promote the licensing objectives of prevention of public nuisance, and prevention of crime and disorder in the West End Cumulative Impact Area.

Please let me know if any proposals are made regarding this application, particularly in respect of the use of effective noise limiters within the premises and deterring pedicab drivers from congregating outside during opening hours.

Objection 4

Received – 28 December 2018

I strongly object to the renewal of a licence for another year for the above as requested by them.

They are regularly open until as late as 5.30 am when my cleaner arrives - I attach a photo at 4.33am on the 7th of December (have plenty more) - more of a problem than the ignoring your stricture of closing at 3.00am (I believe) is the fact that the pedal taxi cabs congregate outside Vanity, and below my bedroom - up to 7 at a time waiting for late leavers. They play music and shout at one another throughout the night making it impossible for me to sleep.

You might understand why I would strongly object to yet another year of this!!

PS Could you please confirm that you have received this objection. (I am far from optimistic that anything will be done, but need to vent my continued annoyance.)





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

Schedule 12
Part A

WARD: West End
UPRN: 010033531502

Premises licence

Regulation 33, 34

Premises licence
number:

15/03179/LIPDPS

Original Reference:

05/03985/LIPCV

Part 1 – Premises details

Postal address of premises:

Vanity Bar And Nightclub
Basement To First Floor
4 Carlisle Street
London
W1D 3BJ

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 Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 02:00
Sunday: 09:00 to 23:00

Performance of Live Music

Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 02:00
Sunday: 09:00 to 23:00

Playing of Recorded Music

Unrestricted

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

Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 02:00
Sunday: 09:00 to 23:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Sunday: 23:00 to 01:00

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 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1 & 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 01:00

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:

Nags Head Limited
17-19 Whitechapel Road
London
E1 1DU
Electronic Mail : [REDACTED]

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

06251735

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

Name: [REDACTED]

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: BAS/PM/005409
Licensing Authority: Basildon District Council

Date: 26 October 2015

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

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

Conditions reproducing the effect of conditions subject to which the relevant existing licenses have effect.

Conditions relating to regulated entertainment:

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. The entertainment provided at the premises shall be of the type commonly known as discotheque, karaoke and striptease.
12. Only activities which have previously been agreed by the council shall take place.
13. The basement door going onto the street shall be kept closed at all times, except for emergency use.
14. All doors giving access/egress to the premises shall not be fixed open after 23:00.

Conditions for Sale of Alcohol

15. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
16. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.

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

17. Alcohol shall not be sold, supplied or consumed in or taken from the premises except during permitted hours.
 - (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) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.30 on the morning following, except that-

- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
 - (iii) The terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hours for the sale of alcohol set out in d(i) and (ii) above.
- (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.

- 18. 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.

- 19. 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.
- 20. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

21. No Noise or vibration shall emanate from the premises in to adjacent residential premises.

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

22. The licensee will adopt a street management plan to be agreed with the Environmental Health Officer. Such plan to include the following:
 - Ordering taxis from inside the premises
 - Encouraging patrons waiting for taxis to remain inside the premises
 - Asking taxi drivers to turn off their engines whilst waiting
 - Control of smokers
 - Control of patrons leaving the premises.
23. At least one Personal Licence Holder shall be present during the whole time alcohol is sold, supplied or consumed.
24. The sale of alcohol shall be ancillary to the use of the premises for either i) music and dancing and substantial refreshment or ii) Relevant Entertainment and substantial refreshment.
25. 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.
26. Where the premises is used for Licensable Activities other than Relevant Entertainment, SIA registered security staff are to be employed on a 1:50 ratio (staff/customers).
27. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
28. Except where Relevant Entertainment is provided The number of persons accommodated (excluding staff) shall not exceed:

Basement - 70,
Ground Floor - 80,
First Floor - 25.
29. 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.

30. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
31. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
32. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 7 persons at any one time.
33. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
34. 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.
35. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
36. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
37. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
38. 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.
39. 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.
40. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
41. 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.

42. Works:

a. Applying to the basement only:

- i. Licensable activity is not to take place until Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
- ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

b. Applying to the ground floor only:

- i. Licensable activity is not to take place until Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
- ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

c. Applying to the first floor/mezzanine only:

- i. Licensable activity is not to take place until Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
- ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: West End
UPRN: 010033531502

Premises licence
summary

Regulation 33, 34

Premises licence
number:

15/03179/LIPDPS

Part 1 – Premises details

Postal address of premises:

Vanity Bar And Nightclub
Basement To First Floor
4 Carlisle Street
London
W1D 3BJ

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 Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00

Performance of Live Music

Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 02:00
Sunday: 09:00 to 23:00

Playing of Recorded Music

Unrestricted

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

Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 02:00
Sunday: 09:00 to 23:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Sunday: 23:00 to 01:00

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 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1 & 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 01:00

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:

Nags Head Limited
17-19 Whitechapel Road
London
E1 1DU

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

06251735

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

Name:

██████████

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

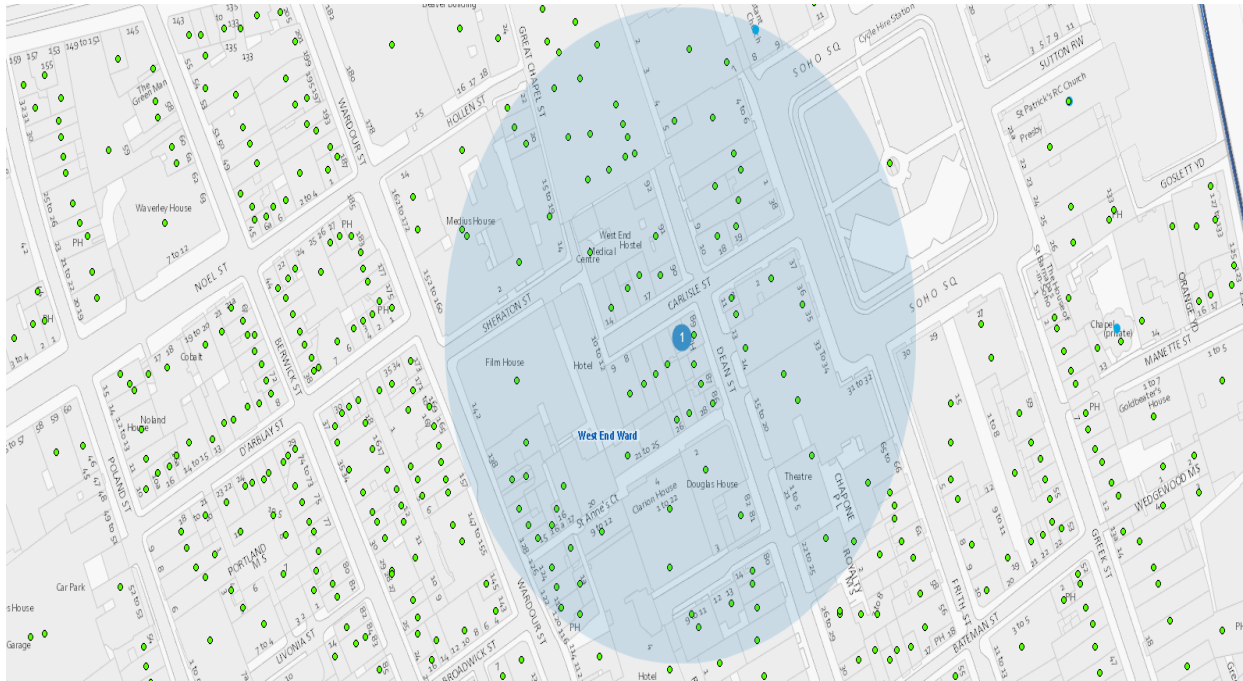
Restricted

Date: 26 October 2015

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

Map of locality

Appendix F1



0 = Sex establishment

1 = Place of Worship