



City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>25 May 2023</i>
Classification:	<i>General Release</i>
Premises:	<i>Vanity Bar And Nightclub, 4 Carlisle Street, London, W1D 3BJ</i> <i>22/11772/LISEVR</i>
Wards Affected:	<i>West End, Core CAZ North</i>
Financial Summary:	<i>None</i>
Report of:	<i>Operational Director for Premises Management</i>

1. Executive Summary

- 1.1 The Council has received an application for the Renewal of the Sex Establishment Licence (Sexual Entertainment Venue) under the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009) for the Premises known as Vanity Bar And Nightclub, 4 Carlisle Street, London, W1D 3BJ. The report sets out the application details, representations, policy and legal context along with other considerations that the Licensing Sub-Committee requires to determine this application.

2. Powers of the Licensing Sub-Committee

- 2.1 That following consideration of the application and evidence given orally at the hearing and in writing by the applicant and objectors the Licensing Sub-Committee's powers are to:
- 2.1.1 Grant the application in full
 - 2.1.2 Grant the application subject to the standard conditions and/or any modifications to any part of the application and imposition of any additional conditions proposed by a party to the hearing, or
 - 2.1.3 Refuse the application

3. Relevant History

- 3.1 The 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 but in 2020 the licence was subsequently transferred to the current Premises Licence Holder (Vanity License Ltd). Following the transfer of the Sexual Entertainment Venue Licence in 2020, a renewal submitted on 30 November 2021 and was granted under delegated authority. This licence (reference 21/13871/LISEVR) expired on 15 December 2022. A copy of licence 21/13871/LISEVR is attached as **Appendix A**.
- 3.2 A copy of the full sex establishment licence history for this Premises since 2012 is attached at **Appendix B**.

4. Application being considered

- 4.1 On 08 December 2022, Vanity License Ltd 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 at **Appendix C**.
- 4.3 As a valid application has been received prior to the expiry of the SEV Premises Licence, the licence is deemed to continue until it is determined by the Council.

5. Objections

- 5.1 The application has received a representation from the Metropolitan Police Service set out at **Appendix D and D1**.
- 5.2 The application has also received objections from 5 interested parties, set out at **Appendix D2**.
- 5.3 The objectors have 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 also have the benefit of a Premises Licence. The Current Premises Licence reference is 20/03227/LIPT. The premises licence was subjected to a review in December 2022 and the licence was amended following a Licensing Sub-Committee hearing. A copy of the Premises Licence appears at **Appendix E**.
- 6.2 A copy of the Licensing Sub-Committee decision can be found at **Appendix E1**.

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 no through 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). Within a 100 metre radius of the premises, there is a resident count of 135. 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 at **Appendix F**.

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

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

- 8.5 If the Licensing Sub-Committee determine to grant a Sexual Entertainment Venue licence, the licence will be subject to the Standard Conditions for Sexual Entertainment Venue licences, unless the Sub-Committee determines that certain Standard Conditions should be expressly excluded or varied (Para 13(4) Schedule 3 LG(MP)A1982).
- 8.6 Should the Licensing Sub-Committee determine to refuse the application for the renewal of a licence under Paragraph 12(3)(a) or (b) Schedule 3 LG(MP)A 1982, the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application (Para 27(1) Schedule 3 LG(MP)A1982).

9. Human Rights and Equality Issues

- 9.1 In making a decision consideration will need to be given to the applicant's rights under the European Convention on Human Rights. The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant.
- 9.2 The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to-
- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

- 9.3 Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 9.4 An Equalities Impact Assessment has been conducted and the Council believes that the granting of this application for the sexual entertainment venue licence renewal for Vanity Bar And Nightclub will not have an adverse impact or unlawfully discriminates against any protected characteristics.

Appendices

- A – Copy of existing sex establishment licence 22/00285/LISEVR
- B – Sex establishment licence history
- C – Application form
- D – Metropolitan Police Service representation
- D1 – Metropolitan Police Service additional submissions
- D2 – Interested party representations
- E – Copy of premises licence 20/03227/LIPT
- E1 – Licensing Sub-Committee Decision
- F – Map of locality

If you have any queries about this Report or wish to inspect any of the background papers please contact: Jessica Donovan on 020 7641 6500 or at Jdonovan@westminster.gov.uk

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:	21/13871/LISEVR
Original Reference:	12/02594/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: Vanity License Ltd
to use the premises: Vanity Bar and Nightclub
4 Carlisle Street
London
W1D 3BJ

as a Sexual Entertainment Venue.

This licence commences on 16 December 2021 and will expire on 15 December 2022.

Relevant Entertainment (namely table dancing and pole dancing and involves implied nudity, full and partial nudity) 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: 6 JANUARY 2022 SIGNED:



**On behalf of the Director – Public Protection
and Licensing**



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 9 persons in the basement, 55 persons on the ground floor and 25 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. 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.
37. 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.
38. 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.
39. The licence holder will employ a designated member of staff who will work in Carlisle Street outside the venue during the early hours of the morning, up until closure and a period thereafter for dispersal of customers and staff.
40. The designated member of staff will be tasked with encouraging pedicab drivers that look for fares in the Dean Street area to respect the needs of local residents by being quiet and also ask them to move away /not congregate in Carlisle Street or near the venue.
41. The designated member of staff will record any unresolved disputes with rickshaw or pedicab drivers in the venue's incident log. The venue will share information

with Westminster City Council in furtherance of any specific enforcement work by the authorities around nuisance caused by pedicabs in the Soho area.

Sex Establishment Licence History**Appendix B**

<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	12.06.2012	Granted by Licensing Sub-Committee
14/01806/LISEVT	Application to transfer the Sexual Entertainment Venue licence	16.06.2014	Granted under Delegated Authority
14/06704/LISEVV	Application to vary the Sexual Entertainment Venue licence	18.12.2014	Granted under Delegated Authority
14/11173/LISEVR	Application to renew the Sexual Entertainment Venue licence	12.02.2015	Granted by Licensing Sub-Committee
15/11556/LISEVR	Application to renew the Sexual Entertainment Venue licence	01.03.2016	Granted under Delegated Authority
16/13696/LISEVR	Application to renew the Sexual Entertainment Venue licence	11.01.2017	Granted under Delegated Authority
17/14637/LISEVR	Application to renew the Sexual Entertainment Venue licence	07.03.2018	Granted under Delegated Authority
18/15940/LISEVR	Application to renew the Sexual Entertainment Venue licence	28.03.2019	Granted by Licensing Sub-Committee
19/16592/LISEVR	Application to renew the Sexual Entertainment Venue licence	13.02.2020	Granted by Licensing Sub-Committee
20/07234/LISEVV	Application to vary the Sexual Entertainment Venue licence	18.09.2020	Granted under Delegated Authority
20/11421/LISEVR	Application to renew the Sexual Entertainment Venue licence	04.01.2021	Granted under Delegated Authority
20/11422/LISEVT	Application to transfer the Sexual Entertainment Venue licence	04.01.2021	Granted under Delegated Authority
21/13871/LISEVR	Application to renew the Sexual Entertainment Venue licence	06.01.2022	Granted under Delegated Authority

Westminster City Council

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

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

New Licence	<input type="checkbox"/>	
Transfer of Licence	<input type="checkbox"/>	Licence search
Renewal of Licence	<input checked="" type="checkbox"/>	Licence number <input type="text" value="21/13871/LISEVR"/>
Variation of Licence	<input type="checkbox"/>	

Part 1 - Application Details

Name of premises

Address of premises

Postcode

The application is being made -

If application is made on behalf of an individual:

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

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

Name of applicant body:

Is this an unincorporated or body corporate? Unincorporated Body corporate

Registered / principal office address:

Postcode

Company number

Full names of directors and other persons responsible for the management of the body, including the names of managers, company secretary and similar officers and the manager of the establishment

Please continue by answering the questions you are asked below -

Part 2 - Licence Details

What hours and what days are you applying for?

What *relevant* entertainment will be performed?

For variation applications - what does the variation consist of?

Is only part of the building to be licensed?

No

Yes Please provide details

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

No

Yes Please provide details

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

No

Yes If yes, when did the use commence?

If not, what is the present use?

Supporting Material Checklist - *tick to confirm*

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

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



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

Declaration Page

Important

It is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003 to make a false statement in or in connection with this application

Fee

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

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

Declaration

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

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

Confirmation *Date* *Name*
Capacity

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

Title	<input type="text" value="Mr"/>	Telephone number	<input type="text" value=""/>
Name	<input type="text" value="Luke"/>	Email address	<input type="text" value=""/>
Surname	<input type="text" value="Elford"/>		
Postal address	<input type="text" value="John Gaunt & Partners
Kings Cross Business Centre
180-186 Kings Cross Road
London"/>		
	Postcode <input type="text" value="WC1X 9DE"/>		

Supporting Material Return Address

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

Metropolitan Police Service representation

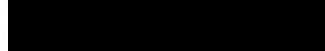
Appendix D

Your
Our 22/11772/LISEVR
Date: 3rd January 2023



Vanity License Ltd
4 Carlisle Street
London
W1D 3BJ

**METROPOLITAN POLICE
SERVICE**
Police Constable Reaz Guerra
Westminster Police Licensing Unit
Westminster City Hall
Fourth Floor
64 Victoria Street
London
SW1E 6QP



Dear Vanity License Ltd

**Application for a Renewal of Sexual Entertainment Venue Licence
Basement To First Floor, 4 Carlisle Street, London
22/11772/LISEVR**

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority object to this renewal application.

The Premises is currently subject to a review of its premises licence, it is believed that there has been numerous breaches of the conditions on both SEV Licence and Premises Licence. Additional supporting evidence will be submitted in due course.

The nature and severity of the alleged breaches raises serious concerns with the Police regarding the licence holder's ability to operate the premises in line with the conditions attached to the SEV licence.

It is for these reasons that we are objecting to the application.


Should you wish to discuss the matter further please contact PC Reaz Guerra on [REDACTED] or via email, [REDACTED]

Yours sincerely.

Reaz Guerra
Police Constable
Westminster Police Licensing Team

RESTRICTED (when complete)

MG11

STATEMENT OF WITNESS <i>(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)</i>			
		URN	<input type="text"/>
Statement of: Constable Stephen Muldoon Age if under 18: Over 18 Occupation: Police officer			
This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.			
Signature:  Date: 15 May 2023			

I am the above named person and am currently employed by the Metropolitan Police Service to work as a police constable in the London borough of Westminster. My current role is to work as a licensing officer, part of this role is to deal with applications for new/varied licences and to look at incidents that are alleged to have taken place within licensed premises.

This statement is being submitted to support the objection from the Metropolitan Police for the renewal of a Sexual entertainment venue (SEV) licence for Vanity Ltd, 4 Carlisle St, W1. Vanity has a current premises licence - 20/03227/LIPT.

I was in possession of CCTV from inside the venue for the night of the 23rd November into the early hours of the 24th November 2022. I came into possession of this from Pc GUERRA as we were investigating various allegations from various customers. Whilst viewing the CCTV for the alleged incidents it became apparent that there was countless breaches of the SEV licence. As part of the SEV licence there were two specific conditions that were breached.

- 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
- 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.

Watching the footage it was quite clear that the majority if not all of the performers would deliberately touch the customers whilst performing, this varied degrees to sitting on customers to lying fully naked on top of customers and using what I would describe as a grinding motion. These acts would regularly take place in front of the security or the then manager.

I can produce in evidence the following screenshots as exhibits:

- SM/1 – Female dancer (a) in one booth sitting on top of a male customer (obscured by seating), female dancer (b) sitting on male customer. Both dancers are topless (01:19 - 24th Nov, Camera 14)
- SM/2 – Female dancers in both booths sitting on male customers, both dancers appear naked (02:16 - 24th Nov, Camera 14)

Signature: 

Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: Constable Stephen Muldoon

SM/3- Male customer and female dancer obscured from view whilst 2 female dancers are in view with one dancer bent over and the other holding her bum (23:34 - 23rd Nov, Camera 15)
 SM/4 – Male customer touching a female's breast. (03:11, 24th November, Camera 14)
 SM/5 – 2 females dancing for a male customer. The customer is on a booth with another dancer out of view. (23:35 - 23rd November, Camera 15)
 SM/6 – 2 females dancing together, appearing to kiss each-other. (23:38 - 23rd November, Camera 15)
 SM/7 – Female dancer with her arms round a male customer. (01:23 - 24th November, Camera 16)
 SM/8 – Naked female dancer sitting with/on a male customer. Another customer hidden in booth by a blind spot (01:21, 24th November)
 SM/9 – Female dancer on top of a male customer. Appear hidden by the hanging beads. (02:27, 24th November Camera17)
 SM/10 – Naked female rubbing up and down male customer. Security present sitting on the couch at the bottom right. (00:15, 24th November, Camera 7)
 SM/11 – Naked female dancer sitting on a male customer whilst opening and closing her legs. (00:34, 24th November, Camera 7)
 SM/12 – Female dancer on her knees at a male customers crotch area. (00:05, 24th November)
 SM/13 – Female dancer sitting on male customer. (02:51, 24th November, Camera 7)
 SM/14 – Female dancer sitting on male customer. (02:27, 24th November, Camera 7)
 SM/15 – Male customer appearing to kiss the naked body of the female dancer. (00:06, 24th November, Camera 9)
 SM/16 – Male customer and female dancer on the left in close to each-other. Male has his hands on the dancer. The male customer is also being sat on by the dancer on the top right. Security are sitting on the sofa on the bottom right of the screen. (03:30, 24th November, Camera 7)
 SM/17 – Naked female dance rubbing her body from behind on a male dancer (00:07, 24th November, Camera 9)
 SM/18 – Naked female dancer laying on her front on a male customer. The male customer has his hand on her bum. (00:07, 24th November, Camera 9)

The above is just a selection of screenshots however the breaches were constant by the dancers, ignored by all the staff and appeared expected by the customers. This was clear this was just not one slip up and this was a regular and I would suggest normal occurrence for the venue and how they operate.

I can also produce in evidence the following:

Exhibit SM/19 - Tower Hamlets licensing committee agenda and papers for Tuesday 16th May 2023.
 Exhibit SM/20 - Minutes/agenda from an extraordinary committee report for Tower Hamlets for Tuesday 17th October 2017
 Exhibit SM/21 - Companies house page for Vanity Licence Ltd
 Exhibit SM/22 - Companies House page for Nags Head Ltd

I received notification that Tower Hamlets council were to be reviewing the SEV licence of The Nags Head on Tuesday 16th May 2023, I was aware that the licence holder for the Nags Head is Nags Head Ltd, a check on companies house shows the sole director of Nags Head Ltd being [REDACTED]. (Shown in Exhibit SM/22). [REDACTED] is also the sole director of Vanity Licence Ltd (as shown in Exhibit SM/21).

I read through and attached the committee papers in SM/19. This shows that the act of touching customers is not alone to Vanity and this also takes place at the Nags Head. I also identified from the papers that there have been numerous previous incidents of breaches of SEV identified at the Nags Head both in 2016 and 2017. (Exhibit SM/20) shows the committee minutes for a hearing that documents these breaches.

During a summary review hearing [REDACTED] proportioned blame on to the then DPS and her son. Whilst I do not doubt they had no control over the premises it is clear and evident that for years both of [REDACTED] venues where he is the SEV licence holder have operated with constant breaches.

Witness Signature: 

Signature Witnessed by:

RESTRICTED (when complete)

MG11C

Continuation of Statement of: Constable Stephen Muldoon

Having reviewed the countless breaches that I have witnessed on CCTV at Vanity, the committee papers from both 2023 and 2017 from Tower Hamlets it is clear that Vanity is being run and operated extremely poorly. The licence holder has no control as to what goes on at the venues and the only apparent consistent thing is the apology he gives when breaches are found. It the opinion of the Metropolitan police service that [REDACTED] should not be granted an SEV licence and is not a suitable person to operate one.

Witness Signature: 

Signature Witnessed by:

RESTRICTED (when complete)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of PC Reaz Guerra [redacted] URN: [] [] [] []

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of: ... 15... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: PC [redacted] Date: 14th May 2023.....

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am the above-named person, currently employed in the Westminster Police Licensing Unit.

I am the above-named person, currently employed in the Westminster Police Licensing Unit. I joined the Metropolitan Police Service in 2002 and was posted to the Borough of Westminster in 2003, working in numerous operational roles. I moved to the Westminster Police Licensing Unit in April 2011. Since my appointment in the Licensing Unit I have dealt with a wide range of licensing matters including applications for new premises licences, variations to existing premises licenses, licensing committee hearings, licensing reviews and a large number of licensing visits to licensed premises within the City of Westminster. I am also a specially trained search officer, licensed by the Home Office, with over 17 years experience performing this role.

I submit the below information in relation to an application by the Westminster Police Licensing Unit, on behalf of the Commissioner of the Metropolitan Police, to revoke the Sexual Entertainment Venue licence for Vanity Bar And Nightclub Basement to First Floor 4 Carlisle Street London W1D 3BJ, The premises is also licensed, Premises Licence number 20/03227/LIPT.

The premises which is located within the West End Cumulative impact area as defined by Westminster City Councils statement of licensing policy.

Signature: PC [redacted] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

Vanity Bar & Nightclub is located on the north footway of Carlisle Street approximately ten (10) metres west of the junction with Dean Street. The main entrance is a large single door on Carlisle Street. As you enter the premises into a small lobby there is a small storage room to the left and another single door into the main ground floor area. The bar is located on the righthand side, opposite the bar there is a staircase which leads up to the first floor and also down to the basement level. In the basement the, from the areas I have seen there is a room with approximately 6 booths and there is a door leading to an office.

In December 2022, the police made an application for a summary review of the premises licence for Vanity Soho (ref 22/11860/LIREVX), as part of this application the Police requested CCTV to be downloaded which is detailed in my statement in relation to the review application 22/11860/LIREVX.

The CCTV provided contained footage from 21st-22nd November 2022 and 23rd-24th November, with footage from 19 different cameras. The following is a summary of the location/field of view of the cameras provided, this is from my knowledge of the areas I have seen within the venue and using the premises plans.

Camera No	Approximate location/coverage
3	Ground floor by edge of bar pointing towards front of premises
4	Ground floor located by staircase, looking towards bar
5	Ground floor located behind bar, looking over bar and towards staircase
6	Ground floor located by staircase, looking towards bar.
7	1 st Floor, above/by entrance looking into room

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

9	1 st Floor, located on far wall looking back across room towards room.
10	Basement, lobby/landing area at bottom of stair, entrance to the booth is on the left, female toilet on the right.
11	Basement, Landing area between stairs/ female toilets and changing rooms.
12	Basement Changing Rooms
13	Basement, camera located in centre of walkway between booths looking at double entrance door from lobby into booths.
14	Basement booths, located above 1 st right hand booth as you enter room.
15	Basement booths, located in last booth on the right, entrance to booth area is top right of screen
16	Basement booths, located in last booth on the left, entrance to booth area is top left of screen, door on right leads to staff office and back of house area
17	Basement booths, located above 1 st left hand booth as you enter room.
18	Believed fire escape – exact location unknown
19	Storeroom – exact location unknown
20	Basement - office
21	Believed fire escape – exact location unknown

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

22	Ground floor – outside main entrance looking west along Carlisle street.
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Notably cameras 1,2 and 8 were not included in the footage provided. The CCTV Time stamp on the recorded footage is three (3) Minutes fast.

From the CCTV that I have viewed from 21st/22nd and 23rd/24th November 2022 I have produced a transcript, exhibits RGG/001 and RGG/002 refer.

Both the Premises licence and SEV Licence have conditions relating to CCTV :-

Premises licence – Conditions 29 & 30

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

Sev Licence conditions 10 & 11

The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

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.

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.

On the ground floor, the camera outside the main entrance (Camera 22) does not adequately capture a facial image of all persons entering or exiting. an example of this is evidenced in the CCTV on Camera 22, on 24/11/22 at 03:07:41, two people leave the premises and the footage is of insufficient quality to identify them. (screenshot produced as exhibit **RGG/004**)

The only other camera that covers the internal entrance in the main area of the ground floor is Camera 3 and again this does not provide sufficient quality footage, particularly of people leaving in all light conditions. There are no cameras in the lobby area between the main street entrance and the entrance to the ground floor.

SEV - Condition 21

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.

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

On the 1st floor, the relevant entertainment takes place in a large room, there are approximately eight (8) armchairs located around the periphery of the room, where customers sit, there are three (3) movable concertina screens (approximately 1.8m high) which are positioned ad hoc to provide privacy.

The two cameras located on the ceiling at either end of this large room do not provide sufficient coverage, particularly as the seats located on the periphery of the room are often obscured by screens, also the seats at the far end of the room are out of view of the camera position at the far end of the room and in low light condition are not adequately covered by the only other camera.

In the Basement booth area, there are 6 booths three on each side with a walkway down the middle. As you enter this room, there is a seat/area just to the immediate left as you enter, where the PDQ machine is situated and staff often stand/sit. Within the booth area there are only four cameras to cover all six booths (cameras 14, 15, 16, 17). The booths have bead screens in-between them and this obscure the CCTV coverage, particularly of the middle booths. The positioning of the seating within the booth allows customers to be seated out of view of the CCTV cameras, the dancers are also aware that the seats are out of camera view, this is evident on Camera 15 (21/11/22 23:06:15), when a male enters the booth and sits in the chair that is within the view of the camera, the dancer the speaks to him, turns and points at the camera and the male gets up and sits in the seat out of the view of the camera – Screenshot Nov21 Cam15 230645 - Exhibit RGG/005).

I also produce screen shots of Camera 14, 16 and 17, showing the inadequate coverage of all the booths, in each of the screen shots all the booths are occupied by at least one customer and one dancer.

Exhibit RGG/006 – Nov 21 Cam 14 225919 – male out of view at bottom of screen, dancer/male in middle booth obscured by beaded screen

Exhibit RGG/005 - Nov 21 Cam 15 230645 - dancer/male in middle booth obscured by beaded screen

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra**

Exhibit RGG/007 - Nov 21 Cam 16 232708 - dancer/male in middle booth obscured by beaded screen

Exhibit RGG/008 - Nov 21 Cam 17 234542 - dancer/male in middle booth obscured by beaded screen.

The inadequate coverage breaches both the conditions on the SEV and premises licence, as the minimum expectation would be that all areas where relevant entertainment takes place should be adequately covered by CCTV as per the conditions on both licences.

Premises licence condition 24

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.

The CCTV does not show any evidence of any substantial refreshment being provided, the only form of food being consumed are the lemon/limes being provided with what is assumed to be shots of tequila., whilst it is evident that regulated entertainment is being provided (recorded music), the premises was essentially operating as a Sexual Entertainment Venue on both 21/22nd and 23/24th November 2022, and therefore should be fully compliant with their SEV Licence.


Numerous conditions have been breached on both dates and is evident on the CCTV.

SEV Conditions breached:-

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.

20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.

Signature:  Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

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.

It is clearly evident from CCTV that there are many instances where customers and performers are permitted to touch each other, with physical contact frequently being made often of a sexual nature, whereby customers are permitted to touch the breasts, bottom and vaginas of the dancers; and dancers touch and rub the customers crotches. Touching takes place from the moment customers walk in to the premises, with the dancers often hugging customers as they enter the bar, dancers can be seen with arms around customers, stroking the chests, touching their bottoms. Customers are also seen with their hands on dancers bottoms without being challenged, deeming this acceptable and permitted behaviour.

These incidents are not limited to a single performer or customer but occur between numerous dancers and different customers. It appears to be commonplace and regular behaviour, the SIA security or management when positioned on each floor ignore and are not seen to actively challenge or prevent the touching/between performers and customers. Breaching conditions 16, 17, 21, 22 and 23.

These many incidents of touching have been detailed with the CCTV transcripts, Exhibits RGG/01 & RGG/02.

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

To highlight but just a few incidents on the 24th November: -

Male seated in chair, top left of screen. Dancer is lying on male facing him, her breasts in his face, male has his hands on her bottom. **Screenshot - Camera 7 02:59:21 – Exhibit RGG/009**

Male seated in chair, Dancer is stood in front of male, bent over with left knee on his thigh, male has right hand on her left breast **Screenshot -24Nov Cam7– 03:00:56 - Exhibit RGG/010.**

Male seated in chair, top left of screen. Dancer is kneeling down on floor in front of male and has her hand in male’s crotch **Screenshot -24Nov Cam7– 02:59:34 - Exhibit RGG/011**

Male seated in chair middle left of screen, dancer seated sideways on left leg of male, male has his right hand in dancers crotch. **Screenshot 24Nov – Cam 9 03:53: 29 - Exhibit RGG/012**

Male seated in chair middle left of screen, dancer is stood in front of male, bent over, male has right hand on her bottom. believed his left hand is also on dancers bottom but view is obscured by screen. - **Screenshot 24Nov – Cam 9 03:54: 52 - Exhibit RGG/013**

Male is seated out of camera view, dancer is stood up in front of male facing away, male places hands on her hips and the grabs/rubs her bottom. **Screenshot 24Nov – Cam 14 01:18: 48 - Exhibit RGG/014**

Male is seated out of camera view, Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. **Screenshot 24Nov – Cam 14 03:10:59 - Exhibit RGG/015**

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra**

Male is seated out of camera view; Dancer is stood up facing Male. Male has his hand in between dancer's legs on her vagina, then hand moves in and out between dancers' legs - **Screenshot 24Nov – Cam 14 03:11:38 - Exhibit RGG/016**

Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - **Screenshot 24Nov – Cam 14 03:24:06 - Exhibit RGG/017**

Dancer is facing seated male, male touches dancers' breasts with both his hands **Screenshot 24Nov – Cam 16 02:41:42 - Exhibit RGG/018**

Male and dancer stood up embracing each other and kissing on lips - **Screenshot 24Nov – Cam 16 03:35:15 - Exhibit RGG/019**

Male and dancer stood up embracing each other and kissing on lips - **Screenshot 24Nov – Cam 16 03:41:22 - Exhibit RGG/020**

Female with her hand on males bottom. - **Screenshot 21Nov – Cam 04 22:45:23 - Exhibit RGG/0021**

Male holding hands with female, hands on the females bottom. - **Screenshot 21Nov – Cam 04 22:53:41 - Exhibit RGG/022**


Two Females hugging male - **Screenshot 21Nov – Cam 04 23:05:32 - Exhibit RGG/023**

Male with hand on females bottom - **Screenshot 21Nov – Cam 04 22:55:47 - Exhibit RGG/024**

Male with hand on females bottom - **Screenshot 21Nov – Cam 04 22:56:15 - Exhibit RGG/025**

Male with hand on females bottom - **Screenshot 22Nov – Cam 04 00:20:53 - Exhibit RGG/026**

Dancer with breasts in males face - **Screenshot 21Nov – Cam 07 23:57:04 - Exhibit RGG/027**

Signature:  Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra**

Dancer lying down on male with her hand on her vagina - **Screenshot 21Nov – Cam 07 23:59:04 - Exhibit RGG/028**

Male has his right hand on her vagina. - **Screenshot 22Nov – Cam 07 00:00:59 - Exhibit RGG/029 -**

Exhibit RGG/030 - Male with face in dancers bottom. - **Screenshot 22Nov – Cam 04 00:04:49**

Dancer with money (notes) from given to her by the male customer. - **Screenshot 21Nov – Cam 17 23:32:34 - Exhibit RGG/031**

It is also evident that, many of the male customers are intoxicated and in their intoxicated state are being encouraged to purchase more dances/performances. two such examples being

22nd November 22 – 02:27 to 03:00 – Intoxicated male attempts various different payments, by phone and bank cards, has 4 dancers with him in the booth, when the performance ends the male stands up and clearly unsteady on his feet.

24th November 22, 03:30 – Camera 16 - Male stands up, clearly unsteady on his feet, stumble as he gets up and has to use his right hand to hold on to wall to support himself, swaying from side to side and has to lean against wall. Dancer returns and male has his hand on her bottom, then grabs her bottom with both hands.

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.

Signature: Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

On 24th November 2022, cameras 13 and 17 between 0300hours to 0440 hours the basement booths are supervised solely by a male member of staff, he is not wearing or displaying an SIA badge, it is believed that he is not an accredited SIA security person.

Another noteworthy incident is captured on camera 6 (ground floor bar) and camera 15 (basement booths) a male customer having entered the booth with a dancer at approximately 23:06 hours. Then at approximately 23:30 hours on camera 15, male is seated out of view a member of staff attempting to make a payment using his phone, Male makes payment on card machine, then staff screws up both copies of the printed receipt, staff the takes the customers mobile phone which is unlocked (bank card image visible on phone screen) up to the bar on the ground floor to complete the transaction (See Camera 6 - 23:31:55) Staff returns to booth, transaction appears declined, staff leave momentarily and returns with another PDQ machine, unclear if transaction made as out of camera view. It is questionable as to why the customer allowed the member of staff to use his phone for a payment with the customer not being present.

The premises is failing to uphold and fully promote the licensing objectives, their obstructive approach in providing CCTV, which clearly evidences many breaches of both their Premises Licence and SEV Licence and shows the premises is being managed and operated in an irresponsible manner.

Summary of Exhibits

Exhibit Number	Description of Exhibit
RGG/001	CCTV Transcript 21/22 Dec 2022
RGG/002	CCTV Transcript 23/24 Dec 2022
RGG/003	Email chain between Solicitor (Luke Elford) and PC Guerra
RGG/004	Screenshot showing male leaving premises, poor camera quality/position does not allow person to be identified. - CCTV on

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

	Camera 22, on 24/11/22 at 03:07:41
RGG/005	Screenshot Nov21 Cam15 230645 - Exhibit RGG/005) – dancer points at the camera and the male gets up and sits in the seat out of the view of the camera
RGG/006	Screenshot – Nov 21 Cam 14 225919 – male out of view at bottom of screen, dancer/male in middle booth obscured by beaded screen
RGG/007	Screenshot - Nov 21 Cam 16 232708 - dancer/male in middle booth obscured by beaded screen
RGG/008	Screenshot - Nov 21 Cam 17 234542 - dancer/male in middle booth obscured by beaded screen.
RGG/009	Screenshot - Camera 7 02:59:21 – Male seated in chair, top left of screen. Dancer is lying on male facing him, breasts in his face, male has his hands on her bottom.
RGG/010	Screenshot -24Nov Cam7– 03:00:56 - Dancer is stood in front of male, bent over with left knee on his thigh, male has right hand on her left breast
RGG/011	Male seated in chair, top left of screen. Dancer is kneeling down on floor in front of male has hand in male’s crotch Screenshot -24Nov Cam7– 02:59:34
RGG/012	Male seated in chair middle left of screen, dancer seated sideways on left leg of male, male has his right hand in dancers crotch. Screenshot 24Nov – Cam 9 03:53: 29
RGG/013	Male seated in chair middle left of screen, dancer is stood in front of male, bent over, male has right hand on her bottom. believed his left hand is also on dancers bottom but view is obscured by screen. - Screenshot 24Nov – Cam 9 03:54: 52 -

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

RGG/014	Male is seated out of camera view, dancer is stood up in front of male facing away, male places hands on her hips and the grabs/rubs her bottom. Screenshot 24Nov – Cam 14 01:18: 48
RGG/015	Male is seated out of camera view, Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. Screenshot 24Nov – Cam 14 03:10:59
RGG/016	Male is seated out of camera view, Dancer is stood up facing Male. Male has his hand in between dancer’s legs on her vagina, then hand moves in and out between dancers legs - Screenshot 24Nov – Cam 14 03:11:38
RGG/017	Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - Screenshot 24Nov – Cam 14 03:24:06
RGG/018	Dancer is facing seated male, male touches dancers’ breasts with both his hands Screenshot 24Nov – Cam 16 02:41:42
RGG/019	Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:35:15
RGG/020	Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:41:22
RGG/021	Female with her hand on males bottom. - Screenshot 21Nov – Cam 04 22:45:23
RGG/022	Male holding hands with female, hands on the females bottom. - Screenshot 21Nov – Cam 04 22:53:41
RGG/023	Two Females hugging male. - Screenshot 21Nov – Cam 04 23:05:32
RGG/024	Male with hand on females bottom. - Screenshot 21Nov – Cam 04 22:55:47
RGG/025	Male with hand on females bottom. - Screenshot 21Nov – Cam 04

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra** [REDACTED]

	22:56:15
RGG/026	RGG/026 - Male with hand on females bottom. - Screenshot 22Nov – Cam 04 00:20:53
RGG/027	Dancer with breasts in males face -. - Screenshot 21Nov – Cam 07 23:57:04
RGG/028	Dancer lying down on male with her hand on her vagina-. - Screenshot 21Nov – Cam 07 23:59:04
RGG/029	Male has his right hand on her vagina. - Screenshot 22Nov – Cam 07 00:00:59
RGG/030	Male with face in dancers bottom. - Screenshot 22Nov – Cam 04 00:04:49
RGG/031	Dancer with money (notes) from given to her by the male customer -. - Screenshot 21Nov – Cam 17 23:32:34

[REDACTED]

Signature: [REDACTED] Signature witnessed by:

Witness contact details

Home address:
..... Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): **PC GUERRA**..... Station: **City Hall Westminster**.....

Time and place statement taken:



Exhibit RGG/004 - Screenshot showing male leaving premises, poor camera quality/position does not allow person to be identified. - CCTV on Camera 22, on 24/11/22 at 03:07:41



Exhibit RGG/005- Screenshot Nov21 Cam15 230645 - Dancer points at the camera and the male gets up and sits in the seat out of the view of the camera

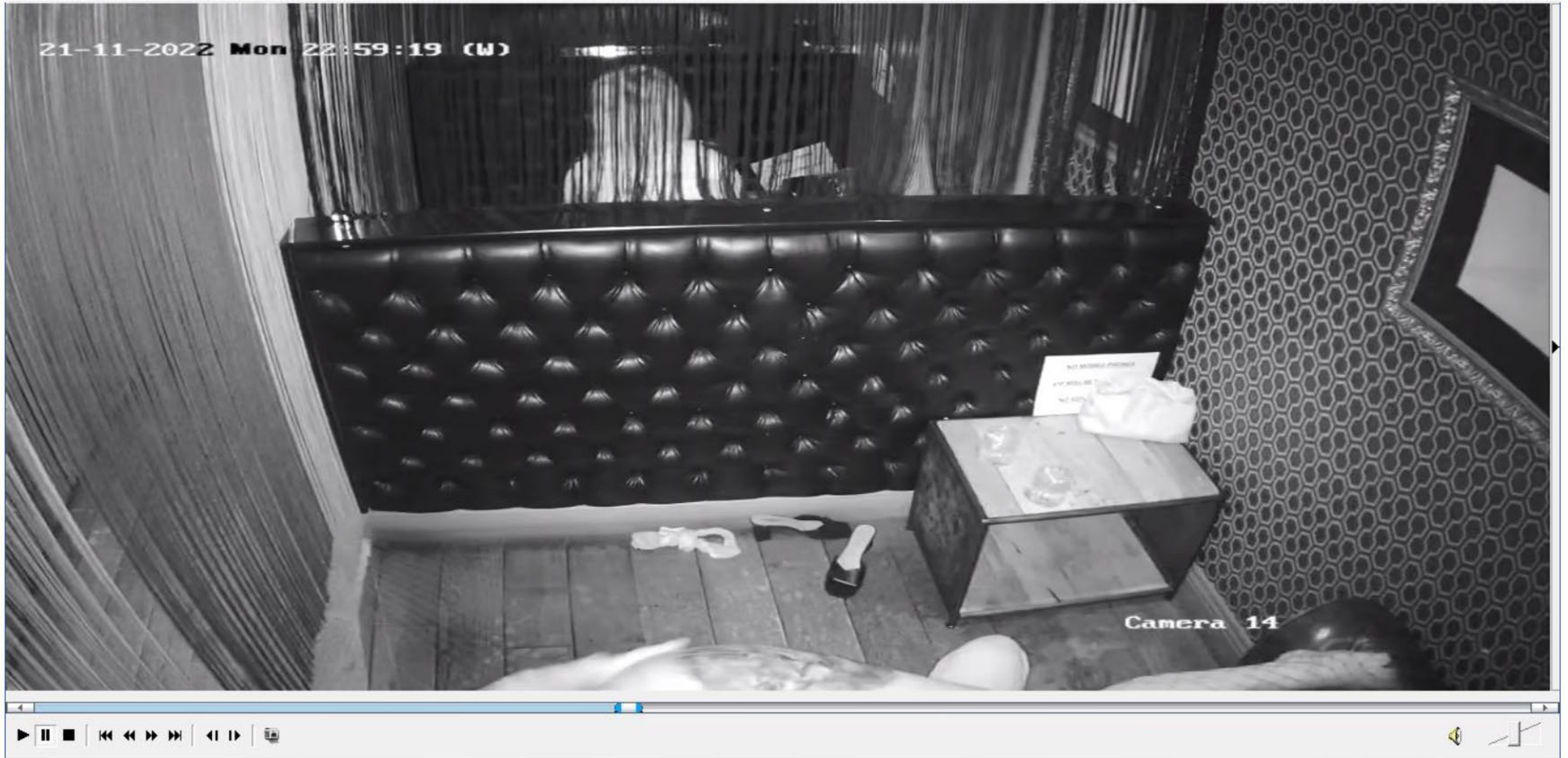


Exhibit RGG/006 - **Screenshot** – Nov 21 Cam 14 225919 – male out of view at bottom of screen, dancer/male in middle booth obscured by beaded screen



Exhibit RGG/007 - Screenshot - Nov 21 Cam 16 232708 - dancer/male in middle booth obscured by beaded screen



Exhibit RGG/008 - **Screenshot** - Nov 21 Cam 17 234542 - dancer/male in middle booth obscured by beaded screen.

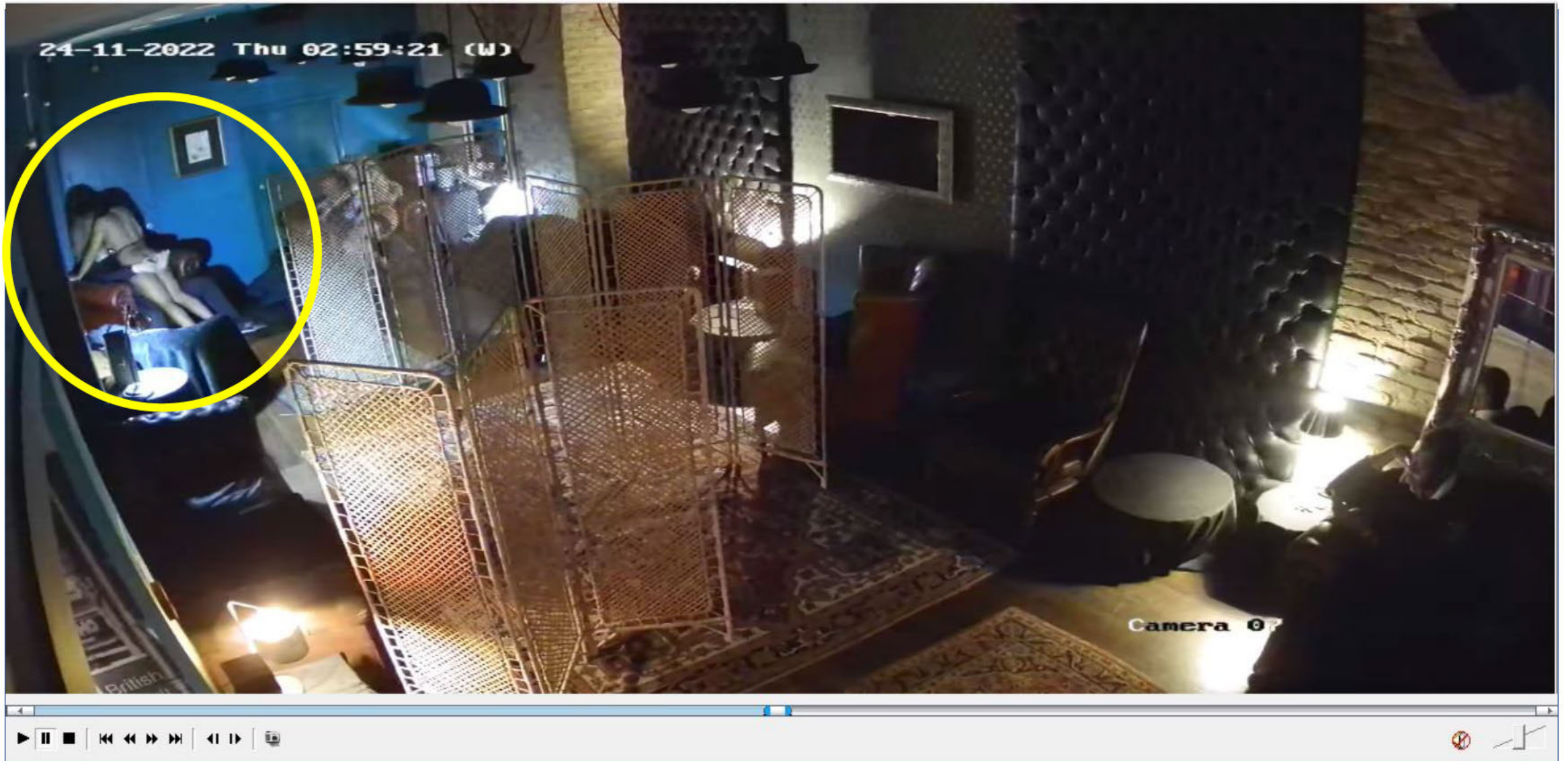


Exhibit RGG/009 - Screenshot - Camera 7 02:59:21 – Male seated in chair, top left of screen. Dancer is lying on male facing him, breasts in his face, male has his hands on her bottom.



Exhibit RGG/010 - Screenshot -24Nov Cam7- 03:00:56 - Dancer is stood in front of male, bent over with left knee on his thigh, male has right hand on her left breast

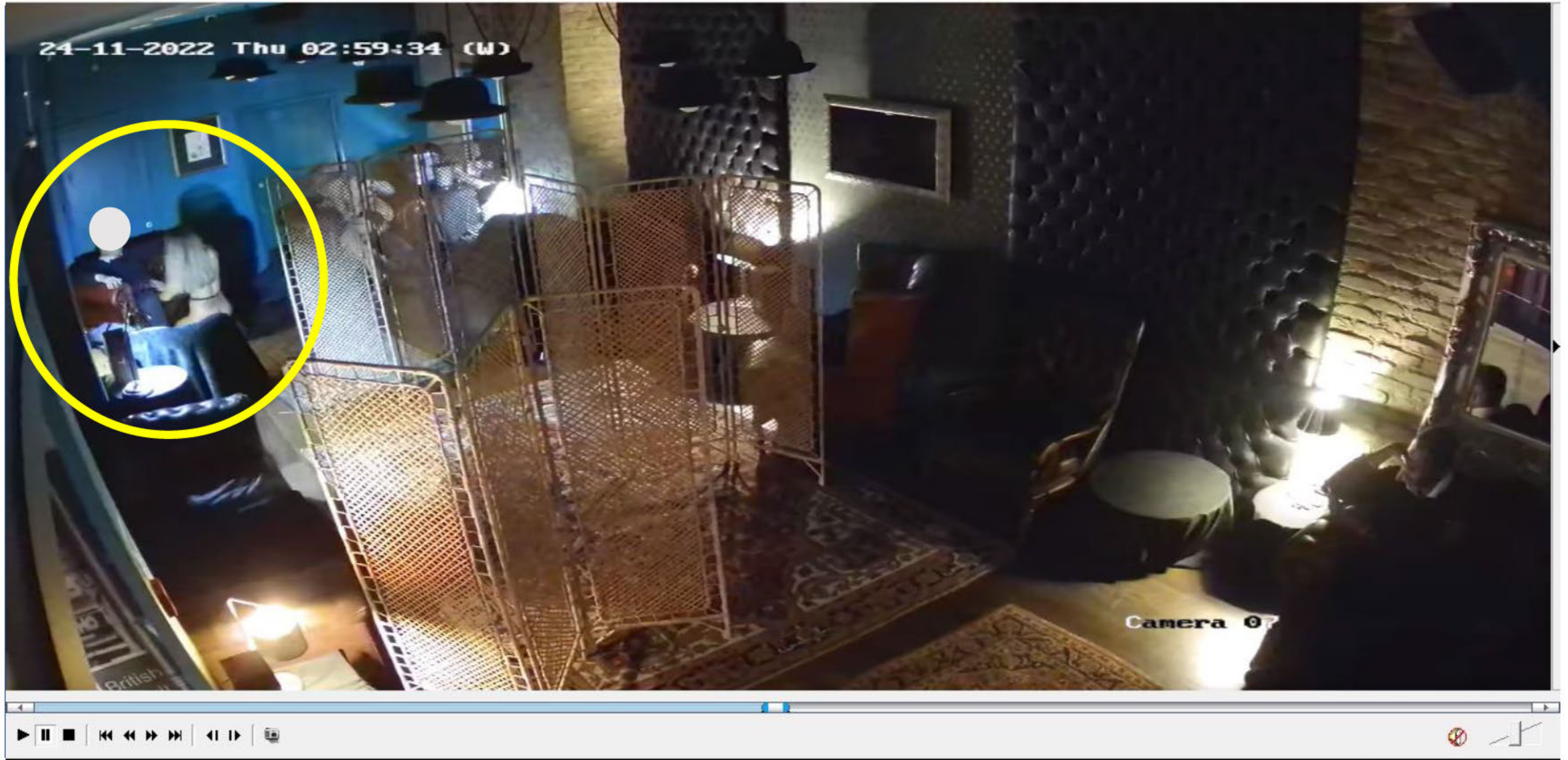


Exhibit RGG/011 - Male seated in chair, top left of screen. Dancer is kneeling down on floor in front of male has hand in male's crotch **Screenshot -24Nov Cam7- 02:59:34**



Exhibit RGG/012 - Male seated in chair middle left of screen, dancer seated sideways on left leg of male, male has his right hand in dancers crotch. **Screenshot 24Nov – Cam 9 03:53: 29**



Exhibit RGG/013 - Male seated in chair middle left of screen, dancer is stood in front of male, bent over, male has right hand on her bottom. believed his left hand is also on dancers bottom but view is obscured by screen. - Screenshot 24Nov – Cam 9 03:54: 52



Exhibit RGG/014 - Male is seated out of camera view, dancer is stood up in front of male facing away, male places hands on her hips and the grabs/rubs her bottom. **Screenshot 24Nov – Cam 14 01:18: 48**

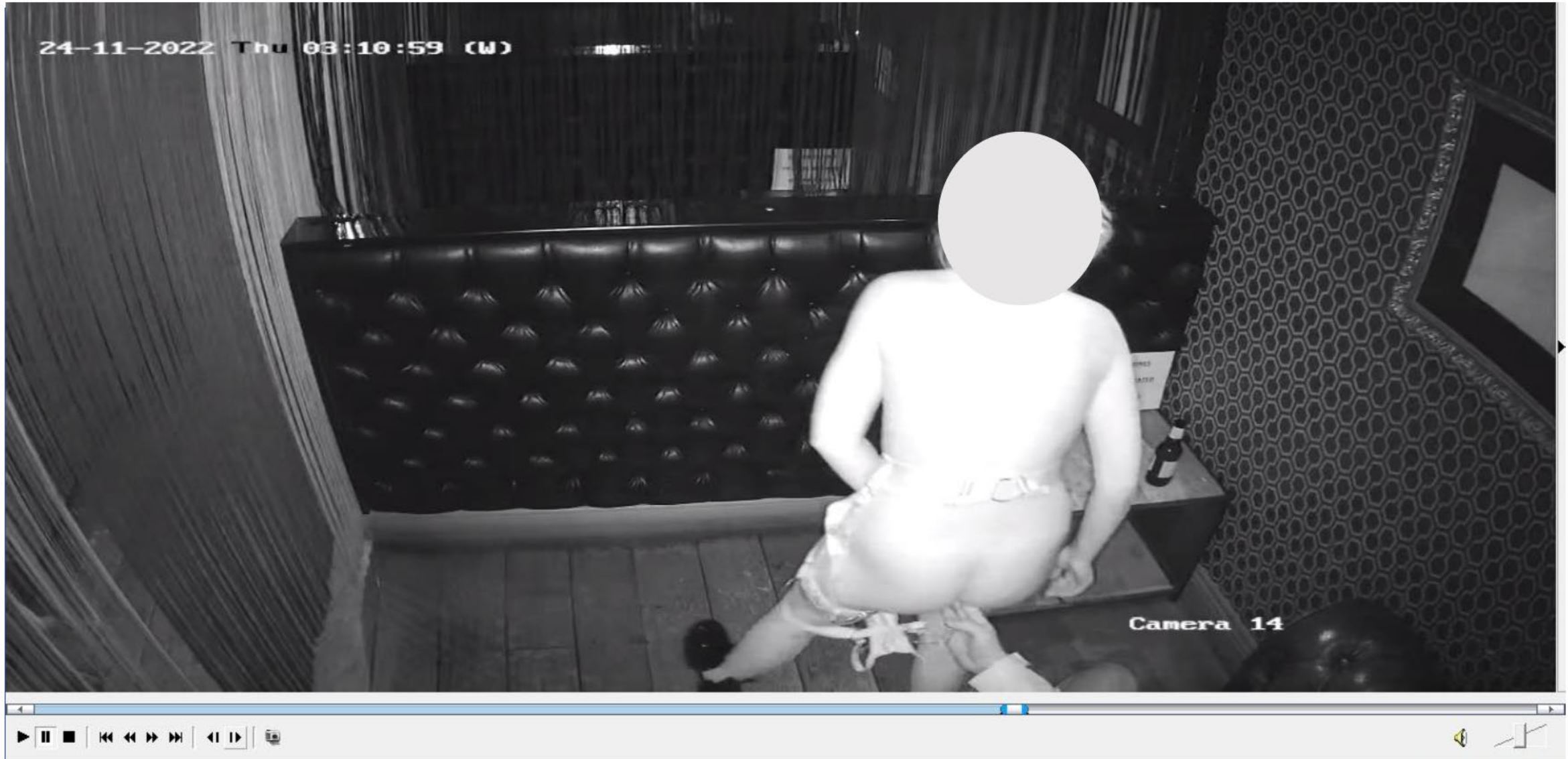


Exhibit RGG/015 - Male is seated out of camera view, Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. **Screenshot 24Nov – Cam 14 03:10:59**



Exhibit RGG/016 - Male is seated out of camera view, Dancer is stood up facing Male. Male has his hand in between dancer's legs on her vagina, then hand moves in and out between dancers legs - **Screenshot 24Nov – Cam 14 03:11:38**



Exhibit RGG/017 - Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - Screenshot 24Nov – Cam 14 03:24:06

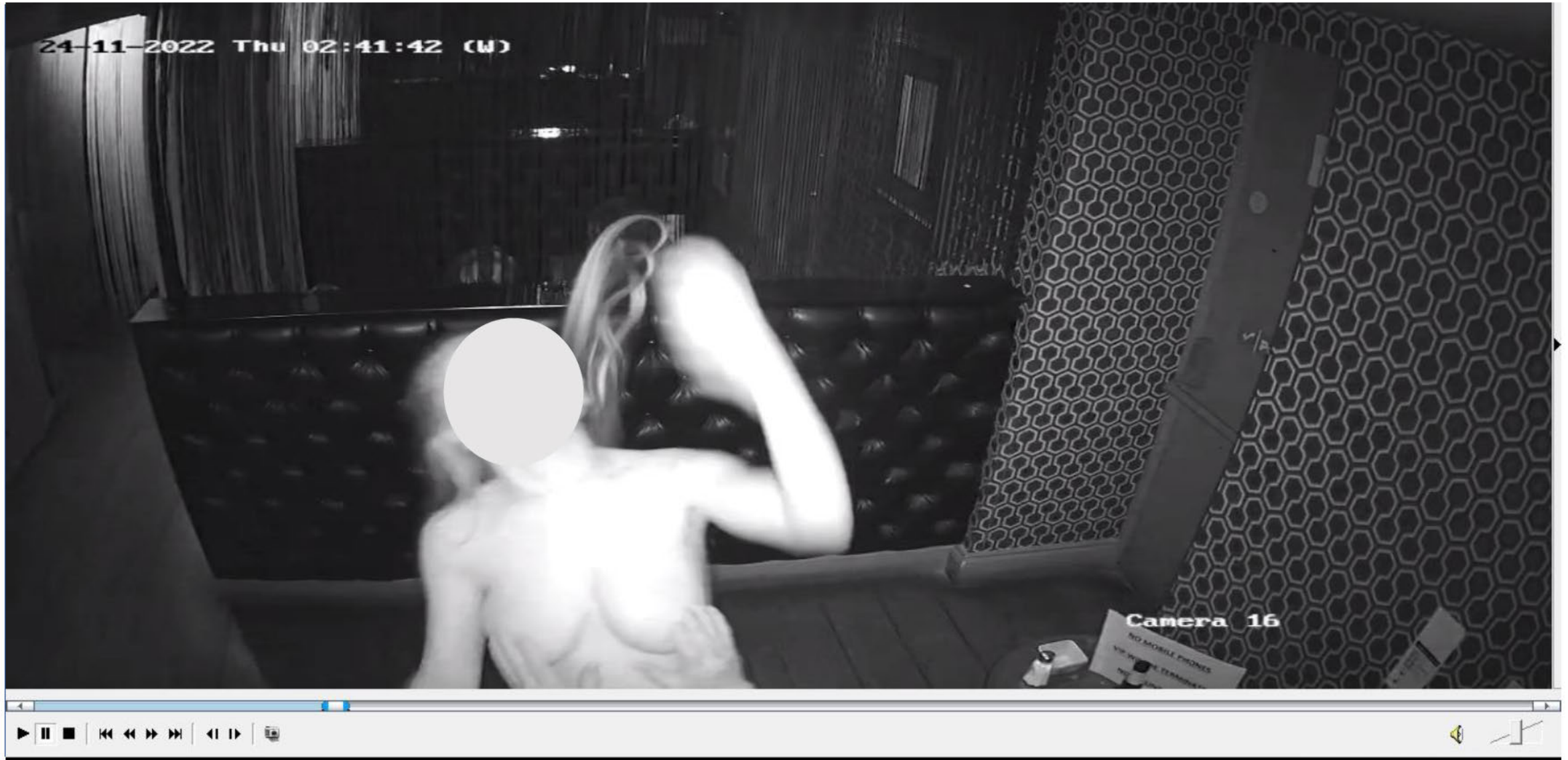


Exhibit RGG/018 - Dancer is facing seated male, male touches dancers breasts with both his hands Screenshot 24Nov – Cam 16 02:41:42



Exhibit RGG/019 - Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:35:15



Exhibit RGG/020 - Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:41:22



Exhibit RGG/0021 - Female with her hand on males bottom. - Screenshot 21Nov - Cam 04 22:45:23



Exhibit RGG/022 - Male holding hands with female, hands on the females bottom. - Screenshot 21Nov – Cam 04 22:53:41



Exhibit RGG/023 - Two Females hugging male. - Screenshot 21Nov - Cam 04 23:05:32



Exhibit RGG/024 - - Male with hand on females bottom. - Screenshot 21Nov – Cam 04 22:55:47



Exhibit RGG/025 - Male with hand on females bottom. - Screenshot 21Nov – Cam 04 22:56:15



Exhibit RGG/026 - Male with hand on females bottom. - Screenshot 22Nov – Cam 04 00:20:53



Exhibit RGG/027 Dancer with breasts in males face -. - Screenshot 21Nov – Cam 07 23:57:04



Exhibit RGG/028 dancer lying down on male with her hand on her vagina-. - Screenshot 21Nov – Cam 07 23:59:04



Exhibit RGG/029 -Male has his right hand on her vagina. - Screenshot 22Nov – Cam 07 00:00:59



Exhibit RGG/030 - Male with face in dancers bottom. - Screenshot 22Nov - Cam 04 00:04:49



Exhibit RGG/031 Dancer with money (notes) from given to her by the male customer - Screenshot 21Nov – Cam 17 23:32:34

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of David Morgan [redacted] URN:

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Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of:**3**.... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [redacted] Date: 03/01/2023.....

I am the above named person and this statement is a continuation of the statement that I provided on Tuesday 3rd January 2023 with regards to viewing the CCTV for the Vanity bar, 4 Carlisle Street, W1D 3BJ.

Whilst viewing the CCTV for the initial drink spike crime report allegation, I noticed various unconnected incidents that took place within the venue that are contrary to the premises licence and Sexual Entertainment Venue (SEV) licence conditions.

PC Guerra has made reference to many of these conditions in his statement that he wrote on the 2nd January 2023 and my statement includes further incidents of breaches that I witnessed whilst watching the CCTV. Most of the breaches are connected with conditions 17 and 22 of the SEV licence (i.e. no physical contact between the performers and customers whilst relevant entertainment is being provided).

Whilst watching the CCTV, it has become clear that many of the female performers are allowing physical contact between themselves and the customers and there seems to be frequent contact of a sexual nature between both the customers and the performers. These range from kissing, to the touching of the performer's breasts, buttocks and vaginas. Some of the incidents that I have witnessed have already been documented in PC Guerra's statement, so I won't duplicate those. However, the additional incidents that I have noticed in addition to those PC Guerra has supplied for

Signature: [redacted] Signature witnessed by:

Continuation of Statement of David Morgan

the 24th November 2023 are as follows:

At **01:29:55 on Camera 3**, an IC1 male in a dark coloured jacket is seen talking to an IC1 female with shoulder length blonde hair. The female is talking to the male and is seen hugging him and talking in his ear. The male can be seen to take out some notes from his trouser pocket and starts to hand over some money to the female. She is seen to grab some money from his hand and starts to count it. The male seems to ask for some of the money back and she hands one of the notes back. The female then walks away followed by the male and they proceed to go upstairs where she provides him with a private dance. This incident is of note as during the interim committee hearing, it was stated that no money is taken from customers by the performers and that all transactions go through the DPS or other members of the management staff. This does not seem to be the case on this occasion. I have taken a screen shot of this incident and I exhibit it as DJM/1.

At **01:10:04 on Camera 14**, a female performer is giving a male customer a private dance in one of the booths. During the dance, the female is facing away from the male and the male can clearly be seen to be touching the performer's buttocks afterwhich the female does not to stop him. I have taken a screen shot of this and exhibit it as DJM/2. A few seconds later, the female is facing straddling the male and the he is seen to touch her genitals. Again, the female make no attempts to stop him or does she call for a member of staff or security. This screen shot is exhibited as DJM/3. The dance continues and the male continues to touch the female's breasts and buttocks numerous times.

At **02:13:52 on camera14**, a different female is performing a dance for a male customer and the male can be seen touching the females buttocks. I exhibit this screenshot as DJM/4. During this dance, the female removes her underwear and the male continues to touch her thighs and slaps her buttocks. This can be seen at 02:16:43 and 02:18:03, screenshots of which I exhibit as DJM/5 and DJM/6. Throughout, the dance, members of staff can be seen walking up and down the corridor, but

Signature: [redacted] Signature witnessed by:

Continuation of Statement of David Morgan [REDACTED]

at no time does anyone intervene nor does the female performer ask the male to stop.

At **02:39:21 on camera 14**, again, another female performer is dancing for another male customer.

As the female is sat on the male facing away from him, he can be seen touching her buttocks and slapping them. I exhibit this screenshot as DJM/7. Again, at no point does the female resist, nor do any members of the management intervene. A minute or so later, the female turns to face the male and his right hand can be seen moving towards her genitals and it appears that his hand makes contact with her vagina as she sits on his lap. This screen shot is exhibited as DJM/8. The female continues to dance and the male continues to touch her and at one point kisses one of her buttocks.

At **02:43:46**, the female can be seen facing away from the male, and he is seen to place his finger directly between her legs touching her vagina. At this point, the female does turn around and moves his hand away, but the dance continues without the female calling for assistance from staff or security.

Throughout my viewing of the CCTV footage, it was clear that the DPS and members of management staff were constantly walking past the booths and were within sight of the performers and customers. However, at no point have I seen them intervene or ask the performers or customers not to make contact with each other. As such, I believe that the SEV conditions have been breached on numerous occasions and it is from this, that I believe that the venue is being managed in an irresponsible manner.

[REDACTED]

Signature: [REDACTED] Signature witnessed by:

RESTRICTED – FOR POLICE AND PROSECUTION ONLY
(when completed)

Home address:

Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Height: Ethnicity Code:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6. What can be done to ensure attendance?
- b) Does the witness require 'special measures' as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- c) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- c) I consent to police having access to my medical records in relation to this matter: Yes No N/A
- d) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- e) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings (if applicable) Yes No N/A
- f) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness:

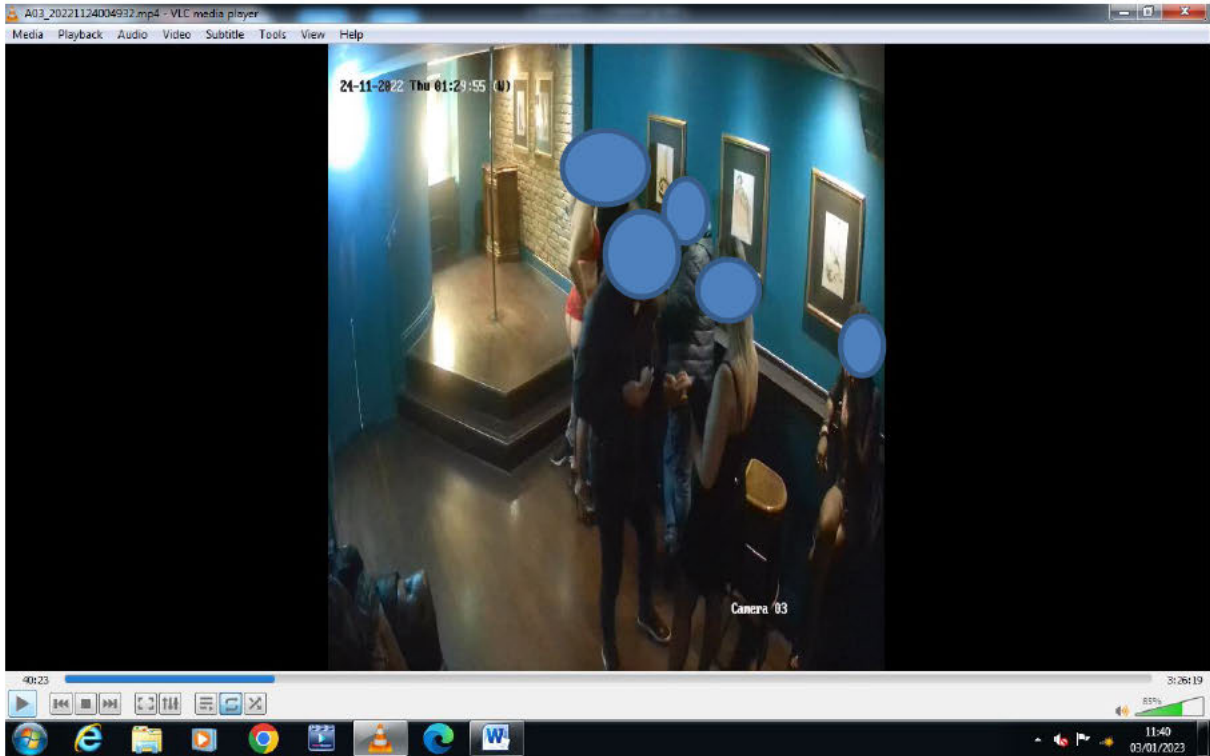
Statement taken by (print name): David Morgan PC [redacted]

Station: Westminster Licensing unit

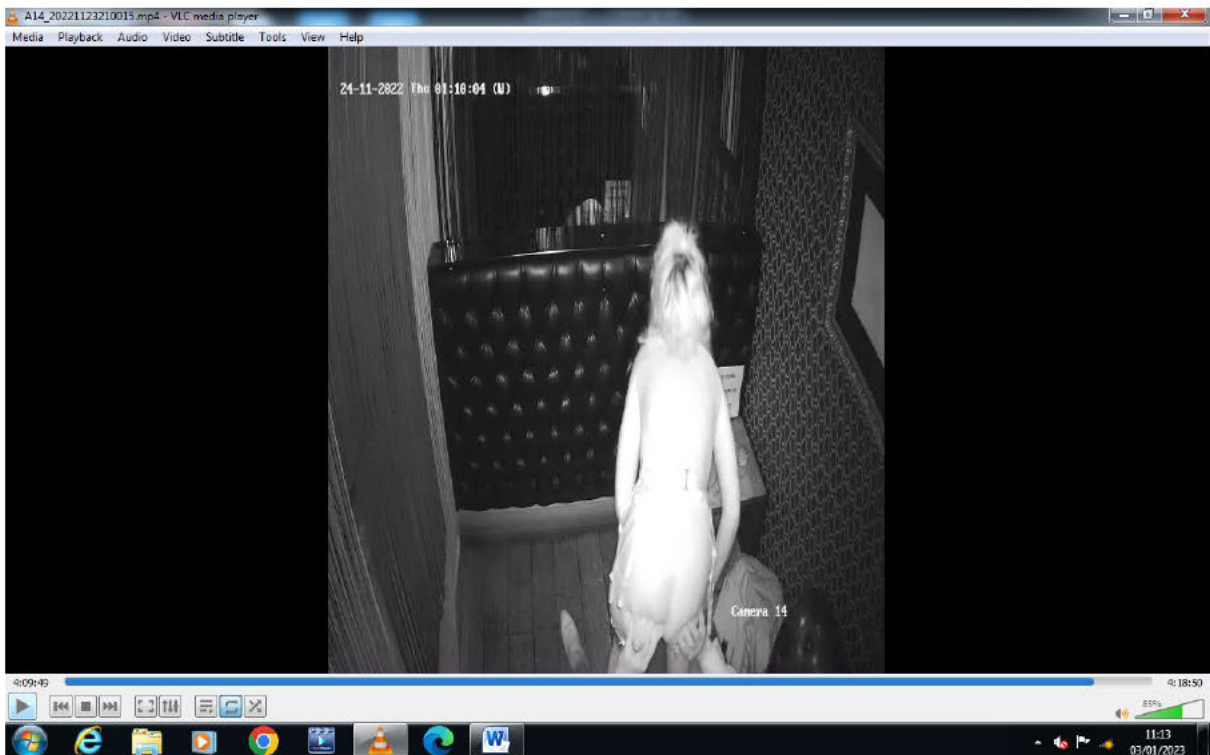
Time and place statement taken: [redacted]

Signature of witness: [Signature] [redacted]

DJM/1 – Male handing cash to female



DJM/2 – Male customer touching females buttocks



DJM/3 – Male customer touching females genitals



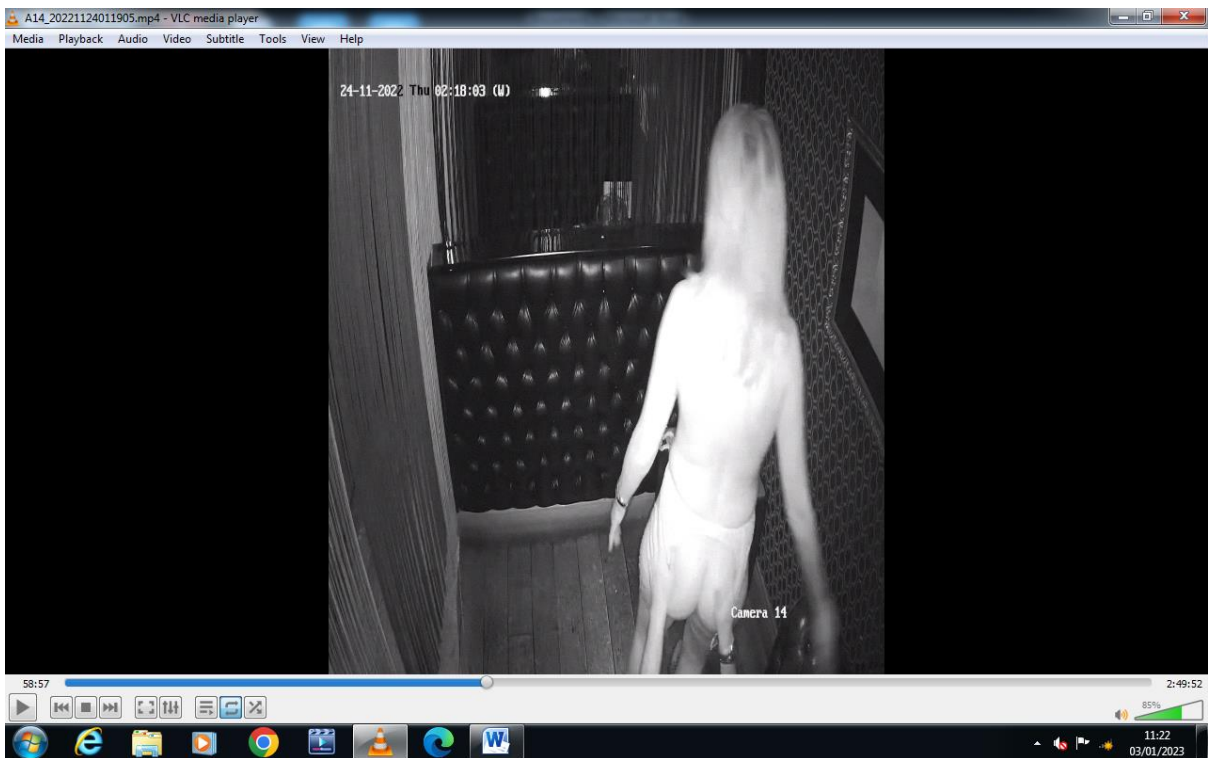
DJM/4 - Male touching females buttocks



DJM/5 – Male touching females buttocks



DJM/6 – Male touching females buttocks



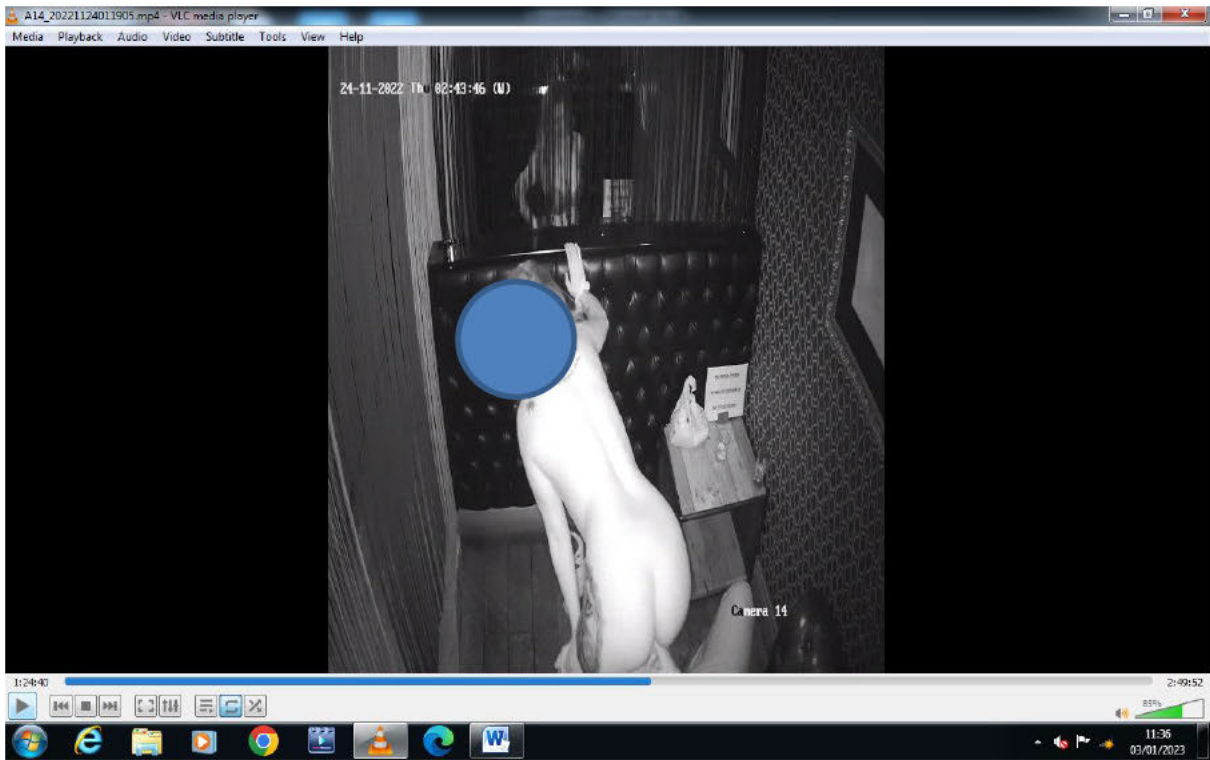
DJM/7 - Male touching females buttocks



DJM/8 - Male appearing to touch females genitals.



DJM/9 – Male touching females genitals



Vanity screenshots exhibits from CCTV 23rd November 23 – 24th November 23

SM/1 - SM/18

SM/1 – Female dancer (a) in one booth sitting on top of a male customer (obscured by seating), female dancer (b) sitting on male customer. Both dancers are topless



SM/2 – Female dancers in both booths sitting on male customers, both dancers appear naked



SM/3 – Male customer and female dancer obscured from view whilst 2 female dancers are in view with one dancer bent over and the other holding her bum



SM/4 – Male customer touching a female's breast.



SM/5 – 2 females dancing for a male customer. The customer is on a booth with another dancer out of view.

23-11-2022 Wed 23:38:28 (W)



SM/6 – 2 females dancing together, appearing to kiss each other.

24-11-2022 Thu 01:23:58 (W)



SM/7 – Female dancer with her arms round a male customer.



SM/8 – Naked female dancer sitting with/on a male customer.
Another customer hidden in booth by a blind spot



SM/9 – Female dancer on top of a male customer. Appear
hidden by the hanging beads.



SM/10 – Naked female rubbing up and down male customer.
Security present sitting on the couch at the bottom right.



SM/11 – Naked female dancer sitting on a male customer
whilst opening and closing her legs.



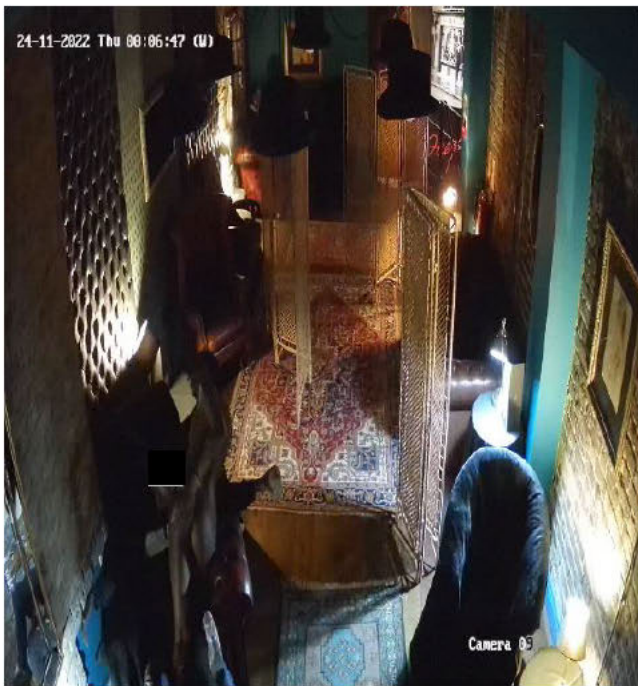
SM/12 – Female dancer on her knees at a male customers crotch area.



SM/13 – Female dancer sitting on male customer.



SM/14 – Female dancer sitting on male customer.



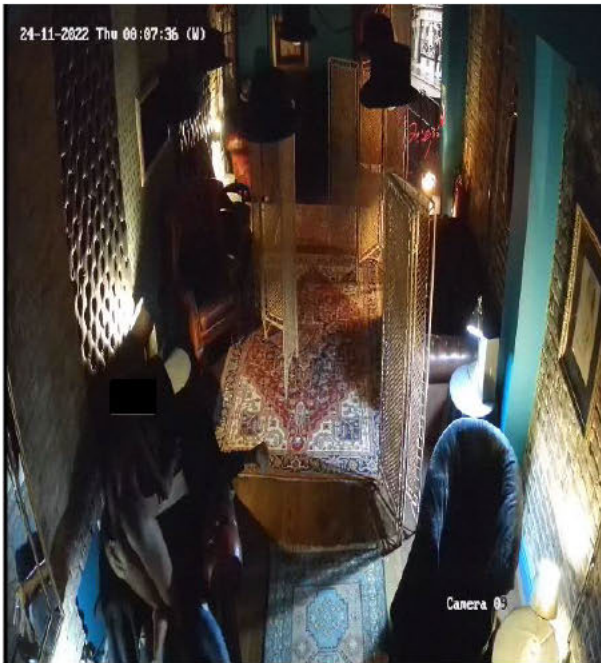
SM/15 – Male customer appearing to kiss the naked body of the female dancer.



SM/16 – Male customer and female dancer on the left in close to each-other. Male has his hands on the dancer. The male customer is also being sat on by the dancer on the top right. Security are sitting on the sofa on the bottom right of the screen.



SM/17 – Naked female dance rubbing her body from behind on a male dancer



SM/18 – Naked female dancer laying on her front on a male customer. The male customer has his hand on her bum.

Licensing Committee

Agenda

Tuesday, 16 May 2023 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel

Members:

Chair: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

[REDACTED]
[REDACTED]
[REDACTED] 7

Town Hall, 160 Whitechapel Road, London, E1 1BJ

<http://www.towerhamlets.gov.uk/committee>



Public Information

Viewing or Participating in Committee Meetings

The meeting will be broadcast live on the Council's website. A link to the website is detailed below. The press and public are encouraged to watch this meeting on line.

Please note: Whilst the meeting is open to the public, the public seating in the meeting room for observers may be limited due to health and safety measures. You are advised to contact the Democratic Services Officer to reserve a place.

Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.

<http://towerhamlets.public-i.tv/core/portal/home>

Electronic agendas reports and minutes.

Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

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Agendas are available on the Modern.Gov, Windows, iPad and Android apps



Scan this QR code to view the electronic agenda



A Guide to Licensing Committee

The Licensing Committee will determine Licensing policy/procedure (excluding the Council's Statement of Policy) as well as Licensing fees and charges.

The Committee will also establish a Licensing Sub-Committee to consider Licensing matters under the Licensing 2003 Act where representations have been made.

Public Engagement

Meetings of the committee are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the council's website.

London Borough of Tower Hamlets



Licensing Committee

Tuesday, 16 May 2023

6.30 p.m.

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF INTEREST (PAGES 5 - 6)

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately, it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

2. RULES OF PROCEDURE - LICENCES FOR SEXUAL ENTERTAINMENT VENUES (PAGES 7 - 12)

To note the rules of procedure relating to determinations of licenses for sexual entertainment venues.

3. ITEMS FOR CONSIDERATION

3.1 Revocation of a Sexual Entertainment Venue Licence for the Nags Head, 17-19 Whitechapel Road, London, E1 1DU (Pages 13 - 104)

Next Meeting of the Licensing Committee

Thursday, 1 June 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: [REDACTED].

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

TOWER HAMLETS



LICENSING COMMITTEE

RULES OF PROCEDURE

GOVERNING APPLICATIONS FOR

SEX ESTABLISHMENT LICENCES

UNDER SECTION 2 OF AND SCHEDULE 3 TO THE LOCAL GOVERNMENT

(MISCELLANEOUS PROVISIONS) ACT 1982

Date Last Reviewed:	22 nd September 2016
Reviewed By:	Senior Corporate and Governance Legal Officer
Approved By:	Licensing Committee
Date Approved:	14 th June 2016
Version No.	1
Document Owner:	
Post Holder:	Senior Corporate and Governance Legal Officer
Date of Next Scheduled Review:	31 st March 2018

1. Interpretation

- 1.1 These Procedures describe the way in which hearings will be conducted under section 2 of and schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.

2. Composition of the Licensing Committee

- 2.1 The Licensing Committee will consist of fifteen (15) members and no business shall be transacted unless at least three (3) members of the Licensing Committee are present and able to form a properly constituted Licensing Committee. The Chair shall have a second or casting vote.

3. Procedure

- 3.1 The hearing shall take place in public save that the Licensing Committee may exclude the public from all or part of a hearing where it considers that, on balance, it is in the public interest to do so. The parties and any person representing them may be excluded in the same way as another member of the public. Any person so excluded may, before the end of the hearing, submit to the Licensing Committee in writing, any information which, they would have been entitled to give orally had they not been required to leave. Where there are a number of items on the agenda, the adjournment of that item for a short period, whilst another item is heard, may allow this process to be carried out effectively.
- 3.2 The Chair will begin by asking the parties to identify themselves and confirm whether or not they are represented.
- 3.3 The Licensing Committee should always satisfy itself that sufficient notice of the hearing has been given to all parties and if not satisfied, then the Licensing Committee should take such steps as it thinks fit to deal with that issue before reaching its determination and this could include adjourning that application to a later date.
- 3.4 The Chair will explain how the proceedings will be conducted, and indicate any time limits that will be imposed on the parties. In setting time limits, the Licensing Committee will take into account the importance of ensuring that all parties receive a fair hearing, and the importance of ensuring that all applications are determined expeditiously and without undue delay. Further the Licensing Committee should allow each party an equal amount of time.
- 3.5 If a party considers that any time limit is not sufficient then they should address the Licensing Committee and which will determine accordingly.

- 3.6 If any party has informed the Authority that they will not be attending or be represented at the hearing or any party does not give notice that they will not be attending but fails to attend and is not represented, the Licensing Committee may proceed in their absence or adjourn the hearing.
- 3.7 If the Licensing Committee adjourns the hearing it should specify the date, time and place to which the hearing has been adjourned.
- 3.8 If the Licensing Committee holds the hearing in the absence of a party, it will consider at the hearing the application or objection given by that party.
- 3.9 The Chair will invite an Officer of the Licensing Section to present the report by briefly summarising the application and the number and type of the representations as set out in the papers circulated. The Officer will also advise of any discussions held with the parties; any amendments made to the application; any objections withdrawn; and any agreed conditions that the Licensing Committee is being asked to consider. The Officer shall not give any opinion on the application or ask the Committee to make an inference based on such an opinion.
- 3.10 Members of the Licensing Committee can then ask questions of clarification of the Licensing Officer or seek legal advice from the Legal Adviser to the Licensing Committee if they require in respect of matters raised during the presentation by the Licensing Officer.
- 3.11 The Legal Adviser to the Licensing Committee will then give any relevant legal advice that the Licensing Committee need to take into consideration.
- 3.12 The Chair will then ask the applicant or their representative, if present, to state their case. This should avoid repetition of material already available to the Licensing Committee in the Officer's report or otherwise, and include any reasons why an exception should be made to the Sex Establishment Licensing Policy, where appropriate; address, where appropriate, the matters stated in the Sex Establishment Licensing Policy that the Licensing Committee will take into account when considering applications; and respond to the written objections received. The submission may be followed by the evidence of any person who is giving supporting evidence on behalf of the applicant or who has made a representation in favour of the application.
- 3.13 The application is to be presented within any time limit that has been set.
- 3.14 Where an applicant is unrepresented and having difficulty in presenting their application then the Legal Adviser to the Licensing Committee may ask questions of the applicant so that the relevant points are addressed and clarified for the Licensing Committee.

- 3.15 The objectors (or their representative) will be invited to question the applicant.
- 3.16 Members of the Licensing Committee may ask questions of the applicant and/or their representative as well as any other person who has spoken in support of the application. Members can also ask questions of any other person present for the applicant who they consider can assist.
- 3.17 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.
- 3.18 The Chair will then ask objectors against the application to state their case within any time limit that has been set. The objectors should not repeat what is already set out in their objections. In stating their case, the objectors should provide clarification on any points previously requested by the Council. The submission may be followed by the evidence of any person who is giving supporting evidence.
- 3.19 The applicant (or their representative) will be invited to question the objectors.
- 3.20 Members of the Licensing Committee may then ask questions of the objectors and any other person who has spoken given evidence in support. Members can also ask questions of any other person present who they consider can assist.
- 3.21 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.
- 3.22 Petitions will be considered but Members should proceed with caution when relying upon petitions used as evidence due to the structure and wording used.
- 3.23 The Chair will intervene at any stage of the hearing to prevent repetitious or irrelevant points being raised.
- 3.24 The objectors (or their representative) will then be permitted to “Sum Up”.
- 3.25 The applicant (or their representative) will then be permitted to “Sum Up”.
- 3.26 The Licensing Committee will consider its decision in private save that the Legal Adviser and Democratic Services Officer will remain with them.
- 3.27 The Licensing Committee will normally return to open session to announce its decision but where they consider it appropriate for the determination to be given at a later time then the Chair will advise the parties present that the decision will not be announced then but that the determination will take place later and that written notification will be dispatched to all parties advising them of the determination.

4. Exclusions

- 4.1 In addition to any exclusion under paragraph 3.1 above, The Licensing Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit the person to return; or allow them to return only on such conditions as Licensing Committee may specify.
- 4.2 Any person so excluded may, before the end of the hearing, submit to the Authority in writing, any information which, they would have been entitled to give orally had they not been required to leave.

DO'S AND DO NOT'S

1. Councillors must:
 - (a) Attend compulsory training sessions;
 - (b) Be open minded and impartial;
 - (c) Declare any actual interest;
 - (d) Listen to the arguments for and against;
 - (e) Carefully weigh up all relevant issues;
 - (f) Ask questions that relate only to licensing considerations relevant to the particular application;
 - (g) Make decisions on merit and on licensing considerations only;
 - (h) Respect the impartiality and integrity of the Council's officers;
 - (i) Report any lobbying from applicants, agents, objectors or any other Councillor;
 - (j) Promote and support the highest standards of conduct; and
 - (k) Promote equality and not discriminate unlawfully against any person, and treat all people with respect.

2. Councillors must not:
 - (a) Be biased or give the impression of being biased;
 - (b) Improperly confer an advantage or disadvantage on any person nor seek to do so;
 - (c) Act to gain a financial or other benefit for themselves, their family, friends or close associates;
 - (d) Place themselves under a financial or other obligation to any individual or organisation that might seek to influence the performance of their duties as a member (e.g. by accepting gifts or hospitality from any person involved in or affected by a licensing application);
 - (e) Place themselves in a position where their integrity might reasonably be questioned;
 - (f) Participate in a meeting where they have a DPI;
 - (g) Participate in a meeting where they have an interest which does or could be reasonably considered as giving rise to bias; and
 - (h) Express opinions during any site visit to any person present, including other Members.

Agenda Item 3.1

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Committee		Unclassified		

Report of : Head of Environmental Health & Trading Standards Originating Officer: Licensing Officer	Title: Local Government (Miscellaneous Provisions) Act 1982 Revocation of a Sexual Entertainment Venue Licence for the Nags Head, 17-19 Whitechapel Road, London, E1 1DU Ward affected: Spitalfields and Banglatown
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1.0

Summary

Name and Address of Premises: **Nags Head Public House
17-19 Whitechapel Road
London
E1 1DU**

Application to revoke : **Local Government (Miscellaneous Provisions) Act 1982 (as amended)
Sexual Entertainment Venue Licence**

Application triggered by: **Licensing Authority**

2.0 Recommendations

- 2.1 That the Licensing Committee considers the application and then adjudicate accordingly.

LOCAL GOVERNMENT 2000 (Section 97) LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

Tower Hamlets SEV Policy File



3.0 Application details

- 3.1 This is an application to revoke the Sexual Entertainment Venue (SEV) licence for the Nags Head Public House, 17-19 Whitechapel Road, London, E1 1DU. The revocation was applied for by the Licensing Authority.
- 3.2 A copy of the revocation application letter is attached in **Appendix 1**.
- 3.3 The solicitor acting for the premises made a request to the Licensing Authority to provide a list of visits made to the premises by officers from the Council from 1st June 2014 to present day. This list was provided and is attached in **Appendix 2**.

4.0 The Premises

- 4.1 The premise has held an SEV licence since Tower Hamlets Council adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 in June 2014.
- 4.2 The SEV licence is held by NH License Ltd (No 12523134) and has done so since it was transferred to this company in April 2020. ■■■■■ is the sole director.
- 4.3 An SEV licence is valid for one year (or for such shorter period as the authority may determine) and therefore needs to be renewed each year. The current licence expires on 31st May 2023. A copy of the licence is attached in **Appendix 3**.
- 4.4 The Council has adopted Standard Conditions. These apply as default conditions that are attached to all SEV licences. These are attached in **Appendix 4**.
- 4.5 The plan of the premises submitted with the SEV renewal application in 2022 is attached in **Appendix 5**.
- 4.6 Maps of the premises' location are available in **Appendix 6**.
- 4.7 The premises are also licensed under the Licensing Act 2003. A copy of the existing Premises Licence is enclosed for information as **Appendix 7**. The licence was granted under "grandfather rights" in 2005 when the Licensing Act 2003 came into force. The licence is also held by NH License Ltd.

The licence permits the following licensable activities:

- The sale by retail of alcohol (on & off sales)
- The provision of regulated entertainment consisting of recorded music, performance of dance, anything of similar nature.
- Facilities for making music and dancing and similar nature.

- Monday to Saturday 11:00 hrs to 03:00 hrs the following day
- Sunday 12:00 hrs to 22:30 hrs

The opening hours of the premises:

- Monday to Saturday 11:00 hrs to 03:30 hrs the following day
- Sunday 12:00 hrs to 23:00 hrs

4.8 Members should note that the two regimes run concurrently. Therefore, the premises licence granted under the Licensing Act 2003 could effectively run without the SEV in operation, if alcohol and regulated entertainment was solely taking place.

5.0 Policy - Appropriate Number of Sexual Entertainment Venues

5.1 The Council has determined that there are a sufficient number of sex shops, sex cinemas and sexual entertainment venues currently operating in the borough, and it does not want to see an increase in the numbers of premises that are currently providing these activities.

5.2 The Council has adopted a policy to limit the number of sexual entertainment venues in the borough to nil. However, it recognises that there are a number of businesses that have been providing sexual entertainment in Tower Hamlets for several years. The Council will not apply this limitation when considering applications for premises that were already trading with express permission for the type of entertainment which is now defined as sexual entertainment on the date that the licensing provisions were adopted by the authority if they can demonstrate in their application:

- High standards of management;
- A management structure and capacity to operate the venue;
- The ability to adhere to the standard conditions for sex establishments.

5.3 Members should consider the relevant legislation, the Council's SEV Policy and Standard Conditions (See **Appendix 8 and 4** respectively.)

6.0 Home Office Guidance

6.1 The Home Office issued guidance to local authorities in March 2010 to assist local authorities in carrying out their functions under the Act.

7.0 Licence Conditions

- 7.1 Once the Council has decided to grant a licence they are able to impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual licence under paragraph 8 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, or standard conditions applicable to all SEVs or particular types of SEV.
- 7.2 Where the Council decides to produce standard conditions under paragraph 13, they will apply to every licence granted, renewed or transferred by the authority unless they have been expressly excluded or varied.
- 7.3 Most SEVs will require a premises licence as well as an SEV licence. Where this is the case, local authorities should avoid duplicating licence conditions and should ensure that conditions imposed on each licence are relevant to the activities authorised by that licence. For example, conditions relating to the sale of alcohol should only appear on a premises licence or clubs premises certificate and should not be imposed on an SEV licence. Likewise, conditions relating to the provisions of relevant entertainment should appear on the SEV licence and not a premises licence or club premises certificate. Local authorities should also avoid imposing conditions on either licence that are contradictory.
- 7.4 In many cases licences granted under the 2003 Act to existing operators will contain conditions that relate expressly and exclusively to the provision of relevant entertainment. Such a condition might prohibit contact between a performer and customer during a lap dance. In these cases, in order to avoid duplication, where conditions on premises licences or club premises certificates relate only to the provision of relevant entertainment, they shall be read as if they were deleted from the 3rd appointed day onwards.
- 7.5 In cases where conditions on a premises licence or clubs premises certificate are inconsistent with, and less onerous than, the conditions in the licence granted under the 1982 Act they shall likewise be read as though they have been deleted.

8.0 Determination of applications

- 8.1 A licence from the Council is required for the use of a premise as a sex establishment. An SEV is any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.

Relevant entertainment means:

- any live performance; or
- any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

9.0 Legal Comments

9.1 The Council has power to revoke a sex establishment licence under Paragraph 17(1) of Schedule 3 to the 1982 Act. This is on the basis of either the mandatory grounds on which a licence should be refused or on the first two of the discretionary grounds.

9.2 The mandatory grounds for refusal are:

- (a) the applicant is under the age of 18;
- (b) that the applicant is for the time being disqualified from holding a licence;
- (c) that the person is a person other than a body corporate, who is not resident in the U.K. or an EEA state or was not so resident throughout the six months preceding the date of the application;
- (d) that the applicant is a body corporate which is not incorporated in the U.K or an EEA state; or that the applicant has been refused the grant or renewal of a sex establishment licence for the premises within the twelve months preceding the date of the application and the refusal has not been reversed on appeal.

9.3 The discretionary grounds for refusal (so far as relevant to this application) are:

- a) 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, renewed or transferred, 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 have been refused a licence if they had applied themselves;

9.4 The Licensing Committee may, after giving the holder of an SEV licence under this Schedule an opportunity of appearing before and being heard by them, revoke the licence at any time on the basis of any of the grounds referred to in paragraphs 9.2 or 9.3.

9.5 If the licence is revoked, the authority must, if required to do so by the person who held the SEV licence, give a statement of reasons for their decision within seven days of being so required.

- 9.6 Where an SEV licence is revoked, the holder is disqualified from holding or obtaining a licence in the area of the authority for a period of twelve months beginning with the date of revocation.
- 9.7 The Council's SEV Licensing Policy made specific provision for those SEVs trading in the borough when the 1982 Act was adopted and confirms it will not apply the nil SEV policy to existing businesses that were already trading as SEVs with authorisation, subject to certain requirements being satisfied. However, the policy similarly makes clear that if any of those venues cease to trade, there is no presumption that any new application will be treated more favourably.
- 9.8 Paragraph 27 of Schedule 3 to the 1982 Act provides the licence holder with a right to appeal to the magistrates' court. The decision of the magistrates' court may be further appealed to the Crown Court.
- 9.9 The Committee should only consider those comments within the written objection or made orally at the hearing which are relevant to the mandatory or discretionary grounds for revocation. Comments within the written application or orally at the hearing which relate to moral grounds, for example, must not be considered by the Committee.
- 9.10 The Council's legal advisor will give further advice as required at the hearing.

10.0 Finance Comments

- 10.1 There are no material financial implications arising from the request to revoke the Sexual Entertainment Venue (SEV) licence. If the decision is to revoke the licence the Council will forego the licence income, and there are possible cost implications if the decision is appealed, however this will be managed within existing budget provision.

11.0 Appendices

Appendix 1	Application & supporting documents - LA
Appendix 2	Visits to the premises
Appendix 3	A copy of the existing SEV licence
Appendix 4	A copy of the Councils adopted standard conditions
Appendix 5	Layout Plan
Appendix 6	Maps of the premises showing the site location
Appendix 7	A copy of the existing Premises Licence
Appendix 8	Copy of LBTH SEV Policy

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Appendix 1

The London Borough of Tower Hamlets
Acting as an Appropriate Authority
Tower Hamlets Town Hall
160 Whitechapel Road
London
E1 1BJ

licensing@towerhamlets.gov.uk

3rd March 2023

Your ref:
Our ref: PSU:010281

Place Directorate
Public Realm

Head of Environmental Health and
Trading Standards: David Tolley

Environmental Health & Trading
Standards
Licensing & Safety Team
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

Tel: [REDACTED]
Enquiries to: [REDACTED]
Email: [REDACTED]

www.towerhamlets.gov.uk

Dear Appropriate Authority,

**Schedule 3 of the Local Governmental (Miscellaneous Provisions) Act 1982 as
amended by the Policing and Crime Act 2009**
RE: The Nags Head, 17-19 Whitechapel Road, London E1 1DU

I write in the capacity of the Licensing Authority, acting as a Responsible Authority to request the Appropriate Authority consider revoking the Sexual Entertainment Venue Licence for the above premises.

The reasons for this request is that test purchases carried out on the 18th August 2022 led to physical contact initiated by performers in relation to the individuals making the test purchases". This included pushing of the breast in face of the test purchasers, kissing of their neck and grinding into the groin areas. Please see attached witness statements from the Surveillance Operatives. Note, we have redacted the Officer's names and will be referring to them as Officer A and Officer B.

CCTV footage was requested on the 9th September 2022, which the Licensing Authority noted confirmed breaches of the below standard licence conditions, and supported the witness evidence mentioned. A chronology of breaches seen in the CCTV footage will be provided shortly.

The evidence shows of breaches of the following Standard Conditions attached to these premises' current Sexual Entertainment Venue Licence.

- 35. *During a performance there shall be no intentional physical contact between a performer and the customer other than the transfer of money or token at the beginning, during and at the conclusion of a dance into the hand or a garter worn by the performer. For the avoidance of doubt nothing in this condition shall prevent Performers from acting to prevent, deter or counter any attempts of physical contact by a customer.***

38. ***During a performance there shall be no full body physical contact between performers and they are not to touch each other's breasts or genitalia either with their bodies or with objects. Any performance shall be restricted to dancing and the removal of clothes. There must not be any other form of sexual activity, including but not limited to acts or the simulation of acts of personal stimulation.***

As the copy of the CCTV footage was requested from the licence holder, we understand that they have retained the original copy. We reserve the right to play the same footage at the hearing in a closed session.

The applicant's solicitor has responded to the Licensing Authority and stated the following:

"concerns about the way in which performances were being delivered by those performers were flagged by staff to management and dip sampling of CCTV footage of performances was undertaken. The dip sampling revealed, inter alia, breaches of my client's Performer and Customer Codes of Conduct. This triggered my client's internal disciplinary procedures and the Performers involved were suspended".

Given the above, the Licensing Authority acting as a Responsible Authority is requesting the revocation of this licence because the licence holder is unsuitable to hold the licence by reason of the breaches witnessed, with regard to paragraphs 17(1) and 12(3)(a) in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

It is also worth noting that a similar breaches of the SEV licence were found at the premises in 2017, which resulted to objection to the renewal of the licence. Details of the hearing for this renewal can be found in the link below. On this occasion the Licensing Committee granted the renewal with additional conditions.

<http://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?CId=324&MId=8231&Ver=4>

This letter is being copied to the company as the licence holder and also to the director of the company (also copied to their solicitor).

Yours sincerely,

[Redacted signature]

[Redacted name] Officer

Cc:

[Redacted list of recipients]

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN:

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Statement of: [REDACTED]

Age if under 18 (if over insert "over 18"): over 18

Occupation: Surveillance Operative

This statement (consisting of [REDACTED] Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature: [REDACTED]

Date: 18/08/2022

Tick if witness evidence is visually recorded: (Supply witness details on last page)

Statement

1. I am [REDACTED] and I am employed by [REDACTED]
2. I was instructed by [REDACTED] to attend The Nags Head Gentlemens Club, 17-19 Whitechape Road, London, E1 1DU, in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 22:45 hrs on the 18/08/2022 I arrived at The Nags Head Gentlemens Club, 17-19 Whitechape Road, London, E1 1DU, in order to conduct a test purchase task.
4. Upon arrival at the premises the front entrance was covered by a single male sat at a table by the door. The entrance fee was £3.00. I was verbally told the rules and nothing was visible of the rules on show. The individual had some form of identification around his neck.
5. Inside the premises there were two further security staff members with ID cards around their necks. I walked up to the bar and ordered a drink then sat down at the seats directly by the stage where pole dancers performed. The venue had CCTV visible in multiple areas including the private and VIP areas. There were two members of staff working the bar area and an individual who appeared to be a manager at the end of the bar taking payments for dances. All staff were appropriately dressed in smart casual wear.
6. Inside the venue the sage was to the back with seating directly in front of the stage. The bar ran along the right-hand side where four private booths were also located. At the other end of the bar there were toilets in the far-right hand corner and three VIP booths on the left-hand side.

Name / Signature: [REDACTED]

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

7. *There were more than ten dancers who walked around the establishment, asking for money before they went on stage. I was asked if I could buy a dancer a drink, which I obliged.*
8. *I conversed with an English girl named [REDACTED] and I bought her a drink and then we went for a private dance which cost £20 for five minutes. Myself and my colleague were in the same booth during this dance. The dancer rubbed herself against me but no touching was allowed. The security guard did come in from time to time to check but spent most of the time at the entrance, CCTV was visible in the booth areas.*
9. *After the dance had finished, I paid £240 for a 30-minute VIP dance and a drink. This dance was in a separate booth where CCTV was visible directly to the front. The dancer made quite a bit of contact with me whilst naked, thrusting herself against my groin whilst rubbing her breasts against my face and also kissing my neck. She told me that I was allowed to touch her but not the vagina area, I politely declined the offer.*
10. *During the dance we talked about her having a daughter and the other job she did in the day working in a shop. She said she enjoyed the dance work though because it pays really good money.*
11. *At no time during the visit was there any mention of any drug use.*
12. *There were no performer inside the gentleman's toilets and there was no physical contact between performers.*
13. *Following my visit, I immediately returned to my vehicle and wrote notes on the details of the event within a document on my work-issued smart-phone on 18/08/2022. I exhibit these as [REDACTED].001.*
14. *I believe the facts stated in this witness statement are true.*

Name / Signature: [REDACTED]

The Nags Head – E1 1DU

18/8/2022 – 19/8/2022



Entered the premises @ 22.45

When we arrived at the establishment we were not touted into the premises. The front entrance was covered by a single male sat at a table by the door. The entrance fee was £3. He verbally told us the rules but there was nothing visible of the rules on show. He did have some form of identification around his neck but unsure as to whether it was an SIA licence or not.

Once inside the venue it was noted that there were 2 further security staff again with id cards around their necks but unsure if they were SIA. We walked upto the bar and ordered ourselves some drinks before going to sit down at the seats directly by the stage where the pole dancers performed. CCTV was visible in multiple areas around the venue including the Private and VIP areas. There were 2 members of staff working the bar area with what looked like the manager at the end of the bar taking payments for the dances. All staff were appropriately dressed in smart casual wear and also fully covered.

As you walked into the venue, the stage was to the back of the venue, where there was seating directly in front. The bar ran along the right hand side where there also was the private dance booths, 4 in total. At the other end of the bar there was the toilets in the far right hand corner and on the left hand side of the venue was where the VIP dance booths were, 3 in total.

Inside, there were 10+ dancers that we could see who all walked around with either a jar or their purses open asking us for money before they went on stage. We were also asked if we could buy them a drink which we obliged. I got talking to an English girl called [REDACTED] where I bought her a drink and then we went for a private dance which cost £20 for 5 minutes. Myself and my colleague were both in the same booth whilst this was happening. The dancer did rub herself against me but no touching was allowed. The security guard did come in from time to time to check but spent most of the time at the entrance, CCTV was visible in the booth areas. After that had finished we paid £240 for a ½ an hour VIP dance and also a drink. It was separate booths this time where CCTV was visible directly to the front. The dancer made quite a bit of contact with me whilst naked, thrusting herself against my groin whilst rubbing her breasts against my face and also kissing my neck. She told me that I was allowed to touch her but not the virgina area, I politely declined the offer. During the dance we talked about her having a daughter and the other job she did in the day working in a shop. She said she enjoyed the dance work though because it pays really good money.

At no time whilst in there did we see or hear any mention of any drug use.

There were no performers inside the gents toilets and there was no sexual physical contact between the performers.

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN:

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Statement of: [REDACTED]

Age if under 18 (if over insert "over 18"): over 18

Occupation: Surveillance Operative

This statement (consisting of [REDACTED] Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature: [REDACTED]

Date: 18/08/2022

Tick if witness evidence is visually recorded: (Supply witness details on last page)

Statement

1. I am [REDACTED] and I am employed by [REDACTED]
2. I was instructed by [REDACTED] to attend The Nags Head Gentlemens Club, 17-19 Whitechapel Road, London, E1 1DU, in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 22:45 hrs on the 18/08/2022 I arrived at The Nags Head Gentlemens Club, 17-19 Whitechapel Road, London, E1 1DU, in order to conduct a test purchase task.
4. Upon arrival at the premises the front entrance had a male at the door. The entrance fee was £3 and the male verbally communicated the rules upon entering the venue. The male had an identification badge around his neck.
5. Upon entering Inside the premises there were two further security staff members with ID cards around their necks. I ordered a drink at the bar and then sat down directly in front of the stage where pole dancers performed. TV's were situated above the bar and also in the private and VIP areas. There appeared to be 2 people working at the bar, with a possible manager that was taking card payments for the dances. The staff were all appropriately dressed, smart casual and fully covered.
6. The layout as you walk into the venue, the stage is located at the very back, where one female would dance on the pole. To the middle, in front was the seating area. The bar ran along the right-hand side, before the bar to the right-hand side was the private booths dance area, that contained at least four private booths. To the far end of the bar was the toilets in the right-hand corner. And the left-hand side went into the VIP dance area, which had at least three open booths.

Name / Signature: [REDACTED]

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

7. *There were approximately ten or more dancers and they walked around collecting money from individuals before they got up on to the stage, taking it in turns, on the occasion buying one a drink. I conversed with a Romanian dancer " [REDACTED] " and I decided to go for a private dance, which I paid £20.*
8. *I had a double performance with my colleague in the same room with his dancer. The dancer made contact with me on my lap. The security did check on us through the beaded curtains but was outside of it most of the time.*
9. *I then had a VIP dance which was £240 and included a drink for us both. In the VIP booth no security was seen until the very end of the dance. There was CCTV directly in front of us and it was an open booth area. The dancers looked out for each other's bag and the dancer explained to me that someone had once ran off with one of their bags.*
10. *The dancer made a fair amount of contact with me, she pressed her breasts into my face, brushing against my neck and ear. She spent a lot of time on my lap with her underwear to the side and touching her vagina, she would also grind against my groin area. She did explain to me that I was allowed to touch her a little bit if I wanted, I declined politely. We spoke a bit about my tattoos and she told me how she wanted to get bum implants.*
11. *There was no mention at all about drug use within the premises, and no offers of further sexual service.*
12. *On visiting the gentleman's toilets there were no performers inside. There was no sexual physical contact between the dancers.*
13. *Following my visit, I immediately returned to my vehicle and wrote notes on the details of the event within a document on my work-issued smart-phone on 18/08/2022. I exhibit these as [REDACTED] 001.*
14. *I believe the facts stated in this witness statement are true.*

Name / Signature: [REDACTED]

Operative Notes

The Nags Head E1 1DU

18/8/22



Entry approximately: 22:45.

Arriving at the Nags head venue we were not tought into the premises, the front entrance had a male sat by the door, entrance was £3, he verbally communicated the rules to us for when entering the venue. He had a badge attached around his neck, unable to see if it was SIA licence.

On entering inside the venue there was a further 2 security staff. Both of which also had the badges around their neck. We ordered our drinks at the bar and went and sat down directly infront of the stage where the pole was for the dancers. Cctv could be seen in multiple places over the stage, above the TV's, above the bar, also in the private and VIP dance areas. There appeared to be 2 people working at the bar, with a possible manager that was taking card payments for the dances. The staff were all appropriately dressed, smart casual and fully covered.

The layout as you walk into the venue, you have the stage at the very back, where one female would dance on the pole. To the middle infront was all the seating area. The bar ran along the right hand side, before the bar to the right hand side was the private booths dance area that contained atleast 4 private boothes. The far end of the bar was the toilets in the right hand corner. And the left hand side went into the VIP dance area, which again had atleast 3 open boothes. .

There was approximately 10+ dancers, they would walk around collecting money from individuals before they got up on to the stage, taking it in turns, on the occasion buying one a drink. I got talking to a Romanian dancer "██████████" we decided to go for a private dance, which we paid £20, we ended up having a double performance with my colleague in the same room with his dancer. The dancer did make contact with me on my lap. The security did check on us through the beaded curtains but was outside of it most of the time. We then went for a VIP dance which was £240 and included a drink for us both. In the VIP no security was seen until the very end of the dance, but there was cctv directly infront of us, as it was quite an open booth area. The dancers would look out for each other's bag, as the dancer explained to me that someone had once ran off with one of their bags. The dancer made a fair amount of contact with me, she pressed her breasts into my face, brushing against my neck and ear. She spent a lot of time on my lap with her underwear to the side and touching her vagina, she would also grind against my groin area. She did explain to me that I was aloud to touch her a little bit if I wanted, I declined politely. We spoke a bit about my tattoos and she told me how she wanted to get bum implants.

There was no mention at all about drug use within the premises, and no offers of further sexual service. On visiting the gents toilets there were no performers inside. There was no sexual physical contact between the dancers.

Corinne Holland

From: [REDACTED]
Sent: 20 April 2023 16:19
To: [REDACTED]
Cc: [REDACTED]
Subject: Nags License Ltd - The Nags Head, 17-19 Whitechapel Road, London E1
Attachments: WhitechapelRd.17-19.CCTVChronology.Red.pdf

Dear Appropriate Authority [REDACTED]

Please see attached the additional evidence (chronology of breaches) as referred to in the revocation request. Please note that we are meeting with our legal team in the middle of next week, and may serve any additional evidence (if there is any).

Kind regards,

[REDACTED]

[REDACTED]
www.towerhamlets.gov.uk [REDACTED]

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Tower Hamlets is reviewing its Licensing Policy to take part in the consultation visit the link below:
<https://talk.towerhamlets.gov.uk/statement-of-licensing-policy-review-consultation-2023>

Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU

Table of Breaches from CCTV for 18th August 2022

Standard Conditions attached to these premises' current Sexual Entertainment Venue Licence:

35. ***During a performance there shall be no intentional physical contact between a performer and the customer other than the transfer of money or token at the beginning, during and at the conclusion of a dance into the hand or a garter worn by the performer. For the avoidance of doubt nothing in this condition shall prevent Performers from acting to prevent, deter or counter any attempts of physical contact by a customer.***
38. ***During a performance there shall be no full body physical contact between performers and they are not to touch each other's breasts or genitalia either with their bodies or with objects. Any performance shall be restricted to dancing and the removal of clothes. There must not be any other form of sexual activity, including but not limited to acts or the simulation of acts of personal stimulation.***

Officer A - Surveillance Operative [REDACTED]

Performer A - "[REDACTED] in statement)

Officer B - Surveillance Operative [REDACTED]

Performer B: [REDACTED]

Customer C - unidentified customer at the end of video

Performer C - unnamed performer at the end of video

Room Name/ Camera number	Date/ Time as shown on screen	Subjects seen: Officer (A, B)* Performers (A, B)*	Description of Activity	Duration	Breach of condition (Condition(s) listed)
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Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU

Camera 01 (VIP Room)	18/08/20 22 23:10:38	Performer A Officer A	Performer A straddled onto Officer A's lap and touched Officer A's body, including his groin intermittently. Officer A is touched by Performer A.	1 minute 26 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:10:39	Performer A Officer A	Performer A straddled onto Officer A's lap, taking Office A's left hand and put it on her leg. Officer A invited to touch Performer A's leg.	32 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:11:21	Performer A Officer A	Performer A invited Officer A to touch Performers A's waist. Officer A invited to touch performer A's waist.	2 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:11:28	Performer A Officer A	Performer A sat of Officers A's lap taking Officer A's hands and put it on her breasts. Officer A invited to touch Performer A's breasts.	10 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:11:45	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands. Officer A touched Performers A's legs.	18 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22	Performer A	Performer A accepted uninvited touch of Officers A's hands.	37 Seconds	Cond 35

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	23:12:11	Officer A	Officer A touched Performers A's legs.		
Camera 01 (VIP Room)	18/08/2022 23:12:27	Performer A Officer A	Performer A sat on Officer A's lap and touched Officers A's face. Officer A is touched by Performer A.	3 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:12:30	Performer A Officer A	Performer A sat on Officer A's lap and covered her genitals to deter Officer A's advances of hands.	7 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:13:06	Performer A Officer A	Performer A touched Officer A's body and head intermittently. Officer A is touched by Performer A.	59 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:14:08	Performer B Officer B	Performer B touched Officers B's face and possibly kissed Officers B's neck. Officer B is touched and possibly kissed by Performer B.	16 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:14:30	Performer A Officer A	Performer A sat on Officers A's lap and stroked Officers A's body. Officer A is touched by Performer A.	40 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:15:11	Performer A Officer A	Performer A high fived Officer A. Officer A is touched by Performer A.	1 Second	Cond 35

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Camera 01 (VIP Room)	18/08/20 22 23:15:30	Performer A Officer A	Performer A touched Officers A's body and groin. Officer A is touched by Performer A.	1 minute 11 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:15:44	Performer A Officer A	Performer A invited Officer A to touch Performers A's bottom and body. Officer A invited to touch performer A's bottom and body.	38 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:16:37	Performer A Officer A	Performer A invited Officer A to touch Performers A's legs. Officer A invited to touch performer A's legs.	30 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:17:15	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands. Officer A touched Performers A's body.	9 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:17:26	Performer A Officer A	Performer A touched Officers A's body. Officer A is touched by Performer A.	21 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:17:27	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently. Officer A touched Performers A's body.	20 Seconds	Cond 35

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Camera 01 (VIP Room)	18/08/20 22 23:17:54	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently. Officer A touched Performers A's body.	2 minutes 46 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:18:06	Performer B Officer B	Performer B touched Officer B's left arm. Officer B is touched by Performer B.	2 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:18:26	Performer B Officer B	Performer B touched Officer B's body. Officer B is touched by Performer B.	2 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:18:33	Performer A Officer A	Performer A strokes Officers A's groin and body intermittently. Officer A is touched by Performer A.	1 minute 40 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:21:06	Performer A Officer A	Performer A straddled Officer A and invited Officer A to touch Performers A's body. Performer A touched Officer A's body. Officer A invited to touch performer A's body and is touched by Performer A.	1 minute 17 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:22:33	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently. Officer A touched Performers A's body.	27 Seconds	Cond 35

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Camera 01 (VIP Room)	18/08/20 22 23:22:42	Performer A Officer A	Performer A invited Officer A to touch Performers A's breasts. Officer A invited to touch performer A's breasts.	7 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:23:23	Performer A Officer A	Performer A sat on Officer A's lap and accepted uninvited touch of Officers A's hands. Officer A touched Performers A's body.	21 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:23:43	Performer A Officer A	Performer A touched Officers A's groin and body intermittently. Performer A possibly kissed Officer A's neck. Officer A is touched by Performer A.	1 minute 32 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:24:38	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently. Officer A touched Performers A's body.	1 minute 30 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:26:13	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently. Officer A touched Performers A's body.	47 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22	Performer B	Performer B touched Officer B's face.	2 Seconds	Cond 35

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	23:26:53	Officer B	Officer B is touched by Performer B.		
Camera 01 (VIP Room)	18/08/20 22 23:27:21	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently. Officer A touched Performers A's body including breasts.	36 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:28:28	Performer A Officer A	Performer A invited Officer A to hug and touched Office A's body intermittently. Officer A invited to touch performer A.	1 minutes 8 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:28:55	Performer B Officer B	Performer B touched Officer B's face intermittently. Officer B is touched by Performer B. Missing footage from 23:29:14 – 23:09:23*	17 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:30:18	Performer A Officer A	Performer A touched Officers A's body intermittently. Officer A is touched by Performer A.	15 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:30:33	Performer A Officer A	Performer A invited Officers A's to touch Performer A's body. Officer A touched Performers A's body, including breast.	28 Seconds	Cond 35 & 38

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Camera 01 (VIP Room)	18/08/2022 23:31:37	Performer A Officer A	Performer A touched Officers A's face and body. Officer A is touched by Performer A.	18 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:31:41	Performer B Officer B	Performer B touched Officer B's chest. Officer B is touched by Performer B.	1 Second	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:32:32	Performer A Officer A	Performer A touched Officers A's face and body. Officer A is touched by Performer A.	6 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:32:48	Performer A Officer A	Performer A touched Officers A's hand. Officer A is touched by Performer A.	4 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:33:19	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands. Officer A touched Performers A's body.	7 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:33:35	Performer A Officer A	Performer A touched Officers A's shoulder. Officer A is touched by Performer A.	1 Second	Cond 35

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Camera 01 (VIP Room)	18/08/2022 23:33:41	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands. Officer A touched Performers A's body.	5 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:34:30	Performer A Officer A	Performer A invited Officer A to a kiss on the cheek and a hug. Officer A invited to touch performer A's waist.	5 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:34:34	Performer B Officer B	Performer B kisses Officer B's cheeks. Officer B is touched by Performer B.	2 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:46:48	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands. Customer C touched Performer C's body, including breasts.	6 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/2022 23:47:10	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands. Customer C touched Performer C's body and breasts. Customer C removes part of Performer C's clothing.	32 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/2022 23:47:58	Performer C Customer C	Performer C straddled Customer C's lap and accepted uninvited touch of Customer C's hands.	55 Seconds	Cond 35 & 38

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			Customer C touched Performer C's body and breasts. Customer C removes part of Performer C's clothing.		
Camera 01 (VIP Room)	18/08/20 22 23:47:58	Performer C Customer C	Performer C touched Customer C's body. Customer C is touched by Performer C.	29 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:49:23	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently. Customer C touched Performer C's body including her genitals and breasts.	2 minutes 41 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:50:54	Performer C Customer C	Performer C touched Customer C's groin. Customer C is touched by Performer C.	4 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:51:05	Performer C Customer C	Performer C stands on sofa and puts genitals in Customer C's face. Missing footage from 23:51:14 – 23:51:21*	8 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:51:32	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently. Customer C touched Performer C's body and breasts.	1 minute 45 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22	Performer C	Performer C straddled Customer C and touched Customer C's chest.	5 Seconds	Cond 35

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	23:51:34	Customer C	Customer C is touched by Performer C.		
Camera 01 (VIP Room)	18/08/20 22 23:53:12	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently. Customer C then licked/kissed Performer C's back. Performer C stops dancing and talks to Customer C once licked/kissed. Performer C departs room. Customer C touched Performer C's body and breasts.	1 minute 45 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:54:24	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands and face intermittently. Customer C touched Performer C's body and genitals.	30 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:54:25	Performer C Customer C	Performer C touched Customer C's groin. Customer C is touched by Performer C.	4 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:54:54	Performer C Customer C	Performer C deters Customer C from touching her genitals.	2 Seconds	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:55:41	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands.	33 Seconds	Cond 35 & 38

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			Customer C touched Performer C's body and breasts. Missing footage from 23:56:15 – 23:56:26*		
Camera 01 (VIP Room)	18/08/20 22 23:56:12	Performer C Customer C	Customer C kissed/licked Performer C's breast. Performer C deters Customer C kissing her breasts. Customer C touched Performers C's breasts.	2 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:56:41	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently. Customer C touched Performer C's body including breasts, and her genitals.	1 Minute 25 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:58:13	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently. Customer C touched Performer C's body including breasts, licked her breast, and kissed Performer C on face.	38 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:58:20	Performer C Customer C	Performer C touched Customer C's chest, stands on sofa and puts genitals in Customer C's face.	10 Seconds	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:59:27	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.	32 Seconds	Cond 35 & 38

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			Customer C touched Performer C's body including breasts.		
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Appendix 2