

unprofessional. He then proceeded to pull out his mobile phone, pointed it in my direction and said in a loud voice that he was going to record myself and Mr FUMO. I said to him I was unhappy with this because I did not want him to record me and moreover, I had not given him my consent to do so. He replied by saying that "Well, this is public space, and I can record you if I want to" He continued recording and at one point he thrust the phone into my face. I said that was unacceptable and I had to push the phone away from me. [REDACTED] then handed the phone to a male customer who was sitting nearby and asked him to continue recording Mr FUMO and I which he did. At one point the phone was then passed to a female member of staff who continued recording me.

At 00.24 hours I then asked [REDACTED] to show me footage from 23.00 hours on 28 October 2023. I noted that footage kept on reverting to 27 October 2023. On closer inspection of the CCTV monitor, I noted that there was a discrepancy in the CCTV system; even though the calendar view was pointing to 28 October 2023, the actual date stamp on the CCTV footage displayed 27 October 2023. I pointed this out to him, but he had no explanation of why this was.

I then asked [REDACTED] to show me the cameras which monitored the three private booths. He showed me camera for booths one and two which clearly showed the area where relevant entertainment took place. I then asked him to show me the camera monitoring the third booth. [REDACTED] went to a camera image which showed mainly the basement stage area. To the far right of the screen I could just make out what appeared to be a private booth. There was a private dance occurring and I wanted to view this more closely. I asked [REDACTED] if he could show me the specific camera that monitored that booth but he said that there was none. I found his remark rather surprising and I replied by mentioning condition 21 of the SEV licence which states the following;

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.

I then inspected the bar counter and tables to see if there were any menus, drinks prices or performer fees as required by condition 5 of the SEV licence which states the following:

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.

I did not see any menus or otherwise on either the bar counter or tables. I brought this to the attention of [REDACTED] but he appeared unconcerned. I then noted that [REDACTED] in an attempt to comply with condition 5, placed one menu on one of the tables. I then went downstairs to the basement and noted that none of the 5 (five) tables had menus or otherwise as requested by condition 5 of the SEV licence. I made a note of this and [REDACTED] who close by sarcastically said "So, are you happy with my menus" I did not answer him.

I then wanted to check the time of the CCTV. I noted that it was 4 minutes out of synch with both mine and Mr FUMO's phone. My final request of [REDACTED] was to view his incident log book. The time was now 00.34 hours. As I was talking to Mr FUMO, [REDACTED] thrust the book into my face. It was rather a rude gesture and I made him aware of this. I recall he raised his voice and continued being in an agitated state. I said to him there was no need to shout, and he responded by saying "I will raise my voice if I want to"

My intention during the visit was to have viewed more CCTV footage to get an overall picture of compliance. I had only viewed the one piece of footage as a precursor and I wanted to see more; however, I made the decision to abandon further

requests on the basis that [REDACTED] was rude and uncooperative. I found him to be very dismissive of our presence as authorised officers.

As I leaving the premises, I said goodbye to the doormen and then goodbye to [REDACTED] [REDACTED] In response and as I was walking away, [REDACTED] said "Thank you for coming to clean my shoes" I viewed his comment as extremely unacceptable. On hearing this I went back to the entrance and asked him what he had said, however, he claimed that he had not said this. I have been an enforcement officer for more than 15 years and never before in my time here have I come across such unprofessional behaviour from a person in charge of a premises.

I then left the premises at 00.40 hours.

Signed: [REDACTED]

Dated: 10 November 2023

I am writing in addition to Memorandum dated 09th November 2023 in relation to this application. **23/01573/LISEVT**

I am employed by Westminster City Council as a City Inspector in Public Protection and Licensing. I have held enforcement roles with the City Council since 2018 and am authorised for the purpose of the Licensing Act 2003 and also Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, and as amended by the 2009 Act.

On Thursday 09 November 2023 at approximately 23:14 hours, City Inspector Manager Heath Richards and I visited Sunset Strip, which is located at 30 Dean St, London W1D 3RZ, While at the premises I heard Mr Heath Richards asking the person in charge [REDACTED] to show footage of a private booth at time and dates he quoted of the venue.

At approximately 23:30 hours I observed Mr Richards viewing camera 9, dated 13 October 2023 and at the same time, [REDACTED] started video recording our meeting using his mobile phone. I intervened by asking him not to record us which he declined by stating "it's a public place I can do what I want." He then handed his mobile phone to a female member of staff and instructed her to continue recording us which she did.

At 23:38 hours Mr Richards asked [REDACTED] to rewind the recording to a particular point in time because it appeared that there was physical contact between a performer and customer. At this point [REDACTED] distracted Mr Richards by addressing me to "sign the attendance book." I said I will do so in time and then said that it was important for [REDACTED] to focus on operating the CCTV. However, [REDACTED] said, in a loud voice, that I had refused to sign the book, when I in fact said, I simply wanted [REDACTED] to pay more attention to his engagement with Mr Richards.

At 00:15 hours I walked around the entire ground floor (including the bar counter) and also the basement to see if there were any menus and prices displayed on tables. I noted there were none which I know to be a breach of condition 5 of the SEV Licence. At 00:30 hours I observed [REDACTED] coming from behind the counter with a paper suspected to be a price list and suddenly walked behind Mr Richards and left it on one of the tables.

We left the venue at approximately 00:40 hours. When Mr Richards announced we are leaving, [REDACTED] responded to Mr Richards and said, "thank you for coming to clean my shoes."

Overall, I found [REDACTED] to be obstructive and dismissive of our presence. It was unprofessional and certainly not what I would have expected from a responsible business.

I continue to support the Licensing Authorities concerns in relation to this application and how the premises would promote the four Licensing Objectives, considering the applicant providing licensable activities other than in accordance with an authorisation.

I can attend a hearing for this application if required.

Tonecas Fumo – City Inspectors Response Team 1, Public Protection and Licensing

Metropolitan Police Service objection



**METROPOLITAN
POLICE**

TOTAL POLICING



CENTRAL WEST POLICE

Westminster Licensing Team
Westminster City Hall
15th Floor 64 Victoria Street
SW1E 6QP

Sent via email to:
Licensing@westminster.gov.uk
iana@itlaw.co.uk

Westminster Police Licensing Team
Westminster City Hall
15th Flr 64 Victoria Street
SW1E 6QP

Mobile - [REDACTED]
Email - [REDACTED]
Email - [REDACTED]
Licensing Team mailbox -
AWMailbox.LicensingCW@met.police.uk

Wednesday, 08 November 2023

Re: 23/05797/LISEVR – Sunset Strip, 30 Dean Street, W1

Dear Westminster Licensing Team,

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 visits from both City inspectors and the police and it is believed that there has been numerous breaches of the conditions on both the 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.

Yours sincerely,

Po Steve Muldoon 2332AW

Westminster Police Licensing Team



**METROPOLITAN
POLICE**

TOTAL POLICING



Metropolitan Police supporting documents



WITNESS STATEMENT

Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: Steve Muldoon

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

This statement (consisting of 4 page(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.

Witness Signature: [] Date: 1st October 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 part of the Police licensing team. I have been a police officer for 21 years with 16 of those in Westminster.

The police licensing team have responsibility for over 3,500 licensed premises on the borough, we deal with licence applications, licence reviews, temporary event notices, licence breaches and crimes that have taken place in or involve a licensed premises. We also work closely with partner agencies like Westminster Council and will assist them where necessary.

I am making this statement in relation to incidents and engagement I have recently had at Sunset Strip, 30 Dean St, W1. The premises currently has a premises licence (23/01570/LIPT) and a SEV (Sex establishment licence) (23/01573/LISEVT)

Our team were asked by staff at Westminster Council to attend the above listed venue due to issues with the venues CCTV. I was made aware the venue appeared to be breaching CCTV conditions of both their premises licence and the SEV. I was made aware that the venue were also breaching other conditions on the SEV.

We assessed the information given to us and made the decision to attend the venue, I attended on Tuesday 19th September at approximately 15:00.

At the above time and date I was with Pc Dave Morgan and attended the address. I walked in and a dancer said "IT IS £20 TO GET IT" I produced my warrant card and asked for the manager. I was told the manager was not here but would be back soon. The security guard made enquiries to find him and get him to the venue. I asked who was a personal licence holder and no person currently on the site confirmed that they were. I asked if anyone could use the CCTV and was told that nobody can use it apart from [] I was aware [] is the manager. At this point there were no members of security on, after a short time one arrived. It was confirmed to me by the security that he was the only one and there was not any others due in.

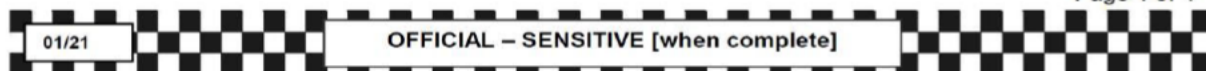
After approximately 10 minutes a male I know to be [] arrived. I spoke to [] and advised we were there due to the council having concerns around the breaches of the SEV and the premises licence. I asked [] if he was a personal licence holder, he advised he was but he applied for a new one as he had lost it. I asked him to email me confirmation that he had done this. [] agreed to do this. To date I am yet to receive this and have given ample opportunity for [] to provide the details or even confirmation he ordered a new one. This has all failed to materialise. I firmly believe that he does not have a personal licence. I have asked [] to produce this numerous times and it has never materialised. [] mentioned on one occasion that this had been lost and a new one ordered. I have asked for confirmation of this and again this has never arrived.

I pointed out that on the premises licence the venue was in breach of the following conditions:

33. Two SIA licensed doormen shall be on duty at the premises at all times and shall routinely monitor the premises.

Witness Signature: []

Signature Witnessed by Signature: []



Continuation of Statement of:

36*. At least one "Personal Licence Holder" shall be present during the whole time intoxicating liquor is supplied, sold or consumed.

51. CCTV will be installed in the whole of the licensed areas, including all dance areas, and in particular cameras to be placed to cover the entrance, the toilet entrance and the entrance to the dancers changing room. All cameras will continually record whilst the premises are open to the public. The recordings will be retained for a period of 28 days, time/date stamped, and made available to the statutory authorities upon request (all areas are to be sufficiently lit, in order that the recorded images are of reasonable quality).

I also pointed out that the premises was also in breach of the following conditions of the SEV:

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.

I asked [redacted] if he could show me some CCTV to show the system could be used. [redacted] agreed. I asked him to show me the previous Friday night between 23:00 and 01:00. [redacted] did this and I was shocked with what I saw. I was showed footage of the four booths which were downstairs, I could see private dances taking place in both fast-forward mode and slowed down mode. The dancers were different with each dance for the customers (who were also different each time). There was however one common factor that was the same, there was some clear graphic touching between the dancers and the customers and the customers and the dancers. This was the same for every dance with every dancer. On occasions it was clear staff were nearby and were completely complacent to the fact this was going on. There was no stopping the dancers and no interjecting when a customer was the one to touch. It was clear and obvious that there was an engrained culture in the club.

I asked [redacted] to show me footage of another night, he showed the Saturday and again it was exactly the same. I asked [redacted] to show the previous Wednesday and again this showed that every dance had touching. It was clear this was an accepted culture within the dancers, management and security. I spoke to [redacted] and asked what he thought and his response was "IT ISNT GOOD" [redacted] advised me that he had given CCTV to WCC staff. I took him for his word on this and at that time opted not to send a link to request footage as I was under the impression that this had been sent.

I checked various other conditions and identified that the premises was in breach of the following Premises licence conditions:

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.

39*. The Code Conduct for hostesses shall be lodged with the Police Authority responsible for licensing and Westminster City Council Licensing Authority. All

Witness Signature: [redacted]

Signature Witnessed by Signature:.....

Continuation of Statement of:
hostesses shall sign the Code of Conduct as agreed by the Police in their proper name acknowledging that they have read and understood, and are prepared to abide by the said Code of Conduct, and copy so signed shall be retained by the licensees and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.

40*. A record shall be kept at the premises of the real names, addresses and "stage names" of all hostesses and this record shall be rea

50. There shall be no physical contact between customers and the dancers except for the placing of money or tokens in a garter or into the hands of the dancer at the beginning or conclusion of the performance. Whilst the dancers are performing there shall be a minimum distance of one metre between the dancer and the seated customers. Notices to this effect shall clearly be displayed at each table and at the entrance to the premises.

I also identified that the premises was in breach of the following SEV conditions:

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**
- (j) any breach of licence condition 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.

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.

I left the venue at approximately 15:45 after having a long discussion with [REDACTED] around the conditions that have been breached. During this conversation [REDACTED] said he had spoken to the council and certain levels of touching were accepted. I disputed this and asked for further details. [REDACTED] expanded and said he was told a small kiss on the cheek to say hello is ok. I said to [REDACTED] "IT IS QUITE CLEAR THIS IS

Witness Signature: ... [REDACTED]

Signature Witnessed by Signature:.....

Continuation of Statement of:
ON A MUCH GREATER SCALE THAN A KISS ON THE CHEEK" ██████████ replied "I KNOW" I thought this was bizarre that he would bring this up and it appeared to be that he was trying to excuse the behaviour.

On Wednesday the 20th September I met with City Inspector Leroy Adedeji. I was aware Leroy was the CI that collected the CCTV from ██████████ I met with him at Westminster City hall where we decided to view the cctv footage together. We sat and attempted to view the footage however there were 2 USB sticks both of which had footage of the females changing rooms (during hours when they were closed) This in my mind was a clear attempt by ██████████ not to supply the CCTV and to be obstructive.

We made the decision to return that afternoon and make another request.

We arrived at the venue at approximately 15:00. ██████████ was not on site and once again no person was present that could use the CCTV.

██████████ was called by the security and eventually after 45 minutes he turned up, he acted confused as to why the error with the USB could happen, he made another attempt to download footage and again said this was done. I made an online request using evidence.com for footage of 2 hours from Saturday Sept 16th at 22:30 to Sunday Sept 17th at 00:30. This online request has to this day never been actioned despite ██████████ saying he would do this.

I strongly believe ██████████ was making deliberate attempts to avoid giving the CCTV to both myself and the staff from WCC. It is quite clear from what both I saw and what the city inspectors saw there were constant breaches of the no touching conditions. We have made a number of attempts both by USB and a link to obtain footage and it has never materialised.

My colleague Pc Tom Stewart was at the premises and informed me that he had used the customer toilet on the upstairs floor. Whilst using this he found a used condom in the bin alongside an empty condom wrapper. I raised this with both ██████████ and the ██████████ and found the response to be dismissive. both stated a male likely got too excited and went and used one himself. I found this suggestion bizarre and concerning.

I have serious concerns regarding this premises operating as a SEV, serious concerns around the operating of this premises and do not believe the licence holder or anyone connected with the premises are suitable to run this venue as an SEV.

Witness Signature: ██████████
Signature Witnessed by Signature:.....

WITNESS STATEMENT

Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9; Magistrates’ Courts Act 1980, s.5B

URN [] [] [] []

Statement of: Steve Muldoon

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

This statement (consisting of 1 page(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.

Witness Signature: [] Date: 20/10/2023

I am the above named person and am making a further statement to the statement dated the 1st of October 2023.

This statement is to produce exhibit SM-1, A full LSC decision from Thursday 13th February 2020.

I have read this decision and found that this related to a renewal of a SEV application for Sunset Strip, 30 Dean Street.

In this report it is clear that there was clear evidence that over a number of months there were breaches of the no touching rules. This is exactly the same as the issues identified this year that have led to an objection to the SEV renewal.

I have seen in the decision the LSC have made the decision to grant the application however when granting it was noted by the committee however in summing up stated:

The Licensing Sub-Committee was going to grant the renewal on this occasion but wanted to make it clear that if similar breaches of conditions are identified in the future it was highly likely that renewal would be refused. This was an opportunity for [] to ensure once and for all that proper arrangements were in place to ensure compliance with all the conditions on the licence at all times. No further excuses for any breaches of the no touching rule or for full CCTV coverage not being in place at all times would be acceptable.

It would appear the appearance at LSC for the renewal in 2020 was a clear warning that has since been ignored. Whilst I fully appreciate that the licence holder is different to that of 2020 it is however worth noting that the licence holder from 2020 is still the venue manager along with the male mentioned in my previous statement that has obstructed the providing of the CCTV. Both [] and [] are in charge of the day to day running of the venue.

The decision from 2020 strengthens our argument that the licence holder is not fit and proper to run or operate a SEV.

Witness Signature: []

Signature Witnessed by Signature:

LICENSING SUB-COMMITTEE No. 6

Thursday 13th February 2020

Membership: Councillor Tim Mitchell (Chairman),
Councillor Jim Glen and Councillor Aicha Less

Legal Adviser: Barry Panto
Committee Officer: Kisi Smith-Charlemagne
Policy Officer: Kerry Simpkin
Presenting Officer: Michelle Steward

Objections: The Licensing Authority, 2 anonymous objections

Present: Ms Sarah Le Fevre (Leading Counsel, representing the Applicant),
Ms Lana Tricker, LT Law (Solicitors, representing the Applicant), [REDACTED]
[REDACTED] (on behalf of the Applicant company), [REDACTED]
(Dancer at Applicant Company), Ms Angela Seaward (Licensing
Authority), Mr Leroy Adedeji and Mr Martin Ratley (WCC City
Inspectors).

Sunset Strip, Basement 30 Dean Street, London, W1D 3SA ("The Premises") 19/12460/LISEVR	
1.	Renewal of a Sexual Entertainment Venue (SEV) Premises Licence
	The application was to renew the Sexual Entertainment Venue (SEV) premises licence made by [REDACTED] and [REDACTED] for Sunset Strip, Basement, 30 Dean Street, W1D 3SA. It was noted that Sunset Strip had operated as a sex establishment since 2012.
2.	Amendments to application advised at hearing:
	Late submissions were received from the applicant's solicitors on 10 th February in the form of a supporting letter, a response from the United Voices of the World (a trade union representing the interests of the female performers) and supporting statements from four of the performers. Late submissions were also received from the Licensing Authority on 12 th February in the form of witness statements from two City Inspectors.
	Decision (including reasons if different from those set out in report): The Sub-Committee heard from the Licensing Authority and City Inspectors Ms Seaward addressed the Sub-Committee and confirmed that the Licensing Authority had maintained their objections on the grounds that alleged breaches of the licence, witnessed by the City Inspectors, had taken place. She advised that the City Inspectors accounts of their investigations and statements had been circulated to all parties. Ms Seaward advised the Sub-Committee that the

Licensing Authority also maintained their objections to support the Sub-Committee with any question and allow the opportunity for the City Inspectors to answer any questions.

The members noted the evidence contained in the report relating to the CCTV recordings of private dances that took place on 7th and 8th August 2019. The details are set out in pages 25 to 27 of the report. There was clear evidence of physical contact between the performers and the customers. Some of the touching appeared to be of a sexual nature, including a performer sitting on a customer's lap, the touching of thighs, and the rubbing of breasts and buttocks against the customer's groin and abdomen.

A remedial letter was sent to [REDACTED] and [REDACTED] on 14th August 2019 (page 21 of the report) and a follow up visit of the licensed premises took place on 30th August. On this occasion it was noted that there had been an improvement in the conduct of the performers. However, following the receipt of two anonymous emails on 14th October 2019, a further visit to the premises took place on 23rd October 2019. CCTV recordings were viewed of dances that had taken place on 18th and 19th October 2019. Once again, clear breaches of the no touching rule were observed, details of which are set out in pages 29 and 30 of the report.

Mr Martin Ratley and Mr Leroy Adedeji addressed the Sub-Committee. It was noted that on 31 January 2020 a letter was received from a member of the public by the Licensing Service stating a series of allegations concerning the conduct of staff and management at Sunset Strip. The allegations included a claim that cameras in the private booths were not working. Other allegations include physical contact between performers and customers, lack of adequate SIA security operatives in the basement dance area, lack of supervision and safety of the dancers in the private booths and reference to a fight that occurred between a customer and a dancer that allegedly took place on 17th January 2020 after midnight.

The Sub-Committee were advised that a visit was carried out to Sunset strip by the City Inspectors on Saturday 8th February 2020 at 13:32 to investigate the alleged breaches stated in the letter. The city inspectors were met on arrival by the duty Manager, [REDACTED] and a SIA security personnel, [REDACTED]. The content of the letter was discussed with [REDACTED] and a walk through was conducted. Following a walkthrough of the venue with [REDACTED] larger 'No Touching' signs were only noted in one of the three private booths. Cables attached to the CCTV camera in one of the private booths was seen to be hanging out.

The City Inspectors advised the Sub-Committee that they requested to view all the CCTV cameras in the private booths, and it was gathered that camera 5 attached to one of the private booths was not operational. As a designated manager by the Licence holder, [REDACTED] was not fully conversant with the operations of the CCTV system. She admitted that it had been a while since she operated the system.

It was noted that [REDACTED] was contacted on the telephone and the City Inspectors explained their visit to the premises and the lack of qualified member of staff to operate the CCTV system. Mr Ratley advised that [REDACTED] admitted the cameras were faulty but were rectified a week ago. The City Inspectors then requested to see the incident book to ascertain if there were entries made regarding the faulty cameras. As alleged and stated in the letter received by the Licensing Service, the City Inspectors requested to see the entry for the 17th of January 2020.

[REDACTED] advised the Sub-Committee that there was no entry for fighting on the date stated. He advised the Sub-Committee that he had viewed CCTV footage for the 17th of January from 23:30 to 00:55 and there were no fights seen. It was noted that the issue of SIA personnel was also raised, [REDACTED] confirmed there are two SIA personnel every night. Mr Ratley advised the Sub-Committee that according to [REDACTED] the premises is confirmed to have 16 operational cameras. During viewing of the CCTV screen, he noted that cameras 5, 10, 15 and 16 were not fully operational.

Mr Ratley advised the Sub-Committee that the lack of operational CCTV cameras and a staff member not conversant to operate the CCTV system were breaches of condition 10 and 11 of the SEV licence, which requires:

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.

[REDACTED] advised the Sub-Committee that there was also a breach of condition 12 (f) of the Applicants SEV licence, which requires:

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:

(f) any faults in the CCTV system or searching equipment or scanning equipment;

Whilst the above breaches of conditions had been identified, it was noted that there was no further evidence of any breaches of the no touching rule.

The Sub-Committee heard the Applicant's Case

Ms Sarah Le Fevre addressed the Sub-Committee on behalf of the Applicant and advised that the City Inspectors could verify, the venue's policies are enforced by a series of procedures ranging from mere interventions, verbal and written warnings to the termination of a performer's contract. She advised that new performers sign a contractual agreement, attend an induction meeting, and staff stress that Sunset Strip is a no touching club. Ms Le Fevre reiterated that there was full CCTV in the venue, which is available to be viewed at any time by the Responsible Authorities.

Ms Le Fevre advised the Sub-Committee that there are always a minimum of two SIA supervisors on duty at the venue when it is trading. One is stationed at the entrance and one is roaming within the venue. She stated that there is also a CCTV monitor at the entrance to the premises, which shows the cameras recording in the basement of the premises. Ms Le Fevre advised that security and bar staff can view the CCTV monitor and, as officers will know, there had been moments when security and/or management have gone downstairs to view dancers more carefully based on observations from the monitor. She stated that security staff are employed to enforce the rules of Sunset Strip more than for crime and disorder purposes.

In relation to the Licensing Authority's objection to the renewal of the sex establishment licence, Ms Le Fevre felt that the physical contact outlined are not in any way performers/customers engaging in sexual activities. She advised that her Client, [REDACTED] acknowledges that some clips show deliberate touching and that the performers involved have been reprimanded. Ms Le Fevre noted that the 2 dancers from the 19 October footage were dismissed from the venue as their conduct was not acceptable. Since the complaints, the venue has improved signage and ensured that the refresher training is carried out on a more formal basis with the performers having to re-sign the codes of conduct. Supervision in the basement has also improved and at busier times security will also be positioned in the basement.

It was also noted by Ms Le Fevre that in between the visits of August and October 2019 the inspectors attended the venue and checked CCTV and watched dances taking place. There were no issues raised during this visit and the inspectors witnessed and commented that a number of dancers were self-monitoring each other for compliance with the code of conduct- a practice the operator discussed with the dancers as another way to ensure compliance with the rules and regulations. Ms Le Fevre advised that this visit was not mentioned in the inspector's statements but felt that it was important to mention it.

Ms Le Fevre stated that in considering the physical contacts described by the Inspectors, the City Inspection Team previously in charge of Sexual Entertainment Venues had not viewed casual brushing as serious or worth remarking on during their inspection visits. She advised that this was not an excuse and the licence holders are aware that moving forward no touching means 'no touching'. She confirmed to the Sub-Committee that if there had been any doubt about that in the past the licence holders are clear going forward and,

on that basis, it is important to note that the licence holders have not had any issues at the venue over the previous months.

Ms Le Fevre advised the Sub-Committee that in relation to the anonymous objections, they appeared to have been written by the same person when considering language, punctuation and content. She said that the complaints made by the objectors do appear serious on the paperwork. However, the inspectors have visited the venue on numerous occasions each year and they have not raised any concerns about drug sales, overcharging, fake drinks etc.

In reply to the matters raised by the anonymous objector/s Ms Le Fevre raised six key points:

1) Drug sales: this is vehemently denied. No previous concerns of this kind have been raised by inspectors or police. Staff and management are anti-drugs and any performers or staff members found holding or taking drugs would be immediately dismissed and the Police called. Nevertheless, the venue has introduced a weekly drugs swiping regime where public and back of house areas will be randomly tested to prove this is not the position.

2) Exchanging numbers: Again, this has not been raised previously. The prohibition of this is covered in the dancer induction and refresher training as well.

3) Payment via own phone apps/overcharging: in the 20 years that [REDACTED] has operated Sunset Strip he has never witnessed this activity and it is denied that it takes place. The pricing is displayed at the venue for customers and this is also told to customers.

4) No duty manager: the officers will be aware that there is no merit in this claim. [REDACTED] spends time in the venue in the day and evening and in his absence one of the managers is appointed the duty manager. Officers and Police have always known who is in charge when they enter the venue.

5) No dancer schedule: the dancers are self-employed, and they may inform the venue if they are attending on a day/night (there are 2 shifts in a day), or they can just turn up (there is no requirement to tell management). This process has worked well over the years and the dancers and management know regular patterns of the performers, meaning that the venue always has performers in place. There is no requirement to have a formal performer rota and the business model of Sunset Strip does not require this.

6) Selling fake drinks: this is not true and has no evidential basis. Trading Standards visited some time ago (6 years ago) and no issues were found, and [REDACTED] would have no difficulty should they attend again.

[REDACTED] addressed the Sub-Committee. She advised she was a dancer and has been in employment at the premises for over five years. [REDACTED] confirmed that every dancer had been notified of the no touching rules and added that the dancers were told to ensure that the CCTV is able to capture all dancing clearly,

e.g. to ensure hair was not obstructing view. █████ informed the Sub-Committee that many of the dancers were policing this rule themselves and ensured that new dancers were made aware of the club's rules. █████ felt that there had been a big difference in the club since August 2019 and all the dancers were happy, comfortable and felt safe working at the club. She advised the Sub-Committee that all the dancers are self-employed and that this was rare, she also noted that if the club was not in operation most dancers would be unable to work.

The Sub-Committee queried the total number of CCTV cameras and the number that were in operation during the city inspectors' visits. Mr Ratley confirmed that there are 14 Cameras with 16 channels. With regard to the allegation of a fight taking place at the premises, he advised the Sub-Committee that during the visit on the 8 February there was not evidence that an incident took place. The Sub-Committee asked the city inspectors if any other breaches were witnessed on the 8 February. Mr Ratley advised that no other breaches were observed, however he was focused on searching for the alleged fight.

The Sub Committee also sought further clarification on the actions taken against Dancers and Customers. █████ explained to the Sub-Committee that he had a warning system in place, and this was dependent on whether these were one-off offences or someone who was a repeat offender. He advised the Sub-Committee that if a customer committed the offence once, then there would be no action, if the customer did this again, there would be a warning. However, if this continued then the customer would be courteously ejected and recorded in the incident book. █████ went on to explain that if a dancer broke the no touching rule, then they are warned. If the dancer continued then they are fined, as most of the dancers had been at his club for a long time and he did not want to lose them. █████ concluded that dancers who repeatedly touch customer are asked to not come back to the club.

Summary – Ms Sarah Le Fevre

Ms Le Fevre summarised the submissions that had been made by the Applicant. With regard to the objection relating to breaches of conditions 10 and 11, she considered that the venue further takes performer welfare very seriously and has welcomed Soho Illuminate into the Sunset Strip every week for some time. Members will have private conversations with the dancers to discuss safety and any other needs they may have. They usually come on a Thursday evening and the dancers are aware of this - it provides another avenue to check on performer welfare and provides an inclusive environment for the dancers. █████ is not a known rule breaker and there is no evidence or accusation that either █████ or █████ knowingly permit breaches of the licence conditions to take place. Ms Le Fevre closed by stating that her clients were very willing to work with the Council to ensure that their venue operated in the appropriate and expected manner set out in the sex establishment licence.

Mrs Le Fevre offered the following condition "An SIA trained doorman shall be based in the basement at all times when relevant entertainment is taking place".

Chair Summing Up

The Sub-Committee thanked everyone for their submissions and commented that the process for licence renewals was different from other licensing applications, as the presumption was that a renewal of a licence would be granted unless there was a reason not to do so. The Sub-Committee had considered the material in detail, with additional submissions having also been received. Members of the Sub-Committee had read through everything prior to the hearing, and if a particular piece of correspondence had not been specifically mentioned, it did not mean that the issue had been ignored.

The Sub-Committee had noted the objections that had been made in relation to the applications. With regard to the breaches of conditions 10, 11 and 12. The Committee noted the serious breaches of the existing licence and considered that the premises had not been diligent in observing the conditions, which included the CCTV system. There was a particular concern that breaches identified in August 2019 were repeated in October 2019, despite warnings being given to the applicants.

The Licensing Sub-Committee was going to grant the renewal on this occasion but wanted to make it clear that if similar breaches of conditions are identified in the future it was highly likely that renewal would be refused. This was an opportunity for [REDACTED] to ensure once and for all that proper arrangements were in place to ensure compliance with all the conditions on the licence at all times. No further excuses for any breaches of the no touching rule or for full CCTV coverage not being in place at all times would be acceptable. The Sub-Committee advised that regular checks should be carried out by the City Inspectors and it expected that at next year's renewal, the premises should have an unblemished record.

The Sub-Committee confirmed that the licence would be renewed subject to the Standard Conditions applicable to licences for sex establishments in Westminster as prescribed by the Council pursuant to Paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982. The Sub-Committee agreed to amend condition 12 to add (j) any breach of licence condition by a performer. The Sub-Committee also amended condition 24 so as to read "An SIA trained doorman shall be based in the basement at all times when relevant entertainment is taking place".



18 Soho Square, London W1D 3QL

13 November 2023

Premises Licensing Team
Westminster City Council
Westminster City Hall
4th Floor, 64 Victoria Street
London SW1E 6QP

Dear Licensing

RE: SUNSET SOHO, BASEMENT TO FIRST FLOOR, 30 DEAN STREET LONDON W1D 3SA – (1) APPLICATION FOR RENEWAL OF A SEV LICENCE, (2) APPLICATION FOR VARIATION OF A SEV LICENCE, (3) APPLICATION FOR VARIATION OF A PREMISES LICENCE

We refer to the above applications listed for hearing on 23 November 2023

Renewal of SEV

We note the licensing authorities position on the renewal application but also note that the premises has been subjected to various visits in respect of SEV compliance, the prior two (before the recent inspection which we appreciate was unsatisfactory) being on 25 March 2023 and 30 June 2023. We understand the premises was deemed compliant with the conditions on the licence after these visits. Further, when pre-application advice was carried out with EH in May 2023, after a premises check EH advised "A check of the premises file does not indicate any recent complaints against the premises regarding noise or nuisance nor any adverse visits by the city council". Accordingly, the venue's policies are capable of and were/are enforced by staff.

In response to the recent visit by the inspectors we attach our letter to the licensing inspectors dated 12 October 2023. Further comments as to the issues raised and the personal comments against [REDACTED] will be raised and discussed at the hearing. Since the complaints the venue has improved signage and ensuring the refresher training is carried out with the performers having to re-sign the codes of conduct. The venue aims to provide the best customer experience in terms of service and facilities in a well-managed compliant environment and has always operated in complete openness with all the responsibility authorities.

The venue's policies are enforced by a series of procedures ranging from mere interventions, verbal and written warnings to the termination of a performers' contract. New performers sign a contractual agreement, attend an induction meeting, staff emphasise that Sunset Strip is a no touching club. There is full CCTV in the venue. There is a CCTV monitor at the entrance to the premises, which shows the cameras recording in the basement of the premises. Security and bar staff can view the CCTV monitor. Security staff are employed to enforce the rules of Sunset Soho.

The venue further takes performer welfare very seriously. Previously they welcomed Soho Illuminate into the Sunset Strip every week for years. Members had private conversations

[REDACTED]

The Licensing Team

with the dancers to discuss safety and any other need they may have. They usually came on a Thursday evening and the dancers were aware of this- it provided another avenue to check on performer welfare and provide an inclusive environment for the dancers.

Variation of SEV and Premises Licence

Notwithstanding the above, variation applications have been submitted for the SEV and premises licence on basically the same terms.

The variation of layout seeks to allow a layout change and remove the private booths in the basement. There will be no more private booths at Sunset Soho should the variations be granted. This will undoubtedly facilitate vision and enforcement of the rules of conduct at the premises.

The variations sought are made in accordance with pre-application advice received from Ian Watson, EH (23/01270/PREAPM). The details of the variation of plans are

Ground Floor

- Reconfiguration of WC to increase public facilities.
- Reconfiguration and reduce size of the servery bar.
- Reduction in raised area from two steps to single step.
- Addition of loose seating.
- General refurbishment.

Basement Floor- where regulated entertainment takes place

- Reconfiguration of stage.
- Removal of all private dance booths.
- New servery provided.
- Relocation of DJ area.
- Addition of fixed seating.
- General refurbishment.

First Floor

- Reconfiguration of WC's.
- Reconfiguration of dressing room area to allow for small lounge area.
- New dressing room provided.
- General refurbishment.

There are no changes to the main entrance, circulation staircases or secondary means of escape. There are also no changes to the operating hours, activities or capacity conditions.

The alterations under both licences offer a works conditions as the works will need to be assessed upon completion as follows, in the usual way:

- A) "No licensable activities shall take place until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
- B) "Before the premises open to the public, the plans as deposited shall be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.