



City of Westminster Licensing Sub-Committee

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| Meeting: | Licensing Sub-Committee |
| Date: | 23 October 2014 |
| Classification: | General Release |
| Premises: | Vanity Bar & Nightclub, 4 Carlisle Street, London, W1D 3BJ – 14/06704/LISEVV |
| Wards Affected: | West End, Core CAZ North |
| Financial Summary: | None |
| Report of: | Operational Director for Premises Management |
| Report Author: | Claire Hayes, Senior Licensing Practitioner chayes@westminster.gov.uk Tel: 020 7641 7816 |

1. Executive Summary

- 1.1 The Council has received an application from Nags Head Limited to vary the sexual entertainment venue premises licence for Vanity Bar, 4 Carlisle Street, London, W1D 3BJ. The application has received objections from the Environmental Health Service, Licensing Service, Licensing Inspectors 11 other interested parties. The interested parties include local residents, businesses, resident's association and a Councillor. The report sets out the application details, representations, policy and legal context along with other considerations that the Committee requires to determine this application.

2. Options

- 2.1 That following consideration of the information given orally at the hearing and in writing by the applicants and objectors Members may;
 - 2.1.1 Vary the licence as specified on the application,
 - 2.1.2 Vary the licence in such other way as they think fit including the imposition of terms, conditions or restrictions other than those specified in the application, or
 - 2.1.3 Refuse the application

3. Application

3.1 On 06 August 2014 Nags Head Limited applied to vary the sexual entertainment venue licence to:

- To amend the plans and remove condition 25 to allow relevant entertainment on the ground and first floor of the premises. The licence currently restricts relevant entertainment to the basement.
- To increase the terminal hours for relevant entertainment Monday to Thursday by 3.5 hours from 23:30 to 03:00.
- To increase the terminal hours for relevant entertainment Friday to Saturday by 1 hour from 02:00 to 03:00.
- To increase the terminal hour for relevant entertainment on Sundays by 1 hour from 23:00 to 00:00.

| Current hours for relevant entertainment | Proposed hours |
|--|-------------------------------------|
| Monday to Thursday - 09:00 to 23:30 | Monday to Thursday - 09:00 to 03:00 |
| Friday to Saturday – 09:00 to 02:00 | Friday to Saturday – 09:00 to 03:00 |
| Sunday – 09:00 to 23:00 | Sunday – 09:00 to 00:00 |
| Current capacity for relevant entertainment | Proposed capacity |
| Basement 70 | Basement 20 |
| Ground floor 80 | Ground floor 70 |
| First floor 25 | First floor 15 |

A copy of the application form is attached to this report as Appendix A1 and the premises plans at Appendix A2.

3.2 The applicant's solicitor has submitted a list of proposed conditions in support of the application. Please see Appendix A3.

4. Objections

- 4.1 The Environmental Health Service, the Licensing Authority, the Licensing Inspectorate, local businesses, local residents, an amenity society and Councillors have submitted objections to the application.

Objector 1

- 4.2 The first objection is from Soho Society who have confirmed that they have waived their right to anonymity. The Society have objected on the grounds of prevention of crime and disorder, prevention of public nuisance, promoting improvement in the character of the city and that the application is inappropriate having regard to the character of the locality. Please see Appendix B1

Objector 2

- 4.3 The second objection is from Councillor Glenys Roberts who has waived her right to anonymity. Councillor Roberts is a Ward Councillor for the West End ward where the premises are situated. Councillor Roberts has stated that noise transfers and vibrates through the premises making it intolerable for residents of upper floors who are trying to sleep. In addition the premises are situated in a narrow cul de sac and patrons leaving disturb local residents. Please see Appendix B2

Objector 3

- 4.4 The third objection is from Alice Dugdale who has waived her right to anonymity. Ms Dugdale had objected on the grounds of public nuisance and resides above the premises on the 3rd floor. Ms Dugdale states that there has always been a noise problem both internally and externally and that music is transmitted through the premises making it impossible to sleep. In addition customers congregate outside in the cul de sac causing a nuisance. Please see Appendix B3

Objector 4

- 4.5 The fourth objection is a local business objection from Robert Nadler who is responsible for the Nadler Soho Hotel. Mr Nadler has confirmed that he has waived his right to anonymity. Mr Nadler has objected on the grounds of prevention of crime and disorder, prevention of public nuisance, protection of public safety and the protection of children from harm. Mr Nadler states that Carlisle Street is a short cul de sac and the increase of patrons arriving and leaving the premises will have a detrimental impact on the street. Please see Appendix B4

Objector 5

- 4.6 The fifth objection is from a local resident who has stated that they are concerned about noise levels on the street, possible disturbances from unhappy customers and noisy exits from the premises. Please see Appendix B5

Objector 6

- 4.7 The sixth objector is a Councillor who objects to the application. Please see Appendix B6

Objector 7

- 4.8 The seventh objector is a local resident who has objected on the grounds of public nuisance. The objector states that there are already huge numbers of people that drink outside the pub next door and that broken glass, rubbish, drunk aggressive behaviour and street urination are all common occurrences. Please see Appendix B7

Objector 8

- 4.9 The eighth objector is a local business who has objected on the grounds that children will not be protected from harm, public safety will be compromised and crime and disorder and public nuisance will increase. Please see Appendix B8

Objector 9

- 4.10 The ninth objection is from a local resident who objects on the grounds of public nuisance. The objector states that the street is already filled with large groups of people standing on the pavements and if this application is granted the number of people will vastly increase. Please see Appendix B9

Objector 10

- 4.11 The tenth objector is from a local resident who has stated that granting the application will add to the late night noise and disruption in the area. Please see Appendix B10

Objector 11

- 4.12 The eleventh objector is a Councillor who has stated that the increase from limited use of the basement to include the ground and first floors will lead to a significant intensification of the use of the building and the activity around the premises. In addition that the staff of the premises would not be able to deal with customers causing a disturbance on nearby streets and that granting this application would contribute to crime and anti-social behaviour. Please see Appendix B11
- 4.13 The Environmental Health officer has stated that the increase of hours and allowing relevant entertainment in additional floors will have the likely effect of an increase of public nuisance. Additionally, removal of condition 25 will impact on public safety at the premises. Please see Appendix B12
- 4.14 The Licensing Inspectorate has objected on the grounds of prevention of crime and disorder, public safety and the prevention of public nuisance. The Inspector has stated that the increase in hours and areas for relevant entertainment

requires additional door supervision which has not been included in the application. The current minimum door supervisor provision is currently specified in a condition on the Licensing Act 2003 premises licence but this number is inadequate. Please see Appendix B13

- 4.15 On 14 October the Licensing Inspectorate proposed amending the wording of proposed condition 35 which was subsequently agreed by the applicants. Appendix A3 has been amended to include the amended wording. Please see Appendix B13a
- 4.16 The Licensing Service has stated an objection is raised on the basis that the application may have a detrimental impact on the licensing objectives. The applicant has not provided sufficient information to show the considerations that they have had in relation to the potential effects on the objectives. Please see Appendix B14
- 4.17 The Licensing Service has submitted additional information supporting their objection. The Licensing Service is maintaining the objection on the grounds that if the application was granted it would not promote the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and improvement in the character and function of the city, or areas of it. Please see Appendix B14a

5. Sexual Entertainment Venue Licence History

- 5.1 A new sexual entertainment venue licence was granted by Licensing Sub-Committee on 12 June 2012 to Allied Promotions Ltd. The licence took effect on 01 October 2012 with an expiry date of 30 September 2013.
- 5.2 As a renewal application was not submitted before the licence expiry date the licence lapsed on 30 September 2013.
- 5.3 On 15 October 2013 an application for a new sexual entertainment venue licence was submitted by Allied Promotions Ltd. The application was granted by Licensing Sub-Committee on 17 December 2013.
- 5.4 On 16 June 2014 a transfer application submitted by Nags Head Limited was granted under delegated authority.

6 Licensing Act 2003 Premises Licence

- 6.1 The table below sets out the current activities and times permitted by the premises licence.

Please note: The applicants have, in addition to this application, applied to vary the Licensing Act 2003 premises licence so as to amend the plans and remove a number of conditions.

6.2 A copy of the current Premises Licence is attached to this report as Appendix C2.

| <u>Existing Premises Licence (14/00491/LIPDPS) permitted Licensable Activities</u> |
|--|
| <p>Regulated Entertainment: Indoors</p> <p>Performance of Dance Provision of facilities for Dancing Provision of facilities for Making Music Performance of Live Music Provision of facilities for entertainment of a similar description to making music or dancing Anything of a similar description to Live Music, Recorded music or Performance of Dance Monday to Thursday 09:00 to 23:30 Friday to Saturday 09:00 to 02:00 Sunday 09:00 to 22:00</p> <p>Playing of Recorded Music Unrestricted</p> <p>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to a profit Unrestricted</p> |
| <p>Late Night Refreshment: Indoors</p> <p>Monday to Saturday 23:00 to 03:30 Sunday 23:00 to 01:00</p> |
| <p>Sale of Alcohol: On the premises</p> <p>Monday to Saturday 10:00 to 03:00 Sunday 12:00 to 00:30</p> |
| <p>Non Standard Timings/Seasonal Variations</p> <p>Alcohol may be sold or supplied from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.</p> <p>Entertainment: On New Year's Eve the premises can remain open for the purpose of</p> |

providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).

Capacity:

Basement Floor 70
Ground Floor 80
First Floor 25

Please note: Striptease is currently restricted to the basement

Opening hours:

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

7. Policy Considerations

Character of the relevant locality – LO1

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

Use of premises in the vicinity – LO2

- 7.2 The main use of the premises in the immediate vicinity is residential with a few licensed premises (Licensing Act 2003). There are no other SEV premises, schools, or places of worship in a 100 metre radius of the premises.

Layout, character or condition of the venue – LO3

- 7.3 This premises is a smaller venue split over the basement ground and first floors.

Hours – HR1

- 7.4 Policy HRI states: 'Where a premises is licensed under the 2003 Act for hours beyond the core hours the council will have regard to those hours and generally grant a SEV licence to the hours authorised for other licensable activities, subject to the provision of a winding down period if appropriate.' Details of the premises licence for this premises can be found at paragraph 5 of this report.

Appendices

- A1 – Application Form
A2 – Plan of the premises

A3 - Applicant Submissions
B1 to B11 – Objection local residents, businesses, Councillors and amenity society
B12 – Objection from Environmental Health Service
B13 – Objection from the Licensing Inspectorate
B13a – Amended wording of condition proposes by Licensing Inspectorate
B14 – Objection from the Licensing Service
B14a – Additional information from the Licensing Service
C1 – Current Sexual Entertainment Licence
C2 – Current Licensing Act 2003 Premises Licence
D1 – Pictures of the premises

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Claire Hayes on 020 7641 7816 or at chayes@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 Sexual Entertainment Venues Guidance for England and Wales



City of Westminster



APPLICATION TO VARY A SEXUAL ENTERTAINMENT VENUE LICENCE

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

I / We Nags Head Limited

(Insert name(s) of applicant)

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

Premises name: Vanity Bar and Nightclub

Premises address: Basement to First Floor, 4 Carlisle Street, London, W1D 3BJ

Licence reference number: 14/01806/LISEVT

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

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

PART 1 - Applicant Details

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

a) an individual or individuals [] complete section (A)

b) a person other than an individual:

i. as a body corporate [x] complete section (B)

ii. as an unincorporated body [] complete section (B)

Section A – Individual Licensee Details

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

Additional Licensee Details (if necessary)

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

Section B – Body Corporate or Unincorporated Body Details

| | |
|---|--|
| Business Name: (if your business is registered, use its registered name) | Nags Head Limited |
| Is your business registered in the UK with Companies House? | Yes <input checked="" type="checkbox"/> |
| | Registered Number: 6251735 |
| Is your business registered in another EEA state: | No <input type="checkbox"/> |
| | Yes <input type="checkbox"/> |
| | EEA State: Registered Number: |
| | No <input type="checkbox"/> |
| Legal Status: (e.g. Company Partnership, etc) | Company |
| Home Country: (the country where the headquarters of your business is located) | England/UK. |
| Registered Address: | NAGS HEAD LIMITED 17-19 WHITECHAPEL ROAD LONDON |
| Postcode: | E1 1DU |

PART 2 – Premises Details

| | |
|--|--|
| Premises name: | Vanity Bar (Formerly Candy Bar) |
| Premises address: | 4 Carlisle Street London |
| Postcode: | W1D 3BJ |
| Premises telephone number: | c/o 020 7339 7000 |
| Email: | ajc@jgrlaw.co.uk |
| Website address: | |
| Where the licence is for a vehicle, vessel or stall, state where it is used as a sexual entertainment venue: | |

PART 3 – Variation Details

State the nature of the proposed variation:

This application is to increase the hours and area for Relevant Entertainment to bring into line with the existing Premises Licence 14/00491/LIPDPS.

The area will be increased as shown on plan SEV1. The hours will be increased as shown below.

The Applicant also requests the removal of condition 25 “Relevant Entertainment shall be restricted to the stage area in the basement only”.

Amendment to hours for relevant entertainment:

If the variation is to amend the hours for relevant entertainment, specify the proposed hours below:

| Day: | Start: | Finish: |
|-------------|---------------|----------------|
| Monday | | |
| | 09:00 | 00:00 |
| Tuesday | 00:00 | 03:00 |
| | 09:00 | 03:00 |
| Wednesday | 00:00 | 03:00 |
| | 09:00 | 00:00 |
| Thursday | 00:00 | 03:00 |
| | 09:00 | 00:00 |
| Friday | 00:00 | 03:00 |
| | 09:00 | 00:00 |
| Saturday | 00:00 | 03:00 |
| | 09:00 | 00:00 |
| Sunday | 00:00 | 03:00 |
| | 09:00 | 23:00 |

Amendment to condition attached to the licence / standard conditions

If the variation is to add / remove a condition (including standard conditions), state the condition and the reasons for adding / removing the condition below:

| Condition: | Reason for adding / removing the condition: |
|---|--|
| Condition 25 Relevant Entertainment shall be restricted to the stage area in the basement only. | The applicant seeks to provide tableside dancing to customers seated in booths on the First Floor and in the Basement as well as podium/stage dancing on the Ground Floor. |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Please use a separate sheet if necessary

PART 4 – Policy

Please refer to the Council's Statement of Licensing Policy for Sexual Entertainment Venues.

State how your variation application will promote the following licensing objectives:

Prevention of crime and disorder:

The premises currently trades as a bar/nightclub to the hours sought by this application. The applicant submits that, by moving from a bar/nightclub style of operation to that of a tableside dancing venue, this application will facilitate the premises in attracting a clientele seeking entertainment rather than seeing the consumption of alcohol as a major part of their night out. This move promotes the first 3 Licensing Objectives as well as improving the character and function of the city.

Public safety:

The premises currently trades as a bar/nightclub to the hours sought by this application. The applicant submits that, by moving from a bar/nightclub style of operation to that of a tableside dancing venue, this application will facilitate the premises in attracting a clientele seeking entertainment rather than seeing the consumption of alcohol as a major part of their night out. This move promotes the first 3 Licensing Objectives as well as improving the character and function of the city.

Prevention of public nuisance:

The premises currently trades as a bar/nightclub to the hours sought by this application. The applicant submits that, by moving from a bar/nightclub style of operation to that of a tableside dancing venue, this application will facilitate the premises in attracting a clientele seeking entertainment rather than seeing the consumption of alcohol as a major part of their night out. This move promotes the first 3 Licensing Objectives as well as improving the character and function of the city.

Protection of children from harm:

The premises currently has no problem with under-age drinking on the premises, or under-age persons accessing adult entertainment. The move to a full time Sexual Entertainment Venue operation will ensure that the rigorous standards applied to the verification of age will continue in a consistent environment.

Improvement in the character and function of the city, or areas of it:

The premises currently trades as a bar/nightclub to the hours sought by this application. The applicant submits that, by moving from a bar/nightclub style of operation to that of a tableside dancing venue, this application will facilitate the premises in attracting a clientele seeking entertainment rather than seeing the consumption of alcohol as a major part of their night out. This move promotes the first 3 Licensing Objectives as well as improving the character and function of the city.

Please use a separate sheet if necessary

If your application is in conflict with any of the policies listed in the Statement of Licensing Policy, state why you believe an exception should be made in your particular circumstances:

| Policy: | Reason for exception: |
|--|---|
| Special policy on cumulative impact - Stress Areas - Policy STR1 | The applicant submits that this application supports policy STR1. This application does not seek to increase the hours of operation for the premises. Rather, it seeks to displace the current bar/nightclub style of operation with that of a table-dancing venue. |

Please use a separate sheet if necessary.

PART 5 – Convictions / Disqualifications

| | |
|---|--|
| Have you, or any person named in or associated with this application, been convicted of any crime or offence? | |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If yes, please provide details on a separate sheet | |
| Have you been refused the renewal of a licence for this premises, vehicle, vessel or stall within the last 12 months? | |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If yes, has the refusal been reversed on appeal? | |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Have you had a sex establishment licence revoked in Westminster within the last 12 months? | |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

PART 6 - Checklist

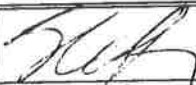
Please tick as appropriate:

| | |
|---|-------------------------------------|
| All relevant sections of the application form have been completed in full | <input checked="" type="checkbox"/> |
| Payment of the fee has been made in full (refer to Part 8 of this form) | <input checked="" type="checkbox"/> |
| Where the variation relates to a change of layout, a plan of the premises in accordance with the Rules of Procedure for Sexual Entertainment Venues has been included | <input checked="" type="checkbox"/> |
| The current licence has been returned with this application | <input checked="" type="checkbox"/> |

PART 7 - Declaration

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

I We Jeffrey Green Russell Limited declare that the information given above is true and complete in every respect.

| | |
|-----------|---|
| Signed |  |
| Date: | 06/08/14 |
| Capacity: | Solicitors and Authorised Agents |

For joint applications:

| | |
|-----------|--|
| Signed | |
| Date: | |
| Capacity: | |

Agent Details

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

Yes

No

If yes, please provide the following:

| | |
|-------------------------|---|
| Agent name: | Jeffrey Green Russell Limited |
| Agent Address: | Waverly House 7-12 Noel Street London |
| Postcode: | W1F 8GQ |
| Agent Telephone Number: | 020 7339 7296 |
| Agent Email: | mcl@jgrlaw.co.uk |

NOTES
Do not scale dimensions off this drawing.
Check all dimensions and levels against the site survey and the Architect's before proceeding with the works.
Verify the Architect's is necessary at any stage of the works.
Check for any other relevant documents.

- new walls
- existing walls
- demolished walls
- cctv
- Break glass unit
- Fire alarm
- smoke detector
- Emergency lighting
- Carbon dioxide extinguisher
- Emergency Exit Signage
- FD30S Fire Door rating

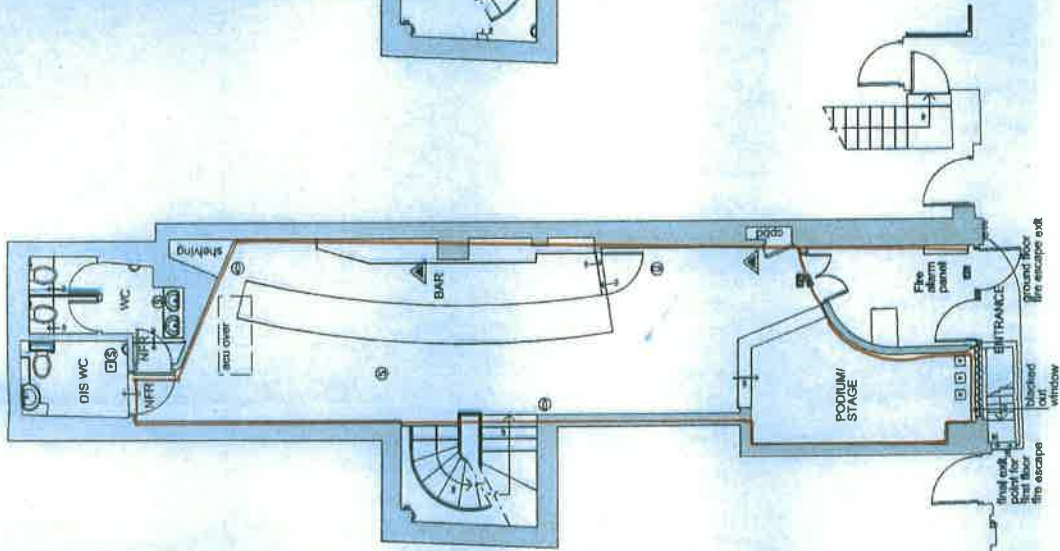
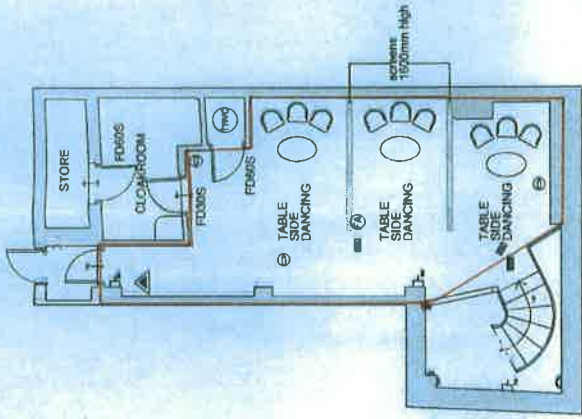
1000 172 June 2014 Preliminary Issue
Take Manton / Architects

20 Broad Street, London, W1J 7EJ
Tel: 020 7473 0883 / 020 7473 2438
www.take-manton.com

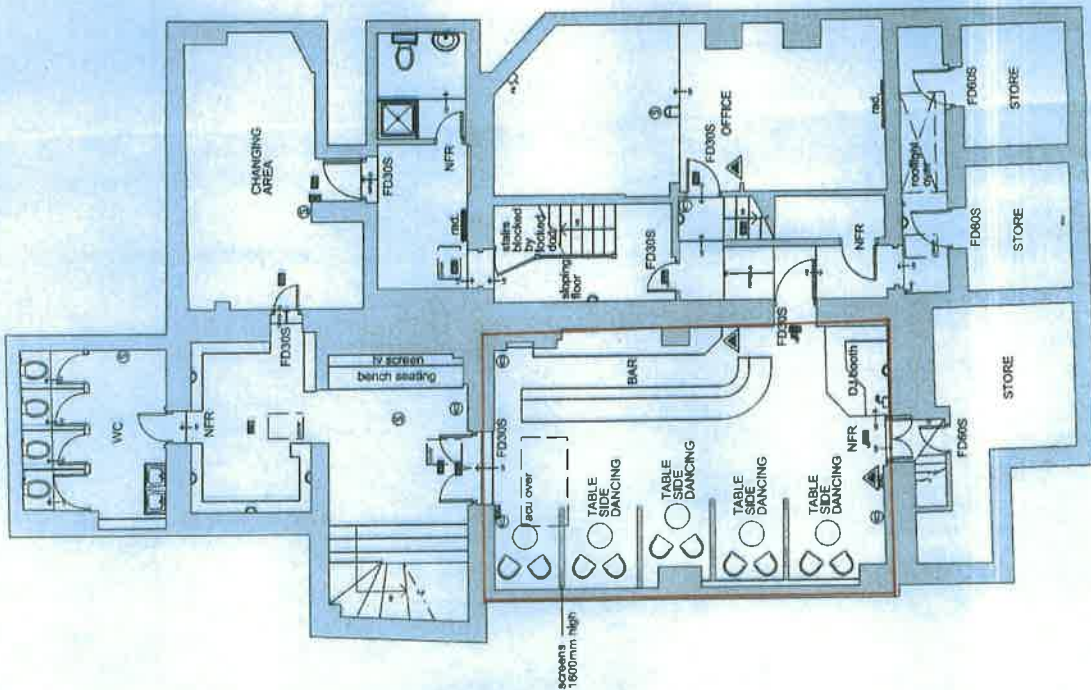
20
VANTY BAR
100 BROAD STREET
LONDON W1

PROPOSED FLOOR PLANS

| STATUS | PREP BY | DATE | BY |
|------------|---------|----------|----|
| 1:100 @ A2 | J.M. | JUN 2014 | AJ |
| 1000 | | | |
| 1000 | | | |



GROUND FLOOR PLAN



LOWER GROUND FLOOR PLAN

SEVI1

Relevant Entertainment may take place anywhere within the red line.
Loose furniture is shown for indicative diagrammatic purposes only.

Fire equipment is shown as of 05.10.14 and may be subject to change following consultation with the Fire Officer

Hayes, Claire

From: Marcus Lavell [mcl@jgrlaw.co.uk]
Sent: 16 September 2014 18:26
To: Sollars, Jim; Watson, Ian; Rowe, Steven; Hayes, James; Hayes, Claire
Cc: Mary Hennessy
Subject: Vanity Bar - Variation Applications
Attachments: 4825120_1.DOC.DOC; 4825121_1.DOC.DOC

Importance: High

Dear Sirs

Following consultation with the Authorities, the applicant has compiled the attached proposed draft conditions in support of their applications.

We hope that these conditions address the concerns raised by those officers making representations in this matter and would be most grateful for your comments by return.

Thank you for your time so far in considering this application.

Kind regards,

Marcus Lavell
Barrister
for **Jeffrey Green Russell Limited**

Direct Tel: ++44 - (0)20 7339 7296
Direct Fax: ++44 - (0)20 7307 0226
www.jgrweb.com



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Our address for service is above.

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SEV LICENCE

Suggested Appendix D

[Explanatory Note: save for conditions shown in **bold**, the conditions replicate the existing licence]

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 until 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 ~~stage area in the basement only~~ **area outlined in red. On the ground floor performers may only perform on the stage area.**

~~26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 70 persons in the basement, 80 persons on the ground floor and 25 persons to the first floor.~~

26. Replacement for Condition 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 20 persons in the basement, 70 persons on the ground floor and 15 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 any floor that is providing Relevant Entertainment. – ***Proposed by applicant and amended and agreed with the Licensing Inspectorate.***

36. Works:

a. Applying to the basement only:

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

b. Applying to the ground floor only:

- i. Once the works described in the above applications have commenced, Licensable activity is not to take place until Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health**

Consultation Team, at which time this condition will be removed from the licence.

- ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.**

c. Applying to the first floor/mezzanine only:

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

Hayes, Claire

From: Qureshi, Sabihah
Sent: 03 September 2014 13:46
To: General Licensing
Subject: FW: Objection: 14/06704/LISEVV, 4 Carlisle Street, Soho

From: David Gleeson [<mailto:dgleeson@live.co.uk>]
Sent: 02 September 2014 17:12
To: General Licensing; Premises Licensing
Cc: Marina Tempia; Margaret Bloomer; Richard Utting; John Raynham; Richard Brown
Subject: Objection: 14/06704/LISEVV, 4 Carlisle Street, Soho

Objections

Westminster Licensing Service

4th Floor (West) City Hall

64 Victoria Street

London SW1E 6QP

02 September 2014

Dear Sir/Madam

Ref: 14/06704/LISEVV – Vanity Bar and Nightclub, Basement to first floor, 4 Carlisle Street, London W1D 3BJ

Application to vary SEV licence under para 18 Sched 3 Local Government (Miscellaneous Provisions) Act 1982 (as amended)

I write to object under para 8(15) of Sched 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended) to the above application on behalf of the Soho Society.

The Soho Society is a charitable company limited by guarantee established in 1972. The Society is a recognised amenity society and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the Society supports the City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy and the SEV Statement of Licensing Policy.

The Society objects to this application to vary the SEV licence to extend the hours for which it has effect and to remove condition 25 on the grounds that:

1. It is contrary to the aims and objectives of the City Council's SEV Statement of Licensing Policy 2012 (para 1.7), particularly i) prevention of crime and disorder ii) prevention of public nuisance and iii) promoting improvement in the character and function of the city, or areas of it.

Prevention of crime and disorder – to use the ground floor for entertainment and dancing will undoubtedly establish the premises as an attraction and draw potential customers until the venue is closed (3am), thereby causing more activity, noise and potential crime in this residential street.

Prevention of public nuisance – the space immediately above the premises – as well as other parts of this small street - consists of domestic residencies and the sound created by music in such a venue will undoubtedly disturb the occupants. Carlisle Street is a very small cul-de-sac with the Nadler Hotel at the end: it is also likely that a sexual entertainment venue just yards from the main entrance and open until very late will have an adverse effect on this boutique hotel's business.

Promoting improvement in the character and function of the city, or areas of it – due to the comments above, we cannot see how this application would, if granted, promote such improvement. It not only seeks a later hour for relevant entertainment, but seeks to remove condition 25 which currently limits it to the basement only. I note that the application states that 'this application will facilitate the premises in attracting a clientele seeking out entertainment rather than seeing the consumption of alcohol as a major part of their night out.' This is highly debatable.

2. 2. The variation would be inappropriate, having regard to the character of the relevant locality, and to the use to which other premises in the vicinity are put- there is significant residential accommodation in the vicinity of the premises, including directly above. We are aware that individual residents have made their own objections, and we support these. The building in question is, in parts, centuries old and was originally built as living accommodation so the building itself is arguably completely unsuited for the purpose the applicants are intending. Carlisle Street, although in the stress area, is situated in one of the rare, quiet pockets of Soho and having such a venue opened until late in the night would disturb the general, harmonious peace which residents and businesses have negotiated carefully over the years.

Policy 2.5.7 further states that 'The effective dispersal of customers both from the premises and their locality is regarded by the council as a key principle of its policy to promote the policy aims and objectives.

I confirm that I do not wish to exercise my right to anonymity under the Act.

I look forward to being kept up to date with developments.

Yours faithfully,

David Gleeson

Licensing Chair, The Soho Society

55 Dean Street

Soho

London W1D 6AF

Hayes, Claire

From: Roberts, Glenys (Cllr) CODE03
Sent: 01 September 2014 10:09
To: Nelson, Nicholas
Cc: Glanz, Jonathan (Cllr)
Subject: Re: 4 Carlisle Street, W1

As with my previous representation I support [REDACTED] in his objections to Sexual Entertainment use at this venue. There is a long history of inappropriate use in the lower floors of this building that has been regulated as a result of previous objections by the residential occupants supported by myself. This is a historic building quite unsuited to major destination activity because in the 18th century when it was built it was not designed for such use. Most importantly any noise transfers and vibrates through the structure making late night activities intolerable to those trying to sleep in the upper floors. In addition when patrons who may well be overexcited and inebriated later disperse down what is a narrow cul de sac residents are disturbed once more from noise on the street. This was recognised by previous licensing hearings and disruptive activities curtailed. Since then a hotel popular with families has been built in the street giving another reason why this use is inappropriate

Regards Cllr Roberts
Lead Member for Soho

Sent from my iPhone

I am writing to object to the variation to the Sexual Entertainment Venue Licence 14/06704/LISEVV, to increase the hours and the area for relevant entertainment and the removal of Condition 25 on the licence, on the grounds of Public Nuisance.

I have been a resident at no. 4 Carlisle Street since 1987 and bought my flat when the permitted use for the lower premises was a restaurant. Since then I have lived through a number of clubs in the lower floors. There are three flats above the club in 4 Carlisle Street. Westminster City Council has recently given permission for 5 Carlisle Street to be a family home on the upper floors; there is a residential property on the other side of the Carlisle Street and the Nadler hotel, which does not have public spaces, at the end of the cul-de sac. This is not like Dean Street, home of the Sunset Strip, a street lined with bars, restaurants and late night venues.

I strongly object to the variation of the Sexual Entertainment Venue Licence to the extension of the area for relevant entertainment and the removal of Condition 25, which was applied to the club to protect the residents.

There has always been a noise problem both internal and external with the use of the lower floors as a club. The core structure of 4 Carlisle Street was built in the 17th century and re-fronted in the 18th century and built as house. It is not suited to the use for club or bar as sound is easily transmitted through the building. My bedroom is on the 3rd floor and dance music from the basement was clearly audible there as well as the other flats until Westminster Council enforced a condition that dance music should only be in the basement and insisted that the previous tenant incorporated high class quality insulation to protect the residents. There had been previous attempts insulation but nothing satisfactory until then. Ambient music was allowed in Ground Floor bar and mezzanine. On the whole this has worked very well. Dance music by its nature has an insistent beat and this was transmitted through the structure and I assure it is virtually impossible to sleep once the beat gets into your brain. It was also possible to sing along with the karaoke three stories up.

Therefore having dance music for the table dancing on the first floor and strip tease on the ground floor will aggravate the noise problem which took 20 years to contain.

I also object to the hugely increased scale of the sexual entertainment business. When the Candy Bar had the licence, it was used for very occasional pole dancing and strip tease on the small stage area in the basement. This is now to be increased to three floors.

I am concerned also about the clientele this type of establishment will attract. There were always people hanging around outside the club outside front door but mainly Candy Bar Club members. The variations to the premises licence include the removal of all the conditions that govern the sale of alcohol (see conditions 32,34 and 41) despite the reiteration in the Sexual Entertainment Licence that 'this application will facilitate the premises in attracting a clientele seeking entertainment rather than seeing the consumption of alcohol as a major part of their night out'.

Since the smoking ban, customers from the club/bar in the lower floors of 4 Carlisle Street spill out onto the pavement and street, as it is a cul-de-sac, smoking, drinking, dancing, shouting, playing music etc. etc. Again it will be a problem of scale as it was bad enough with the Candy Bar, which was a relatively small member's club, against a 3 floor sexual entertainment venue, with no restrictions on alcohol. The Candy Bar had a 3am licence but it did not regularly stay open until that

time. Despite having door staff, it seemed to be impossible for them to control the clientele outside and the staff would rather upset the residents rather than remonstrate with the customers.

For the next three years I will have my 18 year old niece from Fiji staying with me during the university holidays. Finding men out for an evening at a sexual entertainment venue hanging round the front door, particularly with no restrictions on availability of alcohol will definitely be intimidating and not just to my niece.

Finally, I am concerned about the length of the opening hours of the venue. The various owners of the club premises have usually wanted to be open until 3 am and for a number of years, the hours were limited to 11.30pm during the week and 2am at weekends balancing the rights of the residents to quiet enjoyment of their homes and the requirements of the club. Unfortunately, despite many objections, the club were allowed to extend their hours.

As the club will be open long after public transport has closed down, presumably the club clientele will be using taxis and minicabs to go home. We have had problems with taxis hanging around outside with their engines running and ringing our doorbells in the early hours, thinking that the flats had requested the pick-up.



Licensing Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Monday 1st September 2014

Dear Sirs,

Ref: Vanity, 4 Carlisle Street W1D 3BJ - 14/06652/LIPV and 14/06704/LISEVV

I am writing on behalf of The Nadler Soho hotel, located at 10 Carlisle Street, W1D 3BR, to object to both Licence Variation Application 14/06652/LIPV and New Premises Licence Application 14/06704/LISEVV.

My grounds for objection cover all four licencing objectives: Protection of Children from Harm, Protection of Public Safety, Prevention of Crime and Disorder and Prevention of Public Nuisance. Dealing firstly with the New Premises Licence Application no 14/06704/LISEVV, the applicants contend that their Application, if successful, will promote the above four licencing objectives. The reason stated for this for all bar Protection of Children is the same and set out in Part 4 of their application. It is misleading, and misrepresents the conditions under which the current licence operates. It was **not**, as implied, a bar/nightclub open to all patrons 'seeing (sic) the consumption of alcohol as a major part of their night out'. On the contrary, the present licencing condition 34 sets out strict and explicit criteria in respect of who can be admitted past 23.00 and the requirement for the sale of alcohol to be ancillary to the use of the premises where patrons must take a full table meal (see also condition 32). As the applicant is seeking to have these conditions removed, in Application 14/06652/LIPV, together with the removal of other existing conditions, the licencing objectives will be threatened, not promoted, by premises that have no restriction on entry and where the provision of food with alcohol is no longer a requirement.

Their contention that the use of the premises for Sexual Entertainment will improve the character and function of the city is palpably incomprehensible. Soho's character has improved dramatically over the last 40 years since I was a Police Officer (Special Constable SC122) stationed at Vine Street. Due to the efforts of WCC together with various amenity groups and landlords, Soho has gone from a sleazy and seedy area to a vibrant centre of entertainment

THE NADLER SOHO

and activity whilst being generally safe and welcoming to all. A user such as that proposed will be a regressive step in terms of the character of the neighbourhood. It will create a threatening, sexually charged atmosphere, especially for women and children, of whom there are an increasing number in Soho, even late at night, due to the positive change in the character of the area.

In terms of function, Carlisle Street, west from the Dean Street junction, is a tight and short cul-de-sac. As such, any activity has a greater impact, positive or negative, on the functioning of this part of the street. The increase in the scale of activity as proposed, particularly in respect of the late night, unrestricted entrance, will have a seriously detrimental impact on the functioning of Carlisle Street. Patrons arriving and leaving by taxis, which will struggle to come in, turn and exit this end of Carlisle Street, will cause mayhem late at night with potential for traffic noise, arguments and consequently violence. Together with inebriated clients leaving the premises, this is a recipe for disaster for residents and other occupiers of Carlisle Street.

The increase in noise from activities now spread over more area and floors is also a serious concern, especially later at night/early morning, constituting a public nuisance.

In respect of licencing objective 'The Protection of Children from Harm', as stated above, there are now more children in Soho late at night, as parents are presently comfortable that this is a safe part of the city. This includes not just visitors and tourists but also an increasing numbers of residents as well as hotel guests, many with young families, a demographic with whom our hotel is particularly popular. As I have said above, the atmosphere and potential for violence that the proposal will generate hardly promotes the stated objective, but rather undermines it.

In addition, the reasons given in the application for an exception to be made to the cumulative impact – Stress Areas – Policy STR1 are again unsupportable and misleading. They misrepresent the current conditions of operation, as explained above, and will intensify, not displace, the number of patrons, with an increase in the area of activities for Sexual Entertainment, thus having the opposite impact to that claimed.

In light of the above, I believe this application should be refused.

Looking at Application 14/06652/LIPV, we wish to object to this application also, on grounds of its negative impact on all four of the Licencing Objectives. Many of our objections are stated

THE NADLER SOHO

above, but turning to the requested changes to the existing licence conditions, we have further concerns, which I set out below.

The revisions to the layout, and the increase in areas where Sexual Entertainment can take place creates an intensification of use, and is likely to cause an increase in the number of patrons who are on the premises at any one time, with all the attendant consequences this will have on entry and exit, in a very restricted street/cul-de-sac. This is likely to lead to a direct threat to the objectives of the Stress Areas policy.

Turning to the application to remove specific existing conditions:

10. We do not see how removal of this condition will benefit the four licencing objectives, and indeed fear that it will undermine the objectives.

15. As already explained, this will generate an intensification of activity, with the attendant consequences described above.

30. We believe that removal of this condition will mean that the licensees will be unsuitable and untrained persons, without the experience and training to handle the increased number of patrons and that this will impact negatively on the Prevention of Crime and Disorder as well as Public Safety and Public Nuisance.

32. Without this condition that requires the provision of substantial food other than intoxicating liquor, the premises will become a late night drinking den. The provision of Sexual Entertainment is hardly likely to reduce the amount of alcohol consumed, a contention of the applicants with which we disagree and which we do not believe can be substantiated. The removal of the requirement to serve substantial food varies the nature of the Premises considerably, and will likely cause an increase in levels of drunkenness with associated public nuisance, and crime and disorder.

34. The removal of the restrictions on entry post 23.00 hours changes the type of clientele who will be permitted to enter, making it more difficult to control who enters, undermining the nature of the premises that had been in the realm of a private members club, thereby increasing the potential numbers of clients on the premises, intensifying the use late at night, at times when public transport will no longer be available, and therefore further increasing the likelihood that all four licencing objectives will be undermined.

THE NADLER SOHO

41(e). Requesting the removal of this condition undermines the applicant's assertion that the provision of Sexual Entertainment is the central activity, and not drinking. If this condition is removed, the sale of alcohol becomes a principle activity, and the likelihood of inebriated patrons behaving in a manner likely to cause a breach of the peace and undermining the licencing objectives of Protection of Public Safety, Prevention of Crime and Disorder and Prevention of Public Nuisance increases significantly.

47. Removal of this condition will increase the intensification of the Sexual Entertainment activity, meaning more patrons on the streets arriving and leaving late at night. This will put residents and other visitors to Soho, especially children, at risk, being contrary to the licencing objective of Protection of Children from Harm, as well as the other three licencing objectives.

The only step proposed by the applicants to address the promotion of the four licensing objectives is to advise that they operate under a series of Codes of Conduct (undefined). In view of their desire to remove condition 30, this is a grave concern.

The application to extend the hours undermines the Licensing Authority's policy of deeming this area a "Stress Area". The Licensing Authority is clear that applications to vary licences within the stress area should only be limited to core hours of 10:00-00:00 Friday Saturday; 12:00-23:30 Sunday; 10:00-23:30 midweek. This application goes far beyond those core hours. The Licensing Policy refers to the need to "balance the legitimate aspirations of the entertainment industry with the needs of residents and other users of the city including visitors and businesses". These proposals skew that balance significantly and adversely.

Based on these objections, we believe this application should be refused.

It would be our intention to attend a hearing, if a hearing is held.

Yours faithfully,

Robert Nadler

Hayes, Claire

From: [REDACTED]
Sent: 31 August 2014 00:20
To: General Licensing
Cc: [REDACTED]
Subject: urgent - complaint re application for lap dancing club at 4 Carlisle Street, Soho, W1

Dear Sir/Madam,

It has just been brought to my attention plans have been submitted to operate a lap dancing club in 4 Carlisle Street which also happens to be a residential premises
[REDACTED]

While I've not spoken to them about this application, I am sure they will be appalled.

Indeed I am outraged at the prospect of such an odious, exploitative sex industry launching [REDACTED] in 4 Carlisle Street.

The area is largely residential, quiet and on the fringe of Soho where the sex industries do not operate.

I have several grounds for objection, not least of all a sleazy industry which at best exploits female sex workers and at worst titillates men getting them into a sexually aroused state before letting them loose on our streets.

I would urge you to refuse this application because it is at odds with the gentle environment now operating in and around the Carlisle Street area. This sort of business was something which thrived in the 70s and 80s and is no longer an industry which suits Soho's increasingly sophisticated environment.

Apart from the obvious dangers of sexually aroused male predators stalking the area, I am also concerned about noise levels which would almost certainly spill on to the streets, possible disturbances from unhappy customers, noisy exits from customers and the common practice of hanging around such establishments waiting for the staff to leave.

Kindest regards

[REDACTED]

Comments for Licensing Application 14/06704/LISEVV

Application Summary

Application Number: 14/06704/LISEVV

Address: Basement To First Floor 4 Carlisle Street London W1D 3BJ

Proposal: Sexual Entertainment Venue - Variation

Case Officer: Ms Claire Hayes

Customer Details

Name: [REDACTED]

Address: Westminster City Hall 64 Victoria Street London

Comment Details

Commenter Type: MP or Councillor

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 1:46 PM on 02 Sep 2014 I object to this application.

Hayes, Claire

From: Qureshi, Sabihah
Sent: 03 September 2014 14:11
To: General Licensing
Subject: FW: Licence 14/06704/LISEVV

From: [REDACTED]
Sent: 02 September 2014 23:42
To: Premises Licensing
Subject: Licence 14/06704/LISEVV

[REDACTED]

Dear Sir or Madam

I am writing to object to the application for the variation to the Sexual Entertainment Venue Licence 14/06704/LISEVV to the club "VANITY" that occupies the ground floor & basement of the building .

I have been a tenant at [REDACTED] since [REDACTED] this year & although I am quite relaxed about the compromises you have to make living in Soho I object strongly to club [REDACTED] becoming a sex establishment.

I moved in this [REDACTED] accepting there was a club [REDACTED] but would not have done so had it been at the time a strip club that these days is rebranded as "lapdancing"

It must be a public nuisance to increase the already huge numbers of people that drink (loudly) on the street outside the Nellie Dean pub next door. Broken glass , rubbish , drunk aggressive behaviour , foul language & urination in the street are common occurrences just to reach the front door.

It must be a public nuisance to encourage the exploitation of young girls as an acceptable form of entertainment .

I have known girls who work in that industry & there is a opportunity to engage in prostitution all the time & I do not want that happening in the [REDACTED] & would hope you would not want that occurring in any establishment you have approved a license to either.

If you want to lower the crime & disorder in this area reject this application.

Thank you

Yours sincerely

[REDACTED]

Hayes, Claire

From: Eaton, Sam
Sent: 02 September 2014 11:30
To: O'Leary, Darren
Cc: Hayes, Claire
Subject: FW: Vanity, 4 Carlisle Street. London W1D 3BJ - 14/06652/LIPV and 14/06704/LISEVV

Hi Darren

Please see below.

Kind Regards

Miss Sam Eaton
Environmental Health Case Officer
Environmental Health Licensing & Consultation - Premises Management Westminster City Council 4th
Floor West City Hall
64 Victoria Street
London
SW1E 6QP
Telephone 020 7641 1868
email: seaton1@westminster.gov.uk
Web: www.westminster.gov.uk

-----Original Message-----

From: [REDACTED]
Sent: 02 September 2014 11:16
To: Eaton, Sam
Cc: premiseslicensing@westminster.gov.uk generallicensing@westminster.gov.uk
Subject: Vanity, 4 Carlisle Street. London W1D 3BJ - 14/06652/LIPV and 14/06704/LISEVV

Dear Miss Eaton good morning [REDACTED] is the owner of [REDACTED] and a nearby property ([REDACTED]). Like many others we have invested in light of the ongoing improvement of the local area.

I wish to register our objections to the applications generally and specifically in view of the inevitability that :

Children will not be protected from harm Public Safety will be compromised Crime and Disorder will increase Public Nuisance will increase

Carlisle Street is a short cul-de-sac and the problems suffered by occupiers and owners will be exacerbated by the unacceptable intensification of use. I cannot imagine this is desirable in the context of the arrival of Crossrail 2 and the intended benefit to Soho and our great capital city.

[REDACTED]

[REDACTED]

To whom it may concern,

This letter is in regards to the Sexual Entertainment Venue Licence (14/06704/LISEVV) at 4 Carlisle Street W1D 3BJ. I object on the grounds of Public Nuisance and declare that this establishment in no way will be a benefit to Soho. My position is that it will be the complete opposite and prove to be an encumbrance for those that live and work on Carlisle Street.

I am an 18 year old girl who is currently living at [REDACTED] and I will be returning to this flat, my home in London, throughout my university holidays. If this license is given permission, I will in no doubt be returning home each day to find groups of people (I assume predominantly males, and men looking for sexual entertainment at that) outside [REDACTED]. It is safe to say I will not find comfort in Carlisle Street.

Carlisle Street is already filled with large groups of people standing along the pavements and on the road, especially on Thursday, Friday and Saturday evenings. This is due to the Nellie Dean being on the corner. Many people are outside the pub in the evenings smoking and returning home in the evening involves me asking random people to move off the doorstep so I can get into the [REDACTED]. If Vanity is granted a Sexual Entertainment Venue Licence then the amount of people crowding a predominantly residential street will vastly increase, something that those living near by do not wish for.

I sincerely hope that the licence is not granted for these reasons.

Your sincerely,

[REDACTED]

Hayes, Claire

From: [REDACTED]
Sent: 28 August 2014 13:01
To: General Licensing
Subject: 14/06704/LISEVV

TO WHOM IT MAY CONCERN.

Further to yours that I received this week - I strongly object to the granting of a New Licence for a ' Sexual Entertainments Venue ' to the Basement and 1st. Floor, at Vanity Bar and Nightclub, 4 Carlisle Street, London, W1D 3BJ.

This will be a great disruption and annoyance to the me as a neighbour.

This will only add to the late night noise and disruption in the area.

It will mean that more broken glasses will be left around and more mess to be removed the following morning.

There will be more likelihood of Fights and Scuffles which are always happening at ' Strip Clubs. '

It will mean the Security will be arguing and shouting, and be on mobile phones throughout the night.

We have within yards another Sexual Entertainment Venue which has been operating with full approval of the Police and Council for many years - we do NOT need another.

I very strongly object to the granting of this new licence.

Yours,

[REDACTED]

PS Please confirm that you have received

Hayes, Claire

From: [REDACTED]
Sent: 01 September 2014 08:51
To: Nelson, Nicholas
Cc: [REDACTED]
Subject: 4 Carlisle Street, W1

Dear Nick,

Further to our telephone conversation I am writing, in my capacity as [REDACTED] Councillor to object to the proposal to expand the operations and times for the Sexual Entertainment Venue Licence which currently subsists for 4 Carlisle Street.

When owned and operated as the Candy Bar it is my understanding that the licence was rarely or never used.

Whilst I have no objection in principle to sexual entertainment venues I believe that aggregating this building with the nearby Nelly Dean Pub in what is a quiet cul de sac in the process of transformation to a more residential enclave in anticipation of the completion of the Crossrail works at Dean Street etc... means that this is an inappropriate location to have a late night venue of this kind.

The proposed increase from limited use of the basement stage to use of the basement ground and first floor is likely to lead to a significant intensification of the use of the building, the comings and goings and activity in and around the premises themselves. Whilst it is possible to argue that a well-managed premises with suitable door staff could keep disturbance to a minimum the ability of those staff to manage behaviour on nearby streets is limited. SIA staff cannot deal with people other than those on the premises or immediately nearby. It is unrealistic and unacceptable to expect the police to pick up an additional burden in relation to this proposal.

As a result I think it is extremely likely that this would contribute to crime and anti-social behaviour and adversely to affect local residents and businesses and for that reason I would wish to object to the application. I would also like the opportunity of addressing the Committee in due course either in writing or orally.

Best wishes,

Yours sincerely,

[REDACTED]
[REDACTED]

Please follow me on:



PLEASE ONLY PRINT IF NECESSARY

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 14/06704/LISEVV

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY Ian Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 2nd September 2014

Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009

Vanity Bar And Nightclub, 4 Carlisle St, W1

I refer to the application for variation of the Sexual Entertainment Venue Licence.

This representation is based on the details provided.

The applicant is seeking the following

1. To increase the hours for relevant entertainment Monday to Saturday to allow 09.00 – 03.00 hours and Sunday 09.00 – 00.00 hours.
2. To allow relevant entertainment within the basement, ground and mezzanine floors.
3. To remove condition 25 'Relevant entertainment shall be restricted to the stage area in the basement only'.

I wish to make the following representation

1. The increase in hours to provide relevant entertainment will have the likely effect of an increase in Public Nuisance.
2. To allow relevant entertainment within the basement, ground and mezzanine floors will impact on Public Safety and have the likely effect of an increase in Public Nuisance.
3. Removal of Condition 25 will impact on Public Safety at the premises.

The applicant has not provided any additional conditions in support of the application.

Should you wish to discuss the matter further please do not hesitate to contact me.

Ian Watson
Senior Practitioner Environmental Health (Licensing)

CITY OF WESTMINSTER
PREMISES LICENSING INSPECTOR

MEMORANDUM

TO Ms Claire Hayes
REFERENCE 14/06704/LISEVV

FROM Premises Licensing Inspectors, 4th Floor, City Hall, x 3385
REFERENCE 14/034340/LIINSP
BEING DEALT WITH BY James Hayes
DATE 28 August 2014

**VANITY BAR AND NIGHTCLUB, BASEMENT TO FIRST FLOOR, 4 CARLISLE STREET,
LONDON**

The above application seeks to increase the hours and areas for Relevant Entertainment and the removal of condition 25.

The increase in hours and areas for Relevant Entertainment requires additional door supervision. This has not been specified in the application. Condition 16 of the Premises Licence (reference 14/00491/LIPDPS) specifies a minimum number of door supervisors but this number is inadequate due to the increase in hours and areas sought.

I therefore object to the application under the following licensing objectives: prevention of crime and disorder, public safety, and prevention of public nuisance.

I have contacted the agent for the application seeking further information.

My contact details are provided below if you have any questions regarding my comments.

James Hayes
Licensing Inspector

Hayes, Claire

From: Hayes, James
Sent: 28 August 2014 14:55
To: idoxlicensing
Cc: Hayes, Claire
Subject: Memo - 14/06704/LISEVV - Vanity Bar
Attachments: Vanity Bar Variation 28.08.14.docx

Please see attached memo.

Regards,

James Hayes

Licensing Inspector
Premises Management
Westminster City Council
4th Floor North Westminster City Hall
64 Victoria Street
London
SW1E 6QP
Tel: 020 7641 4428
Fax: 020 7641 3436
jhayes2@westminster.gov.uk
www.westminster.gov.uk

Please don't print this e-mail unless you really need to.



Hayes, Claire

From: Marcus Lavell [mcl@jgrlaw.co.uk]
Sent: 15 October 2014 10:54
To: Hayes, James
Cc: Hayes, Claire; McVitie, Martin
Subject: RE: Vanity Bar

Dear James

Yes, we would be happy to accept this. Will changes be made to the proposed Appendix D for inclusion with the committee report?

Kind regards,

Marcus Lavell
Barrister
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296
Direct Fax: ++44 - (0)20 7307 0226
www.jgrweb.com



From: Hayes, James [mailto:jhayes2@westminster.gov.uk]
Sent: 14 October 2014 14:58
To: Marcus Lavell
Cc: Hayes, Claire; McVitie, Martin
Subject: RE: Vanity Bar

Dear Marcus, thanks for the email.

I have had a chance to read the proposed conditions. As my objection only related to door supervision on the sexual entertainment venue licence I will restrict my comment to that.

Would your client agree to the slightly modified wording of condition 35 below?:

35. There shall be ~~an~~ **at least one** SIA registered door supervisor on duty on any floor that is providing Relevant Entertainment.

That would address my concerns were the Licensing Sub-Committee minded to grant the application. I intend to attend the hearing next Thursday in case the Licensing Sub-Committee have any further questions for me. All being well I will see to you then.

Kind Regards,

James Hayes

Licensing Inspector
Premises Management
Westminster City Council
4th Floor North Westminster City Hall
64 Victoria Street
London
SW1E 6QP
Tel: 020 7641 4428
Fax: 020 7641 3436
jhayes2@westminster.gov.uk
www.westminster.gov.uk
Please don't print this e-mail unless you really need to.



From: Marcus Lavell [<mailto:mcl@jgrlaw.co.uk>]
Sent: 13 October 2014 13:17
To: Hayes, James
Subject: Vanity Bar
Importance: High

Dear James

I hope this email finds you well.

Have you had an opportunity to consider the draft proposed conditions for the above applications?

Kind regards,

Marcus Lavell
Barrister
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296
Direct Fax: ++44 - (0)20 7307 0226
www.jgrweb.com



Appendix B14

Ms Claire Hayes
Licensing Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Mr Steven Rowe
Environmental Health Case Officer Licensing

Tel: 020 7641 7825

Fax: 020 7641 7815

srowe@westminster.gov.uk

Team Email : generallicensing@westminster.gov.uk

Date: 28th August 2014

Ref: 14/06704/LISEVV

Dear Claire

Application for variation of the Sexual Entertainment Venue Licence for Vanity Bar And Nightclub, 4 Carlisle Street, London, W1

As an authorised officer for the council under the Local Government (Miscellaneous Provisions) Act 1982 please accept this letter as a formal objection to this application on behalf of the council.

The council is objecting to this application on the basis that the application as sought may have a detrimental impact on the licensing objectives. The applicant has not provided sufficient information with the application to show the considerations that they have had in relation to the potential effects on these licensing objectives.

I will arrange a meeting between myself and the applicant to discuss the application in due course. I will then provide further submissions if my concerns are not addressed.

If the concerns raised are fully addressed to the satisfaction of the council by way of written submissions, oral evidence or additional conditions then the council may withdraw its objection to this application.

Yours sincerely



Mr Steven Rowe
Environmental Health Case Officer Licensing
Environmental Health Consultation and Licensing

Supporting



www.westminster.gov.uk/licensing

Licensing Service Objection

Application to vary Sexual Entertainment Venue (SEV) – Sex Establishment licence under Schedule 3 paragraph 10 of the Local Government (Miscellaneous Provisions) Act 1982 for Vanity Bar and Nightclub, Basement To First Floor 4 Carlisle Street London W1D 3BJ

Licensing Service Ref: 14/06704/LISEVV

1. Introduction

- 1.1 I am authorised on behalf of the Licensing Service of Westminster City Council to carry out its functions in considering Sex Establishment applications made under the provisions of Part II, Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
- 1.2 I have considered the application to vary the SEV – Sex Establishment Licence application submitted on behalf of Nags Head Limited for the Basement to First Floor 4 Carlisle Street London W1D 3BJ. Following a holding objection by Mr Steven Rowe dated 28 August 2014, I subsequently visited the premises with Mr Steven Rowe and Mr Ian Watson of Environmental Health on 9 September 2014 where we met with the representative of the applicant Mr Manpal Singh and his legal representatives from Jeffrey Green Russell Solicitors to discuss the application further.
- 1.3 Paragraph 10 subsection (15) of the Local Government (Miscellaneous Provisions) Act 1982 Part II states;
- ‘Any person objecting to an application for the grant, renewal or transfer of a licence under this schedule shall give notice in writing of his objection to the appropriate authority, stating in general terms the grounds of the objection, not later than 28 days after the date of the application’
- 1.4 The Licensing Service has considered it appropriate to make an objection in relation to this application. Due to the nature of the variation sought and taking into consideration the council's Statement of Licensing Policy for Sexual Entertainment Venues 2012, specifically the character of the relevant locality, the use of premises in the vicinity and hours, the Licensing Service makes an objection to this application.
- 1.5 I have considered the application in detail, the history of the premises, the location of the premises, transport links and whether the application meets the council's Licensing Policy. My findings in relation to this application are set out below.

2. The Application

- 2.1 The premises is currently permitted to provide relevant entertainment on Monday to Thursday 09:00 to 23:30 Friday to Saturday 09:00 to 02:00 and Sunday 09:00 to 23:00. The SEV – Sex Establishment licence was granted by the Licensing Sub-Committee on 12 June 2012 to these hours in accordance with the hours already permitted to members of the public for regulated entertainment on the existing Licensing Act 2003 premises licence. A copy of the decision is attached to this objection at **Appendix 1**
- 2.2 The applicant is seeking to extend the terminal hour for relevant entertainment to 03:00 on Monday to Saturday in line with the hours permitted for sale of alcohol under the existing Licensing Act 2003 premises licence.
- 2.3 The applicant is also seeking to remove condition 25 which states that “Relevant Entertainment shall be restricted to the stage area in the basement”, so as to provide tableside dancing to customers seated in booths on the first floor and in the basement as well the podium/stage on the ground floor.

- 2.4 The Relevant Entertainment provided at the premises is described as striptease and includes up to full nudity. The applicant has not requested to disapply any of the existing Standard Conditions attached to their SEV premises licence.

Layout of the premises:

- 2.5 The main entrance to the premises is in Carlisle Street, the name of the premises is clearly visible at the front of the premises and no images of nudity or Relevant Entertainment were visible from the exterior of the premises.
- 2.6 As the premises are currently being refurbished, I am unable to comment on the internal layout of the premises. The applicant has submitted plans of the proposed layout as well as CCTV camera positioning which will need to be addressed to the satisfaction of the Licensing Service subject to the application being granted.

Style of operation:

- 2.7 The premises was operated as a bar / nightclub with a predominantly lesbian customer base until January 2014. The basement was used for disco and also had striptease entertainment at various times with a bar on the ground floor and cloakroom on the first floor. Since January 2014 the premises has traded sporadically as Vanity bar, a bar / nightclub with a heterosexual customer base operating mainly from the ground floor.
- 2.8 The premises are proposing to provide tableside dancing to customers seated in booths in the basement and on the first floor as well as on a stage area/podium on the ground floor.
- 2.9 It is proposed that the capacity at the premises (excluding staff) will be reduced from 70 persons in the basement to 20, from 80 persons on the ground floor to 70 and from 25 persons on the first floor to 15.
- 2.10 No information has been provided in respect of the proposed clientele, performers remuneration, entry fee and charges for private performance in the booths.
- 2.11 The applicant has operated the premises as a bar/nightclub since they took over premises in January 2014, it is not clear whether they have any experience of operating a SEV – Sex Establishment Licence

Standard Conditions:

- 2.12 The applicant has not requested to disapply any of the standard conditions relating to SEV premises licence other than to amend condition 25 in respect of the areas where relevant entertainment is provided.
- 2.13 The applicant has proposed additional conditions as part of their further submissions.
- 2.14 The applicant has applied to vary their premises licence under Section 17 of the Licensing Act 2003 to alter the layout of the premises and to remove a number of

conditions. As part of the variation to the Licensing Act premises licence, they have proposed that the sale of alcohol shall be ancillary to the use of the premises for either, music and dancing and substantial refreshment or Relevant Entertainment.

3. Summary of Licensing Service's Objection

- 3.1 The Licensing Service is making an objection to this application on the grounds that if granted it will not promote the licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance, the improvement in the character and function of the city, or areas of it and hours.
- 3.2 The premises is operated as a bar/nightclub and the grant of the application has the potential to impact on the council's policies CD1, PS1, PN1, LO1, 2 and 3 and hours.

4. The Premises, its location and transport links

- 4.1 Carlisle street is serviced with good transport provision. To the north of the premises is Oxford Street (161 metres) and to the east is Charing Cross Road (322 metres). Oxford Street and Charing Cross Road are serviced by buses during the day and at night. Oxford Circus underground station on Oxford Street is 644 metres away and Tottenham Court Road underground station is 322 metres away from the premises.
- 4.2 Train services from Oxford Street underground station run on Mondays to Saturdays from 05:47 to 00:00 and on Sundays from 07:19 to 23:05. Train services from Tottenham Court Road run on Mondays to Saturdays from 05:48 to 00:02 and on Sundays from 07:20 to 23:07
- 4.3 There is one Sexual Entertainment Venue within 200m radius of the premises. This is La Capannina, Basement 21 Bateman Street London W1D 3AL. It offers similar Sexual Entertainment and is located in the basement and has no windows on the ground floor. The number of persons (excluding staff) allowed at the premises is 50 and the hours permitted for relevant entertainment is the same as the hours for regulated entertainment under the Licensing Act 2003 premises licence.

5. Licensing Objectives and Relevant Licensing Policies

- 5.1 The SEV Statement of Licensing Policy 2012 was approved by the council on the 2nd February 2012 and operative from the 10th February 2012. The policy sets out the councils approach to the regulation of sexual entertainment premises under the Local Government (Miscellaneous Provisions) Act 1982 as amended, (the 1982 Act). This policy should be read with reference to the statutory Statement of Licensing Policy published under the Licensing Act 2003 (the 2003 Act), and the relevant related strategies and initiatives referred to in it, particularly where premises are regulated under both the 1982 Act and the 2003 Act.
- 5.2 The aim of this policy is to promote the four licensing objectives identified in the 2003 Act, and also to promote the improvement in the character and function of the city, or areas of it.

Policy LO1 – Character of the relevant locality

- 5.3 Paragraph 2.4.2 of the Council's Statement of Licensing Policy 2012 relating to Policy LOC1 – Character of the Relevant Locality states;

'Under the 1982 Act the council has the discretion to refuse applications relating to sexual entertainment venues on the grounds that the grant or renewal of the licence would be inappropriate, having regard to the character of the relevant locality'

- 5.4 The policy then specifies reasoning behind this policy.

'Sexual entertainment venues cater for a particular adult audience and by attracting those customers can affect the character of the locality in which they are situated'

- 5.5 Further;

'areas predominately characterised by general or family retail use may be inappropriate localities for sexual entertainment because of their use by children, either unsupervised or in a family context, and by adults wishing to avoid the characteristics of, or associated with, sexual entertainment venues'

- 5.6 There are 180 units within 75m radius of the premises, 61 of which are residential including two at 4 Carlisle street. Residents and businesses in the vicinity of the premises have not experienced the provision of relevant entertainment under the proposed nature at the premises as it has only operated as a bar/nightclub since the applicant took over. The grant of the application will lead to a change in operational style which may be inappropriate for the locality which includes families with children.
See Appendix 2

- 5.7 Another reason to be considered is;

'the nature of the clientele that sexual entertainment venues may attract, and their behaviour outside the premises, may also be inappropriate in the context of the character of the locality in which the premises are situated'

- 5.8 Customers who want to smoke will do so outside the premises. The performers who smoke will also do so outside the premises. The applicant has not provide any information on how smoking outside the premises by customers and performers will be monitored or controlled.
- 5.9 With restaurants and cafes in the vicinity of the premises, customers dining outside any of these premises are at risk of being adversely effected by the clientele outside the venue.
- 5.10 During the hours of 00:00 and 03:00 customers leaving the venue will not have access to underground services. There is an all night bus service but this is a limited service compared to the services available during the day into the evening.

Policy LO2 – Use of premises in the vicinity

- 5.11 Paragraph 2.4.16 of the Council's Statement of Licensing Policy 2012 relating to Policy LOC2 – Use of premises in the vicinity states that

'under the 1982 Act the council has the discretion to refuse applications relating to sexual entertainment venues on the grounds that the grant or renewal of the licence would be inappropriate, having regard to the use to which any premises in the vicinity are put'

- 5.12 The first reason which should be considered under this is part of the policy is that;

'the council considers that sexual entertainment venues, providing a particular type of entertainment for a particular adult clientele, may be inappropriate in the vicinity of other premises depending on their use. This may include premises in the vicinity used for religious worship, by children and families, or vulnerable adults'

- 5.13 The grant of the application may be inappropriate to a hostel for vulnerable homeless individuals located at 91 Dean Street which is approximately 81 feet from the location of Vanity bar who may have not experienced the use of the premises for relevant entertainment into the early hours of the morning.

- 5.14 Another reason to be considered under this part of the policy is that:

The council is also aware of crime and anti social behaviour associated with the location of sexual entertainment venues, such as prostitution, touting and "clipping", which it would be particularly inappropriate to introduce in localities where premises are used for religious worship, by children and families, or vulnerable adults.

The premises has a licence to operate as a sexual entertainment venue but has and has only operated as such on occasions. The premises is operated as a bar/ nightclub generally, the new style of operation and into the early hours of the morning may attract prostitution, touting into the area where premises are used as residential by children and families or vulnerable adults.

Policy LO3 - Policies relating to the layout, character or condition of the venue

- 5.15 The reason which should be considered under this is part of the policy is that;

Good management of the premises requires adequate supervision of customers and performers at all times within and immediately outside the premises. ...premises over several floors may be considered unsuitable because of their intrinsic layout difficulties, notwithstanding any CCTV or management operating procedures which may be proposed to alleviate these risks.

- 5.16 The provision of sexual entertainment at the venue over three floors may lead to inadequate supervision of customers and performers notwithstanding the use of CCTV. The applicant has not provided any information on how the premises will be supervised when sexual entertainment is provided on all floors at the same time.

Hours

- 5.17 The first reason which should be considered under this is part of the policy is that;

Where a premises is licensed under the 2003 Act for hours beyond the "core hours" the council will have regard to those hours and generally grant a SEV licence to the hours authorised for other licensable activities, subject to the provision of a winding down period if appropriate. ...

- 5.18 The applicant has applied to increase the hours for relevant entertainment to bring it in line with the Licensing Act 2003 premises licence.

- 5.19 The hours permitted by the Licensing Act 2003 for sale of alcohol (Monday to Saturday 10:00 to 03:00 and Sunday 12:00 to 00:30) are beyond the hours permitted for regulated entertainment other than playing of recorded music and private entertainment.

- 5.20 The condition on the licence that sale of alcohol shall be ancillary to the use of the premises for music and dancing and substantial refreshment curtailed the hours in which licensable activities can be provided to the general public. Licensable activities in most cases are not provided beyond the hours for regulated entertainment which are Monday to Thursday 23:30, Friday to Saturday 02:00 and Sunday 23:00, which are the hours currently permitted for relevant entertainment.

- 5.21 The applicant has not applied to vary the Licensing Act 2003 premises licence so as to increase the hours permitted for regulated entertainment.

- 5.22 Another reason which should be considered under this is part of the policy is that;

The council expects applicants to consider how people using the premises are to depart from the premises and from the area and make reference to it in their application. As part of applications for premises that intend to operate after midnight, applicants should give particular consideration to the limited availability of transport after London Underground services cease.

- 5.23 The applicant in their application has not given consideration to how people using the premises will depart from the premises when London underground services cease and in the early morning hours when limited transport is available.

6. Licensing Authority Position

- 6.1 The Licensing Service is making an objection to this application on the grounds that if granted the application would not promote the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and improvement in the character and function of the city, or areas of it.

- 6.2 Further as the proposed premises are currently closed and in need of a full refurbishment I am unable to comment on the layout, character or condition of the premises and therefore raise objection to this until such time as the premises can be fully assessed.

- 6.3 Taking into account the points raised in paragraphs 5.1 to 5.23 above, the Licensing Service do not consider the premises to be a suitable location for a sexual entertainment venue to be operated until the hours that have been applied for.
- 6.4 As mentioned in paragraphs 5.13, there is a hostel for vulnerable adults in the vicinity of the premises and the grant of the application may have a negative impact on individuals using this amenity.
- 6.5 The original SEV application was determined by the Licensing Sub Committee who considered it appropriate to restrict the provision of relevant entertainment to the basement and to the same hours permitted to members of the public for regulated entertainment on the existing Licensing Act 2003 premises (Monday to Thursday 09:00 to 23:30 hours, Friday to Saturday 09:00 to 02:00 and Sunday 09:00 to 23:00 hours).
- 6.8 As the premises has not operated under their Licensing Act premises licence on many occasions to the hours sought under this application, the proposed change in operation will have a negative impact on public nuisance, public safety, crime and disorder and the improvement in the character and function of the city, or areas of it. Therefore the Licensing Service objects to the application in its entirety

Appendices

Appendix 1 – Licensing Sub-Committee decision of 12 June 2012

Appendix 2 – Map of residential premises, restaurants & cafes and hostel in the area

LICENSING SUB-COMMITTEE No. 1*Tuesday 12 June 2012*

Membership: Councillor Audrey Lewis (Chairman), Councillor Michael Brahams and Councillor Nicholas Evans

Legal Adviser: Harjinder Bhela
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon

Relevant Representations: Environmental Health, Licensing Service and 1 local resident.

Present: Mr Jack Spiegler (representing the Applicant), Mr Gary Henshaw (Owner of premises), Ms Sonia Stanscu (Designated Premises Supervisor), Ms Claire Bain (Manager and Designated Premises Supervisor), Mr Nick Nelson (Licensing Service), Mr Ian Watson (Environmental Health) and Mr Hugh Matheson (local resident).

**Candy Bar, 4 Carlisle Street, W1
12/02694/LISEVN**

Application:

An application for a new sexual entertainment venue premises licence to provide striptease including full nudity between the hours of 09:00 to 03:30 Monday to Saturday and 09:00 to 01:00 on Sunday.

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

Subject to the conditions listed below, the Sub-Committee granted the hours already permitted to members of the public for regulated entertainment on the existing Licensing Act 2003 premises licence (Monday to Thursday 09:00 to 23:30 hours, Friday to Saturday 09:00 to 02:00 and Sunday 09:00 to 23:00 hours). Where the use of the premises is restricted to private events only the Sub Committee granted the extended hours applied for (Monday to Saturday 09.00 to 03.30 and 09.00 to 01.00 on Sunday).

The Sub-Committee heard from Mr Spiegler, representing the Applicant. He was content to proceed without his client who arrived later in the hearing. His client was content with the standard conditions. He was content to restrict relevant entertainment to the stage area in the basement and to agree a CCTV works condition. His client had many years experience, including of operating under a membership scheme. There was no evidence that there had been more complaints

or more cases of noise nuisance when striptease had taken place at the premises.

The Sub-Committee also heard from Mr Watson for Environmental Health. Mr Watson emphasised that there had been complaints from residents but since August 2010 after noise prevention measures had been taken inside the premises, most of the residents' concerns related to noise from patrons outside the premises. A Senior Licensing Inspector was working with the premises and local residents in order to try and address issues.

The Sub-Committee also heard from Mr Matheson, a local resident, who stated that the premises were not well managed and gave a detailed account of the issues he had experienced, including that there was considerable disruption from patrons outside the premises. There had also been instances of noise coming from inside the premises. The early hours of the morning permitted for private entertainment greatly inconvenienced local residents. He also had experience that the membership conditions had not been strictly adhered to.

The Sub-Committee was concerned about the experience of local residents who had been disturbed by noise from patrons outside the premises. Members took into account however in granting the application that they were permitting the same hours and style of operation as was permitted on the existing premises licence. Interested parties or the Responsible Authorities had the ability to apply for a review of the existing premises licence.

The Sub-Committee considered it appropriate in order to promote the policy aims and objectives to apply all the standard conditions to the licence, and for the purposes of clarity varied standard conditions 6, 16 and 21 as set out below. It is stated in Paragraph 3.1.9 of the Sexual Entertainment Venues Statement Of Licensing Policy 2012 that if the Council considers it appropriate to promote the policy aims and objectives the Council may attach conditions, in addition to the standard conditions, to a sexual entertainment venue licence in the individual circumstances of an application. The Sub-Committee decided that it was appropriate to restrict the relevant entertainment to the stage area in the basement as agreed by the Applicant and to add the CCTV works condition that had been agreed by the Applicant and also attached to the licence the 9 conditions proposed by Environmental Health (as set out below).

Conditions attached to the Licence

Standard Conditions for Sexual Entertainment Venues dated 17 February 2012 will apply with the following variations to conditions 6,16 and 21:

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.

16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
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.

Additional Conditions – Conditions attached to the licence by Sub-Committee:

1. No Relevant Entertainment shall take place until CCTV adequately covers and monitors the stage area to the satisfaction of the Environmental Health Consultation Team and the Licensing Service. **(new condition attached by Sub-Committee)**
2. Relevant Entertainment shall be restricted to the stage area in the basement only **(new condition attached by the Sub Committee)**

Additional Conditions –as requested by Environmental Health

1. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 70 persons in the basement, 80 persons on the ground floor and 25 persons to the first floor.
2. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
3. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
4. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
5. 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.
6. 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.
7. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
8. 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.

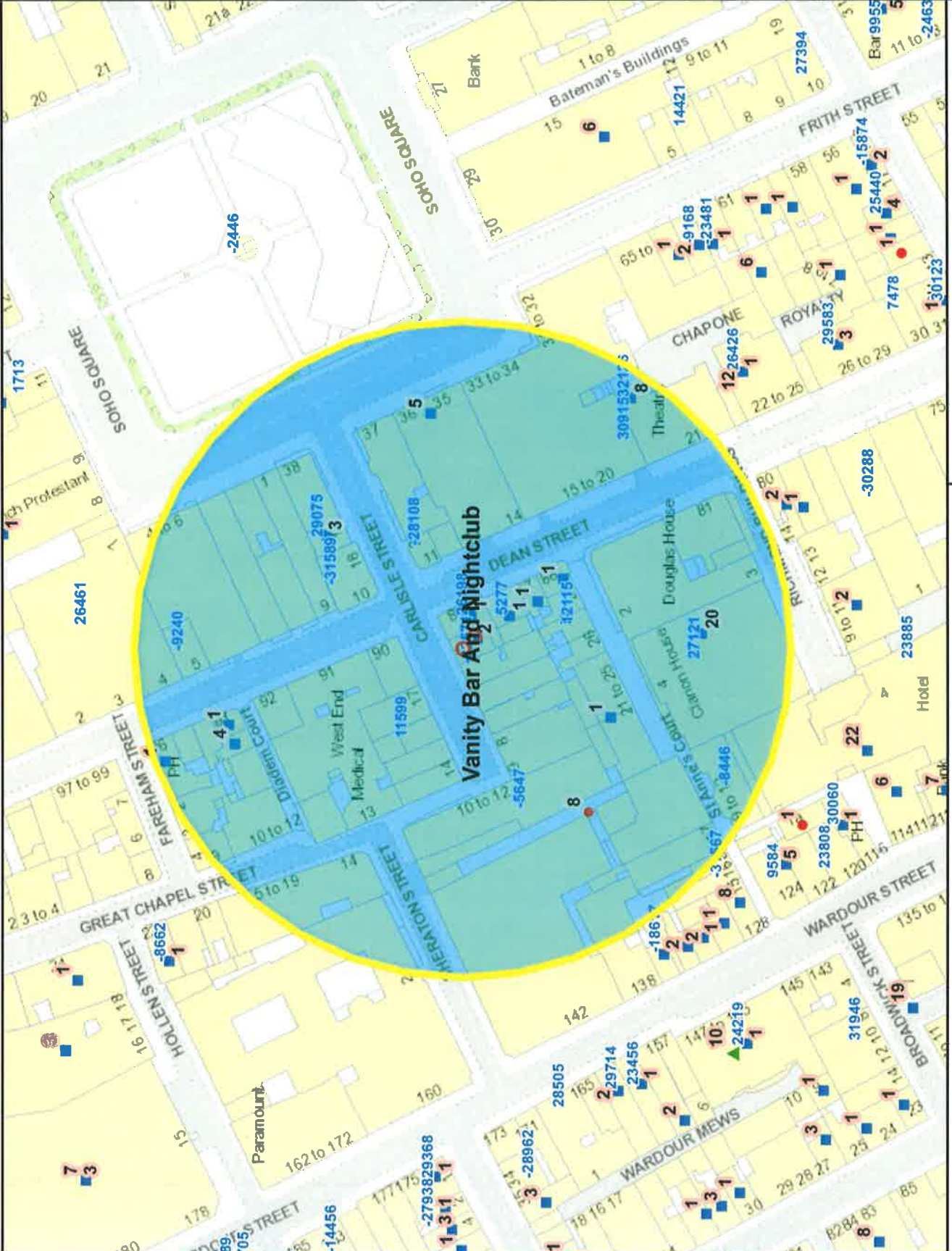
- i. pyrotechnics including fire works
- ii. firearms
- iii. lasers
- iv. explosives and highly flammable substances.
- v. real flame.
- vi. strobe lighting.

9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.



City of Westminster

Vanity Bar And Nightclub, 4 Carlisle Street, London, W1D 3BJ



| | |
|------------------------------------|-------|
| Residential / Proposed Residential | 61 |
| Under Construction | 0 |
| Other Uses | 119 |
| Proportion Residential of all Uses | 33.9% |

APPENDIX 2

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Data Source: Uniform Database
Date: 07/10/2014



Restaurants & Cafes

Hostel

Douglas House

Hotel

Royalty House



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Data Source:

N

0 5 10 20 Metres

SEX ESTABLISHMENT LICENCE Sexual Entertainment Venue

| | |
|--------------------------|-----------------|
| Premises licence number: | 14/01806/LISEVT |
| Original Reference: | 13/08022/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:
to use the premises:

Nags Head Limited
Vanity Bar And Nightclub
4 Carlisle Street
London
W1D 3BJ

as a Sexual Entertainment Venue.

This licence commences from the 16th June 2014 and will expire on the 16th December 2014.

Relevant Entertainment may be provided during the following times:

| | |
|--------------------|----------------|
| Monday to Thursday | 09:00 to 23:30 |
| Friday to Saturday | 09:00 to 02:00 |
| 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.

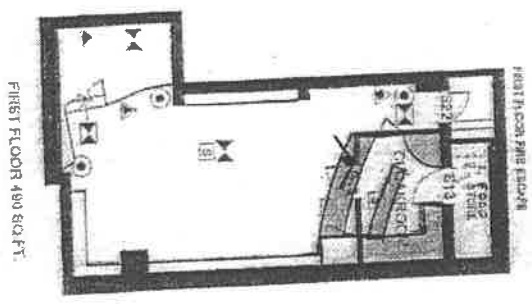
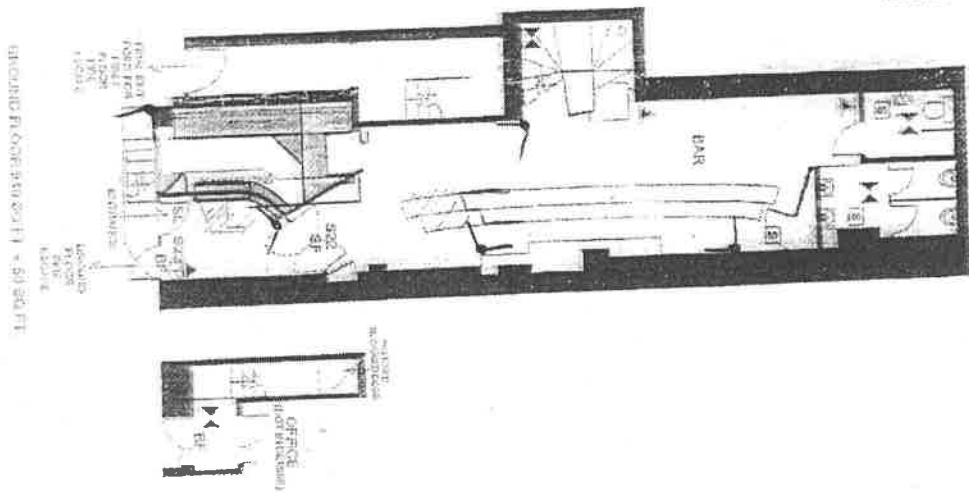
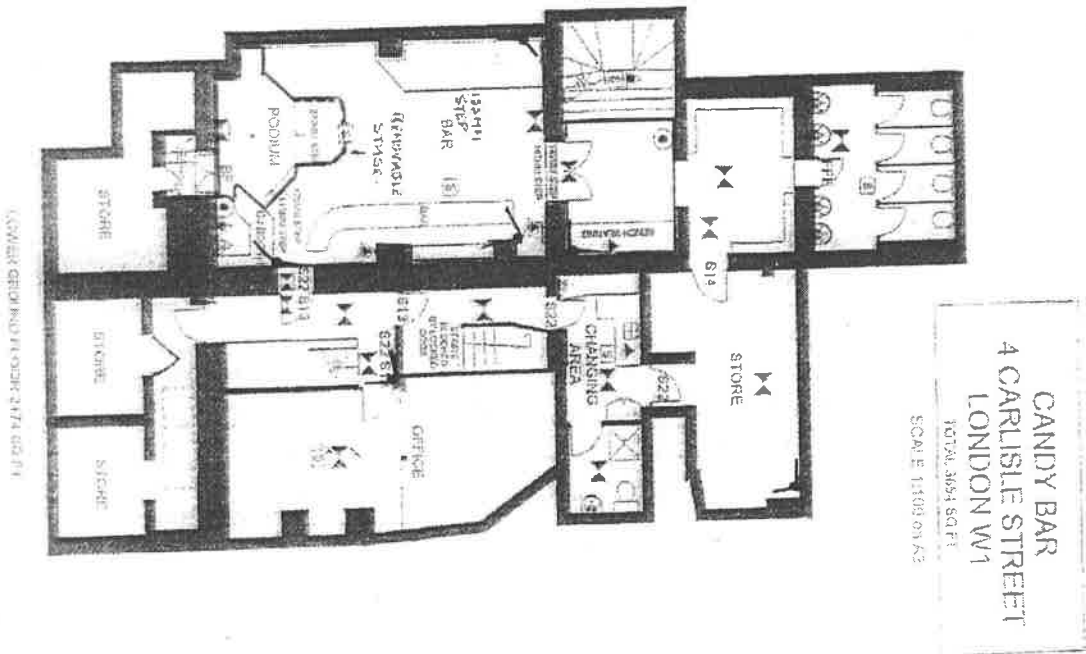
DATE: 16 JUNE 2014

SIGNED:



**On behalf of the Operational Director -
Premises Management**

Appendix 1 – Plans



- Pro. Planning*
- FIRE FIGHTING EQUIPMENT**
- FOMI FIRE EXTINGUISHER
 - ▲ FIRE BLANKET IN CONTAINER
 - ▲ CARBON DIOXIDE EXTINGUISHER
 - [S] AREA COVERED BY SMOKE DETECTOR
 - ▲ AREA COVERED BY ESCAPE LIGHTS
 - ▲ AREA COVERED BY ILLUMINATED EXIT SIGN
 - ▲ CONTROL PANEL EQUIPMENT
 - BREAK GLASS CALL POINT
 - FIRE ALARM POINT
- DOOR CODES**
- SP = IRON FASTENERS DOOR
 - FP = SMOKE FREE OF ALL FASTENERS
 - SL = SECURITY LOCK
 - EA = EMERGENCY EXIT HORSE
 - ST = STAIR CONTROL ROOM
 - SH = SHOWER ROOM
 - CTV = C.T.V
- Legend: (Symbol) (Symbol)

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 until 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 stage area in the basement only
26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 70 persons in the basement, 80 persons on the ground floor and 25 persons to 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.

Appendix C2



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

Schedule 12
Part A

WARD: West End
UPRN: 010033531502

Premises licence

Regulation 33, 34

Premises licence number:

14/00491/LIPDPS

Original Reference:

05/03985/LIPCV

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

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

Performance of Live Music

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

Playing of Recorded Music

Unrestricted

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

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

Late Night Refreshment

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

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

Sale by Retail of Alcohol

| | |
|---------------------|----------------|
| Monday to Saturday: | 10:00 to 03:00 |
| Sunday: | 12:00 to 00:30 |

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

The opening hours of the premises:

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

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Nags Head Limited
17-19 Whitechapel Road
London
E1 1DU
Electronic Mail : manpal_singh-clair@hotmail.com

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

06251735

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

Name: Manpal Singh

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: P00539

Licensing Authority: London Borough Of Redbridge

Date: 18th February 2014

Signed: pp



Operational Director - Premises Management

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

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

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

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

Conditions relating to regulated entertainment:

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No 6 the premises may remain open for the purposes of this licence from 23:00 to 23:30 on each of the days Monday to Thursday and from 23:00 on each of the days Friday to Saturday to 02:00 on the day following.

13. The entertainment provided at the premises shall be of the type commonly known as discotheque, karaoke and striptease.
14. All amplified music shall be played through a suitable new and modern sound limiting device which shall be set, sealed and maintained at all times at a level agreed by the Environmental Health Officer (to be checked on a spot basis by the Environmental Health Officer). The operational panel shall then be secured and the system shall not be altered without prior agreement with the Environmental Health Department.
15. Dancing and striptease shall only take place in the basement.
16. In addition to at least one registered door supervisor and at least two registered door supervisors when striptease entertainment is provided, a steward shall be employed at the premises who will endeavour to ensure that customers will leave the vicinity quickly and quietly.
17. Only activities which have previously been agreed by the council shall take place.
- 18.* The agreed activities shall take place only in the designated areas approved by the Council. The approved arrangements for access to the dressing room shall be maintained at all times whilst striptease entertainment is taking place and immediately thereafter.
- 19.* All performers must be segregated from the audience and must have direct access to the dressing room without passing through or in close proximity to the audience (NB, not to apply in the case of tableside dancing).
- 20.* The area proposed for striptease shall be in position where the performance can not be seen from the street.
- 21.* Except with the consent of the Council there shall be no external advertising of the striptease entertainment either at the premises or within a 200 metre radius of the premises.
- 22.* Whilst striptease entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice shall be displayed at each entrance to the premises in a prominent position so that it can be easily read by persons entering the premises in the following terms:

NO PERSONS UNDER 18 WILL BE ADMITTED
- 23.* The Licensee, performer and any person concerned in the organisation or management of the premises or the entertainment shall not encourage, or permit others to encourage, the audience to throw money at or otherwise to give gratuities to the performers (except as may be permitted by special conditions relating to tableside dancing).
24. Cab operators shall be informed of the need to keep noise to a minimum and to switch their vehicles' engines off whilst waiting in Dean Street for clients.
25. The basement door going onto the street shall be kept closed at all times, except for emergency use.
26. No alteration or modification to any existing sound system(s) should be effected without prior consent of an authorised officer of the Environmental Health Department.
27. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.

28. All doors giving access/egress to the premises shall not be fixed open after 23:00.
29. A 'hotline' telephone number to the licensee shall be available to local residents.
30. All licensees to possess the National Entertainment Licensees Certificate or an equivalent qualification or to be in the process of acquiring such qualification.
31. The number of persons accommodated (excluding staff) shall not exceed:
Basement - 70,
Ground Floor - 80,
First Floor - 25.

Conditions for Sale of Alcohol

32. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
 33. A CCTV system shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime Prevention Officer.
 34. On any evening where the premises or part of the premises are open for music and dancing and a section 77 Special House Certificate is in operation, intoxicating liquor shall not be sold or supplied to persons entering the premises after 23:00 other than to:-
 - (a) Persons who have paid a minimum admission fee of at least £3 Monday to Thursday and £5 Friday to Saturday for music, dancing and entertainment (not to be credited against consumables);
 - (b) By prior invitation to a bona fide private function held at the premises, of which 24 hours notice has been given to the police;
 - (c) Guests of the proprietors/directors of Candy Bar, bona fide entertained and specially invited prior to admission (a full list of whose individual names shall be kept at reception available for inspection by police);
 - (d) Artistes and persons employed at the premises;
 - (e) Notwithstanding (a) above, persons taking full table meals;
 - (f) Persons attending a private function at the premises.
 35. At least one licensee shall be present during the whole time intoxicating liquor is supplied, sold or consumed.
 36. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
 37. There shall be no gaming on the premises, other than machines authorised by Part III of the Gaming Act 1968 or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
 38. Maximum (excluding staff) Ground Floor 80; Basement 70; First Floor 25
- 39.* No striptease, no nudity and all persons on the premises to be decently attired, save for persons performing striptease on the stage area.
- 40.* In relation to any striptease performed there shall be no touching or physical contact between any customer.

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

41. Alcohol shall not be sold, supplied or consumed in or taken from the premises except during permitted hours.
- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following, except that -
 - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;
 - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
 - (i) with the substitution of references to 04.00 for references to 03.00.
 - (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.30 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
 - (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
 - (iii) The terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hours for the sale of alcohol set out in d(i) and (ii) above.
 - (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
 - (f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;

- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

42. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

43. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,

- (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
- (c) to take all other reasonable precautions for the safety of the children.

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

| |
|--|
| <p>* Conditions indicated shall not apply when a Sexual Entertainment Licence is in effect at the premises</p> |
|--|

Annex 2 – Conditions consistent with the operating Schedule

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

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

Conditions relating to regulated entertainment:

| | | |
|------|-----|--|
| 46.* | (a) | Striptease entertainment may be provided by both male and female performers |
| | (b) | The audience shall not be permitted to participate in striptease entertainment. |
| | (c) | The provision of striptease entertainment shall be restricted on any particular day to either male or female performers and not both sexes at the same time or on the same day (09:00 to 00:00). |

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

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

47.* Striptease entertainment may only be provided in the basement area of the premises.

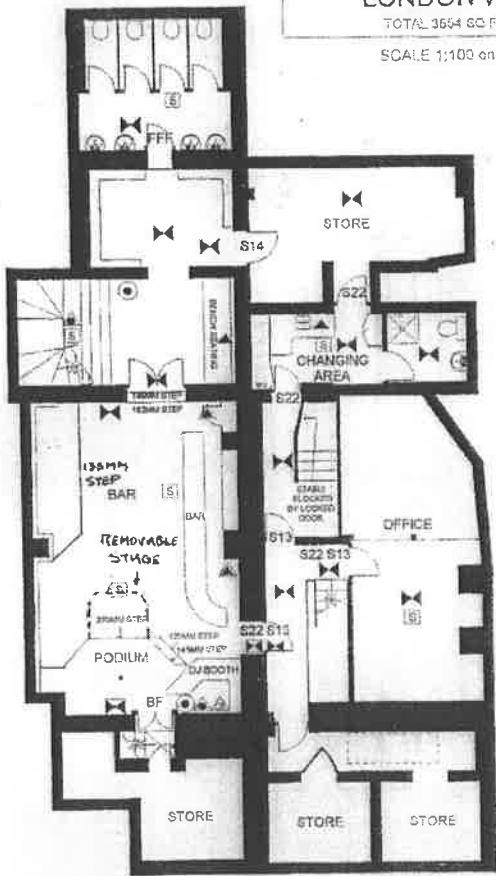
* Conditions indicated shall not apply when a Sexual Entertainment Licence is in effect at the premises

Annex 4 – Plans

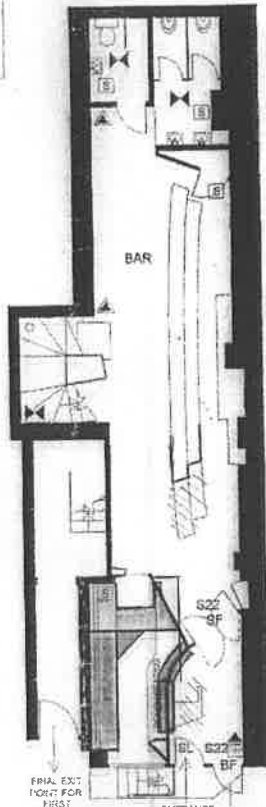
Attached

CANDY BAR
4 CARLISLE STREET
LONDON W1

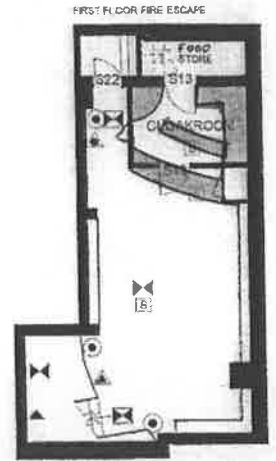
TOTAL 3654 SQ. FT.
 SCALE 1:100 on A3



LOWER GROUND FLOOR 2174 SQ. FT.



GROUND FLOOR 940 SQ. FT. + 50 SQ. FT.



FIRST FLOOR 480 SQ. FT.

Plan February 2007
FIRE FIGHTING EQUIPMENT

- FOAM FIRE EXTINGUISHER
- FIRE BLANKET IN CONTAINER
- CARBON DIOXIDE EXTINGUISHER
- AREA COVERED BY SMOKE DETECTOR
- AREA COVERED BY ESCAPE LIGHTING
- AREA COVERED BY ILLUMINATED EXIT SIGN
- CONTROL PANEL SOUNDER
- BREAK GLASS CALL POINT
- FIRE ALARM POINT

DOOR CODES

- BF = BREAK FASTENING DOOR
- FFF = DOOR FREE OF ALL FASTENINGS
- SL = SECURITY LOCK
- S22 = EMERGENCY EXIT NOTICE
- S13 = FIRE DOOR KEEP SHUT
- S14 = FIRE DOOR KEEP LOCKED



Schedule 12
Part B

WARD: West End
UPRN: 010033531502

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

14/00491/LIPDPS

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

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

Performance of Live Music

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

Playing of Recorded Music

Unrestricted

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

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

Late Night Refreshment

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

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 00:30

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

The opening hours of the premises:

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

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:

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

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

06251735

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

Name: Manpal Singh

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

Restricted

Date: 18th February 2014

Signed: pp



Operational Director - Premises Management



11/08/2014



11/08/2014