

EXTRAORDINARY LICENSING COMMITTEE

Tuesday, 14 April 2015 at 6.30 p.m.

The Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

SUPPLEMENTAL AGENDA 2

This meeting is open to the public to attend.

Contact for further enquiries:

Simmi Yesmin, Democratic Services
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
Tel: 020 7364 4120
E-mail: simmi.yesmin@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk/committee>

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For further information including the Membership of this body and public information, see the main agenda.

	PAGE NUMBER(S)	WARD(S) AFFECTED
2 .1 Application for a Sexual Entertainment Venue Licence for Whites Gentleman's Club, 32-38 Leman Street, London, E1 8EW	1 - 8	Whitechapel

Additional documents submitted on behalf of the Applicant.

WHITE'S CLUB

ADDITIONAL CONDITIONS SUGGESTED BY APPLICANT

1. If the Committee grants this licence, the grant will be subject to Tower Hamlet's standard conditions for sexual entertainment venues set out at page 72.
2. It will also be subject to the conditions suggested by Trading Standards at page 10.
3. The purpose of this document is to propose still further conditions so as to meet concerns expressed in the papers, particularly regarding alleged exterior impact of the premises, and issues regarding charging.

Exterior impact

4. The exterior impact of this sexual entertainment venue is very low:
 - a. It does not leaflet in the locality.
 - b. There is no branded customer transportation.
 - c. It does not advertise on billboards
 - d. There is no visibility into the premises.
 - e. There is no suggestive lighting, e.g. red, pink or neon.
 - f. There is no explicit imagery or use of the word "sex," "sexual", "strip" or "nude."
 - g. The door staff look like the kind of staff one finds outside pubs or nightclubs.
 - h. Nobody is suggesting that departing customers have ever misbehaved in the locality.
 - i. There is no noise breakout.
5. The Licensing Officer states that the locality is a mix of residential and business/office space and that the vicinity is mainly business/office blocks (Agenda page 11).
6. The residential population of Whitechapel Ward is 14,190. Of these, only a very small number and proportion have written in to object to the proposed licence.

7. Nevertheless, the applicant wishes to do more, so as to diminish still further any suggestion of a significant negative impact.
8. First, the title used outside the club is "White's Gentlemen's Club." That is accompanied by a silhouette of a woman. The applicant proposes:
 - a. To remove the word "Gentlemen's" from its exterior advertising, i.e. the title used shall be just "White's Club."
 - b. To remove the silhouette, and to use no exterior imagery whatsoever.
9. Therefore, the only advertising a passer-by will see will be the completely neutral and inoffensive "White's Club."
10. Second, the club currently opens at 4 p.m. There is no evidence of any direct effect of its operation on local primary schools. Nevertheless, the applicant is prepared to stay closed for an extra hour, opening only at 5 p.m. so as to provide separation between the end of the school day and the opening of the club.
11. The applicant is content for both of these concessions to be made conditions of the licence.
12. While the applicant cannot hope to overcome the objection of those who are fundamentally opposed to lap-dancing, it hopes that by these means it will reduce the grounds for their objection.

Charging

13. The report (page 19) states that trading standards visited on 24th February 2015 in relation to potential charging of patrons. It continues:

"It was decided that pricing was not clear to customers and that this would be addressed by asking the Licensing Committee to add conditions in relation to pricing on the SEV licence."
14. The 9 proposed conditions are set out at page 10 of the report. The applicant is content with all of them, with the minor exception that booths are not hired, but dances are simply purchased in them for £20 per dance or £24 if paid by card. It is suggested that the words "and booth hire" in condition 8 are removed.
15. The club operates at the top end of the market, and entertains an extremely wealthy clientele, who are prepared to pay very large sums for their entertainment.

16. Credit / debit card payments are made in a roped off area of the bar.
17. The transaction is recorded on CCTV so as to demonstrate beyond any doubt that the customer is sober and free of any kind of coercion. Accordingly, in the unusual event that the payment is queried later, the club is able to produce evidence that the payment was freely made. In all cases, this resolves the complaint. Indeed, in one recent case the complainant was criticised by the Police for wasting Police time.
18. The club can show recent CCTV footage of one of the complainants making their payment should the Committee wish to view it.
19. Again, however, following helpful discussions with Trading Standards, the applicant will go beyond the 9 conditions proposed by Trading Standards, so as to place beyond doubt the transparency of its operating procedures:
 - a. At present, the price list for the VIP rooms shows minimum prices. Performers are free to negotiate a price going beyond the minimum. In order to remove any room for disagreement about what was agreed, prices will be according to a fixed tariff, which will be displayed through the club per the conditions at page 10 of the agenda.
 - b. Further, all payments for the VIP rooms shall be evidenced by a written agreement counter-signed by a manager on duty. A suggested form is attached.
20. The applicant is content for these further concessions to be incorporated as conditions.

PHILIP KOLVIN QC

12TH April 2015

Cornerstone Barristers

London WC1

WHITE'S CLUB - HIRE OF VIP ROOMS

WRITTEN AGREEMENT

The customer agrees to hire the:

_____ VIP suite

For _____ Hour(s)

With _____ Dancers

For the following price: £ _____

NOTE: THE FIXED TARIFF IS SHOWN ON THE REVERSE OF THIS FORM

I agree:

- (i) to the provision of the services for the price set out above; and
- (ii) to make payment in advance.

Customer signature: _____

Date: _____

Manager's signature: _____

Date: _____

Time: _____

AMENDED WORDING FOR CONDITIONS PROPOSED BY TRADING STANDARDS

1. Display of comprehensive tariff

There shall be prominently and legibly displayed a comprehensive tariff of all charges and prices, including charges for the company of a dancer, hostess or companion and the hire of a room and/or a booth ("the tariff").

2. Entrance and reception area

The tariff shall be prominently and legibly displayed in such a position that it can easily and conveniently be read by customers before paying any fee for admission to the premises.

3. At each bar

The tariffs shall be prominently and legibly displayed at each bar in the premises.

4. On each table

The tariff shall be prominently displayed on each table.

5. Rooms for hire

The tariff shall be prominently and legibly displayed in each room for hire.

6. Tariff drawn to attention of customers prior to the transaction

The tariff shall be drawn to the attention of every customer before they have paid any fees or charges.

7. Customers only charged for items on tariff

No charge shall be made to any customer except for a service and for an amount shown on the tariff.

8. Customers made aware of and signs receipt for cost of room hire

No charge shall be made to the customer for any room hire unless the customer has signed a receipt having first been made aware of the cost.

9. Customers made aware of the cost of drink provided for a dancer, hostess or companion

No charge shall be made to the customer for any drink provided for a dancer, hostess or companion unless the customer has specifically ordered it, having first been made aware of the cost.

Simmi Yesmin

From: Stephen Waites [redacted]
Sent: 13 April 2015 16:09
To: Simmi Yesmin
Subject: FW: Whites - SEV application

Dear Simmi,

Please find below an email confirming that Trading Standards are satisfied with the amended wording.

Steve

Stephen Waites
Paralegal
Dadds LLP Licensing Solicitors

[redacted]
[redacted]

From: Sean Rovai [mailto:[redacted]]
Sent: 13 April 2015 16:05
To: Stephen Waites
Cc: John Mccrohan
Subject: FW: Whites - SEV application

Dear Mr Waites,

Further to my earlier discussions with Mr Dadds I can confirm that we are satisfied with the amended wording for the proposed conditions as per the attachments that you kindly forwarded to me this afternoon.

Kind regards

Sean Rovai
Principal Officer
London Borough of Tower Hamlets
Trading Standards
Mulberry Place
5 Clove Crescent
London
E14 2BG
Tel. 020 7364 3760
Fax. 020 7364 6901

From: Stephen Waites [redacted]
Sent: 13 April 2015 14:23
To: Sean Rovai
Subject: Whites - SEV application

Dear Mr Rovai,

Further to your discussions with Mr Dadds, please find attached the amended wording for the proposed conditions and also an updated price list which sets out pricings in a much clearer fashion.

If I can be of any further assistance, please do let me know.

Kind regards

Stephen Waites

Paralegal

Dadds LLP Licensing Solicitors

[Redacted address line]

T [Redacted telephone number]

E [Redacted email address]

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