

# LICENSING COMMITTEE

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Tuesday, 26 September 2017 at 6.30 p.m.

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

## SUPPLEMENTAL AGENDA – ITEM 3.2

This meeting is open to the public to attend.

**Contact for further enquiries:**

Simmi Yesmin. Senior Democratic Services Officer  
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG  
Tel: 020 7364 4120  
E-mail: [simmi.yesmin@towerhamlets.gov.uk](mailto: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.

	<b>PAGE NUMBER(S)</b>	<b>WARD(S) AFFECTED</b>
<b>3 .2 Application for a Renewal of a Sexual Entertainment Venue Licence for Flamingos, 30 Alie Street, London, E1 8DA</b>	<b>1 - 32</b>	<b>Whitechapel</b>

Supporting documents submitted on behalf of the Applicant

All correspondence should be sent to our Leeds office

Simmi Yesmin  
Directorate of Law, Probity and Governance  
Democratic Services  
Town Hall  
Mulberry Place  
5 Clove Crescent  
London  
E14 2BG

Our ref PW/AH/CIT004-1-8/2780

Your ref

15 September 2017

Dear Sir

**Re: Flamingos, 30 Alie Street, London, E1 8DA**

Thank you for your letter of the 12 September 2017. Please note that we represent the interests of Club Flamingos, 30 Alie Street, London, E1 8DA.

The SEV renewal hearing will take place on Tuesday 26 September 2017 at 6:30pm at the Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG.

Please note that we will be in attendance to represent our clients' interests.

The owner of the premises, Mr Santosh Nair will be in attendance along with the Designated Premises Supervisor and Manager of the premises, Mr Martin James McVitie.

Please find documents that we would wish the Committee to have sight of for the renewal hearing namely:-

1. Independent Compliance Audit undertaken by Mark Halton.

Yours faithfully

[REDACTED]  
Woods Whur



INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

# Independent Compliance Audit

MARK HALTON - MJH LICENSING CONSULTANTS LTD

FLAMINGOS 30 ALIE STREET LONDON E1 8DA.

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## Introduction.

I have been asked to conduct an unannounced and impartial compliance visit on club premises at Flamingos 30 Alie Street E1 8DA.

The premises currently operate until 04.00hrs and can provide licensable activities (supply of alcohol, music and dance) until 03.30hrs throughout the week.

I conducted the compliance audit from 22.30hrs to 02.30hrs on the following date – Tuesday 22<sup>nd</sup> August 2017 into the morning of Wednesday 23<sup>rd</sup> August 2017.

## Personal – Mark Halton.

I have retired from the Metropolitan Police Service, completing 30 year's exemplary service.

1985-1987 Westminster Response team police officer

1987-1997 Central Clubs & Vice Unit CO14 posting within as follows

1987-88 Street Offences Squad dealing with street prostitution, brothels, massage parlors, illegal gaming/casino and both licensed and unlicensed venues for the sale of alcohol.

1988-90 Obscene Publications Unit.

1990- 93 Field Intelligence officer CO14 Clubs & Vice. Covert policing, surveillance.

A drugs test purchaser and financial investigator used primarily in the night club economy specializing in nightclubs and bars.

1993-97 Clubs & Vice Licensing Unit. Supervising and dealing with licensing prosecutions, administration and applications.

INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

1997-01 Westminster Borough Licensing Co-Coordinator. Supervising all licensing teams within the Borough, modifying police process's particularly prosecutions.

2002-06 Westminster Police Licensing Team. Set up the unit and supervised, wrote the crime reduction management document and assisted with the Westminster Statement of Licensing Policy.

2007-10 Camden Borough Police Response Team.

2010-12 Police Licensing Advisor Home Office. Secondment.

Ran and supervised the Home Office Intensive Support Visit program (ISV) supplying training on legislation, powers and practical implementation to police forces and local authorities nationally. Completed submissions for response to Prime Ministerial Questions (PMQs), advice to various ministers including the Home Secretary. Wrote the then Home Office guidance on expedited reviews and section 19 closure notices. Sat on the boards of Best Bar None, Pub Watch and Purple Flag. During this time assisted in the licensing of the Olympics 2012.

2013-15 Richmond Borough Police Licensing Team. Supervised and organized the police licensing for the Rugby World Cup 2015.

Since retirement I have completed over twenty overt and covert licensing visits to SEV premises assisting with and ensuring compliance. I have recently been approached by a London licensing authority to give expert witness testimony against a venue that benefits from an SEV which it is allegedly breaching. I do because of my previous policing experience and work post my service consider myself to be an expert within this field.

A Home Office qualified Crime Reduction Officer, Crime Prevention Design Advisor and CCTV system approved officer. An expert in crime reduction measures and getting venues experiencing such problems back on track.

### Independent Compliance Visit

- Full premises inspection record at annex A.
  - I entered the venue shortly after 22.30hrs.
- 
- There are 2 security at the main entrance. Both security have badges, one clearly displayed the other only partially displayed hanging from his trouser belt.
  - There is no queue and the street is very quiet. No customers outside and no vehicles with engines running. Intermittently throughout the night I return to the front of the venue during the visit the situation remains the same no noise throughout from custom or vehicles.
  - On entry to the venue. I see the premises licence summary clearly and correctly displayed. On the reception counter, I see the following Daily Incident Report and Security Time Sheet, Customer Daily Entry Sheet, Staff and Visitors Sign in and Performers Daily Entrance/Exit Sheet. All clearly visible, legible and up to date.
  - There is a notice re the zero tolerance drugs policy, age verification system and the code of conduct for customers, directly in front of you upon entry and clearly visible.
  - There is a further member of security safeguarding the entrance to the 1<sup>st</sup> floor VIP area and a second guarding the entrance to the rear room used for lap dancing. Both have SIA badges clearly visible. Ensuring 4 security on duty.

- There is further signage on the reception reminding patrons that no physical contact with the performers is allowed.
- There is a sign on the reception informing customers that the manager is Martin and the floor manager is Rosana.
- I am informed that the entry fee is £10 and that a lap dance is £20 per music track. The dancer is not allowed to take money directly from the customer. The customer or dancer must purchase a token from the bar in exchange for £20. The dancer is then given a token for the dance. No token no dance. An element of control implemented by the venue. Commendable.
- Martin McVitie is the DPS. He is the only personal licence holder (plh) at the venue. Sunny Nair the owner awaits his after passing his BII and application. There is a notice of delegated authority in the office displayed showing in the absence of Mr. Mcvitie, Ms. Rosana Valderama and Sunny Nair are authorized to sell alcohol. Signed by all.
- A customer code of conduct set of rules are displayed on each table with the drinks menu. This is replicated on the 1<sup>st</sup> floor lap dancing booths and VIP area. The rules are clear and precise.
- At 02.30hrs. I conclude my visit.
- The atmosphere was relaxed and comfortable on the night. I saw no evidence of drunkenness and crime and disorder throughout the visit. I saw no evidence of inappropriate behavior between performers and customers.



- I further observed and went through in detail all the conditions on the Premises licence, SEV licence and consent order – \*NB I am aware that the most up to date licences have not yet been issued by the local authority. I have therefore used the most up to date licences available to me\*
- All the conditions on the premises licence being Mandatory, agreed with police, EHO, fire service and by committee are fully complied with all bar one. A minor breach. I am being pedantic but I feel a venue with such a high rate of compliance will easily implement such an easy fix. The now smaller measures mandatory condition should be incorporated within the drinks menus. This was the only non-compliance I found within all the conditions. Impressive.

### **Conclusion.**

Flamingos is a community aware venue. I believe the owners and management are reactive to the concerns of police, local authority, residents and the surrounding business community.

Throughout my audit I note the following key points.

Management are keen to build better relations with residents. Management feel that the previous owners have let a situation evolve that the new owners themselves are trying to remedy.

No noise was audible when outside at the front and rear from inside the venue.

The numbers of security personnel are far more than other venues of a similar size and or nature.

There was no evidence of drunkenness, violent crime or anti-social behavior on my night's visit.

There was no evidence of drug dealing or misuse in the external area or venue.

Dispersal from the venue by security was impressive, customers are led to taxi the pavement is kept clear.

All matters relevant in the report on which my expert evidence is given has been included in this report. I believe the facts I state in this report are honest and true and that the opinions I have expressed are correct to the best of my judgement. The fee for this report is not conditional on the outcome of any future case, application or finding. My compliance visit was unannounced.

INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

annex A.

DETAILS OF VISIT TO LICENSED PREMISES				
Premises		FLAMINGOS		
Address		30 ALIE STREET LONDON E1 8DA		
Telephone No		[REDACTED]		
Email		[REDACTED]		
Day	Date	Time Commenced	Time Concluded	Log No
TUESDAY	22/08/17	2230hrs	0200hrs	Flam/1
ATTENDING				
1. Mark HALTON (MJH LICENSING CONSULTANTS)				Yes
2.				Yes/No
3.				Yes/No
4.				Yes/No
REPRESENTATIVES OF OTHER AGENCIES				
Name		From		
1. N/A				
2.				
MANAGEMENT (Record DOB & Contact details)				
Name of Designated Premises Supervisor		Martin McVITIE		
Personal Licence No & Issuing authority		15/02036/LIPERS Westminster		
DPS present Yes/No. If no state reason why.		Yes		

INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

Any other Personal Licence holders present ?	No. Santosh (Sunny) NAIR has made application.
Personal Licence No & Issuing authority	
Name of person in charge	Sunny NAIR
Area Manager's contact details	As above (personnel seen and noted)
Owning company's details	City Traders London Ltd.

SALE OF ALCOHOL & REGULATED ENTERTAINMENT	
SALE OF ALCOHOL:-	Yes
LIVE MUSIC:-	No
RECORDED MUSIC:-	Yes
Actual capacity?	150
Number of customers present?	4
How was this calculated (clickers, tickets, guessed?)	Entry Sheet.
Comments	Customer entry sheet completed. Timed in, Timed out. Payment type details obtained and customer rules explained.

<b>SECURITY</b>	Yes
Number of doorstaff at time of visit	4

	FULL NAME	D.O.B.	BADGE NO	LICENCE	COMMENTS
1	Mr Klebson SATCUA		██████	Yes	1830hrs start
2	Mr Brian HOZNESS		██████	Yes	1830hrs start
3	Mr Eddie KALASNICOS		██████	Yes	2000hrs start
4	Mr Marius PICU		██████	Yes	2000hrs start
5					
6	*NB. ALL DETAILS OF ALL SECURITY THAT HAVE, ARE AND WILL WORK AT THE VENUE (INCL.FULL BADGE NO'S) ARE AND WILL KEPT IN OFFICE AT VENUE.*				
7					
8					
9					
10					

Name of Head Door Person	Mr Klebson SATCUA	
Name of Door Company	ECLIPSE	
Doorstaff log checked ?		Yes
Comments	Log incorporated into incident log. Copies of all badges kept within office. All checked, all correct.	
Do you operate a search policy?		Yes
Details	Person unknown to venue and groups always searched. Pat down and outer pockets.	
What happens to any weapons or drugs you may seize during searches?	Seized, recorded in incident book, placed in safe and police called for direction following week.	
Are there any weapons or drugs you wish to hand over to the police?		No
1		
2		
3		
4		
What happens to any drugs you may seize during searches?	As above. To note no drugs or weapons seized as yet.	

RADIO LINK	
In House Radio?	Yes
Number of radios?	6
Who is in possession of the radios?	4 security 1 manager 1 bar staff
Comments	Seen in operation, simple to use, effective in communicating. Excellent system.

STATUTORY NOTICES	
Customs and Excise spirit measure?	Yes
Price list?	Yes
AWP permit S34 ?	N/A
AWP position?	N/A
Where tobacco is sold, is there a sign at point of sale?	N/A

LICENCES TO BE PRODUCED/DISPLAYED			
PREMISES LICENCE or CERTIFIED COPY (includes plan)			Yes
PREMISES LICENCE SUMMARY DISPLAYED			Yes
STAFF			
How many bar staff?	1	How many glass collectors?	1
Comments	Quiet night, only 1 staff needed plus managers.		
Do staff wear uniform or ID badges?			Yes
Give details	Security SIA, Staff waiter/waitress uniform.		

TOILETS			
Toilets	Male	Female	Unisex
Checked	Yes	Yes	N/A
Toilet Attendants	No	No	N/A

GLASSES & BOTTLES	
Are signs clearly displayed re removal of alcohol from premises?	No
Customers seen leaving premises with bottles/glasses?	No
Give details	
Are tables or other surfaces littered with empty bottles/glasses?	No
Is the dance floor clear of glass?	Not Applicable
Do you use safety glass?/polycarbs?	No
Details	No issues of assault with glass
Do you have secure bottle bins inside the venue?	No
Details	
Do you have secure bottle bins outside the venue?	Yes
Details	Rear of venue, padlocked secure, never placed at front.
Comments	

DRINKS	
Any drinks promotions or happy hours?	Yes
Details	A happy hour from 1830 to 2000hrs. Buy a bottle of beer for £5 and get one free.

DRUGS	
Any indication that drugs are smoked/used on or within boundary of Licensed area of the premises?	No
Details	Drug wipe of flat surface area in toilets proves negative.
Any anti-drugs poster displayed?	Yes
Details	Upon entry.
Do you have a drugs safe or drugs amnesty box?	Yes

CLIENTELE	
Are there any age policies in operation?	Yes
How are these enforced?	Challenge 21 in operation. ID checks on door (Driving licence or passport only).
Describe clientele in general (age, dress, crowded, atmosphere, drunkenness)	
Comments	Well behave small number mixed age range atmosphere very comfortable no drunkenness



FIRE EXITS	
Fire exits checked	Yes
Any locked / blocked	No
Comment	

CLOAKROOMS	
Is there a cloakroom?	Yes
How much per item?	Free
Comment	Large items bags and overcoats

GENERAL SAFETY			
Is one member of staff present now trained in First Aid?	Yes		
Details	Sunny (Manager), Martin (DPS) and Rosana (Barstaff) all fully trained, excellent!		
What First Aid facilities do you have at your venue? Kit within front desk and office, checked weekly.			
Are any crime prevention posters displayed?	Yes		
Details	Zero tolerance drugs on entry		
Do you have any of the following?			
Staff Lockers	Yes	Roving Security	Yes
Customer Lockers	No		

CCTV	
Do you have a C.C.T.V. system?	Yes
Does it record images?	Yes
Does it have audio recording facilities?	No
How many cameras do you have?	28
Details	Licensed area and booths fully covered. The image is clear. Request for image complied with, within 10 minutes.
Is your CCTV system digital?	Yes
<b>*FULLY COMPLIANT WITH CONDITION*</b>	

### GENERAL INFORMATION

A quiet night. My next visit will be done again unannounced on a Wednesday or Thursday evening. In general, a very good compliance visit. Probably the best I have done on this type of venue. Everything in place everything recorded, by what appears strong management and staff. During the night, I observed the conduct of the dancers. No offences and no breaches committed. My audit is an accurate and true reflection of my visit.

Observations that are quick fixes,

- 1, Ensure security have SIA badge prominently displayed.
- 2, Crime Reduction. Remove toilet lids (not seats) and remove flat surfaces within toilet cubicles. Top and bottom toilet doors.
- 3, Same drug signage on entry within cubicles please.

\*NB There was no evidence of drug usage at time of visit BUT it is my experience that they are at the moment a comfortable environment for such use, the above will prevent any such use. \*

Arrangements made for DPS/Further action		Yes
Time & Date	23/8/17 0200hrs	
Name	Position	Tel No
1.		
2.		

Signature of : \_\_\_\_\_

DATED: \_\_\_\_\_

Signature of DPS/Manager: \_\_\_\_\_

DATED: \_\_\_\_\_

## IMAGES

1. SIA Security x2 at main entrance.
2. Daily Incident report and security log.
3. Customer daily entry sheet.

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4. Staff and visitor sign in & out sheet.
5. Signage re non contact on reception.
6. Signage at reception re house rules, drugs, underage and drunkenness.
7. Signage at reception re management details.
8. Drinks price menu on every table.
9. Customer rules and code of conduct on every table.
10. Signage at bar re house rules and drugs policy.
11. Entrance to 1<sup>st</sup> floor VIP with no contact signage and number security lock.
12. 1<sup>st</sup> floor booth. Shows tasteful decoration. No advertising throughout. As I have seen at other venues.
13. 1<sup>st</sup> floor VIP with house rules (every table).

INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

(Image 1)



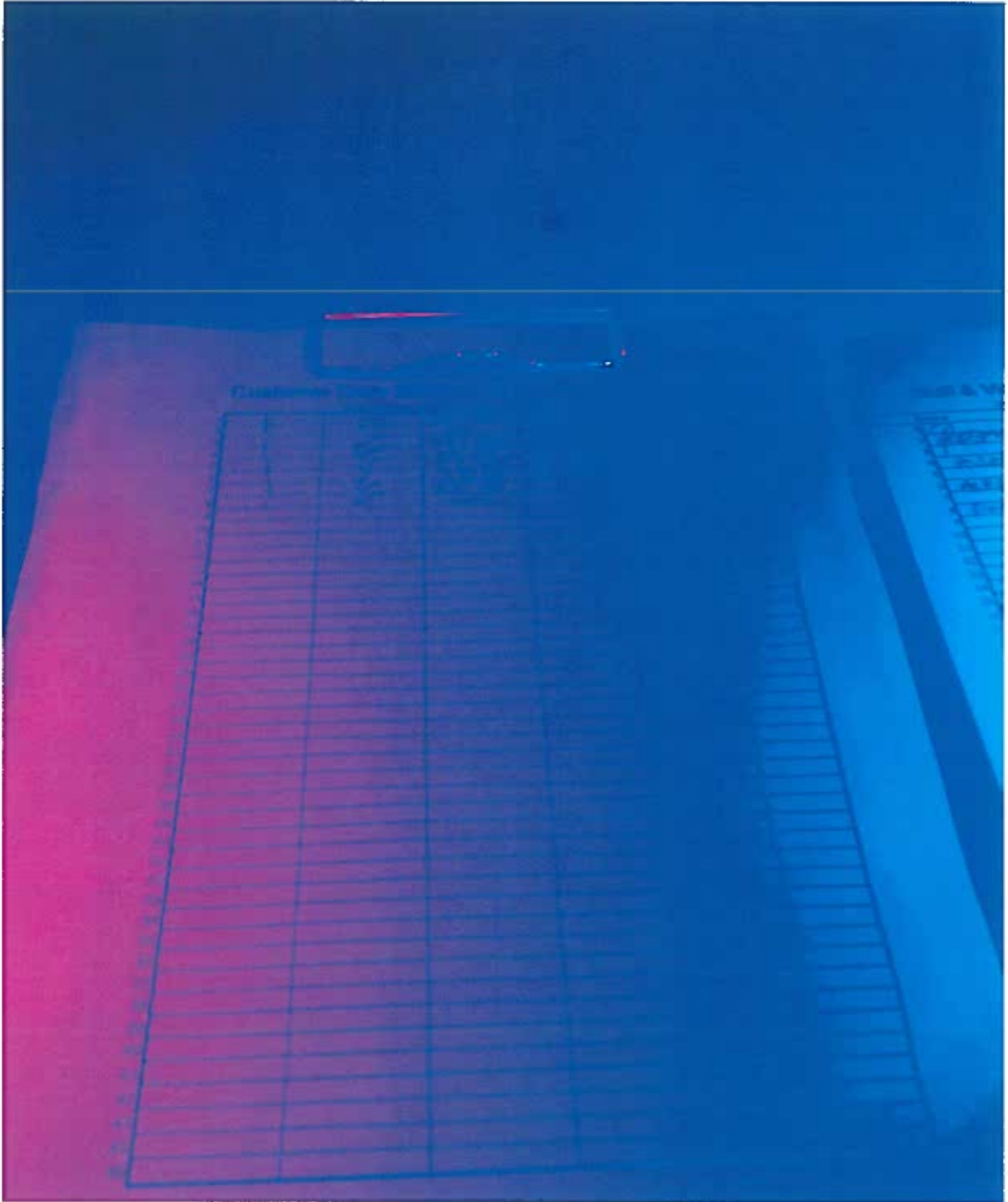
INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

(Image 2)



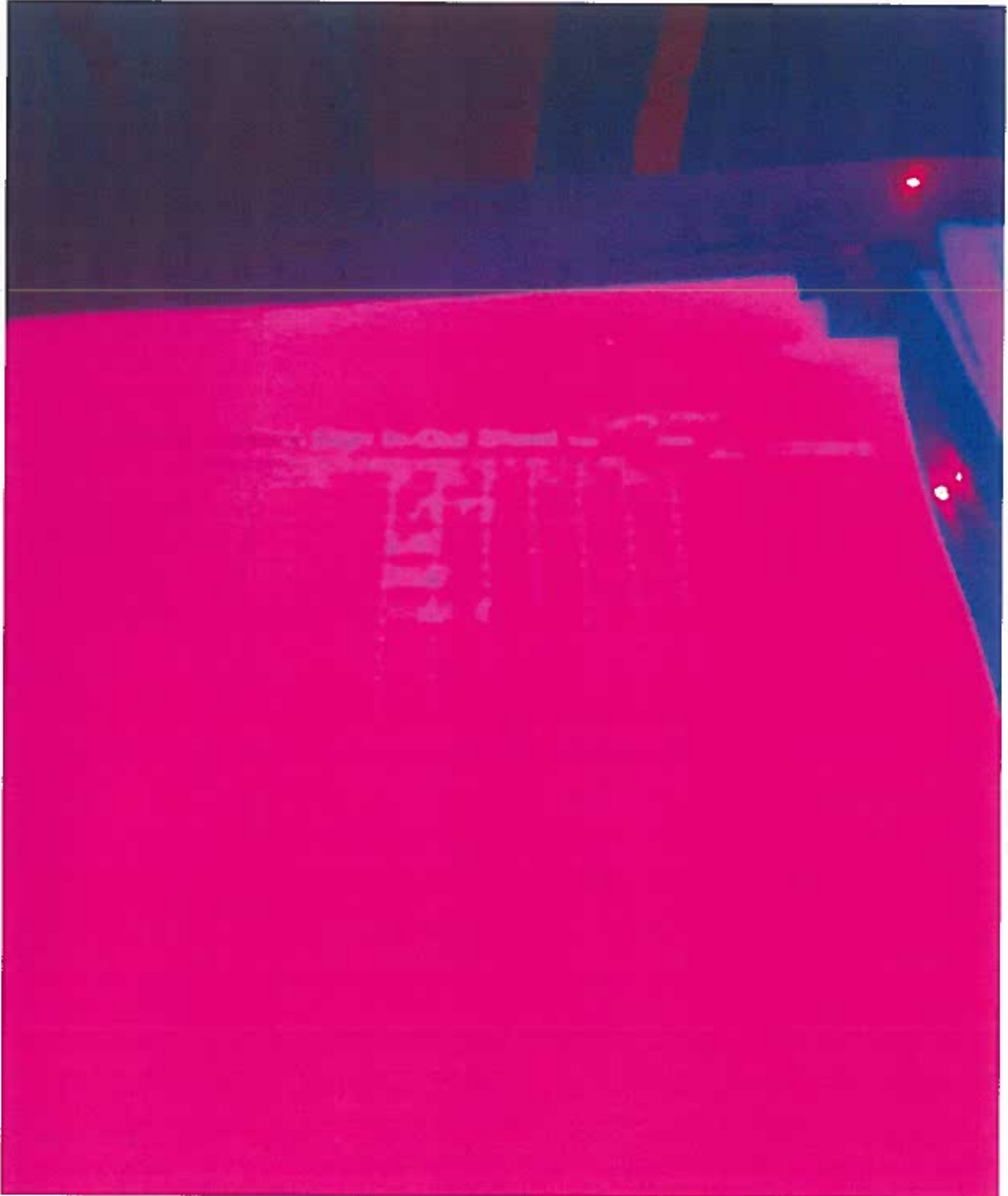
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(Image 3)



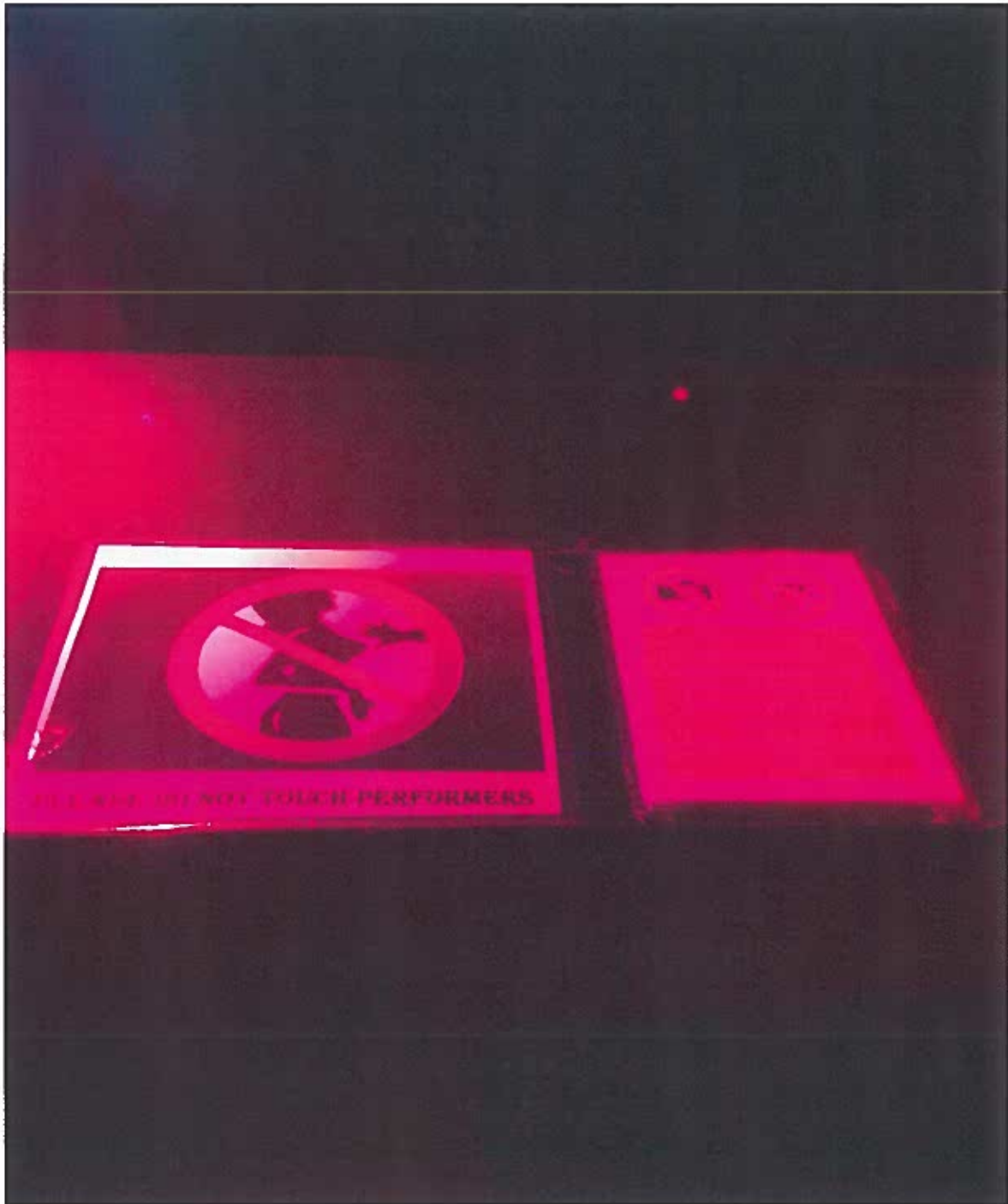
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(Image 4)



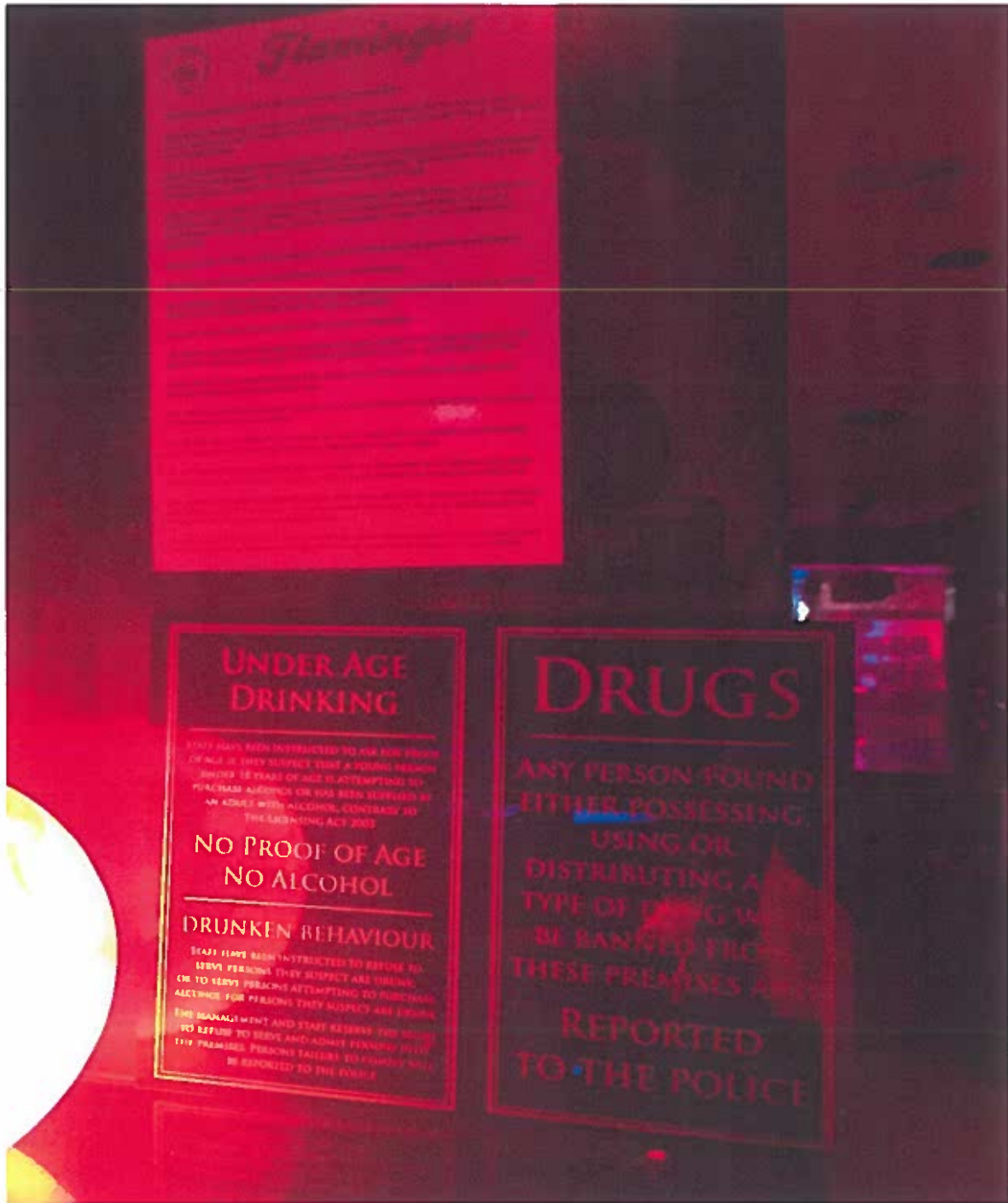


(Image 5)



INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

(Image 6)



INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

(Image7)



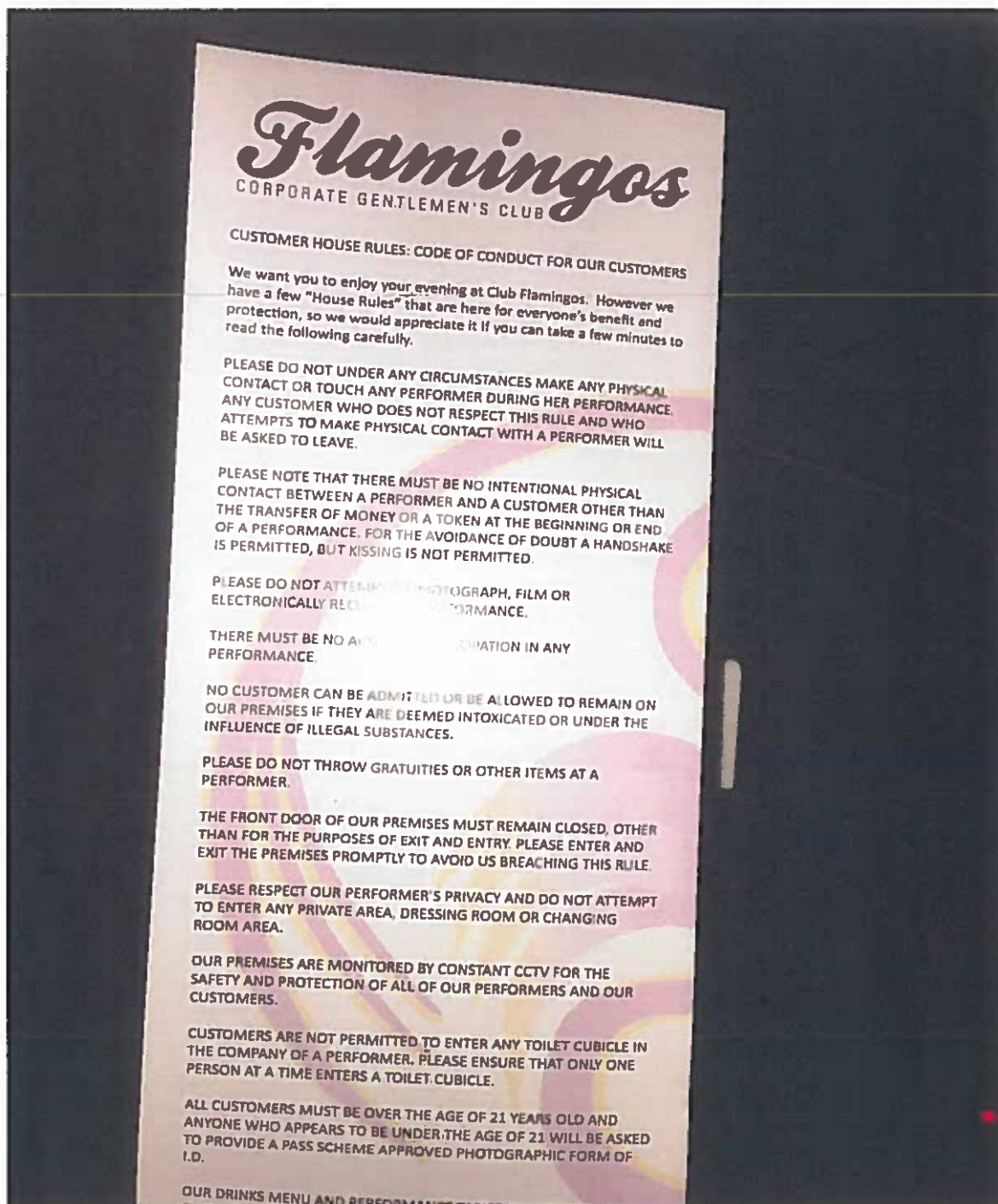
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(Image 8)



INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

(Image 9)



(Image 10)



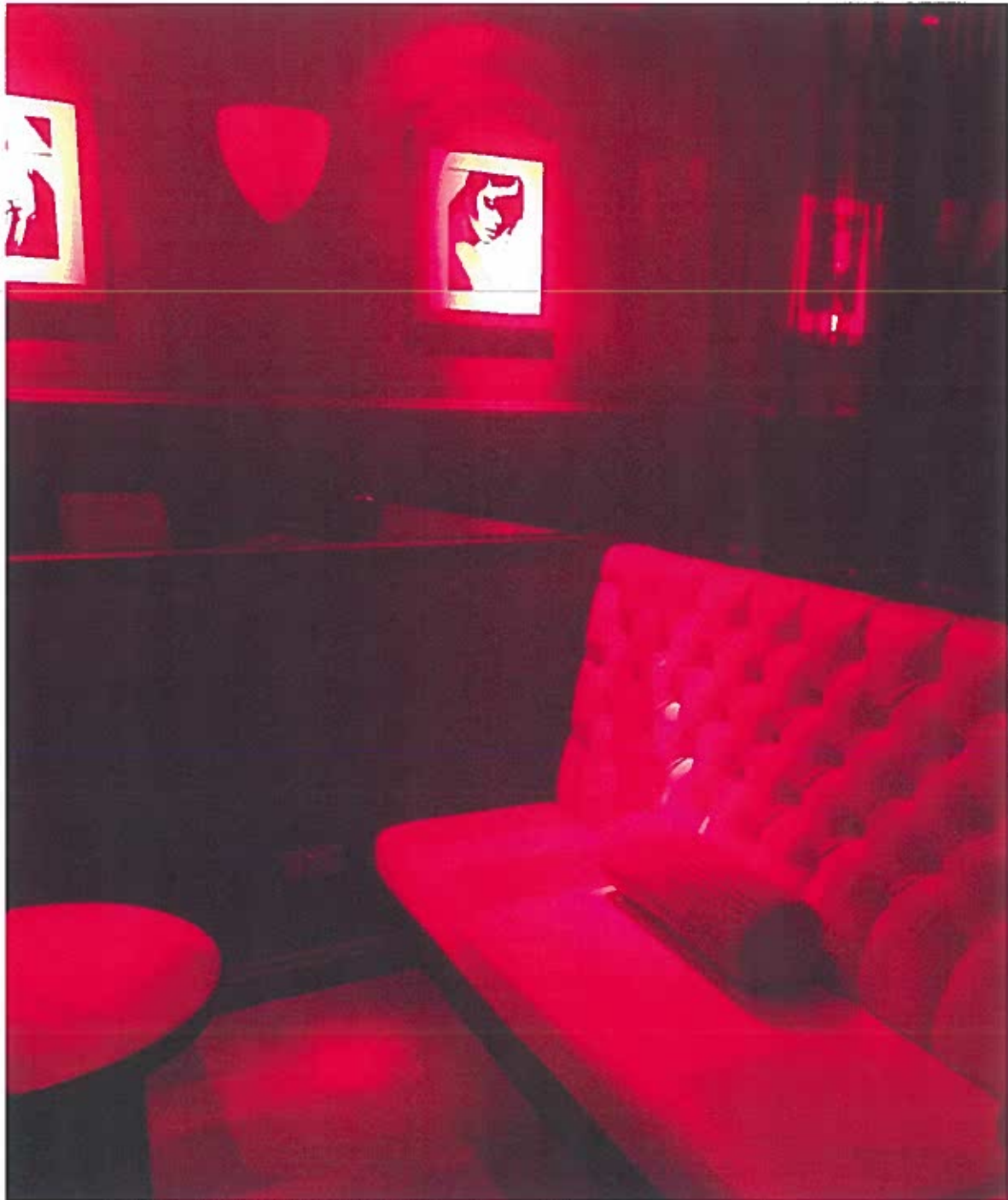
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(Image 11)



INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

(Image 12)



INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA



(Image 13)



INDEPENDENT COMPLIANCE AUDIT: FLAMINGOS 30 ALIE STREET LONDON E1 8DA

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