

LICENSING COMMITTEE

Tuesday, 3 September 2019 at 6.30 p.m.

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

The meeting is open to the public to attend.

<u>Members:</u>	Ward Represented
Chair: Councillor Ehtasham Haque	Blackwall & Cubitt Town;
Vice-Chair: Councillor Rajib Ahmed	Lansbury;
Councillor Faroque Ahmed	Whitechapel;
Councillor Sufia Alam	Poplar;
Councillor Shah Ameen	Whitechapel;
Councillor Shad Chowdhury	Spitalfields & Banglatown;
Councillor Peter Golds	Island Gardens;
Councillor Mohammed Ahbab Hossain	Bethnal Green;
Councillor Eve McQuillan	Bethnal Green;
Councillor Victoria Obaze	Whitechapel;
Councillor Mohammed Pappu	Blackwall & Cubitt Town;
Councillor Leema Qureshi	Spitalfields & Banglatown;
Councillor Zenith Rahman	Bromley North;
Councillor Gabriela Salva Macallan	St Peter's;
Councillor Dan Tomlinson	Bromley North;

[The quorum for this body is 3 Members]

Contact for further enquiries:

Simmi Yesmin Senior Democratic Services Officer,
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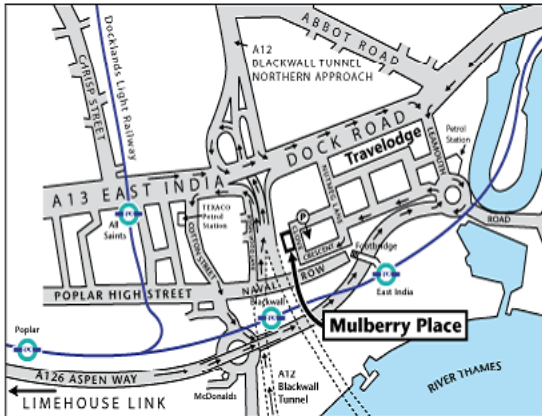
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APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 5 - 8)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

	PAGE NUMBER	WARD(S) AFFECTED
2. RULES OF PROCEDURE - LICENCES FOR SEXUAL ENTERTAINMENT VENUES		
	9 - 14	
To note the rules of procedure relating to determinations of licenses for sexual entertainment venues.		
3. ITEMS FOR CONSIDERATION		
3 .1 Application for a Renewal of a Sexual Entertainment Venue Licence for Whites Gentleman's Club, 32 - 38 Leman Street, London E1 8EW	15 - 140	Whitechapel

Next Meeting of the Licensing Committee

Thursday, 12 September 2019 at 6.30 p.m. to be held in The Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance and Monitoring Officer, Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

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TOWER HAMLETS



LICENSING COMMITTEE

RULES OF PROCEDURE

GOVERNING APPLICATIONS FOR

SEX ESTABLISHMENT LICENCES

UNDER SECTION 2 OF AND SCHEDULE 3 TO THE LOCAL GOVERNMENT

(MISCELLANEOUS PROVISIONS) ACT 1982

1. Interpretation

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

2. Composition of the Licensing Committee

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

3. Procedure

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

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

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

4. Exclusions

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

DO'S AND DO NOT'S

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

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

Agenda Item 3.1

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Committee	3 rd September 2019	Unclassified		

Report of : David Tolley Head of Environmental Health & Trading Standards Originating Officer: Kathy Driver Principal Licensing Officer	Title: Local Government (Miscellaneous Provisions) Act 1982 (as amended) Application for a renewal of a Sexual Entertainment Venue Licence for Whites Gentleman's Club, 32 - 38 Leman Street, London E1 8EW Ward affected: Whitechapel
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1.0 Summary

Applicant: **Whites Venues Ltd.**
Name and **Whites Gentleman's Club**
Address of Premises: **32-38 Leman Street**
London
E1 8EW

Licence sought: **Local Government (Miscellaneous Provisions) Act 1982 (as amended)**
Application for a renewal of a Sexual Entertainment Venue Licence

Objectors: **Licensing Authority**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

Tower Hamlets S.E.V Policy

Kathy Driver
020 7364 5171

3.0 Background

3.1 This is an application made by Whites Venues Ltd. for a renewal of a Sexual Entertainment Venue licence under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by reg. 47 (4), Provisions of Services Regulations 2009 'the service regulations') and the Policing and Crime Act 2009 for Whites Gentleman's Club, 32-38 Leman Street, London E1 8EW.

3.2 A licence from the Council is required for the use of a premise as a sex Establishment. A sexual entertainment venue is any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.

Relevant entertainment means:

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

3.3 The premise is currently granted a Sexual Entertainment Venue Licence under the Local Government (Miscellaneous Provisions) Act 1982 (as amended). A copy of the existing licence is enclosed as **Appendix 1**.

3.4 The licence consists of the basic licence, plus additional conditions relevant to that premises only. In addition, the Tower Hamlets Standard SEV Conditions also apply and for part of the licence.

This licence was in force up to: 31st May 2019 or during the time that the licensee(s) is/are the occupier of the premises, whichever is the shorter period, or unless the licence is surrendered or revoked.

The hours permitted are:

- Monday to Saturday from 12:00hrs (midday) to 04:00hrs (the following day)

The named management responsible for this premises as quoted on the SEV licence are:

- John Ronald Gold – Manager
- Alan Southwick – Duty Manager

This licence is granted subject to conditions as follows:

1. The Standard Conditions of the London Borough of Tower Hamlets made under paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as revised on 23rd June 2015. It is the duty of the licence holder to be aware of and abide by those conditions;

2. The following additional conditions specific to this Premises:

42. "Relevant entertainment" as defined in paragraph 2A(2) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 is permitted only during the hours set out in the table below

Monday	19.30hrs - 24.00hrs
Tuesday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Wednesday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Thursday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Friday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Saturday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Sunday	00.00 hrs - 04.00hrs

43. Without prejudice to Standard Condition 5, at least six SIA registered door supervisors shall constantly monitor the striptease entertainment in the Premises and ensure that all relevant conditions of this Licence are being complied with.

44. The relevant tariff must be drawn to the attention of each customer before they pay any fee or charge.

45. No charge may be made to any customer for any drink provided to a performer, hostess or companion unless a customer has expressly ordered it having been informed of the cost.

46. No charge shall be made to any customer for hire or use of any room, or reserved area within the Premises, unless the customer has first been made aware of the cost and signed an order from consenting for the charge to be made. The order form shall be counter-signed by the manager of the Premises. The order form shall state in a legible form:

- (a) the date and time of signature;
- (b) the room, or area to be used or hired by the customer;
- (c) the date, time and duration of the agreed hire or use of the room, or area;

- (d) the details as to what, if any, sexual or other entertainment will be provided and by how many performers;
- (e) the names of any agreed performers;
- (f) the total agreed price and manner of payment;
- (g) the full name of the manager; and
- (h) the full name of the customer.

The order form must be filled in and signed, and payment for the room or area taken, in the designated area shown on the attached plan. The designated area must be well-lit and covered by a CCTV camera which accurately records the transaction and the time and date of the footage. After payment is taken, the customer shall be provided with a receipt and the Licensee shall retain a copy.

47. This licence must be prominently and visibly displayed inside the entrance to the Premises.

48. This licence together with the standard conditions must be available at the Premises at all times.

- 3.5 The current renewal application is to permit the premises to operate as a sexual entertainment venue with opening hours as follows:
- Monday to Saturday from 12:00hrs (midday) to 04:00hrs (the following day)

The named management responsible for this premises as quoted on the application are:

- Mohammed Yassin Baboo – Manager
Mr. Baboo is the named Director of Whites Venues Ltd, appointed on 31 January 2019.
- Gemma Alice Carr – Deputy Manager

- 3.6 The premises also hold a licence under the Licensing Act 2003. A copy of the existing Premises Licence is enclosed as **Appendix 2**. The licence was originally granted on 13th March 2006 the licence holder has been in place since 7th August 2012 and the current DPS since 8th February 2019.

The licence granted the following licensable activities and opening hours:

The sale by retail of alcohol:

- Monday to Saturday from 12:00hrs (midday) to 04:00hrs (the following day)

Regulated Entertainment consisting of Recorded Music, performances of dance, Provision of facilities for dancing:

- Monday to Saturday from 12:00hrs (midday) to 04:00hrs (the following day)

Late Night Refreshment:

- Monday to Saturday from 12:00hrs (midday) to 04:00hrs (the following day)

The opening hours of the premises:

- Monday to Saturday from 12:00hrs (midday) to 04:00hrs (the following day)
- Note: However, New Year's Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 23:00hrs on New Year's Eve and 11:00hrs on New Year's Day.

3.7 A copy of the renewal application is enclosed as **Appendix 3**.

3.8 Maps of the premises location are available in **Appendix 4**.

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

4.0 Layout of the Premises

4.1 A layout plan of the premises is available in **Appendix 5**.

4.2 Photograph(s) of the exterior of the premises is available in **Appendix 6**.

5.0 Adverts and Flyers

5.1 The premises has two external light boxes either side of the main doors displaying the opening times only. This can be seen in **Appendix 6**.

5.2 The premises website, www.clubwhites.co.uk was not accessible showing the address could not be found. On internet searching there was no other website address linked to the premises and the last posting on twitter feed, @clubwhites.co.uk, was in Jan 2019.

6.0 Standard Conditions

6.1 The Council has adopted Standard Conditions that were revised on 23rd June 2015, which act as default conditions that are attached to all Sexual Entertainment Venue Licences. These are available as part of the licence in **Appendix 1**.

7.0 Codes of Conduct and Policies

7.1 The Applicant has provided Codes of Conduct and policies as required by the Standard Conditions, see **Appendix 7**, namely:

- Code of Conduct for Dancers and Performers
- Dancers and Performers Welfare Policy
- Code of Conduct of Customers

7.2 During the compliance check visits, the Code of Conduct for Customers was available throughout the premises, at the main bar and on tables. The Code of Conduct for Performer and the Dancers’ Welfare Policy was also available.

7.3 If the application is granted subject to the Standard Conditions, the codes and policies will have to meet the requirements set out in the Standard Conditions.

7.4 Members have discretion to modify the standard conditions or add appropriate conditions.

8.0 Assessment and information for the vicinity

8.1 **Appendix 8** is a map of the Licensing Service’s determination of the vicinity around the premises, set at 100meters from the premises.

8.2 Determination of the “use” of other Premises in the “vicinity” – “vicinity” is likely to be a narrower and smaller area than the “relevant locality” much, will depend upon the physical location of the premises, its appearance and upon the nature and hours of its operation.

8.3 Below is a list of notable premises within vicinity as observed by Licensing Officer visiting the area on foot and using GIS maps:

Residential accommodation and commercial use	Commercial office space is situated directly above the premises. Including large office block next door. The locality is a mix of residential & business/office space. Aside from the new developments, residential accommodation is mainly situated West Tenter St; North Tenter St; East Tenter St; St Mark St and Scarborough Street <u>Buckle St/Leman Street.</u> : Aldgate Place is 463 residential premises consisting of 1,2,3, and 4 bedroomed apartments
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	<p>Development under construction which was Maersk House, Leman St for 317,00 sq ft of Grade A Office space and 6,000 sq ft of retail space not available until 2020.</p> <p><u>Alie Street</u> Flats 1-11, 22 Alie Street Flats 1-11, 57 Alie Street 1-23 Lattice House 1-6 Network House Altitude Point, 71 Alie Street (27 story block of apartments with 235 properties)</p> <p>No. 65 Leman St houses 617 rooms for student accommodation.</p>
Schools/Colleges	<p>English Martyrs Catholic Primary School, St Mark St, E1 8DJ Royal College of Pathologists, 6 Alie Street, London E1 (Note these are beyond 100m radius)</p>
Premises used by children and vulnerable persons	<p>Job Centre, 83-85 Mansell Street, E1 8AP (with entrance at West Tenter Street)</p>
Youth community and leisure centres	<p>Anytime fitness, 18 Alie Street, E1 8DE David Lloyd Fitness Centre, 1 Alie Street, E1 8DE</p>
Religious centres and public places of worship	<p>Church of English Martyrs, 30 Prescott Street, E1 8BB St Georges German Lutheran Church, 55 Alie Street, E1 8EB</p>
Access routes to and from premises listed above	<p>The premises sit on the west side of Leman Street (A1202), busy access road to the City.</p> <p>There are a number of bus routes, as well as night buses.</p> <p>Aldgate East Tube Station is a 2 minute walk away with Aldgate station and Tower Hill stations also nearby</p>
Existing licensed premises in the	<p><u>Leman Street</u></p>

vicinity	<p>Public House: Lemman Street Tavern, Unit 3 North West Block, Goodmans Fields, 31 Lemman Street, London E1 8PT (addition).</p> <p>Public House: Oliver Conquest, 70 Lemman Street, E1 8EU</p> <p>Supermarket: Sainsbury, Unit 2, Southwest Block, Goodman's Fields, Lemman Street, E1 8EJ</p> <p>Restaurant and Public House: The Old Dispensary, 19a Lemman Street, E1 8EN</p> <p>Public House: Black Horse PH, 40 Lemman St, E1 8EU</p> <p>Restaurant & bar: Lemman Locke 15 Lemman Street</p> <p>Restaurant: Pizza Union, 29 Lemman Street</p> <p><u>Alie Street</u> Public House: White Swan, 21 Alie Street, E1 8DA</p> <p>Hotel: Thyme (Premier Inn), Goodmans Fields, Alie Street, E1 8DE</p> <p>Restaurant: Pilpel, 60 Alie Street, E1 8PX</p> <p>SEV Premises: Flamingos, 30 Alie St, E1 8DA</p> <p><u>St Mark Street</u> Restaurant: Halal Restaurant, 2 St Mark Street, E1 8DJ</p>
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9.0 **Assessment and information for the Locality**

9.1 **Appendix 9** contains the Ward Profile of Whitechapel produced by Corporate Research Unit in May 2014 to provide members with details in relation to the locality of the premise. It should be noted that though this was produced in 2014 it is the most up-to-date available.

Appendix 10 provides details of the character and location of venues from 2015 to 2018.

9.2 What is the “relevant locality”:

- The relevant locality was assessed as being within a 100 metre radius centred on the premises, 32-38 Leman Street.
- The premises sits on the A1202 (Leman Street) which junctions with Commercial Road and Whitechapel High Street which are red routes and sit on one of the main routes into Central London and out to the East.
- The vicinity is a mix of commercial and residential accommodation

9.3 The “character” of the locality:

- The premises is in Whitechapel Ward.
- The Ward Profiles downloaded from the Council’s website are appended.
- The Ward abuts the City of London. The area is mixed residential/commercial and has around 5.8% of Borough’s resident population.

10.0 Other Sexual Entertainment Venues

10.1 The following premises are licensed as Sexual Entertainment Venues.

- **Flamingos** 30 Alie Street, London, E1 8DA
- **Metropolis** 234 Cambridge Heath Road, London, E2 9NN
- **Nags Head** 17-19 Whitechapel Road, London, E1 1DU
- **White Swan** 556 Commercial Road, London, E14 7JD

11.0 Consultation

11.1 The application has been consulted on in accordance with the Local Government (Miscellaneous Provisions) Act 1982 (as amended) and the Tower Hamlets Sexual Entertainment Policy.

This has included:

a) A site notice at the premises displayed by the applicant during the required period. A statutory declaration has been provided to confirm display.

b) A press advert was placed in the Docklands and East London Advertiser on the 16th May 2019 by the Applicant, which again is appended as **Appendix 11**.

11.2 The following is a list of those also consulted in regards to the application:

- The Police
- The Fire Brigade
- Building Control
- Health and Safety
- Ward Councillors

12.0 Responses to the Consultation

12.1 The Licensing Authority is objecting to the renewal application following evidence gained from a test purchase. The visit was made by officers who had been contracted by the Council. The representation is attached as **Appendix 12**.

Witness Statements by the officers including their notes have been provided :

Officer A - See **Appendix 13**.

Officer B – See **Appendix 14**.

12.2 The Police were consulted, please find below a summary of their comments.

- None

12.3 The Fire Brigade were consulted, please find below a summary of their comments.

- None

12.4 The Council expects the premises to have planning consent for the intended use and hours of operation, or otherwise have lawful planning status before making an application for a new licence. Building Control were consulted, please find below a summary of their comments.

- None, therefore it is assumed that all planning permissions are acceptable.

12.5 Health and Safety were consulted, please find below a summary of their comments.

- None

12.6 Ward Councillors were consulted, please find below a summary of their comments.

- None

12.7 The Council will not consider objections that are frivolous or vexatious or which relate to moral grounds (as these are outside the scope of the Act). All the representations received have been included in this report; Members may wish to assess the validity of the content of each objection.

12.8 Late representations may be admissible at the discretion of the Council if there's sufficient reason to indicate that applicants will not be significantly prejudiced by the decision to allow a late objection to be considered. In making such a decision the Council will take into account:

- the length of the delay;
- the amount of time that the applicant has to consider the representation before the hearing date;
- if other representations have been received before the deadline.

13.0 Licensing Authority Recommendations Following Consultation

13.1 Following objection from the Licensing Authority, Members are asked to consider the representations and evidence when determining the renewal application.

14.0 Summary of Premises and Licence History

14.1 The current premises licence has been in place since 13th March 2006. The licence was amended following a review on the 21st June 2011 and then by a minor variation on the 15th December 2014. A copy of the existing premises licence is available in **Appendix 2**.

14.2 The current licence holder is: Whites Venues Limited, 32-38 Leman Street, London, E1 8EW. The address registered on Companies House is Baker Clarke Swiss House, Beckingham Street, Tolleshunt Major, Maldon, Essex CM9 8LZ.

14.3 The Designated Premises Supervisor was last changed to Mohammed Baboo on 8th February 2019.

15.0 Complaints and Enforcement History

15.1 The premises has received the following complaints in the last 24 months:

Date	Complainant	Nature of Complaint
7/6/19	Member of Public	Allegation of drug use and offer of sexual services
7/6/19	Member of Public	Allegation of drug use, sexual services, fraud, money laundering
7/6/19	Member of Public	Allegation of drugs on the premises, breaches of licence, offering sexual services

15.2 The premises has received the following visits by the Local Authority in the last 24 months:

Date	Authority (TS/Lic)	Nature of visit
12/06/2017	Licensing	Renewal compliance check visit.
12/06/2017	Licensing	SEV public notice check. All ok
01/02/2018	Licensing	Renewal Compliance Check
13/06/2018	Licensing	SEV public notice check. All ok
23/05/2019	Contractor	Test Purchase visit

15.3 The premises has been subject to the following enforcement actions in the last 24 months:

Date	Authority (TS/Lic)	Nature of Enforcement
None	N/a	N/a

16.0 Policy - Appropriate Number of Sexual Entertainment Venues

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

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

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

16.3 The Council will consider each application on its merit although new applicants will have to demonstrate why the Council should depart from its policy. Furthermore if any of the existing premises cease trading there is no presumption that the Council will consider any new applications more favourably.

17.0 Home Office Guidance

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

17.2 The Council can refuse applications on grounds related to an assessment of the relevant locality. A licence can be refused if either, at the time the application is determined the number of Sexual Entertainment Venues, or Sexual Entertainment Venues of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a Sexual Entertainment Venue would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises. Nil may be the appropriate number.

17.3 The decision regarding what constitutes the 'relevant locality' is a matter for the Council. However, such questions must be decided on the facts of the individual application.

17.4 Once the Council has determined the relevant locality, it should seek to make an assessment of the 'character' of the relevant locality and how many, if any, Sexual Entertainment Venues, or Sexual Entertainment Venues of a particular kind, it considers appropriate for that relevant locality.

18.0 Licence Conditions

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

19.0 Sexual Entertainment Venues and Determination

19.1 Members should consider the relevant legislation, the Council's SEV Policy and Standard Conditions (see **Appendix 15** and **Appendix 1** respectively).

19.2 A copy of LBTH Sexual Entertainment Venue Policy is produced in **Appendix 15** for Member's information.

20.0 Legal Comments

20.1 The Council may refuse an application for the grant or renewal of a licence on one or more of the grounds specified below (Sch 3 para 12(1) LGMPA ('the Act'), as amended by reg 47 (4), Provision of Services Regulations 2009):

20.2 The mandatory grounds for refusal are as follows:

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

20.3 The Committee has discretion to refuse the application if any of the following grounds for refusal apply under para. 12(3) of Schedule 3 of the Act.

The discretionary grounds for refusal are as follows:

- (a) the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
- (b) that if the licence were to be granted, renewed or transferred, the business to which it relates would be managed by or carried on for the benefit of a person other than the applicant who would have been refused a licence if they had applied themselves;
- (c) the number of sex establishments exceeds the number or is equal to the number which the council consider is appropriate for that locality; or
- (d) the grant or renewal of licence would be inappropriate because of:
 - i. the character of the relevant locality;
 - ii. the use to which the premises in the vicinity are put; or
 - iii. the layout, character or condition of the premises, vehicle, vessel or stall.

(In relation to premises, 'the relevant locality' means the locality where the premises are situated).

20.4 There is a right of appeal to the Magistrates' Court, as set out in para. 27 of Schedule 3 of the Act. An appeal against the decision of a Magistrates' Court may be brought to the Crown Court. In addition, the decision of the Committee may be appealed on established public law principles.

20.5 The Committee should only consider those comments within the written objection or made orally at the hearing which are relevant to the mandatory or discretionary grounds for refusal. Comments within the written objection or orally at the hearing which relate to moral grounds, for example, must not be considered by the Committee.

20.6 The Council's legal adviser will give advice at the Hearing.

21.0 Finance Comments

21.1 The Chief Finance Officer has been consulted on this report and has no additional comments to make.

22.0 Appendices

Appendix 1	A copy of the existing SEV Licence (including the LBTH Standard Conditions)
Appendix 2	A copy of the existing Premises Licence
Appendix 3	A copy of the renewal application
Appendix 4	Maps of the premises showing the site location
Appendix 5	Internal layout plans of the premises
Appendix 6	Photographs of the premises
Appendix 7	Code of Conduct for Performers, Code of Conduct for Customers (House Rules) and Dancers Welfare Policy
Appendix 8	Vicinity Map
Appendix 9	Ward Profile
Appendix 10	Character changes from 2015 to 2018
Appendix 11	Copy of Press Advert
Appendix 12	Representation from Licensing Authority
Appendix 13	Witness Statement and notes from Officer A
Appendix 14	Witness Statement and notes from Officer B
Appendix 15	LBTH SEV Policy

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Appendix 1

LICENCE FOR A SEXUAL ENTERTAINMENT VENUE

Licence Number: 27001

The LONDON BOROUGH OF TOWER HAMLETS under provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, in relation to the licensing of sex establishments, as amended by section 27 of the Policing and Crime Act 2009, grants, in accordance to its Licensing Policy:

Name of holder (s) of SEV licence:

Whites Venues Limited (8153851)

to use premises:

Postal address of premises, or if none, ordnance survey map reference or description

Whites Gentleman's Club
32-38 Leman Street

Post town
London

Post Code
E1 8EW

Telephone number

██████████

as a Sexual Entertainment Venue.

This licence is in force up to: **31st May 2019** or during the time that the licensee(s) is/are the occupier of the premises, whichever is the shorter period, or unless sooner surrendered or revoked.

The Premises are as per the plans submitted to the Licensing Authority on:

- 20th October 2017 - Ground Floor only.

The named management responsible for this premises are

John Ronald Gold - Manager
Alan Southwick - Duty Manager

This licence is granted subject to conditions as follows:

the Standard Conditions of the London Borough of Tower Hamlets made under paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as revised on 23rd June 2015 are attached as **Appendix 1** (Conditions 1-41) It is the duty of the licence holder to be aware of and abide by those conditions.

the following additional conditions specific to this Premises:

42. "Relevant entertainment" as defined in paragraph 2A(2) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 is permitted only during the hours set out in the table below

Monday	19.30hrs - 24.00hrs
Tuesday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Wednesday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Thursday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Friday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Saturday	00.00 hrs - 04.00hrs 19.30hrs - 24.00hrs
Sunday	00.00 hrs - 04.00hrs

43. Without prejudice to Standard Condition 5, at least six SIA registered door supervisors shall constantly monitor the striptease entertainment in the Premises and ensure that all relevant conditions of this Licence are being complied with.
44. The relevant tariff must be drawn to the attention of each customer before they pay any fee or charge.
45. No charge may be made to any customer for any drink provided to a performer, hostess or companion unless a customer has expressly ordered it having been informed of the cost.
46. No charge shall be made to any customer for hire or use of any room, or reserved area within the Premises, unless the customer has first been made aware of the cost and signed an order from consenting for the charge to be made. The order form shall be counter-signed by the manager of the Premises. The order form shall state in a legible form:
(a) the date and time of signature;

- (b) the room, or area to be used or hired by the customer;
- (c) the date, time and duration of the agreed hire or use of the room, or area;
- (d) the details as to what, if any, sexual or other entertainment will be provided and by how many performers;
- (e) the names of any agreed performers;
- (f) the total agreed price and manner of payment;
- (g) the full name of the manager; and
- (h) the full name of the customer.

The order form must be filled in and signed, and payment for the room or area taken, in the designated area shown on the attached plan. The designated area must be well-lit and covered by a CCTV camera which accurately records the transaction and the time and date of the footage. After payment is taken, the customer shall be provided with a receipt and the Licensee shall retain a copy.

Other requirements or restrictions:

- 47. This licence must be prominently and visibly displayed inside the entrance to the Premises.
- 48. This licence together with the standard conditions must be available at the Premises at all times.

Signed by

David Tolley 
**Head of Environmental Health & Trading
Standards**

Dated: 4th September 2018

‘sexual entertainment area(s)’ means the area(s) outlined in red on the attached plan, being locations where sexual entertainment is permitted to take place.

‘suggestive advertising content’ means photographs, sculptures, images, tableaux, displays, sounds, spoken words or writing - including graphics, logos or trademarks- that depict, indicate or suggest that sexual entertainment takes place on the Premises

General

1. The Licensee must remain in personal control of the premises at all times that it is trading or nominate in writing an individual over the age of 18 with the authority to direct activities within the Premises.
2. The Licensee shall notify the Council, in writing, of any change in directors, trustees, partners or other persons concerned in the management of the licensed activities within 14 days of such change.
3. The Licensee shall admit authorised officers to the Premises at all reasonable times and at any time when the Premises are providing sexual entertainment. The Licensee shall provide in a timely fashion copies of any documents reasonably required by an authorised officer to prove compliance with this Licence.
4. The Licensee must give written notice to the Council if s/he wishes to surrender the licence.
5. A suitable and sufficient number of door supervisors and trained staff will be employed (based on a risk assessment) when sexual entertainment is offered. Their duties will include monitoring customers to ensure that the Code of Conduct for Performers and the House Rules are being obeyed.
6. The Licensee is to implement a suitable policy for the safety of the performers when they leave the Premises.
7. The Council reserves the right to amend or alter these conditions (provided that such change will not prevent the operators from viably carrying on the business of the Premises) following consultation with the licensees.

Premises

8. The approved layout of the Premises shall not be altered without prior consent of the Council.
9. The Licensee shall ensure that the interior of the Premises where sexual entertainment is offered shall not be capable of being seen from the outside of the Premises, and that the exterior is maintained with a suitable level of decorum (i.e. that it does not have anything that depicts, indicates or suggests that sexual entertainment takes place on the Premises).
10. Sexual entertainment shall take place only in the designated sexual entertainment areas.
11. No member of the public shall be permitted to go anywhere outside the public areas. The public shall not be permitted access to the performers' changing rooms.
12. Without prejudice to condition 13 below CCTV shall be installed to cover the inside and the outside of the Premises, covering all public areas, including private performance areas and booths, entrances and exits, but excluding the interior of toilets. All cameras must be maintained in working order. All cameras shall continually record whilst the Premises are open to the public and the recorded images shall be kept available for a minimum of 31 days. Recorded images shall be made available to an authorised officer together with facilities for viewing. The recordings for the preceding 2 days shall be made available immediately upon request. Recordings outside this period shall be made available on 24 hours' notice.
13. CCTV cameras shall be installed and maintained at the locations shown on the attached plan, to the reasonable satisfaction of the licensing authority.
14. Members of the public may not enter or remain in the toilet cubicles in the company of any performer. Only one person at a time to enter a toilet cubicle.

Advertising

15. The Licensee shall neither cause nor permit the display of suggestive advertising content which is directed at or may be seen or heard by any person from within the London Borough of Tower Hamlets:

on any public highway, street, waterway or railway;
in any place of general public use or access; or
in publicly accessible areas of premises open to the public.

This condition shall apply to prevent suggestive advertising content being displayed on the exterior of the Premises or handed out as flyers on the street. It shall also apply to prevent suggestive advertising content being displayed on or in street furniture; telephone booths; hoardings, billboards, screens or projections; as well as advertising displayed on or within any vehicles located on or near the highway. The Licensee shall not permit any person to tout for business or encourage other persons to visit the Premises whilst on a public highway.

For the avoidance of doubt, this condition shall not be taken to prevent the Licensee from advertising the Premises using suggestive advertising content in media that restrict access to persons over the age of 18 years and would not reasonably be expected to be directed at persons in a public place (for instance, in adult magazines, websites or television channels).

16. All persons engaged or employed to attend to the entrance area or exterior of the Premises must be suitably dressed and conduct themselves so as not to indicate or suggest the availability of sexual entertainment at the Premises.
17. Where the Council has given notice in writing to the Licensee objecting to an advertisement on grounds that it would offend public decency or be likely to encourage or incite crime or disorder, that advertisement shall be removed or not be displayed.

Admission to the Premises

18. No person under the age of 18 years shall be admitted to nor permitted to remain on the Premises when sexual entertainment is being offered, and a clear notice to this effect will be displayed at each entrance to the Premises.

19. Customers who appear to be under the age of 21 must be asked to provide a Pass-scheme approved photographic card, their passport or photographic driving licence to prove their age. Prominent notices must be clearly displayed to this effect at each entrance to the Premises.

House Rules

20. The Licensee shall prepare House Rules governing the conduct of customers.
21. The House Rules shall be prominently and legibly displayed close to each entrance of the Premises.
22. The House Rules must be made known to customers prior to their admission to the Premises when sexual entertainment is provided
23. Signs must be displayed at appropriate locations advising that any customer attempting to make physical contact with a performer will be asked to leave.
24. No member of the public shall be admitted or allowed to remain at the Premises if they appear to be intoxicated or under the influence of illegal substances.
25. Customers may not be permitted to photograph, film or electronically record any performance.
26. The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.

Performers

27. Sexual entertainment will be given only by the performers engaged by or through the Licensee and there will be no audience participation in any performances.
28. The Licensee shall keep a record of each performer, including their proper name and any aliases, and their residential address. With each record the Licensee shall keep a copy of a photographic form of identity and proof of address of the performer. With each record the Licensee shall keep a clear copy of an authorised document demonstrating that each Performer and each member of the staff is

entitled to work within the UK. A clear copy of this record shall be kept on the Premises at all times and be made immediately available for inspection by authorised officers.

29. On days when sexual entertainment is provided, the Licensee or their representative shall keep a record of those performers working at the Premises on that day in a daily record. The daily record shall be retained securely for at least 31 days and shall be made immediately available for inspection by authorised officers.

Tariffs

30. The Licensee shall prominently and legibly display the drinks tariff at or by the bar and at the entrance. No charge shall be made nor payment accepted for any drink other than in accordance with the tariff, save for clearly advertised discounts to the tariff.
31. The Licensee shall prominently and legibly display the entertainment tariff in the entrance area and at key locations within the Premises including entrances to any private performance areas and so far as possible at the place(s) at which payment for any performance or service is transacted as marked on the attached plan. No charge shall be made nor payment accepted by the Licensee for any services other than in accordance with the tariff or clearly advertised discounts to the tariff.
32. The Licensee shall so far as reasonably practicable keep such records as are necessary to prove that the sums charged and payments taken are for products or services advertised on the relevant tariff at the amount shown on that tariff. These records must be made available within a reasonable time if requested by an authorised officer.

Code of Conduct

33. The Licensee shall prepare and implement a suitable Code of Conduct for performers.
34. The Licensee shall ensure that each performer signs the Code of Conduct in their proper name, acknowledging that they have read and understood and are prepared to abide by the Code of Conduct, and signed copies be kept on the premises for inspection by authorised officers.

35. During a performance there shall be no intentional physical contact between a performer and the customer other than the transfer of money or token at the beginning, during and at the conclusion of a dance into the hand or a garter worn by the performer. For the avoidance of doubt nothing in this condition shall prevent Performers from acting to prevent, deter or counter any attempts of physical contact by a customer.
36. Without prejudice to standard condition 35 above, at the conclusion of a performance there shall be no intentional physical contact between a performer and the customer, save for a handshake. For the avoidance of doubt kissing is not permitted.
37. The Licensee must not permit gratuities or any other items to be thrown at performers.
38. During a performance there shall be no full body physical contact between performers and they are not to touch each other's breasts or genitalia either with their bodies or with objects. Any performance shall be restricted to dancing and the removal of clothes. There must not be any other form of sexual activity, including but not limited to acts or the simulation of acts of personal stimulation.
39. Performers shall be provided with a changing room to which the public have no access.
40. Performers must remain fully dressed while on the Premises, except while performing in the sexual entertainment areas and in the changing rooms shown on the approved plan. [Without prejudice to this requirement, there is to be no display of nudity in the public areas of the Premises, other than during the course of a performance].
41. Performers must re-dress at the conclusion of a performance.

Appendix 2

(White's Gentlemans Club)

32-38 Leman Street
London
E1 8EW

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment
The provision of late night refreshment

See the attached licence for the licence conditions

Signed by

John McCrohan
Trading Standards and Licensing Manager

Date: 13th March 2006

- 21/06/2011, as amended further to Review:
- 15/12/2014, amended by a minor variation



Part A - Format of premises licence

Premises licence number

17280

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(White's Gentlemans Club)
32-38 Leman Street

Post town

London

Post code

E1 8EW

Telephone number

None

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment
The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The sale by retail of alcohol:

Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 12:00 hours to 04:00 hours the following day

Regulated Entertainment consisting of Recorded Music, performances of dance, Provision of facilities for dancing:

Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 12:00 hours to 04:00 hours the following day

Late Night Refreshment:

Monday, Tuesday, Wednesday, Thursday, Friday and Saturday until 04:00 hours the following day

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

The opening hours of the premises

Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 12:00 hours to 04:00 hours the following day

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

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

On sales only

Part 2

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

Whites Venues Limited
32-38 Leman Street
London
E1 8EW

Phone: [REDACTED]

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

08153851

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

Mohamed Yassin Baboo
[REDACTED]
[REDACTED]
[REDACTED]

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

Issuing Authority: 05-911369-1
Personal Licence Number: Royal Borough of Kensington & Chelsea

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

1.

- (1) The responsible person must 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;
 - (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 in a manner which carries a significant risk of undermining a licensing objective
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) 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;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

- 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) 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 either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

4. The responsible person must 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;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

5.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$\mathbf{P = D + (D \times V)}$$
 where —
 - (i) **P** is the permitted price

- (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
- (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

1. All references to striptease in these conditions shall be deemed to apply to all forms of striptease or nudity by male or female performers.
2. At least one Personal Licence Holder shall remain on the premises at all times during licensed hours when the premises are open and trading.
3. At least two SIA registered Door Supervisors will remain on the premises at all times during licensed hours when the premises are open and trading in addition to two members of management.
4. The Designated Premises Supervisor (DPS) will ensure that at least one member of staff with specific obligation to ensure compliance with the performers/dancers code of conduct, will be present at all times when the premises are open and trading.

5. CCTV with time and date recording facility to be installed and maintained at the club in accordance with the advice of a Metropolitan Police Crime Prevention Officer. Recording media to be retained for at least 30 days and to be readily available for inspection by the Police or other statutory authority. At least two people will be trained to operate the recording equipment and be competent in its operation. A least one trained person shall be on premises at all times when the club is open and trading.
6. A Code of Conduct for Performers/Dancers to be lodged with the Police and Licensing Authority. All Performers/Dancers must sign the code of conduct as agreed by the Police in their proper name acknowledging they have read and understood, and are prepared to abide by the said Code of Conduct and copies so signed should be retained by the DPS and be readily available for inspection by the Police and Licensing Authority. Any breach of the agreed code of conduct shall constitute a breach of condition.
7. Details of all work permits and/or immigration status relating to persons working at the Club shall be retained by the DPS and be readily available for inspection by Police or Immigration Officer.
8. Menus and drinks' price-lists shall be clearly displayed in the foyer, reception and bar in such a position and size as to be easily read by customers. This price list should show all consumable items and any minimum tariff including charges or fees applicable to hostesses. The menus and drinks price-lists will also be on all tables.
9. A permanent written record will be maintained in the form of a refusals book kept at the club. This record will be signed by the DPS/Manager on a daily basis and record the details of any customer who refuses to pay his/her bill giving details of the customer's name, contact details and a detailed copy of the bill. This is to be available to the Police and/or Licensing Authority on demand.
10. A record will be kept at the club of the real names, addresses, stage names of all the hostesses/dancers, which will be readily available to any Police Officer and/or the Licensing Authority.
11. A notice outlining a Code of Conduct for the customer shall be positioned in the foyer, reception and bar area. It shall be of an adequate size and in such a position where it can be easily read and understood by the customer.
12. All hostess activity shall be conducted openly and at no time shall hostesses entertain customers in areas of the premises that are screened or curtained off from the view of the DPS (or other person acting with equivalent authority).
13. An incident book will be maintained at the premises. Upon request, it will be readily available for inspection by the police or other Licensing Authority.
14. There shall be no soliciting for custom by means of persons on the highway or any payment made to them by or on behalf of the DPS.
15. Whilst striptease is taking place no person under the age of 18 shall be allowed on any part of the premises and a notice shall be displayed in clear terms at each entrance that:-

NO PERSON UNDER 18 TO BE PERMITTED

16. On any day when the premises are open for entertainment not involving striptease, prior to striptease becoming available, a notice shall be prominently displayed in a conspicuous position in the foyer of the premises. This should be displayed at least one hour before striptease performances are due to start, advising customers when those performances are to commence.
17. The striptease entertainment shall be given only by paid performers/entertainers who are engaged exclusively for that purpose.

18. There shall be no physical participation by the audience and no contact between the performer/dancer and any of the audience during performances. There shall be no physical contact between the performers/Dancers.
19. There shall be no striptease performance to customers seated at the bar, or to standing customers. Performers/Dancers shall only perform on the designated stages, designated podiums or to seated customers at a table.
20. On each of the designated stages, there shall be no more than two performers at any one time.
21. In the VIP area, there shall be no more than four Performers/Dancers at any one time.
22. Any performance will be restricted to dancing and the removal of clothes, there must not be any other form of sexual activity.
23. All striptease shall take place in an area which is not visible from the street or overlooking buildings.
24. The Performers/Dancers shall be provided with a changing room which must be separate and apart from public facilities.
25. There shall be no sexually explicit external advertising likely to cause offence as to the nature of the activity being held at the premises.
26. Notices shall be placed on the premises asking patrons to leave quietly.
27. All external windows should be obscured to prevent persons outside from seeing the entertainment when striptease is taking place.

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

Further Hearing 21st June 2011

28. At least eight SIA Registered Door Supervisors will remain on the premises at all times during the licensed hours when the premises are open and trading in addition to the Designated Premises Supervisor (DPS).
29. At least six SIA Registered Door Supervisors shall constantly monitor the striptease entertainment in the premises and ensure that the code of conduct and all relevant conditions on the licence are being complied with.
30. The premises shall not offer or provide any striptease entertainment or hostess service in a limousine or any other moving vehicle.

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

21st November 2014 - Ground Floor (14/3989/SK01, dated Oct 2014)



Part B - Premises licence summary

Premises licence number

17280

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(White's Gentleman's Club)
32-38 Leman Street

Post town

London

Post code

E1 8EW

Telephone number

None

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment
The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The sale by retail of alcohol:
Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 12:00 hours to 04:00 hours the following day
Regulated Entertainment consisting of Recorded Music, performances of dance, Provision of facilities for dancing:
Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 12:00 hours to 04:00 hours the following day
Late Night Refreshment:
Monday, Tuesday, Wednesday, Thursday, Friday and Saturday until 04:00 hours the following day

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

The opening hours of the premises

Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 12:00 hours to 04:00 hours the following day
Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

Name, (registered) address of holder of premises licence

Whites Venues Limited
32-38 Leman Street
London
E1 8EW

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

On sales only

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

08153851

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

Mohamed Yassin Baboo

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

Prohibited

Appendix 3

Application for the Grant, Renewal, Transfer or Variation of a Sexual Entertainment Venue Licence

Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

Part one of this form is open to inspection by the press and public

Please read the following instructions first

Before completing this form please read the associated guidance notes. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. Please complete all sections or the application will be deemed incomplete and returned to the applicant.

Applicants are warned that any person who, in connection with the grant, renewal, transfer or variation of a sexual entertainment licence, makes a false statement which they know to be false in any material respect, or which they do not believe to be true, is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000.

Applicants are required to complete part one and part two of the application form, and provide any other documents listed in the form.

You may wish to keep a copy of the completed form for your records.

Part One: Details of Application

Section A: Type of Application

Please specify what type of application you are making:

New

 Renewal

 Variation

 Transfer

Licence Number (if applicable): 27001

Section B: Premises to be licensed

Is the application in respect of (tick as appropriate):

Premises

 Vehicle

 Vessel

 Stall

Trading name and full postal address of premises to be licensed
(If this application is in respect of a Vehicle, Vessel or Stall, then the location where it will be used)

Name: Whites Gentlemen's Club

Address: 32-38 Leman Street
Aldgate

Post Town	London	Postcode	E1 8EW
-----------	--------	----------	--------

Premises E-mail address	Premises contact telephone number(s)
-------------------------	--------------------------------------

Section C: Applicant Details

Please state whether you are applying for a premises licence as

- | | | |
|---------------------------------|-------------------------------------|-------------------------|
| a) an individual or individuals | <input type="checkbox"/> | please complete box (1) |
| b) a limited company | <input checked="" type="checkbox"/> | please complete box (2) |
| c) a partnership | <input type="checkbox"/> | please complete box (2) |
| d) other | <input type="checkbox"/> | please complete box (2) |

(1): First Individual Applicant Details

MR <input type="checkbox"/>	MRS <input type="checkbox"/>	MISS <input type="checkbox"/>	MS <input type="checkbox"/>	Other
-----------------------------	------------------------------	-------------------------------	-----------------------------	-------

First names:	Surname:
--------------	----------

Address	<i>Please do not complete if this is a private residential address – This information is provided in Part 2</i>
---------	---

Age of applicant	Over 18: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
------------------	--

(1): Second Individual Applicant Details (Insert further pages if necessary for more than 2 applicants)

MR <input type="checkbox"/>	MRS <input type="checkbox"/>	MISS <input type="checkbox"/>	MS <input type="checkbox"/>	Other
-----------------------------	------------------------------	-------------------------------	-----------------------------	-------

First names:	Surname:
--------------	----------

Address	<i>Please do not complete if this is a private residential address – This information is provided in Part 2</i>
---------	---

Age of applicant	Over 18: Yes <input type="checkbox"/> No <input type="checkbox"/>
------------------	---

(2): Other Applicant Details

Name	Whites Venues Limited
------	-----------------------

Registered number	08153851
-------------------	----------

Description of applicant	Private Limited Company
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Registered Address	Baker Clarke Swiss House, Beckingham Street Tolleshunt Major
--------------------	--

Post Town	Maldon, Essex	Postcode	CM9 8LZ
-----------	---------------	----------	---------

Section D: Premises Details

1. What is the nature of the applicant's interest in the premises (please tick as appropriate)
- a) Freehold
- b) Leasehold The lease is held by A.G.S. Castings Ltd, a company which is wholly owns and controls Whites Venues Ltd. Please refer to the Company Structure at Tab 13.
2. If the applicant's interest in the premises is a leasehold one, please state whether it is a:
- a) head lease
- b) sub lease
3. the name and full address of the landlord (if applicable)
- Newport Holdings Limited, Quadrant House, Floor 6, 17 Thomas More Street, Thomas More Square, London, E1W 1YW
4. the name and full address of the superior landlord (if applicable)
5. Is the whole of the premises to be used under the licence?
- a) Yes
- b) No
6. If "no" please state which part of the premises is to be used for the purpose of the licence:
- n/a
- a) the use to which the remainder of the premises is put
- n/a
- b) the name(s) of those who are responsible for the management of the remainder of the premises
- n/a
7. Is the premises to be used for the purposes of the licence, so constructed or adapted as to permit access to and from the premises for members of the public who are disabled?
- a) Yes
- b) No
- If "No" please state the applicant's proposals for affording such access:
- n/a

8. Is the premises, vehicle, vessel or stall which is to be used for the purposes of the licence, in use as a sex establishment at the date of this application?

- a) Yes
- b) No

If the answer is "Yes", please state the name and full address of the person(s) or body who operated the premises, vehicle, vessel or stall as a sex establishment at the date of this application, and the date (where known) the premises, vehicle, vessel or stall was first used as such

Whites Venues Limited, Baker Clarke Swiss House, Beckingham Street, Tolleshunt Major,
Maldon, Essex
CM9 8LZ.

First used as such on or about May 2006.

If the answer is "No" please state the purpose(s) it is currently being used for
n/a

Section E: Current Licences

1. Is the Premises licensed under any other Act (e.g. the Licensing Act 2003)?

- a) Yes
- b) No

2. If yes, please provide details of the licence(s), including the name of the Licence Holder and any Designated Premises Supervisor:

Licence issued under the Licensing Act 2003: Premises Licence number 17280

Premises Licence Holder: Whites Venues Limited

Designated Premises Supervisor: Mohamed Yassin Baboo

For details of permitted licensable activities and hours, please refer to the copy of the Premises Licence provided in the Additional Documents pack (tab12)

Section F: Business Details

Each person named in this section will need to complete Part 2 of the application – Personal Details Form

1. Under what name will the business be trading?

Whites Gentlemen's Club

2. If the applicant is a company or other corporate body, please give the names of the applicant's directors and company secretary:

Name

1. Mohamed Yassin Baboo - Director

2. Is the whole of the business owned by the applicant, and the applicant does not share the profits of the business with any other person or body?

a) Yes



b) No

If the answer is "No", please state the name(s) of those who will share in the profits of the business. In each case, please state the percentage share of the profits to be taken by each person or body involved in the ownership of the business

n/a

Section G: Advertising Details

When considering types of advertising in this section, please refer to the Councils Standard Conditions on Touting for Business and Premises Appearance, which are attached to the Sex Establishment Policy

1. What advertisement(s) or display(s) are to be exhibited on the exterior of the premises?

2 x external light boxes either side of the main doors showing opening times only

2. Please state the size(s) of any advertisement(s) or display(s) mentioned in the above question

External light boxes 93 x 62 cm

3. Please state any proposals for solicitation of the business in public areas. E.g. fliers, business cards, billboard advertising, personal solicitation or advertising on motor vehicles.

The premises are advertised on the website at <http://www.clubwhites.co.uk>

Fliers are distributed to drivers of private hire vehicles and hackney carriage licence holders only. (Not within the London borough of Tower Hamlets)

These fliers provide information regarding introductory fees. The fliers are not made available to members of the public.

Please refer to Tab 15 of the Additional Documents pack for an example of these fliers.

Any and all advertising carried out by the premises will comply fully with Tower Hamlets Council Sex Establishment Licensing Policy and will not contain photographs or other images which may be construed as offensive to public decency.

Section H: Operation of the Premises

1. Please state the proposed opening times of the premises, vehicle, vessel or stall:
(Gives times in a 24h clock format)

Day	Opening	Closing
Monday	19:30	04:00
Tuesday	19:30	04:00
Wednesday	19:30	04:00
Thursday	19:30	04:00
Friday	19:30	04:00
Saturday	19:30	04:00
Sunday	-	-

These hours reflect the hours currently in operation at the premises in accordance with premises licence number 17280

2. What means are to be taken to prevent the interior of the premises, vehicle, vessel or stall for which the licence is sought from being visible to passers-by?

All windows on the premises are obscured to prevent passers-by from seeing into the interior of the premises. In addition, all entrances have a double-door lobby entrance.

Have you read and understood the Councils standard conditions for sexual entertainment venues?

- a) Yes
- b) No

4. Are you able to comply with the Councils standard conditions for sexual entertainment venues?

- a) Yes
- b) No

If no, please give the reasons why not:

n/a

5. Please give details of any additional conditions you would like to propose, or conditions you like to amend or remove. The Council will expect applicants to address the following factors:

- a) Preventing nuisance to residents and businesses in the vicinity
- b) Public safety
- c) Preventing crime and disorder
- d) Protecting children from harm
- e) Procedures for checking employees age and right to work in the UK
- f) Procedures for training of all staff in the Code of Conduct for Dancers, and for compliance with licence conditions and requirements
- g) Procedures for notifying customers of the Dancers code of conduct
- h) System for monitoring compliance with the venues policy for welfare of dancers.

Please see current Sexual Entertainment Venue Licence number 27001 for all conditions in force at the premises. Please see Tab 8 of supporting documents for the application. The LB Tower Hamlets standard conditions for sexual entertainment venues are also attached to the licence and fully enforced at the premises.

Premises Licence at Tab 12 of the application also shows conditions of the licence which the applicant fully complies with.

Section I: Management of the Premises

Each person named in this section will need to complete Part 2 of the application – Personal details form

1. Please give the name of the person who will be responsible for the day to day management of the premises. ("the Manager")

Name: Mohamed Yassin Baboo
Role: Manager

2. Will this person be based at the premises and will the management of the premises be their sole and exclusive occupation?

- a) Yes
b) No

3. If no, then please give details of how they are responsible for the day to day management, and what other arrangements are in place for the management of the premises.

4. Which person(s) will be responsible for the day to day management in the absence of the Manager (Use continuation sheets if necessary):

Name: Gemma Alice Orr
Role: Deputy Manager

Name:
Role:

Name:
Role:

Name:
Role:

Name:
Role:

Name:
Role:

Name:
Role:

Name:
Role:

5. Please confirm that at least one of the people named in this section will be at the premises at all times whilst it is open.

- a) Yes
b) No

Section J: Details of any further information relevant to this application

Please state below any further information which the applicant would wish to be taken into account when this application is considered (This space may also be used to amplify answers to any previous questions):

This is an annual renewal of the current SEV Licence No 27001.

The premises have operated and provided the form of entertainment applied for since on or about May 2006.

Representatives from the applicant company would welcome any invitation to discuss this renewal with the Licensing Officer and/or Police Officer.

Section K: Additional documentary requirements

The applicant must provide the following documentation, in addition to those documents already requested in prior sections of this application form.

	Documents included with this application	Included
1	The prescribed fee, in the form of a cheque made payable to the London Borough of Tower Hamlets (LBTH).	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2	Written consent of the lawful occupier of the premises or land who has control over the premises or land	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
3	Code of practice for dancers/performers	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
4	Policy for welfare of dancers/performers	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
5	Code of practice for customers	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
6	A personal details form (Part 2 of the application form) for each person named in the application	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
7	A basic CRB check for each person named in the application	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
8	A recent passport size photograph for each person named in the application, each copy bearing the name in block capitals of the person whose likeness it bears.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
9	A site/location plan, (scale 1:1250) to show the location of the premises	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
10	<p>A premises plan (scale 1:100) of the premises, vehicle, vessel or stall in respect of which the licence is sought, showing:</p> <ul style="list-style-type: none"> a) The internal layout of the premises including stage, bars, cloakroom, WCs, performance areas, dressing rooms, kitchen, and any external areas to be used (e.g. smoking areas). b) Public areas and staff/private areas to be clearly defined c) Uses for different areas in the premises (e.g. performance areas, reception etc.) d) Any fixed structures or objects e) all means of ingress and egress from the premises f) Position of CCTV cameras g) The location and type of any fire safety and any other safety equipment h) The location of emergency exits i) The position of ramps, lifts or other facilities for the benefit of disabled people. j) Any parts of the premises that may be inaccessible to disabled people. <p><i>Other standard metric scales may be acceptable if more practical for the size of the premises. (plans will not be required for transfers nor renewal applications)</i></p>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
11	A drawing (scale 1:100) showing the front elevation as existing (and as proposed if changes are to be made to it) of the premises, vehicle, vessel or stall in respect of which the licence is sought. Other standard metric scales may be acceptable if more practical for the size of the premises.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Evidence of public notice and service		
12	Complete copy of the newspaper advert advertising the application	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
13	Copy of the notice displayed on or near the premises advertising the application	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
14	Copy of affidavit or statutory declaration that the notice of application has been displayed on or near the premises, in a place where the notice can be conveniently read by the public as required by paragraph 10(10) schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended).	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
15	Evidence of the due service upon the Chief officer of police as required by paragraph 10(14) schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended), of a copy of this application and its required documentation.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Section L: Correspondence and Contact Details for the Application

Please give details of the person who may be contacted in relation to this application

Name: David Dadds
Organisation: Dadds LLP Licensing Solicitors
Postal Address: Crescent House, 51 High Street, Billericay, Essex, CM12 9AX
Telephone Number: [REDACTED]
Email: [REDACTED]
Position/role: Solicitor for the applicant

Section M: Private Information

Is there any information on this form which you do not wish to be seen by members of the public? If so, state which information and the reasons why you do not wish it to be seen. Please note, any requests of this nature will be dealt on a case by case basis, and you will be contacted to discuss further if the information is considered necessary for public disclosure.

- Personal details of any individuals named – for GDPR/Personal security
- Plan of premises with CCTV locations and exits – for security reasons

Section N: Declaration and signature of applicant

The declaration must be signed in all cases:

- If the applicant is an individual, by that individual
- If the applicant is a partnership, by all individuals who are partners
- If the applicant is a company, by a director or the company secretary
- In any other case by a duly authorised officer of the applicant

I acknowledge that I have received a copy of the standard conditions applicable to a sex establishment licence within the London Borough of Tower Hamlets and declare that the information given within this application form, to the best of my knowledge, is true and complete in every respect.
Please use extra pages if necessary

Name: David Dadds
Position: Applicant's Solicitor

Signature: [REDACTED]
Date: 9th May 2019

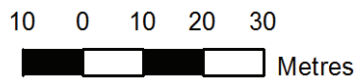
Appendix 4



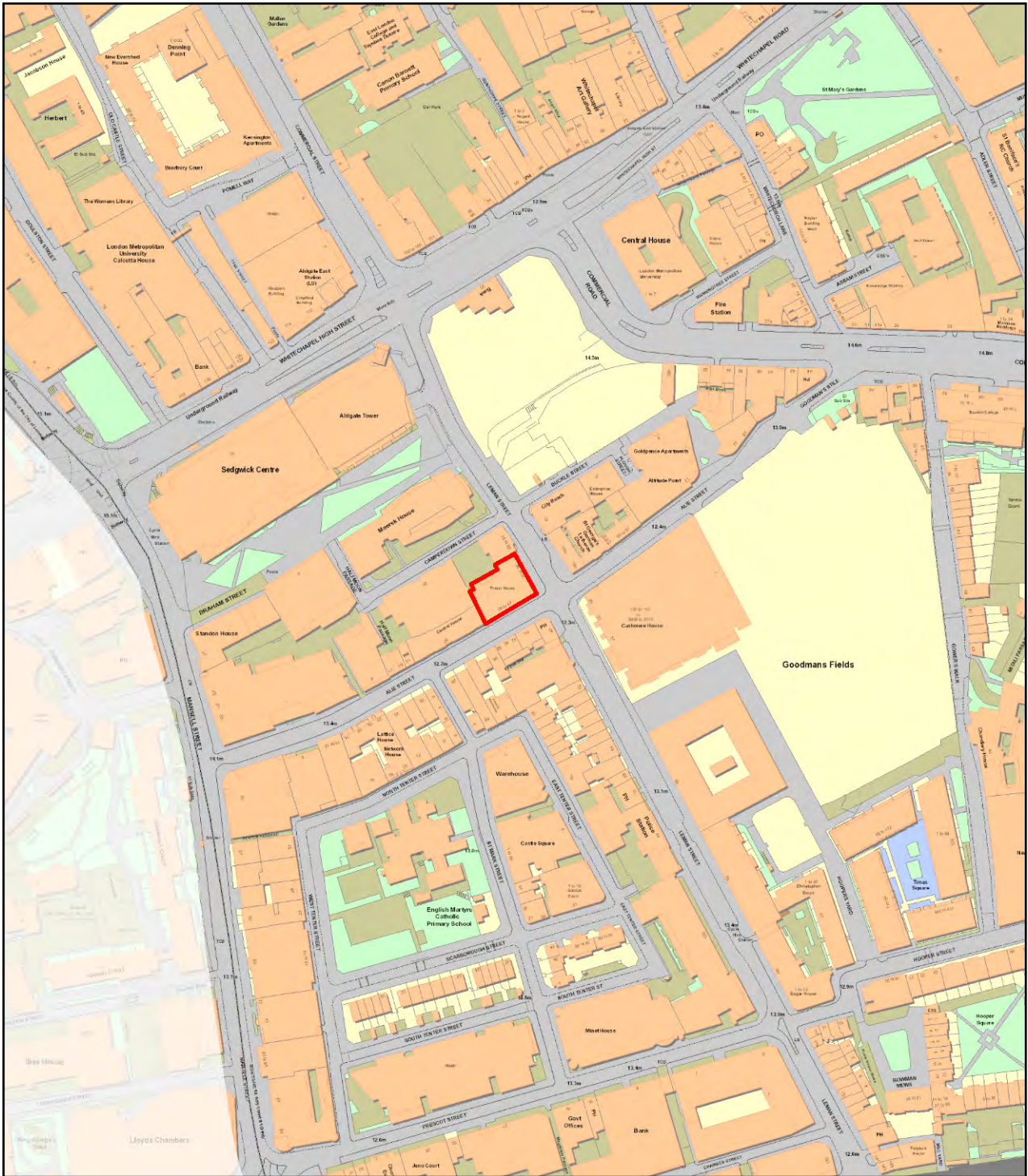
32-38 Lemman Street



Scale 1:1537



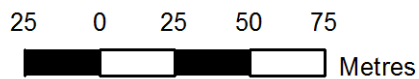
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32-38 Leaman Street

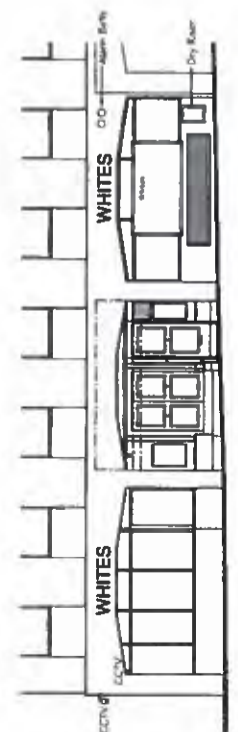


Scale 1:3074

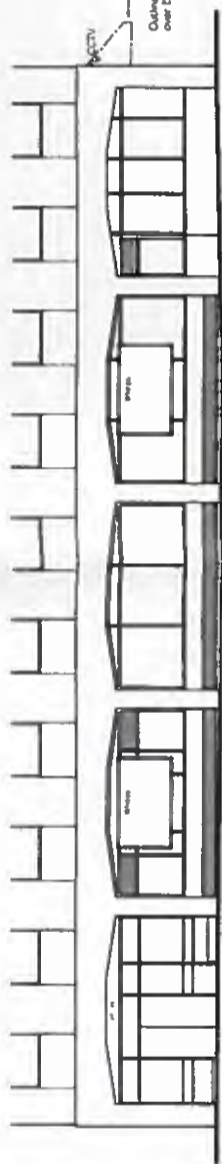


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Appendix 5



FRONT ELEVATION - LEMAN STREET



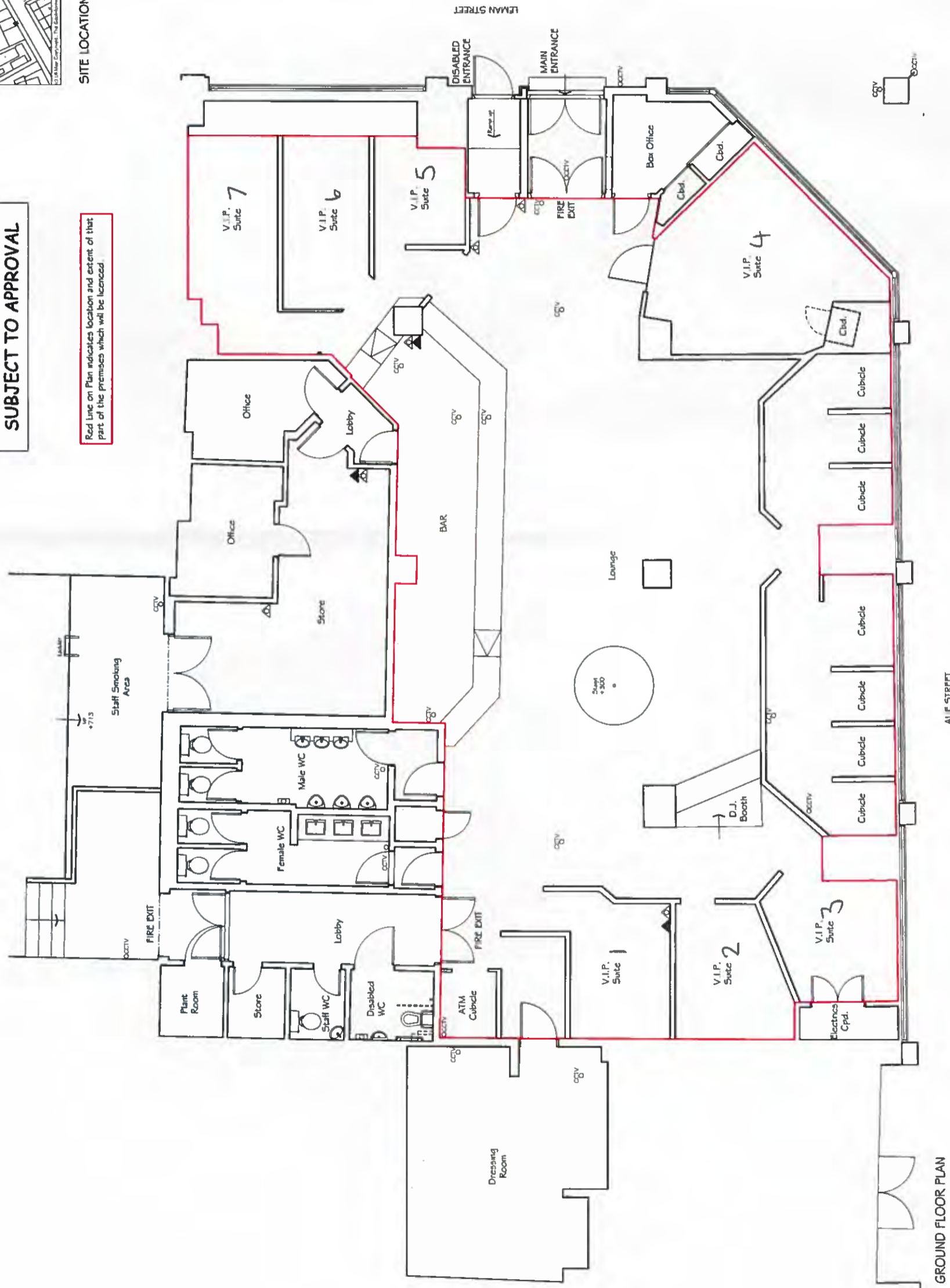
FLANK ELEVATION - AILE STREET

**PRELIMINARY DRAWING -
SUBJECT TO APPROVAL**

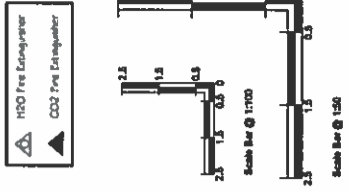
Red line on Plan indicates location and extent of that part of the premises which will be licensed.



SITE LOCATION PLAN 1:1250



GROUND FLOOR PLAN



Revision	Date	Rev
Final position of CCTV & Fire Extinguisher shown	27.10.2014	A

Client Whites	32-38 Leman Street, London, E1 8EW	The Licence Sketch SK01	Scale 1:50,100 @ A1 Date Oct 2014 Drawn By NMP Checked By . Drawn No. 14/3989/SK01 Rev. A
Project			
Eaton Strevens Associates CHARTERED SURVEYORS 120 Crossbrook Street Chesham, Herts Tel: 01992 837243/37510 Fax: 01992 840284 Email: eatonstrevens@eas.co.uk			
RICS CHARTERED SURVEYORS File Ref: Z/ESEA/3089 - Whites, Leman Street/Whites/SK01		© This drawing is the copyright of Eaton Strevens Associates.	

Appendix 6

Whites LONDON

Whites
LONDON
OPENING TIMES
MONDAY 12.00PM - 6.00PM
TUESDAY 12.00PM - 6.00PM
WEDNESDAY 12.00PM - 6.00PM
THURSDAY 12.00PM - 6.00PM
FRIDAY 12.00PM - 6.00PM
SATURDAY 12.00PM - 6.00PM
SUNDAY CLOSED

Whites
LONDON
OPENING TIMES
MONDAY 12.00PM - 6.00PM
TUESDAY 12.00PM - 6.00PM
WEDNESDAY 12.00PM - 6.00PM
THURSDAY 12.00PM - 6.00PM
FRIDAY 12.00PM - 6.00PM
SATURDAY 12.00PM - 6.00PM
SUNDAY CLOSED



Whites
LONDON
www.whiteslondon.co.uk



Whites
LONDON
www.clubwhites.co.uk

32-38

Whites
LONDON

Whites
OPENING TIMES
MEMBERSHIP

Appendix 7

Whites Gentlemen's Club
Code of Conduct for Dancers and Performers

1. Dancers and Performers must always sign in with the Club Management prior to commencing each shift.
2. Dancers and Performers should at all times when not performing remain clothed and must fully dress after each performance. All clothing must be appropriate and must be agreed with the management.
3. If a Dancer or Performer is unable to meet their allotted shifts a substitute can be sent. This person must have completed the appropriate documentation.
4. Dancers and Performers must allow customers to conduct payment for dances in privacy and undistracted.
5. Dancers and Performers must not give out personal information to or accept personal information from customers. They may only divulge to the customer the shifts on which they will be performing.
6. Dancers and Performers must not socialise with customers outside the premises.
7. Dancers and Performers must not perform any acts that clearly simulate masturbation, oral sex or sexual intercourse, including the insertion of any object including their own fingers into any genital opening.
8. Dancers or Performers must not touch their breasts with their lips or tongues.
9. Dancers or Performers must not intentionally touch the genitals, anus or breasts of another dancer, nor knowingly permit another dancer to intentionally touch their genitals, anus or breasts.
10. Dancers and Performers must not intentionally touch a customer at any time a performance takes place.
11. Dancers and Performers must not use language of an inappropriate, suggestive or sexually graphic nature.
12. If a customer engages in any act of masturbation or other sexual behaviour, the dancer shall cease the performance immediately and inform the Club Management.
13. If a customer attempts to touch or speak to a dancer inappropriately, or otherwise breaches the Code of Conduct for Customers, the dancer must stop the performance immediately and explain the relevant rules. If necessary, the dancer

may ask for assistance from and cooperate with a floor supervisor, who will take appropriate action which may include escorting the customer out of the club.

14. Dancers and Performers must never to engage in acts of prostitution, i.e. the receiving of gratuities or payments for sexual favours, nor solicit such gratuities or payments.
15. Dancers and Performers must not accept any offer made by a customer of payment in return for sexual favours.
16. Dancers and Performers must not engage in communications that could be construed as acts of prostitution or solicitation, even if the Dancer or Performer has no intention of carrying out those acts.
17. Dancers and Performers must not engage in any unlawful activity within the premises.
18. Whites Gentlemen's Club operates a zero tolerance policy towards drugs.
19. Dancers and Performers must only consume alcohol in moderation and must not become intoxicated whilst on the premises.
20. Dancers and performers must not invite their spouses, partners or anyone they are romantically involved with to the premises.

**WHITES GENTLEMENS CLUB HAS ZERO TOLERANCE FOR:
PROSTITUTION, SOLICITATION,
UNLAWFUL DRUGS & UNLAWFUL CONDUCT!**

The signing of this document signifies that you, the Dancer and Performer, have read and understood the **Whites Gentlemen's Club Code of Conduct for Dancers and Performers**, the **Code of Conduct for Customers** and the **Dancers and Performers Welfare Policy**, that you agree to comply with the Code of Conduct for Dancer and Performers and that you accept the obligations under it. This document is in no way designed to restrict your own artistic performance or freedom of expression.

- Proof of ID Supplied
- Proof of Address supplied

DECLARATION

I understand that failure to comply with these codes of conduct will result in disciplinary action. I understand that I am self-employed and I have made the appropriate arrangements with HMRC.

Dancer's signature

Dancer's birth name (please print)

Dancer's stage name

Witnessed

Club Manager name (please print)

Date Signed

Date Witnessed

Whites Gentlemen's Club
Dancers and Performers Welfare Policy

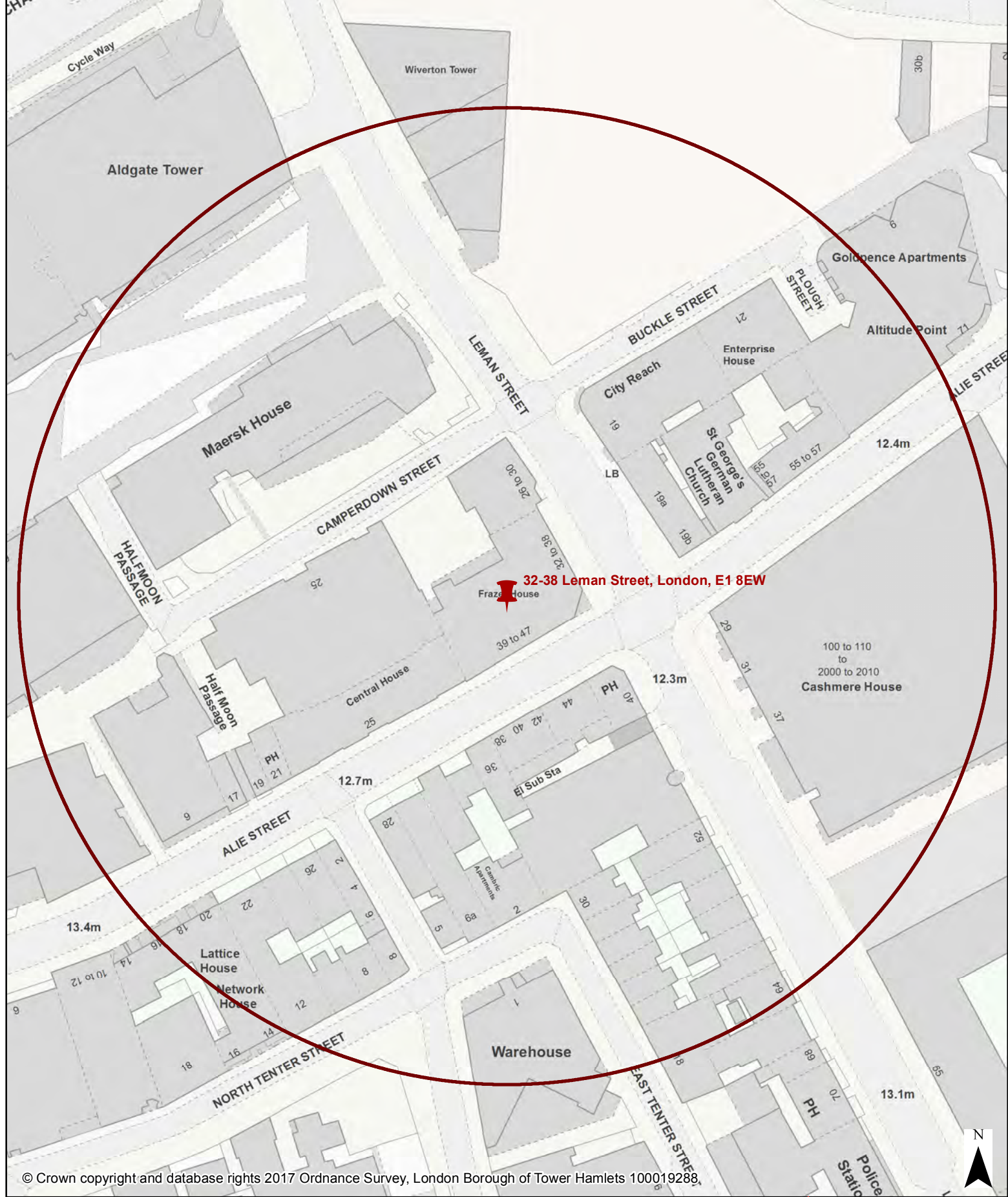
- 1 Dancers and Performers shall be provided with secure and private changing facilities, including the provision of lockable lockers.
- 2 Dancers and Performers shall be provided with private toilet and hand washing facilities.
- 3 Dancers and Performers can deposit any valuables with the management by way of a sealed and signed envelope, to be kept in the safe upon their arrival at the venue and returned at the end of the shift.
- 4 Notices shall be placed on the notice board in the changing rooms to advise Dancers and Performers of places where they can seek independent advice.
- 5 Each new Dancer and Performer will be given a full and detailed induction upon commencement at the venue. This induction will include training in the following areas as a minimum:
 - (i) the premises rules;
 - (ii) the Dancers and Performers Code of Conduct;
 - (iii) the Customers Code of Conduct;
 - (iv) this Welfare Policy;
 - (v) familiarising the Dancer and Performer with the premises;
 - (vi) the fire evacuation procedures; and
 - (vii) Health and Safety guidance.
- 6 This training will be documented in the Dancer and Performer's Contract with the company.
- 7 Dancers and Performers shall be monitored by SIA registered floor supervisors during their performance.
- 8 Panic buttons are provided in the private suites for the safety of Dancers and Performers.
- 9 To reduce the risk of theft, Payment for performances is made solely by way of vouchers which are notated with the Dancer and Performer's name. These are redeemed at the end of the Dancer and Performer's shift.
- 10 At the conclusion of the shift all performers will be provided with a nominated taxi or escorted to their own transport by a member of the security team.

Whites Gentlemen's Club Code of Conduct for Customers

1. Any person who appears to be intoxicated or under the influence of drugs will not be admitted to the premises.
2. No person under the age of 18 will be admitted to the premises.
3. Whites Gentlemen's Club operates a zero-tolerance policy towards drugs.
4. Customers must not drink to excess whilst in the premises. Customers who become intoxicated will be refused further sales of alcohol and may be asked to leave.
5. Abusive and/or threatening behaviour or language towards members of staff, dancers and performers will not be tolerated.
6. Customers must be seated before a dancer can commence a private dance performance and must remain seated during the performance.
7. Customers must remain fully clothed at all times with his or her hands placed by their sides.
8. Customers are not permitted to dance throughout a performance.
9. There must be **no touching** of dancers at any time during the performance.
10. Customers must not proposition dancers and performers.
11. Under no circumstances can any overt or covert photography or digital media video either live or recorded take place on these premises. Any breach is considered a violation of the Voyeurism (Offences) Act 2019 and Data Protection Act 2018. Any and all photography, video and sound recordings are subject to the ownership rights of AGS Castings Ltd T/A Whites Venues Ltd.




Failure to adhere to the above Code of Conduct could result in your performance being terminated and/or you being asked to leave the premises.

Appendix 8

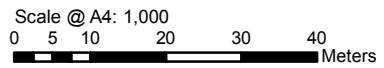
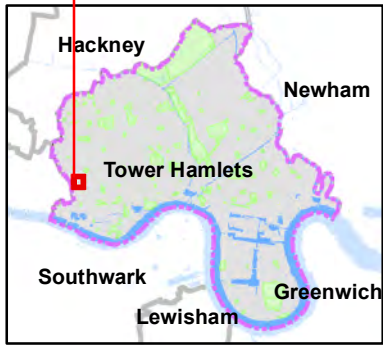


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Legend

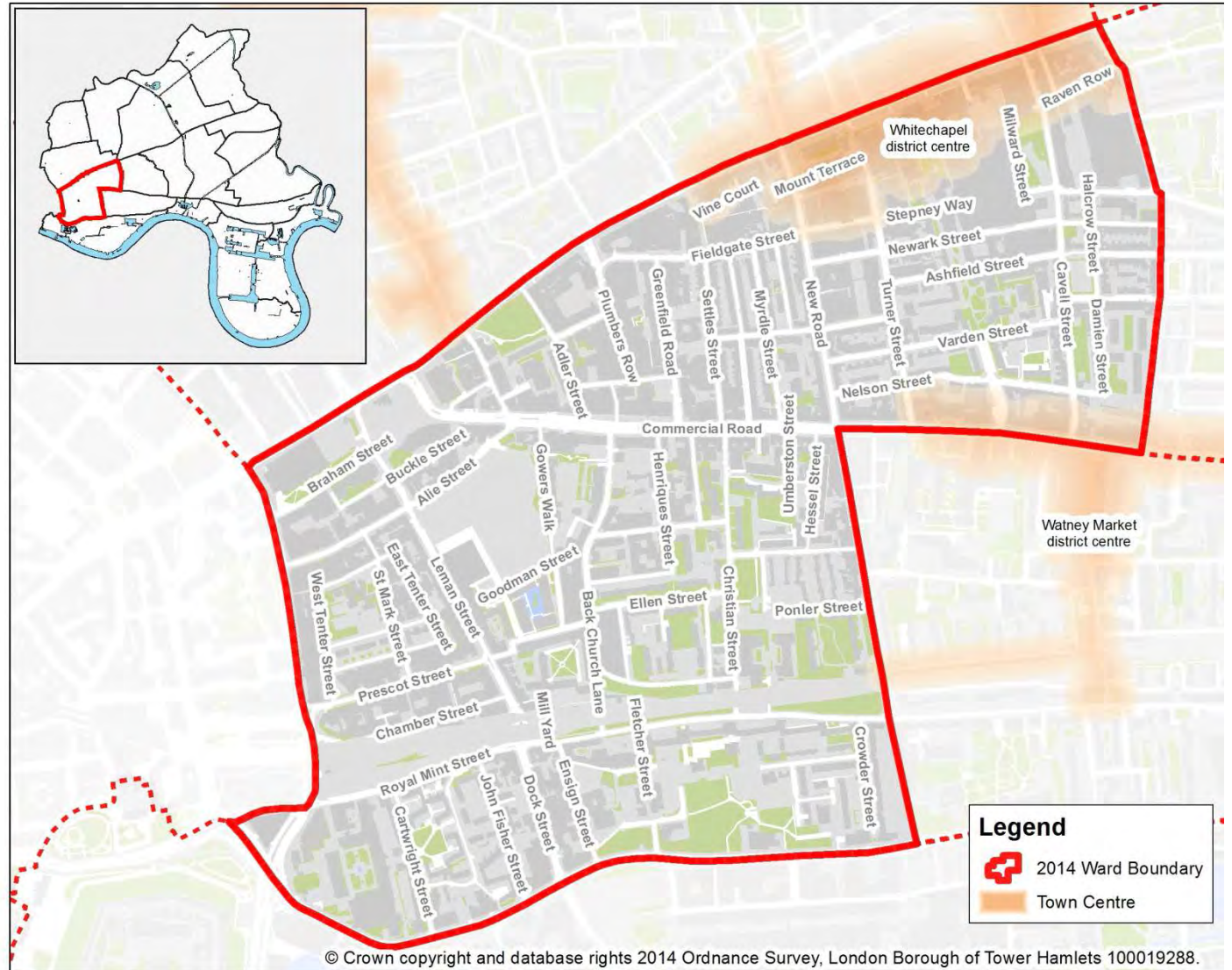
-  Whites, 32-38 Leman Street, E1 8EW
-  100 Metre Buffer Around Whites
-  Borough Boundary

**White's, 32-38 Leman Street, London, E1 8EW
LONDON BOROUGH OF TOWER HAMLETS**



Appendix 9

Whitechapel Ward Profile



Contents

Population.....	3
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Unpaid care provision.....	7
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Socio economic groups.....	9
Qualification levels	10

Introduction

The ward profiles have been produced for all 20 wards in Tower Hamlets. They provide the social, economic and demographic characteristics of each ward in the borough developing a broad picture of the area and help describing local differences.

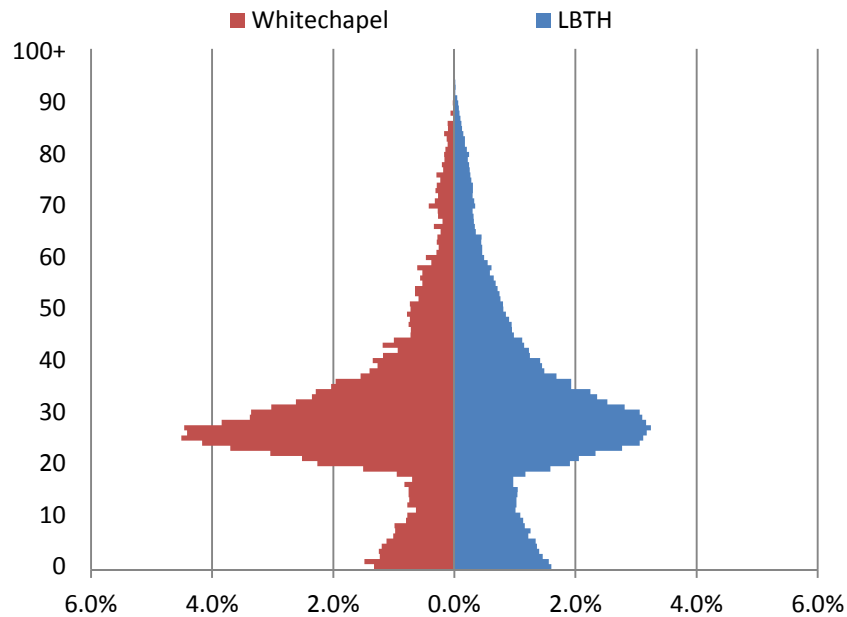
In May 2014, the number of wards increased from 17 to 20. The changes were made by the Local Government Boundary Commission for England, in order to ensure that every councillor in Tower Hamlets represented roughly the same number of residents. The changes mean that no ward will have a population variance of greater than 10 per cent. As a result of the changes, the average population per councillor will be 4,029 in 2014, rising to 4,417 by 2018, according to projected population growth.

Data from the 2011 Census has been used throughout this ward profile as this still provides the single best source of statistics which are available at geography small enough to be aggregated up in to the new wards. While more recent estimates of the resident population are available for the borough and old ward boundaries, these cannot be used to infer the current population according to the new ward boundaries.

Population

Age Structure

Figure 1: Proportion of population by age



(Source: Census 2011 QS103EW - Age by single year)

Table 1: Number and proportion of residents by age range

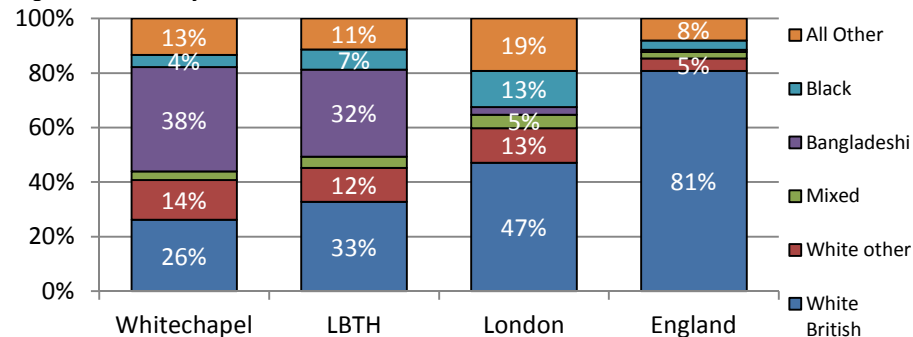
Residents by Age	0-15	16-64	65+	Total
Whitechapel	2,245	11,215	730	14,190
Whitechapel %	15.8%	79.0%	5.1%	100%
Tower Hamlets %	19.7%	74.1%	6.1%	100%

(Source: Census 2011 QS103EW - Age by single year)

- At the time of the 2011 Census, the population for the Whitechapel ward was 14,190 which accounted for 5.9 per cent of the total population of Tower Hamlets.
- The ward had 6,682 males and 6,203 females providing a gender split in the ward of 51.9 per cent male and 48.1 per cent female.
- The population density in this ward was 148 people per hectare, higher than the borough average of 129 people per hectare.
- The Whitechapel ward had a lower proportion both of residents aged 65+ and aged 0-15 years old than the borough average.

Ethnicity

Figure 2: Ethnicity

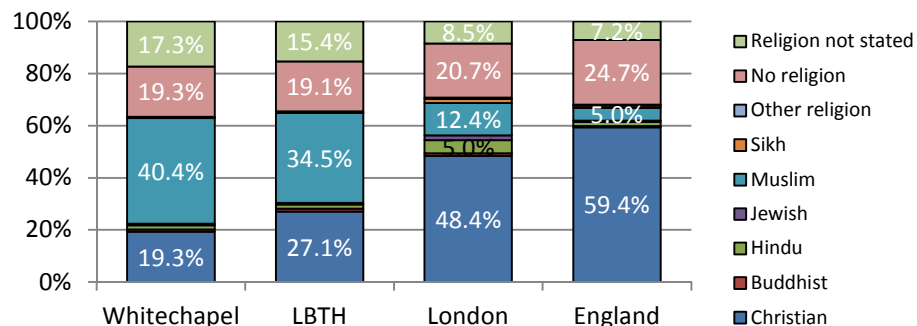


(Source: Census 2011 QS201EW - Ethnic group)

- At the time of the 2011 Census, 8,416 residents in the ward were BME (59 per cent). This proportion was higher than the borough average of 54 per cent.
- Residents of Bangladeshi origin accounted for 38 per cent of the population (5,421 residents), a higher proportion than the borough average.
- There were 3,718 White British residents in the Whitechapel ward. There was a higher proportion of residents who are White British in the ward compared to the borough average.
- The three largest ethnic groups in the borough (White British, Bangladeshi and White Other) accounted for 79 per cent of all residents in this ward.

Religion

Figure 3: Religion

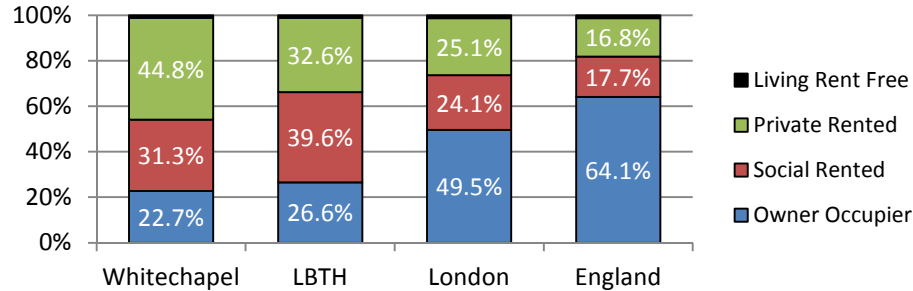


(Source: Census 2011 QS208EW - Religion)

- The proportion of residents who identified themselves as Christian was 19.3 per cent – the second lowest proportion of residents out of the borough’s 20 wards. At 40.4 per cent of the population, the proportion of Muslim residents was significantly higher than the borough average.
- 2,742 residents in the Whitechapel ward explicitly stated that they had no religion, this equated to 19.3 per cent of the ward population, compared to the borough average of 19.1 per cent.
- Tower Hamlets had a significantly higher proportion of residents who did not state their religion on the census form when compared to London and the rest of England. In the Whitechapel ward there were 2,460 residents who did not state their religion – accounting for 17.3 per cent of the ward’s population, higher than the borough average.

Housing Tenure¹

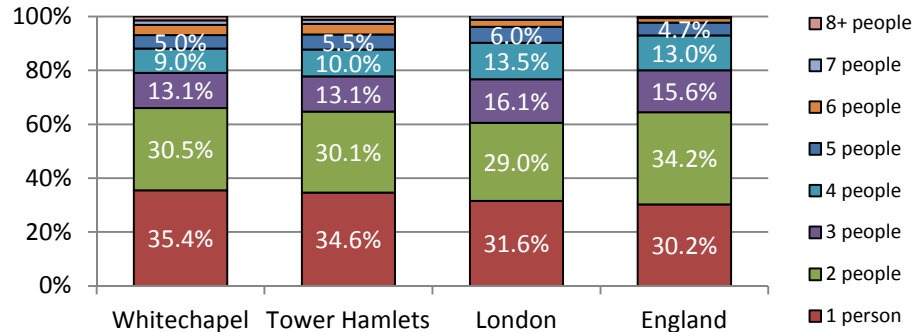
Figure 4: Tenure of households



(Source: Census 2011 QS405EW - Tenure – Households)

Household size

Figure 5: Tenure of households



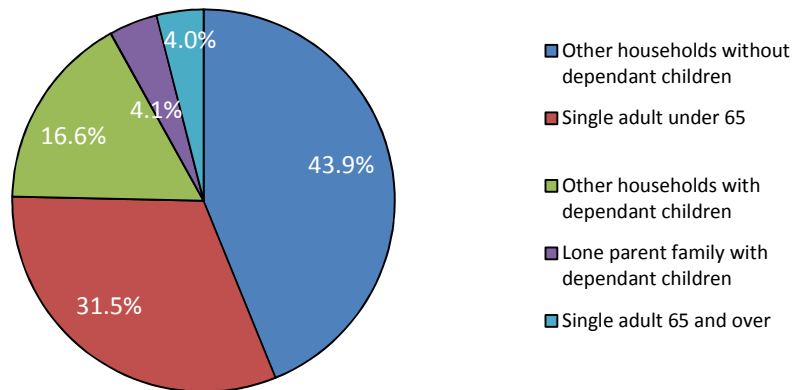
(Source: Census 2011 QS405EW - Tenure – Households)

- Tower Hamlets as a whole had a significantly lower proportion of households who were owner-occupier compared to the London average (26.6 per cent compared to 49.5 per cent). The proportion of socially rented households in the borough was almost double that of the London average. There was also a higher proportion of privately rented households compared to the London average.
- There were 5,707 households in the Whitechapel ward. Compared to the other wards, Whitechapel had a higher than average proportion of households compared to the borough average, accounting for 5.6 per cent of the whole.
- 22.7 per cent of households in the wards were owner-occupied, a lower rate than the borough average of 26.6 per cent.
- There were a lower than average proportion of socially rented properties in this ward but a higher than average proportion of private rented properties. Together, the proportion of renters (76.1 per cent) was lower than the borough average (72.2 per cent).
- The proportion of households in the Whitechapel ward with three or more people accounted for 34 per cent of the total households in the ward. This proportion was just below the borough average of 35 per cent.
- On Census day, 680 households were recorded as having five or more people living in them. This equates to 11.9 per cent of the households in the ward and was lower than the average for Tower Hamlets (12.3 per cent).
- The average household size in the ward was 2.49 compared to the borough average of 2.51.

¹ Tenure provides information about whether a household rents or owns the accommodation that it occupies and, if rented, combines this with information about the type of landlord who owns or manages the accommodation.

Household composition

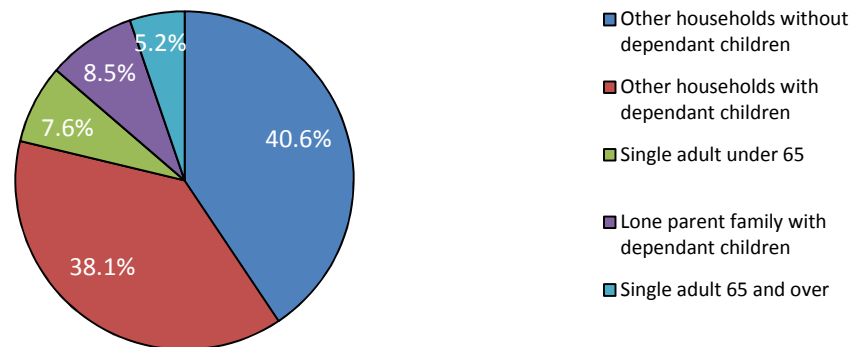
Figure 6: Household composition - percentage of households by type



(Source: Census 2011 QS113EW - Household composition – Households)

- At the time of the Census, 39.3 per cent of all residents in the ward lived in family households with dependent children; this proportion was lower than the borough average of 46.2 per cent.
- However, families with dependent children occupied 20.7 percent of the households in the ward, lower than the borough average of 26.6 per cent.
- Single adult households accounted for 35.4 per cent of all households in the ward; however 14 per cent of the ward's residents live in this type of household.
- Older people living alone (65+) accounted for 4 per cent of households which was lower than the borough average of 6 per cent.
- Table 3 shows the proportion of households that were overcrowded, had the required number of bedrooms, or were under-occupied at the time of the Census. 18 per cent of households in the ward (1,026 households) were overcrowded – higher than the average for the borough.

Figure 7: Household composition: percentage of residents that live in each household type



(Source: Census 2011 QS112EW - Household composition – People)

Average residents per household	Whitechapel	Tower Hamlets	London	England
Households with dependent children	4.65	4.30	3.89	3.78
Households with non-dependent children	1.88	1.81	1.84	1.78

(Source: Census 2011 QS406EW - Household size)

Area	Overcrowded (-1 or less)		Required Bedrooms (0)		Under Occupied (+1 or more)	
Whitechapel	1,026	18%	3,146	55%	1,535	27%
Tower Hamlets	16,605	16%	51,058	50%	33,594	33%
London	370,531	11%	1,282,883	39%	1,612,759	49%
England	1,024,473	5%	5,885,951	27%	15,152,944	69%

(Source: Census 2011 QS406EW - Household size)

Health - Limiting illness or disability

Table 4: Limiting illness and disability

Area	Day-to-day activities limited a lot	Day-to-day activities limited a little	Day-to-day activities not limited
Whitechapel	808	887	12,495
Whitechapel (%)	5.7%	6.3%	88.1%
Tower Hamlets (%)	6.8%	6.7%	86.5%
London (%)	6.7%	7.4%	85.8%
England (%)	8.3%	9.3%	82.4%

(Source: Census 2011 QS303EW - Long-term health problem or disability)

- On Census day, around 808 residents (5.7 per cent) in Whitechapel had a long term health problem or disability *limiting the persons day to day activities a lot*, while 6.3 per cent (887 residents) had a long term health problem or disability *limiting the persons day to day activities a little*.
- In Whitechapel, the rate of people with a long term health problem or disability *limiting day to day activities a lot* was below the Tower Hamlets (6.8 per cent), London (6.7 per cent) and England rates.
- The rate of people with a long term health problem or disability *limiting day to day activities a little* of 6.3 per cent was also below the Tower Hamlets (6.7 per cent), London and England averages.

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Unpaid care provision

Table 5: Unpaid care provision

Area	Provides no unpaid care	Provides 1 to 19 hours unpaid care a week	Provides 20 to 49 hours unpaid care a week	Provides 50 or more hours unpaid care a week
Whitechapel	13,073	680	209	228
Whitechapel (%)	92.1%	4.8%	1.5%	1.6%
Tower Hamlets (%)	92.4%	4.3%	1.4%	1.9%
London (%)	91.6%	5.3%	1.3%	1.8%
England (%)	89.8%	6.5%	1.4%	2.4%

(Source: Census 2011 QS301EW - Provision of unpaid care)

- Around 7.9 per cent of residents in Whitechapel provided unpaid care. The Whitechapel rate was slightly above the Tower Hamlets average (7.6 per cent) but below London (8.4 per cent) and England (10.2 per cent) rates.
- From 1,117 residents in Whitechapel who provided unpaid care, around 209 residents provided care for 20 to 49 hours a week, while 228 residents provided care for 50 or more hours a week.
- The proportion of those providing care for 50 hours or more of 1.6 per cent in Whitechapel was slightly below the Tower Hamlets rate of 1.9 per cent.

Labour market participation

Table 6: Labour market participation - Economic active (EA) and Economic Inactive (EI) (totals and %)

Area	EA: In employment	EA Unemployed	EA: Full-time student	EI: Retired	EI: Student (incl. full-time)	EI: Looking after home / family	EI: Long-term sick or disabled	EI: Other
Whitechapel	6,940	660	713	436	1,224	738	423	495
Whitechapel (%)	59.7	5.7	6.1	3.7	10.5	6.3	3.6	4.3
Tower Hamlets (%)	57.6	6.7	5.5	4.7	9.9	7.0	4.5	4.0
London (%)	62.4	5.2	4.1	8.4	7.8	5.2	3.7	3.2
England (%)	62.1	4.4	3.4	13.7	5.8	4.4	4.0	2.2

(Source: Census 2011 KS601EW to KS603EW - Economic activity by sex, Population 16 to 74)

- Table 6 shows a summary of labour market participation of residents in the week before the Census 2011.

- The table summarises economic activity and inactivity of the 16 to 74 population in Whitechapel and comparator areas.

- The Whitechapel ward had a rate of 59.7 per cent residents in employment, slightly

above the Tower Hamlets rate (57.6 per cent), but below London (62.4 per cent) and England (62.1 per cent) averages.

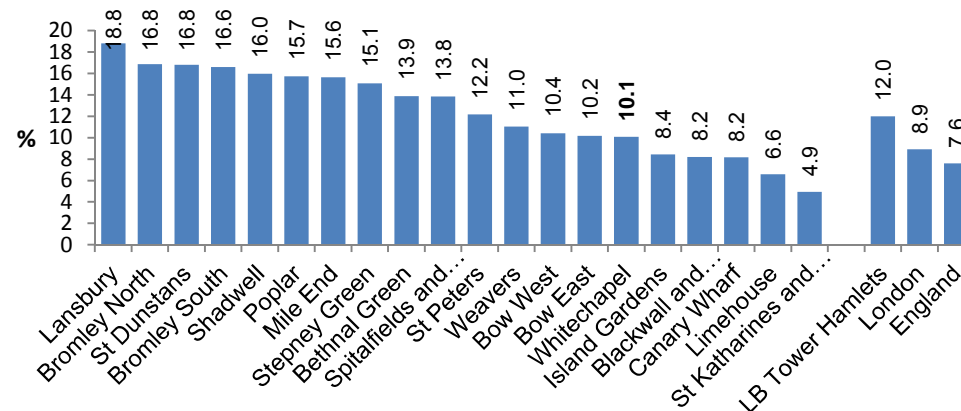
- The proportion of economically inactive residents, including those looking after home & family (6.3 per cent) and long term sick (3.6 per cent) was lower in Whitechapel. However, the proportion of economically inactive students (10.5 per cent) was above the borough average.
- A total of 660 residents were unemployed in Whitechapel. While the rate of 5.7 per cent was below the Tower Hamlets (6.7 per cent) rate, it was above London (5.2 per cent) and England (4.4 per cent) averages.

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Unemployment rate of 16 to 64 (economic active population only)

- Figure 8 on the right shows the unemployment rate based on the economically active population only. This measure is the better unemployment measure but it is in general higher compared to the rate based on the proportion of all residents in the 16 to 74 age group as shown above.
- Whitechapel had the 6th lowest unemployment rate in the borough with 10.1 per cent, nearly 2 percentage points below the Tower Hamlets rate.
- On Census day, the highest unemployment rate was recorded in Lansbury (18.8 per cent) and the lowest in St Katharine's and Wapping with only 4.9 per cent.

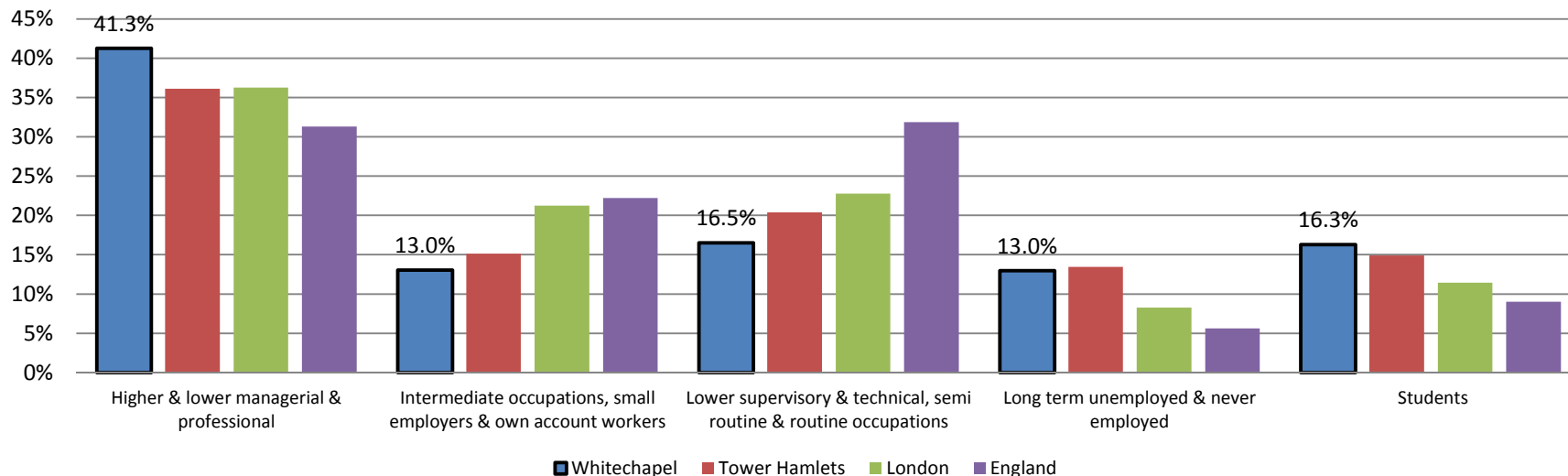
Figure 8: Unemployment rate of 16 to 64 – economic active population only



(Source: Census 2011: QS601EW - Economic activity)

Socio economic groups

Figure 9: Socio Economic groups



(Source: Census 2011 QS607EW - NS-SeC)

- At the time of the Census, there was 41.3 per cent of working aged residents working in managerial and professional occupations. This was higher than the borough average of 36.1 per cent.
- At 16.3 per cent, the ward had a higher proportion of residents who were students than the borough average (14.9 per cent).
- The ward had a slightly lower proportion of working aged residents who were classified as long term unemployed / never employed compared to the borough average of 13.5 per cent (1,506 residents).

Qualification levels

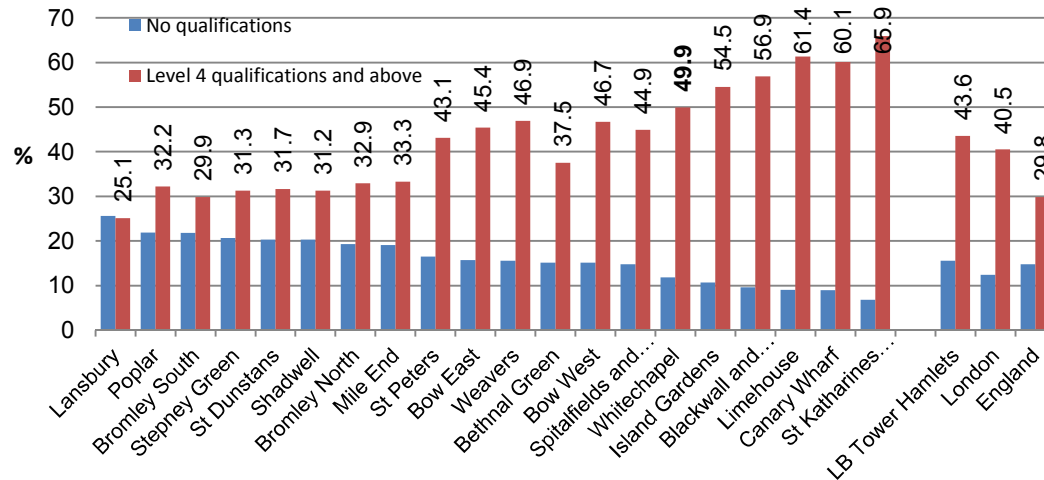
Table 7: Highest qualification of residents aged 16 to 64

Area	No qualification	Level 1	Level 2	Apprenticeship	Level 3	Level 4 and above	Other
Whitechapel	1,328	893	868	78	1,263	5,596	1,189
Whitechapel (%)	11.8	8.0	7.7	0.7	11.3	49.9	10.6
Tower Hamlets (%)	15.6	9.8	9.2	0.8	10.8	43.6	10.2
London (%)	12.4	11.5	12.6	1.4	11.5	40.5	10.0
England (%)	14.8	15.2	17.1	3.1	14.5	29.8	5.6

(Source: Census 2011 LC5102EW - Highest level of qualification by age)

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Figure 10: Residents aged 16 to 64 with No qualification and Level 4 plus qualification



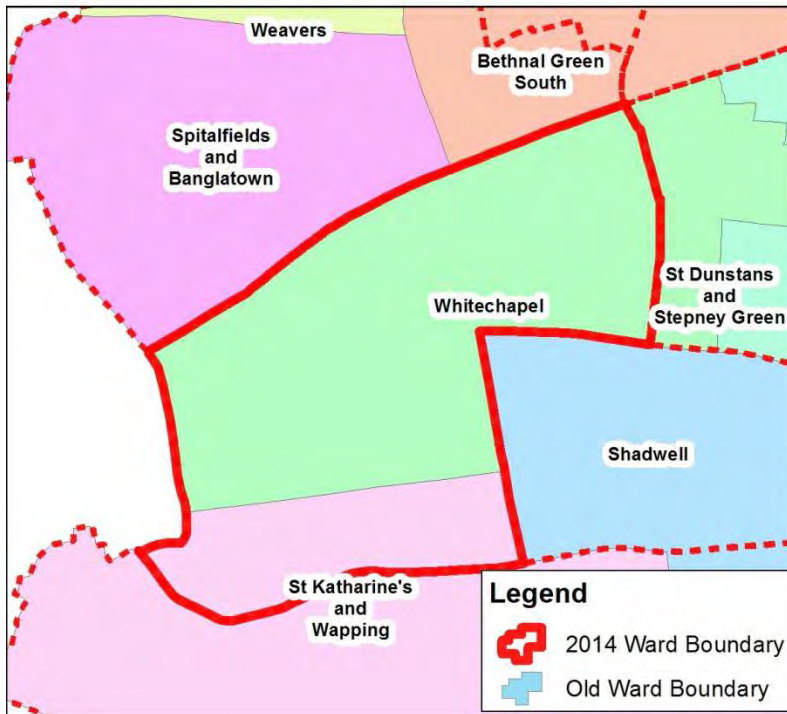
(Source: Census 2011 LC5102EW - Highest level of qualification by age)

- The population aged 16 to 64 in Whitechapel showed a slightly different qualification structure to Tower Hamlets as a whole with a higher proportion of highly qualified residents.
- The proportion of those with a level 4 qualification was above the average in Whitechapel (49.9 per cent) when compared to Tower Hamlets (43.6 per cent) and London (40.5 per cent).
- Around 1,328 residents or 11.8 per cent aged 16 to 64 did not hold a formal qualification. This rate was substantially below the Tower Hamlets average (15.6 per cent), London (12.4 per cent) and England rates (14.8 per cent).
- The proportion of Whitechapel residents with no formal qualification was the 6th lowest out of all 20 wards in Tower Hamlets.
- The lowest proportion of residents with no qualification was recorded in St Katherine's and Wapping ward (6.8 per cent) while the highest proportion with no qualification was in the Lansbury ward with 25.6 per cent.
- The proportion of Whitechapel residents with a level 3 qualification was 11.3 per cent, a rate slightly above the Tower Hamlets average.

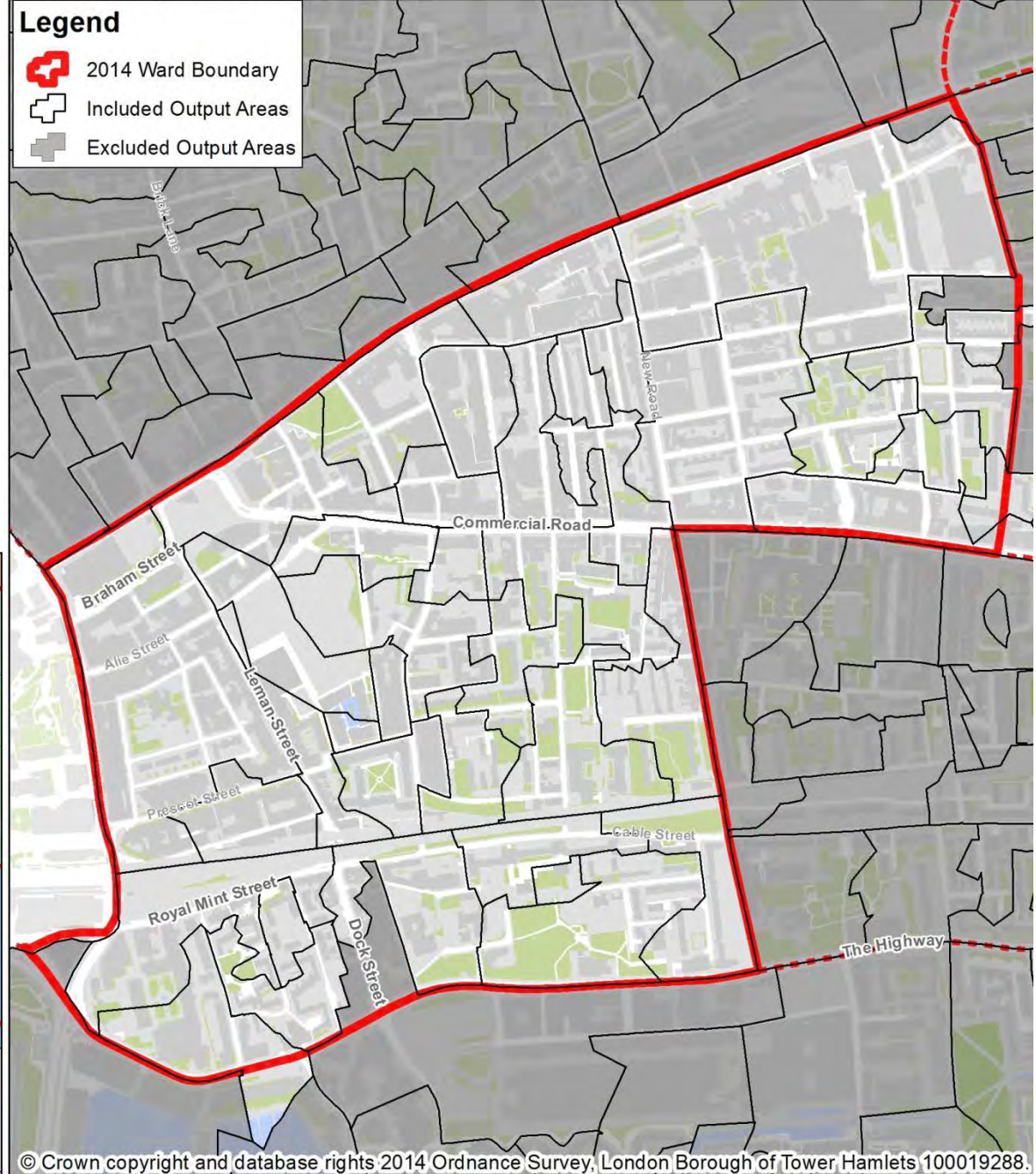
Statistical Areas

The map (right) shows which Census Output Areas have been included in the summary statistics for this ward, and which areas have been assigned to other wards. Census Output Area (OA) data has been aggregated on a best fit basis to match the new Tower Hamlets ward boundaries as closely as possible. This has been done in accordance with methodology employed by the Office for National Statistics (ONS) in producing census statistics for non-standard geographies. Details of this methodology can be found on the ONS website at: <http://www.ons.gov.uk/ons/guide-method/geography/geographic-policy/best-fit-policy/index.html>.

Whitechapel and the old wards



Whitechapel Statistical Area



Further information

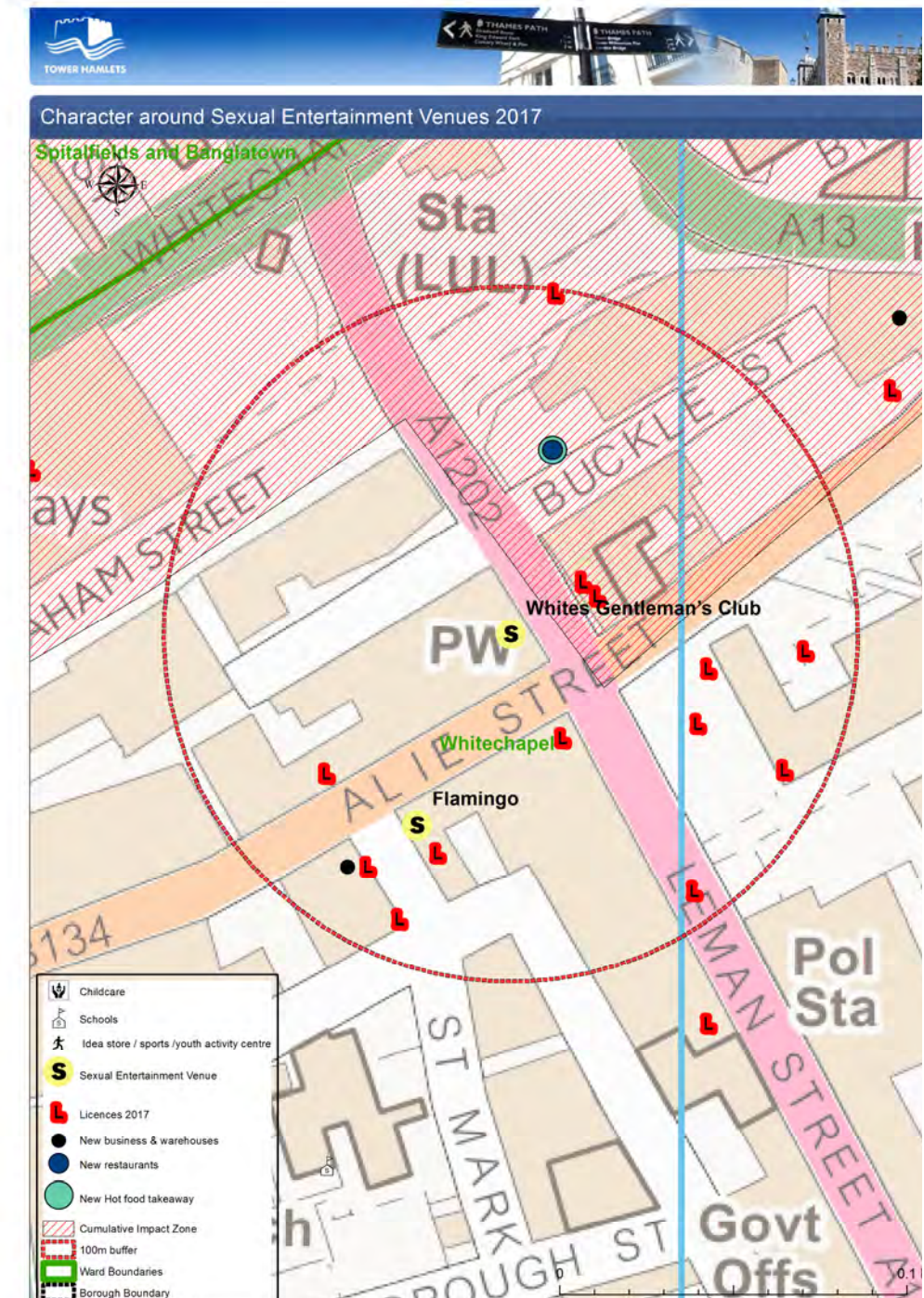
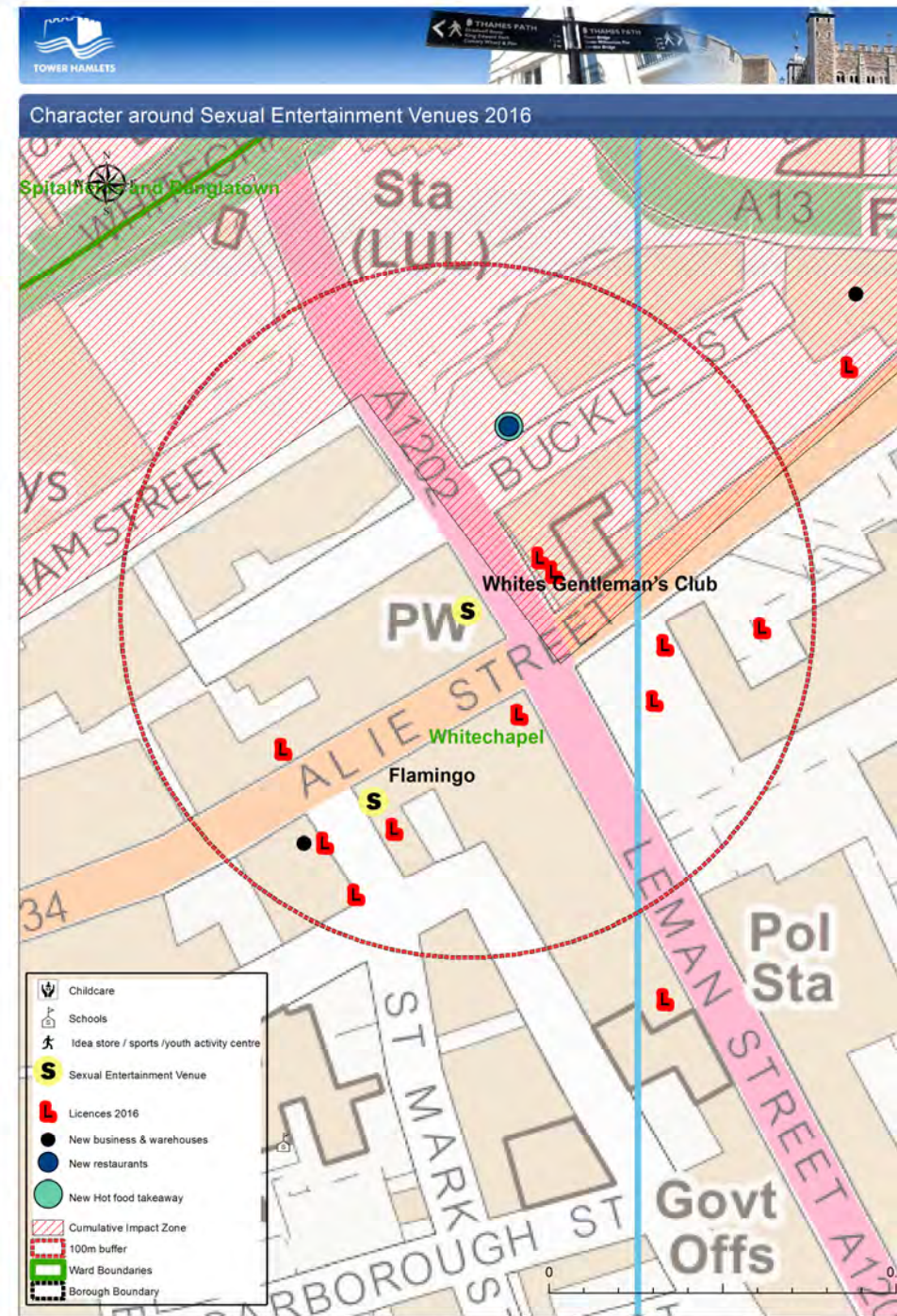
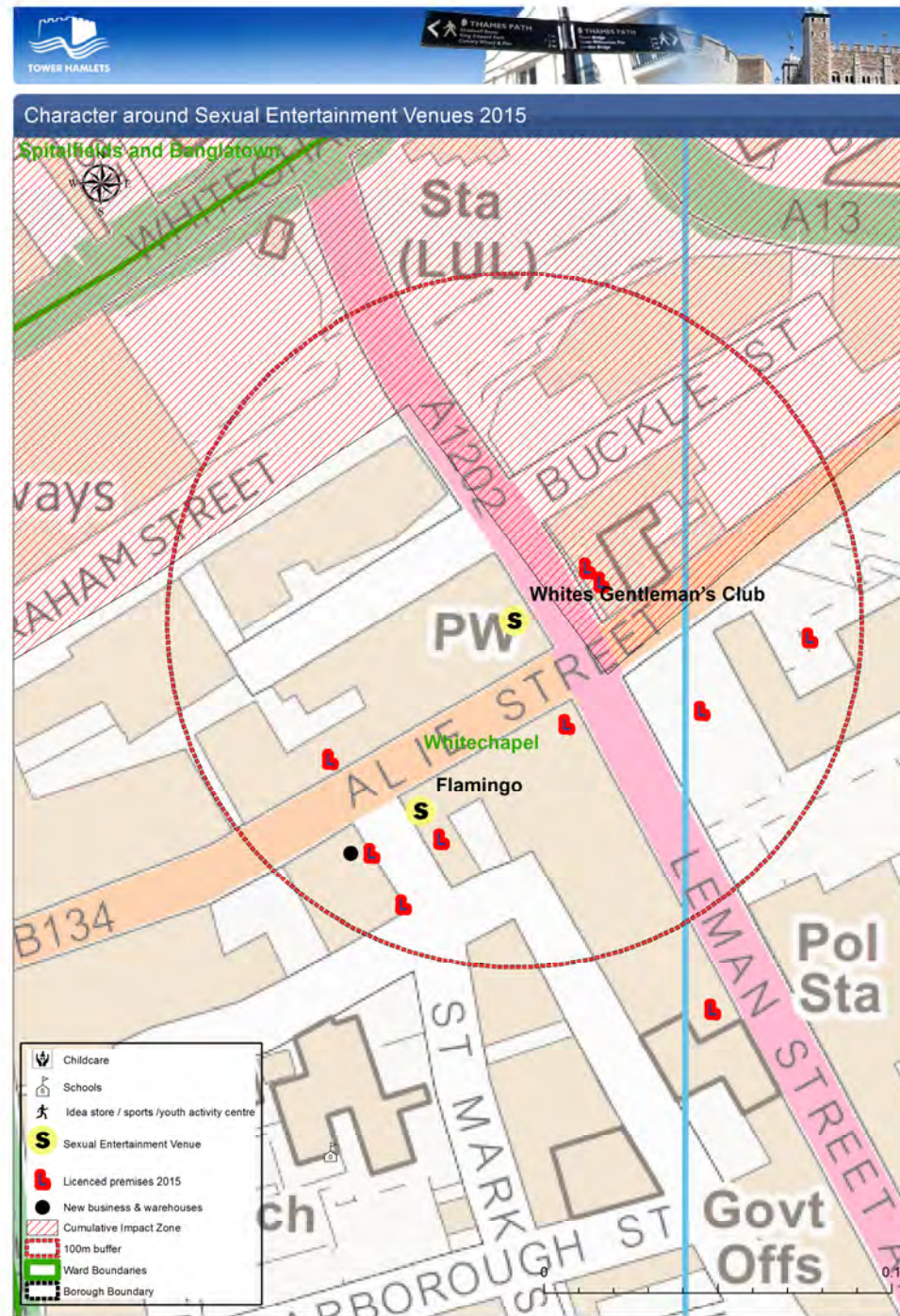
The data used in this document has been sourced from the Office for National Statistics Census 2011 and specific Census 2011 data tables are quoted in the document.

Contact the Corporate Research Unit: cru@towerhamlets.gov.uk

For more information, see the [Borough Profile](#) page on the council's internet. Census 2011 data tables can be obtained from the [Office for National Statistics](#) official labour market statistics webpage.

Appendix 10

Character change within 100m of sexual entertainment venues – Flamingo – White Gentleman’s Club FY 2015 – FY 2016



Change summary

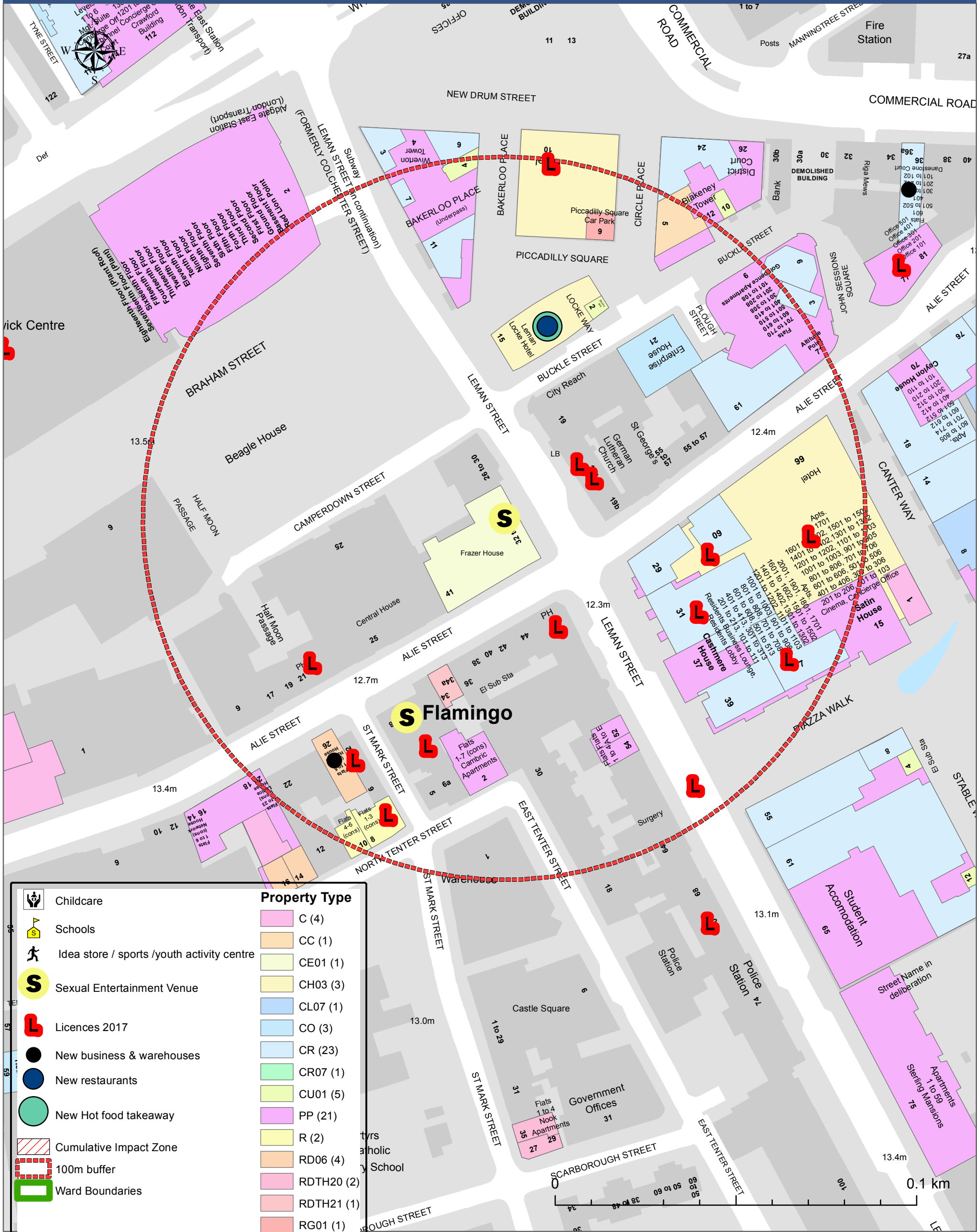
- Licenced premises - No change
- Businesses or warehouses – 1 new 2015
- Housing units – No change
- Restaurants – 1 new 2016 change
- Offices – No change
- Shops- No change
- Financial services – No change
- Hot food take away – 1 new 2016

Additional Information

The area intersects with the Cumulative Impact Zone.
There are no schools with in 100 of White Gentleman Club



Character around Sexual Entertainment Venues 2018



	Childcare		C (4)
	Schools		CC (1)
	Idea store / sports / youth activity centre		CE01 (1)
	Sexual Entertainment Venue		CH03 (3)
	Licences 2017		CL07 (1)
	New business & warehouses		CO (3)
	New restaurants		CR (23)
	New Hot food takeaway		CR07 (1)
	Cumulative Impact Zone		CU01 (5)
	100m buffer		PP (21)
	Ward Boundaries		R (2)
			RD06 (4)
			RDTH20 (2)
			RDTH21 (1)
			RG01 (1)

Appendix 11



PUBLIC NOTICES

Legal and Public Notices

SPECIAL TREATMENT LICENCES

NOTICE GIVEN THAT Bich Ngoc Bui Has applied to the London Borough of Tower Hamlets for Special Treatment Licence for nail Bar and Sue Generis use Licence(s) for the premises Pretty Little Nails 451B Roman Road, London E3 5LX

SPECIAL TREATMENT LICENCES

NOTICE GIVEN THAT FLESHFORMERS LTD. Has applied to the London Borough of Tower Hamlets for TATTOOING, COSMETIC PIERCING (BODY PIERCING), SEMI-PERMANENT MAKE UP Licence(s) for the premises 477 ROMAN ROAD, LONDON E3 5LX

Notice of application for the grant of a Premises Licence under Section 17 of the Licensing Act 2003

Notice is hereby given that Electric Star Limited has applied to London Borough of Tower Hamlets for the grant of a Premises Licence in respect of premises to be known as Lord Napier, 25 White Post Lane, London, E9 5ER. The proposed licensable activities and their hours are the provision of regulated entertainment (to include recorded music) and the sale of alcohol Sunday to Thursday 10:00 to midnight and Friday & Saturday 10:00 to 01:30 the following morning.

LONDON BOROUGH OF TOWER HAMLETS LICENSING ACT 2003 NOTICE OF APPLICATION FOR A PREMISES LICENCE

Notice is given that Residence Hackney Road has applied to London Borough of Tower Hamlets Licensing Authority for a Premises Licence under the Licensing Act 2003. Premises: 408 Hackney Road, London E2 7AP. The licensable activities and timings are: Sale of alcohol, Monday - Sunday 12:00 - 22:00

Notice of application to vary a Premises Licence under Section 34 of the Licensing Act 2003. Notice is hereby given that The Tower Hotel (London) Limited in respect of premises known as The Tower Hotel, St Katherine's Way, London, E1W 1LD has applied to Tower Hamlets Council for a variation of a Premises Licence. The proposed variation is to extend the provision of live music and recorded music to the external area hatched black on the plan submitted with the application until 22:30 Monday to Sunday.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (as amended) Notice of Application for the Renewal of a Sexual Entertainment Venue

Take notice that on Friday 10th May 2019, we, Whites Venues Ltd of Baker Clarke Swiss House, Beckingham Street, Tolleshunt Major, Maldon, CM9 8LZ made application to London Borough of Tower Hamlets for the renewal of a licence to use the premises named below as a Sexual Entertainment Venue. Address of Premises: Whites Gentlemen's Club, 32-38 Leman Street, London, E1 8EW.



LONDON BOROUGH OF TOWER HAMLETS PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990, SECTIONS 10, 67 AND 73 APPLICATIONS FOR LISTED BUILDING CONSENT AND APPLICATIONS FOR DEVELOPMENT WHICH WOULD IN THE OPINION OF THE LOCAL PLANNING AUTHORITY AFFECT THE CHARACTER OR APPEARANCE OF AN AREA DESIGNATED AS A CONSERVATION AREA OR WOULD AFFECT THE SETTING OF A LISTED BUILDING.

- 6 Abernethy Road, London, E3 5AR PA/19/00936 & PA/19/00937 Proposed rear extension at lower ground level, small double storey rear extension at ground and first floor levels, with associated internal and external works.
3 Club Row, London, E1 6JX PA/19/00932 Demolish the existing building and replace it with a 5 storey building plus basement accommodating 82 square metres of commercial space (A2 and/or B1) and 3 x 1 bed flats.
24-46 Gillender Street, London, E3 PA/19/00792 The removal of the existing 6 antennas and 5 equipment cabinets on the roof. Installation of: 12 antennas; 4 dishes; 8 equipment cabinets; and 1 equipment cabinet at ground level.

LONDON BOROUGH OF TOWER HAMLETS DUTIES TO INFORM THE PUBLIC AND THE SECRETARY OF STATE OF FINAL DECISIONS TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 (AS AMENDED) As required under Regulation 24 (1)(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), the London Borough of Tower Hamlets (LBTH) is informing that the public by local advertisement that the above Environmental Impact Assessment (EIA) application has been determined.

LICENSING ACT 2003 NOTICE OF APPLICATION FOR VARIATION OF PREMISES LICENCE NOTICE IS GIVEN THAT Genesis Vegan Restaurant Ltd has applied to Tower Hamlets Council on 10th May 2019 to vary the premises licence, at 54 Garsins, 144-146 Commercial Street, London E1 6JH so as to permit the service of alcohol to an external area...



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SET UP A JOB ALERT TODAY Look local with jobs24.co.uk. Image showing a hand holding a smartphone displaying a job alert notification.

Appendix 12

PLACE Directorate

The London Borough of Tower Hamlets
Acting as an Appropriate Authority
Via email to Licensing@towerhamlets.gov.uk

Head of Environmental Health and Trading
Standards: **David Tolley**

John Onslow House
1 Ewart Place
London E3 5EQ

Tel 020 7364 0375
Fax 020 7364 6901
Enquiries to: **Tom Lewis**

Date: 6th June 2019

Email: Tom.lewis@towerhamlets.gov.uk

Ref: APP:M/118059

www.towerhamlets.gov.uk

Dear Appropriate Authority,

Re: White's Gentlemens Club, 32-38 Leaman Street, London
Sexual Entertainment Licence Renewal
Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

I write in the capacity of the Licensing Authority acting as a Responsible Authority to object to the granting of the renewal of Sexual Entertainment Venue Licence for the above premises. The grounds for my objection are under Paragraph 12(3)(a) of the above legislation. This being that applicant is unsuitable to hold a licence for other reasons as detailed below.

On 23rd May 2019 a company employed by the Council to undertake test purchase visit to the Sexual Entertainment Premises in the borough visited the above premises. These visits were to check compliance with venues Sexual Entertainment Venue Licence. The results of the visit carried out on 23rd May 2019 showed evidence of a number of breaches of the Standard Conditions attached to this Premises current Sexual Entertainment Licence. These are the Standard Conditions the London Borough of Tower Hamlets acting as an Appropriate Authority made under paragraph 13 of the above legislation and which are attached to all Sexual Entertainment Licences.

I have attached statements from Operatives [REDACTED] and [REDACTED] that show that during their Test Purchase Visit to the premises the premises breached the following conditions for reasons details below:

Condition 35

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

The Operatives reported that performers made regular contact (touching) them during their performances and on one occasion in the bar area. I have listed these below with reference to the paragraphs in their statements.

██████████ Officer A

- Paragraph 9 Performer during private dance pushed their buttocks into operative's groin and brushed their lips against operative's neck.
- Paragraph 11 in the VIP room Performer touched the operative's body (danced up and down against operative body) paying particular attention to operative groin area.
- Paragraph 11 also in VIP room Performer began to unbuttoned the operative's shirt until stop by operative intentionally moving.

██████████ Officer B

- Paragraph 8 Performer at the Bar intentionally grabbed operative's penis through clothing.
- Paragraph 8 Performer told operative that £20 is a standard dance and £40 dance involves touching.
- Paragraph 10 during a private dance the Performer grind their rear against performer and on 2 occasions bit the operatives penis through the clothing.

Condition 26.

The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.

- Operatives both reported that there were a number of security personnel within the premises and CCTV is also employed throughout as can be seen from the current plan. They are also able to see into the Private Booths to check from breaches of house rules. However clearly as can be seen from the evidence above this premises is not effectively enforcing their own house rules and as a result breaches of the Premises Sexual Entertainment Licence are occurring.

Considering all of the above I am not convinced that the Management have appropriate and proportionate procedures and systems in place to ensure compliance with the Council's Standard Conditions for Sexual Entertainment Venues. Furthermore the operatives who visited the premises were instructed not to encourage or invite touching and so I would be very concerned about what occurs in this premises with customers who would encourage touching between them and the performer. This is of particular concern considering that customers appear to be actively encouraged to drink as one can see in the statements when in the VIP rooms, which a complimentary bottle of vodka, which generally has an average alcohol content 37% ABV clearly much higher than that of wine or champagne, which is around 11 to 12% ABV.

The standard conditions relating to the prevention of touching between performer and customer are there for the safety of the performer so that customers are not lead to believe they can touch the performer whilst having a private dance. Thus where a premises fails to adequately prevent this and properly enforce the house rules and conditions of their Sexual Entertainment Licence puts the performers in a greater degree of risk from unwanted physical contact of a potential sexual nature by customers.

In light of this I cannot support the granting of the renewal of this Sexual Entertainment Licence and thus would recommend that the Licensing Committee Members refuse the renewal of this application.

If you have any questions or queries in relation to any of the above please do not hesitate to contact me.

Yours sincerely



Tom Lewis MCIEH
Team Leader – Licensing and Safety Team
Environmental Health and Trading Standards

Appendix 13

Witness Statement

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

URN:

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Statement of: [REDACTED] Officer A

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

Occupation: Surveillance Operative

This statement (consisting of

--

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

Name / Signature: [REDACTED]

Date: 24/05/2019

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

Statement

1. I am [REDACTED] and I am employed by [REDACTED]
2. I was instructed by [REDACTED] to attend Whites Gentleman's Club, 32-38 Leman Street, E1 8EW in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 23:00 hrs on the 23/05/2019 I arrived at Whites Gentleman's Club, 32-38 Leman Street, E1 8EW, in order to conduct a test purchase task.
4. Upon arrival at the premises I had to queue whilst a group of males entered the venue. I was then greeted by two security staff members who were situated to the front entrance of the building. Both of the security staff were displaying ID. We were directed to a kiosk where we were charged a £10 entry free. I was searched and briefed on the club rules, which included, 'respect the girls, no photography or filming of any kind'. These rules were also displayed on a sign at the front door of the venue, as well as being verbally read to us. We then entered into the premises.
5. Once inside the venue, I entered though the main area and proceeded to the bar. The main bar was situated down the side of the room. There was also a seating area and a communal dance stage, which the female dancers would rotate between as they danced.
6. There were approximately a further five security staff members inside. The bar staff wore casual attire and there was CCTV in the vicinity of the bar. There was also a manager and a female, who appeared to be in control of the private dance area. There was a toilet attendant who waited outside of the toilets whilst customers used the facilities and there were over twelve female dancers in the premises. During my visit I did not observe any female dancers performing within the toilet area and the toilets were extremely clean.

Name / Signature: [REDACTED]

[REDACTED]

Witness Statement

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

7. *I was subsequently approached by two female dancers who conversed with me in a friendly and flirtatious manner. We conversed about a variety of subjects and during this time one of the females stated that she had been working within the venue for several years and that the venue had been under new management for the last few months. In a jovial manner she informed me that before the change of management you could get 'whatever you wanted, but that things aren't like that anymore'.*
8. *I then opted for a private dance with one of the female dancers, which cost me £40. I gave the £40 to the manager in charge of the private dance area, who then gave the dancer some tokens. There was another staff member who walked along the booths regularly. This staff member had ID on display. I proceeded to the private dance area which consisted of several booths. Each booth was partitioned by curtains, which were open at the back, so that the staff member could see each dance taking place.*
9. *During my private dance the female dancer undertook the dance whilst fully naked. As she danced, she pushed her buttocks into my groin area and she brushed her lips against my neck. The female dancer kept trying to entice me into opting for the VIP experience. After several attempts to ask her what this was, she told me that I would get more than a private dance and that we could have more privacy. She also told me that I could undress if I wanted to.*
10. *After the private dance had finished, I purchased more drinks and I opted for the standard VIP package with this female, which cost me £850. I would describe the room as snug and it had low lighting, a desk, a sofa, tables and chairs. There was also clothing garments hung up within the room and a complimentary open bottle of alcohol with glasses.*
11. *The female then began to dance, whilst fully naked and during this time she danced up and down against my whole body, focusing particular attention to my groin area. She subsequently began to un-button my shirt and she stopped as I moved my position. She then asked me if I would like a drink. I felt that due to the risk, I did not want the already opened bottle of alcohol within the room. I stated that any alcoholic spirits would end my night and that I would have to have something different. She then told me that service to the room only allowed large bottles and she insisted in ordering a bottle of champagne, which I agreed to. She then briefly exited the room to order the drink and this was subsequently brought in by another female.*
12. *As the dance neared completion, the female dancer asked me if I would like to take things further and go into another VIP room. I asked her to clarify what this would include and she vaguely informed me that I could get more from her, with more privacy. I declined this offer and I returned to the main bar area.*
13. *Upon re-entering the vicinity of the main bar, I was again approached by female dancers, who offered me private dances and VIP sessions, in which I declined. During my observations within the venue I noticed that a male who appeared to be of Asian descent, had entered the premises at approximately the same time that I had entered, in an apparent sober state. This male was led from various rooms within the premises by various females and he was later escorted away from the venue appearing considerably intoxicated.*
14. *I then exited from the premises at approximately 01:30 hrs on the 24/05/2019.*

Name / Signature: _____

Witness Statement

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

15. Following my visit, I immediately returned to my vehicle and I wrote notes on the details of the event within a document on my work-issued smart-phone on 24/05/2019. I exhibit these as KC.001.

16. I believe the facts stated in this witness statement are true.

Name / Signature: _____

Witness Details

Address: [REDACTED] Post Code: [REDACTED]
 Home Tel No: N/A Work Tel No: [REDACTED] Mobile Tel No:
 Email Address: [REDACTED] Preferred means of contact: email
 Best time of contact: Weekdays
 Sex: [REDACTED] Date & Place of Birth: [REDACTED] UK Former Name:
 Ethnicity Code (16+1): Religion / Belief:
 Dates of Witness Non-Availability:

Witness Care (please tick or type in box provided)

Yes No

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

Witness Consent - For Witness Completion(please tick)

Yes No N / A

- a) The Victim Personal Statement scheme (victims only) has been explained to me:
- b) I have been given the Victim Personal Statement leaflet:
- c) I have been given the leaflet "Giving A Witness Statement to the Police – What Happens Next?":
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice)
- e) I consent to my medical record in relation to this matter being disclosed to the defence:
- f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable: (eg. Child care proceedings, CICA)
- g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Witness Signature: Print Name:

Parent/Guardian/appropriate adult Signature: Print Name:

Address and telephone number if different from above:

Statement Taken By (print name): Station:

Time and Place Statement Taken:

Witness Statement

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

URN:				
Crown Court No:				

at

Witnesses (1) (4)
 *Insert No.: (2) ()
 (3) ()

Mark dates when Investigators and other witnesses are NOT available. Codes for non-availability
 R = Rest day L = Leave C = Course N = Night duty S = Sickness O = Other

Date	Month				Date	Month				Date	Month				Date	Month				Date	Month			
	Witness number					Witness number					Witness number					Witness number								
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'O', 'C' and 'S' codes — give full details:

 Name of person submitting form and date

Name / Signature: _____

Operative Notes

Whites Gentleman's Club 23/05/2019 – 24/05/2019

32-38 Leman Street, E1

██████████
Approximate entry time: 2300

Greeted on the door by two door staff, both displaying ID. Initially had to queue while a group of males in front of us were entering the venue. Once they had entered, we were brought forward to a kiosk where we were each charged £10 cash. At this point we were searched and read the rules. They included: respect the girls, no photography or filming of any kind and were displayed on the front door as well as read verbally to us. Once these had been given to us, we entered through into the main area and moved to the bar which ran down one side of the place. There were approximately 5 further security staff within, bar staff in casual attire, with CCTV in the bar area, an overall manager and a female who appeared to be controlling the private dance area. There was also a toilet attendant who waited outside until customers used the facilities and over 12 female dancers, none were performing in the toilets which were extremely clean.

Elsewhere in this area was a seating area and a communal dance stage where girls would cycle through dancing. Here we ordered drinks and were approached shortly after by two females, they were friendly and flirty. We chatted about various things including that one had been here several years and stated that the place was under new management since a few months earlier. She had also joked that things used to be bad here and you could get 'whatever you wanted' but things aren't like that anymore'. This female was approximately 5'10 with dark hair and a slender build, European accent but good English. With these

females we both opted for separate private dances at £40 each. £40 was given to the private dance area manager who in turn gave the dancer tokens. The private dance area was manned by another staff member, displaying ID, and consisted of several booths, partitioned by curtains and open at the back so as the staff member walked along the back, which he did regularly, he could see each dance taking place.

During this dance, the female pushed her buttocks back into my groin area and brushed her lips against my neck as she conducted a fully naked dance. Also, during this dance, she began pushing for me to opt for a VIP experience, even after several attempts to ascertain what this would entail, she did not tell me any details. Only that I would get more than the private dance, more privacy and I could even undress if I wanted to. After returning to the bar and purchasing more drinks I opted for a VIP session with this female for £850.

The room was a kind of snug, low lighting, a desk, a sofa, tables and chairs and a couple of other clothing garments hung up. There was also an open bottle of alcohol with glasses in the room. The dance was very similar to the earlier private dance. Fully naked, grinding up and down my whole body, particularly groin area. I was wearing a buttoned shirt which she began to undo but stopped as I moved position. Part way through she stopped and asked if I would like a drink. Due to the risk I did not want any of the open bottle. I stated that any spirit would end my night and that I'd have to have something different. She said that service to the room was only large bottles and urged that we shared a bottle of champagne, which I agreed to.

She briefly left to make this order and this was brought in by a different female. Nearing the end of the dance, she asked if I would like to take things further and go into one of the other VIP rooms. After asking what this would include, she gave me similarly vague answers as she had in the private dance area. She said I could get more from her and we'd have more privacy.

After declining this I returned to the bar. Both OPs approached again with offers of private dances as well as VIP sessions, offers declined. During the night it was noticed that an Asian gentleman was escorted from the premises. He had entered at a similar time to us and appeared normal and sober but at the time of his departure he was considerably worse for wear and being led around the place by various girls. I then exited the premises at approximately 01:30 hrs.

Appendix 14

Witness Statement

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

URN:

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Statement of: [REDACTED] Officer B

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

Occupation: Surveillance Operative

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

Name / Signature:

[REDACTED]

Date: 24/05/2019

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

Statement

1. I am [REDACTED] and I am employed by [REDACTED]
2. I was instructed by [REDACTED] to attend Whites Gentleman's Club, 32-38 Leman Street, E1 8EW, in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 23:00 hrs on the 23/05/2019 I arrived at Whites Gentleman's Club, 32-38 Leman Street, E1 8EW, in order to conduct a test purchase task.
4. Upon arrival at the premises there were two security staff members situated to the front entrance of the building. Prior to entry, I was briefed on the club rules and I was also showed a sign with the rules on which was clearly visible. I then paid £10 cash as an entry fee, before proceeding into the venue.
5. Inside the premises there was approximately four or five further security staff members, all wearing security SIA licence badges. The venue had CCTV within the bar area. The manager appeared to be of Asian descent and both the bar staff and manager were dressed in casual attire. All staff wore earpieces to communicate. There were also approximately fifteen or more female dancers within the venue and a toilet attendant.
6. I was then approached by an English female dancer called 'Charlie' and a short while later I was approached by another female dancer. During this time the females conversed about the previous evening, in which one of the females was stated to have done something to a client which she shouldn't have, whilst being intoxicated by alcohol. The female then informed me that during another night in the club, that a client had been drugged. She was asked by the manager who gave the drug(s) to the client, in which she replied in a jovial manner 'it wasn't me this time'.

Name / Signature:

[REDACTED]

[REDACTED]

Witness Statement

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

7. *I continued to converse with the two female dancers and during this time one of the female dancers said that the club had been under new management for the last three months and that it wasn't as bad as it used to be.*
8. *I then conversed with another female dancer who appeared to be Eastern European. This female grabbed my penis at the bar area and she stated 'I know just the women for you'. This female then got another female dancer who also appeared to be a larger build Eastern European woman wearing white clothing garments, with black hair and leg tattoos. This female insisted I went for a private dance, stating that I could pay £20 for a standard dance or £40 for a dance, which involved touching.*
9. *I then proceeded to the private dance area with the female dancer, where there was security staff located. At this location, a female was taking payments. I subsequently gave £40 to this female and she gave the female dancer tokens, which I believe were commission based.*
10. *After paying for the dance, I proceeded into the private area before entering into the end cubicle located to the left. Upon entering the cubicle, I was asked by the female Eastern European dancer to sit down. During the dance this female dancer began to grind her rear against me and on two occasions she bit my penis through my clothing.*
11. *Once the dance had finished the female dancer insisted that I went to the VIP section where she told me I would get something for free, however she did not state what this was. I then began talking to another female dancer and more drinks were purchased. This female also asked me if I wanted to go to the VIP section, where no security staff or CCTV were present.*
12. *I subsequently proceeded to the VIP section and I paid £870 for a Russian themed room. Inside this room was a bed, a mirror and Russian hats. There was also an open complementary bottle of vodka and shot glasses. Upon entering the room, security did not enter and I began in a conversation with a female dancer called 'Sophie'. During this conversation the female dancer was touching my chest and her face was very close to mine. I felt that she was about to kiss me, before I began to cough.*
13. *Within approximately fifteen minutes 'Sophie' had removed all of her clothing whilst she was dancing. She asked me why I wouldn't drink the vodka within the room, so I told her that I didn't like vodka. She then told me that I could have chosen what I wanted, however I hadn't been offered a choice before this point. I subsequently ordered a bottle of champagne and I requested that the cork was left in. The female dancer then briefly exited the room to order the drink. I believe that this was ordered via the security staff who were possibly situated outside the room.*
14. *The female dancer then returned to the room and she asked me to remove my clothing as she wanted to see my body. I declined the offer and I changed the subject. Once the hour dance was finished, I was asked if I wanted to continue or go to another room, stating there was a fun room, where there was a dancefloor and roller-skating, however I declined this offer. I felt that once the dancer had got the client into the VIP her objective was complete. Nothing untoward happened within the VIP section apart from a lot of dancing and flirting. We also conversed about tattoos for approximately twenty minutes.*

Name / Signature: _____

Witness Statement

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

15. *I then proceeded to the bar area within the venue and where I was approached by another female dancer. This female asked me if I wanted to go to the VIP section. She subsequently took me to the manager and she enquired about the price for the VIP. I was told that the price for me and my colleague to go VIP with one dancer would cost a further £1,230 for thirty minutes, in which I declined.*
16. *While I was conversing with the female dancer, I noticed an adult male customer who appeared to be of Asian descent and who had previously entered the premises in an apparent sober state. During my visit at the venue, this male became quickly intoxicated and I felt that he was being taken advantage of by the female dancers. Throughout the night he was taken to the VIP and private dance sections and he was later removed from the premises by the security staff towards the end of our visit.*
17. *The female dancer then continued trying to persuade us until the manager told her not to waste her time on us and the female dancer departed away. I then had another drink and I exited from the premises at approximately 01:30 hrs on the 24/05/2019.*
18. *Following my visit, I immediately returned to my vehicle and wrote notes on the details of the event within a document on my work-issued smart-phone on 24/05/2019. I exhibit these as DH.001.*
19. *I believe the facts stated in this witness statement are true.*

Name / Signature: _____

Witness Details

Address: [REDACTED] Post Code: [REDACTED]
 Home Tel No: N/A Work Tel No: [REDACTED] Mobile Tel No:
 Email Address: [REDACTED] Preferred means of contact: email
 Best time of contact: Weekdays
 Sex: [REDACTED] Date & Place of Birth: [REDACTED] UK Former Name:
 Ethnicity Code (16+1): Religion / Belief:
 Dates of Witness Non-Availability:

Witness Care (please tick or type in box provided)

Yes No

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

Witness Consent - For Witness Completion(please tick)

Yes No N / A

- a) The Victim Personal Statement scheme (victims only) has been explained to me:
- b) I have been given the Victim Personal Statement leaflet:
- c) I have been given the leaflet "Giving A Witness Statement to the Police – What Happens Next?":
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice)
- e) I consent to my medical record in relation to this matter being disclosed to the defence:
- f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable: (eg. Child care proceedings, CICA)
- g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Witness Signature: Print Name:

Parent/Guardian/appropriate adult Signature: Print Name:

Address and telephone number if different from above:

Statement Taken By (print name): Station:

Time and Place Statement Taken:

Witness Statement

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

URN:				
Crown Court No:				

at



Witnesses (1) (4)
 *Insert No.: (2) ()
 (3) ()

Mark dates when Investigators and other witnesses are NOT available. Codes for non-availability
 R = Rest day L = Leave C = Course N = Night duty S = Sickness O = Other

Date	Month				Date	Month				Date	Month				Date	Month				Date	Month			
	Witness number					Witness number					Witness number					Witness number								
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'O', 'C' and 'S' codes — give full details:

 Name of person submitting form and date

Name / Signature:		
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Operative Notes

LONDON WHITES GENTLEMEN'S CLUB

23/05/19 – 24/05/19

██████████

Arrived on task at approx. 2300hrs, there were two door staff at the entrance and on entering we were told the clubs rules. Also being showed the rules on the door that were clearly visible. Paying £10 pp cash, we entered the venue.

Inside there was a further 4-5 security all wearing SIA badges on their arm. There was a suited Asian club manager and bar staff that were casually dressed. All in comms via earpieces. there was 15+ female dancers inside and a toilet attendant (no spray no lay) in the gent's toilets. There was cctv in the bar area.

Both ops were approached by one female 'Charlie' who was English then a little while later by another female. They mentioned how the evening before had been, when one of the girls had done something to a client that she shouldn't have but they didn't explain all, just that this one dancer was intoxicated in alcohol and had done something to a client. Further conversation with unnamed dancer revealed another night inside the club a client had been drugged and the manager had asked who gave the client it? She replied "it wasn't me this time" as they joked about it. She also mentioned that the club was under New management in the last three months and it wasn't as bad as it used to be.

I was then in conversation with an eastern European dancer who grabbed my penis at the bar saying I know just the women for you!! She then got her friend who again was eastern European and insisted I went for a private dance. The dancer was of a larger build, black hair, wearing white. Leg tattoos also.

I was told I could have a £20 dance or a touching £40 dance. We walked towards the private dance area, there was security managing this area and the dance area at all times. There was also a female taking payments. Once I handed over £40 the dancer was given tokens (commission). I then walked in the private area and left to the end cubicle; I was asked to sit down as the dance began. The dancer was grinding her rear against me and twice bit my penis, through my clothing. Once the dance ended the dancer insisted, I went VIP where I get something for free but wouldn't say what she was suggesting. A possible way on enticing clients into VIP?

I then began talking to another dancer, more drinks were bought. I was then asked if I wanted VIP where there was no security or CCTV. I paid £870 Cash for VIP in a Russian themed room. There was a bed, a mirror and Russian hats inside. There was an open complimentary bottle of vodka and shot glasses. Once in the room the security didn't enter. I was in conversation and Sophie was touching my chest. She had her face very close to mine almost kissing before I began to cough. Within 15 minutes she was naked dancing showing all. She asked why I wouldn't drink and I said I didn't like vodka. Apparently, I could have chosen but when entering I wasn't given the choice. I then ordered a bottle of champagne, so I knew it was safe I told the dancer I wanted it corked so I could pop it with her. She briefly exits to order, there must have been security directly outside the room who she ordered the bottle through. Whilst I was inside, she had said I could undress myself and she wanted to see my body but I refused and changed the subject instantly. Once the hour

was up the dancer asked if I wanted to continue or if I wanted to go into another room saying there was a fun room with a dancefloor and roller-skate but I said I just want to have a beer. I felt once the dancer had got you into the VIP her objective was complete. There wasn't nothing untoward apart from a lot of dancing and flirting. We must have spoken about tattoos for 20 or so minutes.

Back in the bar area I was approached by another dancer, she was again asking if I wanted VIP. She took me to the manager and enquired on the price for VIP for KC and I, I was asked to pay £1230 for 30 mins VIP with both KC and myself in the room with 1 x dancer. I declined. Whilst In conversation with the dancer I witnessed an Asian male client, initially entering the club sober, within the hour he was intoxicated and being taken advantage of. Females were taking him into VIP and private dances. Until he was in such a state the door staff removed him from the venue

The dancer wasn't giving up on us until the manager said "don't waste her time on us" or words to that affect. She then left. We both had another drink before leaving at approximately 0130hrs.

Appendix 15

Appendix One

Tower Hamlets Council

Sex Establishment Licensing Policy

Introduction

This policy sets out Tower Hamlets Council's proposed approach to regulating sex establishments and the procedure that it will adopt in relation to applications for sex establishment licences.

The policy of the Council is to refuse applications for sexual entertainment venues. This policy is intended to be strictly applied and will only be overridden in genuinely exceptional circumstances. Such circumstances will not be taken to include the quality of the management, its compliance with licence conditions, the size of the premises or its operating hours.

The policy is intended as a guide to applicants, licence holders, people who want to object to applications and members of the Licensing Committee who are responsible for determining contested applications. It also aims to guide and reassure the public and other public authorities, ensuring transparency and consistency in decision making.

When the decision making powers of the Council are engaged each application will be dealt with on its own merits but this policy gives prospective applicants an early indication of whether their application is likely to be granted or not. It also provides prospective applicants details of what is expected of them should an application be made.

The legal controls for sex establishment premises are contained in the Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.

There are 3 types of sex establishments which fall into the licensing regime:-

Sex shops

Sex cinemas

Sexual entertainment venues

The role of the Council in its position as Licensing Authority is to administer the licensing regime in accordance with the law and not in accordance with moral standing. The Council recognises that Parliament has made it lawful to operate a sex establishment and such businesses are a legitimate part of the retail and leisure industries.

Policy Rationale

The policy has been developed that sets out how the legislation will be administered and applied. The policy identifies how the Council would exercise the licensing regime in relation to sexual entertainment venues.

The policy has been developed to reflect and complement existing Council plans and strategic approach, namely:-

- Tower Hamlets Community Plan.
- Tower Hamlets Crime & Drug Reduction Partnership Plan.
- Tower Hamlets Enforcement Policy.
- Tower Hamlets Core Strategy.
- Tower Hamlets Town Centre Spatial Strategy.
- Tower Hamlets Statement of Licensing Policy (Licensing Act 2003).
- Tower Hamlets Statement of Licensing Policy (Gambling Act 2005).

The policy has also been prepared with regard to:

- Consultation responses
- Human Rights Act 1998
- Equalities Act 2010

The policy seeks to contribute to the “One Tower Hamlets” principle by fostering community cohesion, reducing inequalities and empowering communities. The public consultation that was undertaken concerning the adoption of a nil policy did not have overwhelming support. Therefore careful consideration has been given to the policy response, given the balance that the consultation returns did not give overwhelming support.

Policy Considerations

Existing Licensed Premises

The Council has had the ability to licence sex shops and sex cinemas under the Local Government (Miscellaneous Provisions) Act 1982 for many years.

There are no licensed sex shops in Tower Hamlets.

The businesses that hold premises licences under the Licensing Act 2003 with permissions that will be affected by the adoption of the sexual entertainment venue licensing regime are as follows:-

NAME	ADDRESS
THE BEEHIVE	104-106 Empson Street, London, E3 3LT
EONE CLUB	168 Mile End Road, London, E1 4LJ
NAGS HEAD PUBLIC HOUSE	17-19 Whitechapel Road, London, E1 1DU
THE PLEASURE LOUNGE	234 Cambridge Heath Road, London, E2 9NN
WHITE SWAN	556 Commercial Road, London, E14 7JD
ASTON'S CHAMPAGNE AND WINE BAR BASEMENT & 1ST FLOOR	187 Marsh Wall, London, E14 9SH
CLUB PAISA	28 Hancock Road, London, E3 3DA
OOPS	30 Alie Street, London, E1 8DA
WHITE'S GENTLEMANS CLUB	32-38 Leman Street, London, E1 8EW
SECRETS	43-45 East Smithfield, London, E1W 1AP
IMAGES	483 Hackney Road, London, E2 9ED

Tower Hamlets Council has adopted schedule 3 Local Government (Miscellaneous Provisions) Act 1982 with effect from 1st June 2014 so that it can:

- set a limit on the number of sexual entertainment venues
- determine premises that are appropriate for the borough and
- licence sexual entertainment venues

Sexual entertainment venues are those that regularly provide lap dancing and other forms of live performance or live display of nudity.

Establishments that hold events involving full or partial nudity less than once a month may be exempt from the requirements to obtain a sex establishment licence and applicants are advised to contact the Licensing Team for advice.

Limits on the number of licensed premises

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

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

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

The Council will consider each application on its merit although new applicants will have to demonstrate why the Council should depart from its policy. Furthermore if any of the existing premises cease trading there is no presumption that the Council will consider any new applications more favourably.

Location of premises

The Council's policy is that there is no locality within Tower Hamlets in which it would be appropriate to license a sex establishment. Accordingly, the appropriate number of sex establishments for each and every locality within Tower Hamlets is zero.

As previously stated in the policy the Council will treat each application on its own merits however applicants should be aware that the Council will take into consideration the location of the proposed premises and its proximity to:

- residential accommodation,
- schools,
- premises used by children and vulnerable persons
- youth, community & leisure centres,
- religious centres and public places of worship
- access routes to and from premises listed above
- existing licensed premises in the vicinity

Impact

In considering applications for the grant of new or variation applications the Council will assess the likelihood of a grant causing impacts, particularly on the local community.

The Council will take the following matters into account:

- the type of activity
- the duration of the proposed licence
- the proposed hours of operation
- the layout and condition of the premises
- the use of other premises in the vicinity
- the character and locality of the area
- the applicant's previous knowledge and experience
- the applicant's ability to minimise the impact of their business on local residents and businesses
- any evidence of the operation of existing /previous licences held by the applicant

- any reports about the applicant and management of the premises received from residents, Council officers or the police
- the ability of the proposed management structure to deliver compliance with licensing requirements, policies on staff training and the welfare of performers
- crime and disorder issues
- cumulative impact of licensed premises, including hours of operation
- the nature and concerns of local residents
- any evidence of complaints about noise or disturbance caused by premises
- planning permission and planning policy considerations

In considering applications for renewal the Council will take into account

- the applicant's ability to minimise the impact of their business on local residents and businesses
- any reports about the licensee and management of the premises received from residents, Council officers or the police
- whether appropriate measures have been agreed and put into place to mitigate any adverse impacts
- any evidence of complaints about noise or disturbance caused by premises

In considering applications for transfer the Council will take into account:

- the applicants previous knowledge and experience
- the applicants ability to minimise the impact of their business on local residents and businesses
- any evidence of the operation of existing /previous licences held by the applicant
- any reports about the applicant and management of the premises received from residents, Council officers or the police

- the ability of the proposed management structure to deliver compliance with licensing requirements, policies on staff training and the welfare of performers

Applicants

Where appropriate the Council expects applicants to:

- demonstrate that they are qualified by experience
- have an understanding of general conditions
- propose a management structure which will deliver compliance with operating conditions for example through
- Management competence
- Presence
- Credible management structure
- enforcement of rules internally – training & monitoring
- a viable business plan covering door staff, CCTV
- policies for welfare of performers
- demonstrate that they can be relied upon to act in best interests of performers through remuneration, facilities, protection, physical and psychological welfare
- have a transparent charging scheme with freedom from solicitation
- a track record of management compliant premises or employ individuals with such a track record

New applicants may be invited for interview by the Licensing Officer and /or Police Officer prior to the application being referred to the Licensing Committee for determination.

Applications from anyone who intends to manage the premises on behalf of third party will be refused.

Premises appearance and layout

The Council expects premises to:-

- have an external appearance which is in keeping with the locality
- prevent the display outside the premises of photographs or other images which may be construed as offensive to public decency

- adequate lighting to allow monitoring of all public areas
- surveillance by CCTV
- surveillance by CCTV of all private booths

Conditions

The council will prescribe, and from time to time revise, standard conditions which will apply generally to licences that the council will grant or renew.

Through standard conditions the council seeks to ensure that sexual entertainment venues are well managed and supervised, restrict the sexual entertainment activities and the manner in which they are permitted to be provided, protect performers, and control the impact of the venue and its customers in relation to its locality.

Specifically, standard conditions could include measures which are found in the appendix of this policy.

The Application Process

Making a new, renewal, transfer or variation application

The Act requires the Council to refuse all application if the applicant:

- Is under the age of 18 or
- Has had their licence revoked in the last 12 months or
- Is not resident in the UK, or has not been a UK resident for the last 6months
or
- Has been refused an application in the last 12 months or
- Is a corporate body which in not incorporated in the UK

Applications forms and details of current fee levels are available:

- on the Council's website (www.towerhamlets.gov.uk)
- from the Licensing Team on 020 7364 5008
- by email to licensing@towerhamlets.gov.uk

The Council prefers to receive electronic applications and *offers a choice off payment options the details of which are contained in the application pack.*

The Council expects the premises to have planning consent for the intended use and hours of operation, or otherwise have lawful planning status before making an application for a new licence.

In order for the application to be valid the applicant must:

- Submit the completed application form
- Pay the application fee
- Submit a floor plan, drawn to scale showing the layout of the premises(new applications only)
- Submit a location plan (1;1250) showing the location of the premises(NB. plans will not be required for transfers nor renewal applications)
- 2 passport size photos of the applicant where the applicant is an individual rather than a limited company
- 2 passport size photos of the manager if applicant is a limited company(NB: photos will only be required if there has been a change of applicant or manager since the last application)
- Display an A4 notice at the proposed premises for 21 days following the date that the completed application is submitted setting out the application details. The notice must be in a prominent position so that it can be easily read by passers-by. A notice template will be provided with the application form.
- publish a notice on at least one occasion in a local newspaper, during the period of ten working days starting on the day the application was given Council. The advert can be any size or colour but must be readable.

Applicants who wish to advertise the application in another local newspaper are advised to contact the Licensing Team beforehand, to confirm that it is acceptable.

On receipt of a valid application the Council will consult:

- The Police
- The Fire Brigade
- Building Control
- Health and Safety
- Ward Councillors

For new and variation applications the Council will also consult:

- Development Control Team
- Local residents living within 50m of the premises

Authorised Officers from the Council, Fire Brigade and Police may choose to inspect the premises and require works to be carried out to bring the premises up to the required standard before the premises can be used for licensable activities.

The Council will not determine an application for a licence unless the applicant allows an authorised officer reasonable opportunity to enter the premises to make such examination and enquiries as may be necessary to determine the suitability of the applicant and the sex establishment.

Representations

Anyone wishing to object to the application must submit a representation, in writing, within 28 days of the date that the valid application was received by the Council.

Representations can either be submitted via

- Our website: www.towerhamlets.gov.uk
- Email to: licensing@towerhamlets.gov.uk
- Post to: Consumer and Business Regulations, Licensing Team, 6th Floor, Mulberry Place, 5 Clove Crescent, E14 2BG.

A person making a representation must clearly state their name, address, and the grounds for objecting to the application and indicate whether they consent to have their name and address revealed to the applicant. Copies of representations will be made available to the applicant 14 days before the committee hearing.

The Council will not consider objections that are frivolous or vexatious or which relate to moral grounds (as these are outside the scope of the Act).

The Council prefers to receive electronic representations.

Late representations may be admissible at the discretion of the Council if there's sufficient reason to indicate that applicants will not be significantly prejudiced by the

decision to allow a late objection to be considered. In making such a decision the Council will take into account:

- The length of the delay
- The amount of time that the applicant has to consider the representation before the hearing date
- If other representations have been received before the deadline

Determining an application

Applications with no representations will be approved under delegated authority to officers.

Applications with representations recommending that conditions be attached to the licence and which are acceptable to both the applicant and person making the representation can be approved under delegated authority to officers.

All other contested applications will be referred to the Licensing Committee for determination. The applicant, anyone making a representation and the ward Councillors will be notified the date, time and venue of the hearing and invited to attend to address the committee in person.

Applications can take up to 14 weeks to be determined. If an application is likely to take longer than 14 weeks to determine the Council will notify the applicant in writing before this deadline. Applications for sex establishment licenses are exempt from the tacit consent provisions of the EU Services Directive on the grounds of public interest and the legitimate interests of third parties.

The applicant will be notified in writing about the outcome of their application within 5 working days of the decision being made.

Sex Establishment licences are usually issued for 12 months, but can be issued for a shorter period if deemed appropriate.

In order to continue operating as a sex establishment the licence holder must make a renewal application prior to the expiry of the existing licence.

Appeals

Any applicant who is aggrieved by a decision to refuse an application or by the imposition of any conditions can appeal to the Magistrates Court within 21 days of receiving the decision in writing.

Grounds for refusing an application

1. The applicant is unsuitable to hold a licence by reason of having been convicted of any offence or for any other reason
2. That if the license were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a license if he made the application himself
3. That the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality
4. That the grant or renewal of the license would be inappropriate, having regard:-
 - a. to the character of the relevant locality
 - b. to the use to which any premises in the vicinity are put; or
 - c. to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Transitional Arrangements

Broadly speaking, those existing sexual entertainment venues (lap dancing clubs etc) with a premises licence under the Licensing Act 2003, under which it is lawful to provide such entertainment, will continue to be able to operate for one year after the Council adopts the 2009 Act provisions or, if later, the determination of any application submitted during that year.

The 'transitional period' will last for 12-months beginning with the date that the Council resolves that Schedule 3 as amended by the 2009 Act will come into force in their area ('the 1st appointed day'). Six months following the 1st appointed day will be known as the '2nd appointed day' and the day on which the transitional period ends will be known as the '3rd appointed day'

Existing Operators

To allow time to comply with the new regime, existing operators, who, immediately before the 1st appointed day, have a 2003 Act licence and lawfully use premises as a sexual entertainment venue under that licence or are undertaking preparatory work to use the venue in that way will be allowed to continue to provide relevant entertainment until the 3rd appointed day or the determination of any application they have submitted before that time (including any appeal against the refusal to grant a licence), whichever is later

For the purposes of the Transition a "2003 Act Licence" means a premises licence or club premises certificate under the Licensing Act 2003 under which it is lawful to provide relevant entertainment.

"Preparatory work" refers to work carried out by an operator, such as a refurbishment or refit, in order that they can use the premises as a sexual entertainment venue in the future. The operator will have been granted a 2003 Act licence before the 1st appointed day but will not have used the premises as a sexual entertainment venue by that date. It is likely that such operators will be known to the Council. However, where a dispute arises between the Council and

a licence-holder over whether the licence-holder qualifies as an existing operator by virtue of this provision the Council will need to seek evidence from the licence-holder to demonstrate that they clearly intended to operate a sexual entertainment venue in the future and work had been done to achieve this end.

For the purposes of the Transition a “2003 Act Licence” means a premises licence or club premises certificate under the Licensing Act 2003 under which it is lawful to provide relevant entertainment.

Appointed Days

1st Appointed Day

The day on which the Sexual Entertainment Venue regime comes into force in the Borough and the beginning of the transitional period (1st June 2014)

2nd Appointed Day

The day 6 months after the 1st appointed day (1st December 2014)

3rd Appointed Day

The day 6 months after the 2nd appointed day and the end of the transitional period (1st June 2015)

New Applications

New applicants are people who wish to use premises as a sexual entertainment venue after the 1st appointed day but do not already have a premises licence or club premises certificate to operate as such under the 2003 Act or do have such a licence but have not taken any steps towards operating as such. After the 1st appointed day new applicants will not be able to operate as a sexual entertainment venue until they have been granted a sexual entertainment venue licence

Determining Applications Received On or Before the 2nd Appointed Day

Applicants will be able to submit their application for a sexual entertainment venue from the 1st appointed day onwards.

As the Council is able to refuse applications having regard to the number of sex establishments they consider appropriate for a particular locality, all applications made on or after the 1st appointed day but on or before the 2nd appointed day shall be considered together. This will ensure that applicants are given sufficient time to submit their application and all applications received on or before the 2nd appointed day are considered on their individual merit and not on a first come first serve basis.

No applications shall be determined before the 2nd appointed day. After the 2nd appointed day the appropriate authority shall decide what if any licences should be granted. If a new applicant is granted a licence it will take effect immediately. If an existing operator is granted a licence, it will not take effect until the 3rd appointed day, up to which point they will be allowed to continue to operate under their existing premises licence or club premises certificate.

Determining Applications Received After the 2nd Appointed Day

Applications made after the 2nd appointed day shall be considered when they are made but only once all applications made on or before that date have been determined. However, reference to determination here does not include references to the determination of any appeal against the refusal of a licence.

As with applications received on or before the 2nd appointed day, licences granted to new applicants shall take effect immediately and licences granted to existing operators shall take effect from the 3rd appointed day or, if later, the date the application is determined.

Outstanding Applications

The Council will attempt where possible to determine outstanding applications made under the 2003 Act, which include an application for the provision of

relevant entertainment, before the date that Schedule 3 as amended by the 2009 Act comes into force in their area.

Where it has not been possible to determine application before the 1st appointed day, applicants will need to submit an application for a sex establishment licence as set out in Schedule 3 if they wish to provide relevant entertainment. From the 1st appointed day onwards outstanding applicants shall be dealt with as though they are new applicants

Additional information and advice

Please contact:

Consumer and Business Regulations
Licensing Team
6th Floor,
Mulberry Place,
5 Clove Crescent,
E14 2BG.
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