

# Licensing Committee

## Agenda

**Tuesday, 26 September 2023 at 6.30 p.m.  
Council Chamber - Town Hall, Whitechapel**

### **Members:**

**Chair:** Councillor Ana Miah

Councillor Faroque Ahmed, Councillor Leelu Ahmed, Councillor Suluk Ahmed, Councillor Gulam Kibria Choudhury, Councillor Abu Chowdhury, Councillor Marc Francis, Councillor Peter Golds, Councillor Iqbal Hossain, Councillor Kabir Hussain, Councillor Shahaveer Shubo Hussain, Councillor Ahmodul Kabir, Councillor Amy Lee and Councillor Rebaka Sultana

[The quorum for this body is 3 voting Members]

### **Contact for further enquiries:**

Farzana Chowdhury, Democratic Services Officer,  
farzana.chowdhury@towerhamlets.gov.uk  
020 7364 3037

Town Hall, 160 Whitechapel Road, London, E1 1BJ  
<http://www.towerhamlets.gov.uk/committee>



## Public Information

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## **A Guide to Licensing Committee**

The Licensing Committee will determine Licensing policy/procedure (excluding the Council's Statement of Policy) as well as Licensing fees and charges.

The Committee will also establish a Licensing Sub-Committee to consider Licensing matters under the Licensing 2003 Act where representations have been made.

### **Public Engagement**

Meetings of the committee are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the council's website.

# London Borough of Tower Hamlets

## Licensing Committee

Tuesday, 26 September 2023

6.30 p.m.

### APOLOGIES FOR ABSENCE

#### 1. DECLARATIONS OF INTEREST (PAGES 5 - 6)

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

#### 2. RULES OF PROCEDURE - LICENCES FOR SEXUAL ENTERTAINMENT VENUES (PAGES 7 - 12)

To note the rules of procedure relating to determinations of licenses for sexual entertainment venues.

#### 3. ITEMS FOR CONSIDERATION

- 3.1 Revocation of a Sexual Entertainment Venue Licence for the Nags Head, 17-19 Whitechapel Road, London, E1 1DU (Pages 13 - 440)
- 3.2 Application for a renewal of a Sexual Entertainment Venue Licence for the Nags Head, 17-19 Whitechapel Road, London E1 1DU (Pages 441 - 712)

#### Next Meeting of the Licensing Committee

Thursday, 26 October 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



# Agenda Item 1

## **DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

### **(i) Disclosable Pecuniary Interests (DPI)**

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

**DPI Dispensations and Sensitive Interests.** In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

### **(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)**

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

### **(iii) Declarations of Interests not included in the Register of Members' Interest.**

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

### **Guidance on Predetermination and Bias**

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

### **Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting**

In such circumstances the member may not vote on any reports and motions with respect to the matter.

**Further Advice** contact: Janet Fasan, Monitoring Officer, Tel: 0207 364 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	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either—  (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or  (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.

## 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

<b>Date Last Reviewed:</b>	<b>22<sup>nd</sup> September 2016</b>
<b>Reviewed By:</b>	<b>Senior Corporate and Governance Legal Officer</b>
<b>Approved By:</b>	<b>Licensing Committee</b>
<b>Date Approved:</b>	<b>14<sup>th</sup> June 2016</b>
<b>Version No.</b>	<b>1</b>
<b>Document Owner:</b>	<b>Paul Greeno</b>
<b>Post Holder:</b>	<b>Senior Corporate and Governance Legal Officer</b>
<b>Date of Next Scheduled Review:</b>	<b>31<sup>st</sup> March 2018</b>

## **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 : <b>Licensing Committee</b>	Date	Classification <b>Unclassified</b>	Report No.	Agenda Item No.
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Report of : <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Corinne Holland</b> <b>Licensing Officer</b>	Title: <b>Local Government (Miscellaneous Provisions) Act 1982</b>  <b>Revocation of a Sexual Entertainment Venue Licence for the Nags Head, 17-19 Whitechapel Road, London, E1 1DU</b>  Ward affected: <b>Spitalfields and Banglatown</b>
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1.0

## Summary

Name and Address of Premises: **Nags Head Public House**  
**17-19 Whitechapel Road**  
**London**  
**E1 1DU**

Application to revoke : **Local Government (Miscellaneous Provisions) Act 1982 (as amended)**  
**Sexual Entertainment Venue Licence**

Application triggered by: **Licensing Authority**

## 2.0 Recommendations

- 2.1 That the Licensing Committee considers the application and 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 SEV Policy File

Corinne Holland  
020 7364 3986

### 3.0 Application details

- 3.1 This is an application to revoke the Sexual Entertainment Venue (SEV) licence for the Nags Head Public House, 17-19 Whitechapel Road, London, E1 1DU. The revocation was applied for by the Licensing Authority.
- 3.2 A copy of the revocation application and supporting documents from the Licensing Authority are in **Appendix 1 – Appendix 14**

Request for Revocation letter dated 3 <sup>rd</sup> March 2023	<b>Appendix 1</b>
Witness Statement and notes – Officer A	<b>Appendix 2</b>
Witness Statement and notes – Officer B	<b>Appendix 3</b>
Witness statement Mohshin Ali (15 <sup>th</sup> May 2023)	<b>Appendix 4</b>
Exhibit MA/01: Witness Statement PC Morgan	<b>Appendix 5</b>
Witness Statement PC Guerra (2/1/23)	<b>Appendix 6</b>
PC Guerra – CCTV Transcript	<b>Appendix 7</b>
PC Guerra – CCTV Photo Evidence	<b>Appendix 8</b>
PC Guerra – Communication with Sols	<b>Appendix 9</b>
Exhibit MA/02: Companies House	<b>Appendix 10</b>
Table of Breaches CCTV 18 <sup>th</sup> August 2022	<b>Appendix 11</b>
Witness Statement Mohshin Ali (24 <sup>th</sup> August 2023)	<b>Appendix 12</b>
Exhibit MA/03: Westminster Committee Decision 25/5/2023	<b>Appendix 13</b>
Exhibit MA/04: LBTH Committee Decision 17/10/2017	<b>Appendix 14</b>

- 3.3 The solicitor acting for the premises made a request to the Licensing Authority to provide a list of visits made to the premises by officers from the Council from 1<sup>st</sup> June 2014 to present day. This list was provided and is attached in **Appendix 15**.
- 3.4 The solicitor acting for the premises provided the following documentation as the SEV Licence Holder's evidence.

Cover sheet and contents	<b>Appendix 16</b>
Witness Statement of Manpal Clair with exhibit list/exhibits	<b>Appendix 17</b>
Witness Statement of Bahadur Singh Binning with exhibit list/exhibits	<b>Appendix 18</b>
Report by Andy Bamber including exhibits and risk assessments/reviews/including overt visit 04/05/23 & covert visit 09/05/23	<b>Appendix 19</b>
Performers statements x 3	<b>Appendix 20</b>
CCTV Clips 18 <sup>th</sup> August 2022 23:00-00:00 hrs & 19 <sup>th</sup> August 2022 00:00 – 00:30 hrs	<b>Appendix 21</b>

## 4.0 The Premises

- 4.1 The premise has held an SEV licence since Tower Hamlets Council adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 in June 2014.
- 4.2 The SEV licence is held by NH License Ltd (No 12523134) and has done so since it was transferred to this company in April 2020. Mr Manpal Singh Clair is the sole director.
- 4.3 An SEV licence is valid for one year (or for such shorter period as the authority may determine) and therefore needs to be renewed each year. The current licence expires on 31<sup>st</sup> May 2023. A copy of the licence is attached in **Appendix 22**.
- 4.4 The Council has adopted Standard Conditions. These apply as default conditions that are attached to all SEV licences. These are attached in **Appendix 23**.
- 4.5 The plan of the premises submitted with the SEV renewal application in 2022 is attached in **Appendix 24**.
- 4.6 Maps of the premises' location are available in **Appendix 25**.
- 4.7 The premises are also licensed under the Licensing Act 2003. A copy of the existing Premises Licence is enclosed for information as **Appendix 26**. The licence was granted under "grandfather rights" in 2005 when the Licensing Act 2003 came into force. The licence is also held by NH License Ltd.

### The licence permits the following licensable activities:

- The sale by retail of alcohol (on & off sales)
- The provision of regulated entertainment consisting of recorded music, performance of dance, anything of similar nature.
- Facilities for making music and dancing and similar nature.
- Monday to Saturday 11:00 hrs to 03:00 hrs the following day
- Sunday 12:00 hrs to 22:30 hrs

### The opening hours of the premises:

- Monday to Saturday 11:00 hrs to 03:30 hrs the following day
- Sunday 12:00 hrs to 23:00 hrs

- 4.8 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.

## **5.0 Policy - Appropriate Number of Sexual Entertainment Venues**

5.1 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.

5.2 The Council has adopted 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.

5.3 Members should consider the relevant legislation, the Council's SEV Policy and Standard Conditions (See **Appendix 27 and 23** respectively.)

## **6.0 Home Office Guidance**

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

## **7.0 Licence Conditions**

7.1 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 SEVs or particular types of SEV.

7.2 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.



- 7.3 Most SEVs will require a premises licence as well as an SEV licence. Where this is the case, local authorities should avoid duplicating licence conditions and should ensure that conditions imposed on 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 an SEV licence. Likewise, conditions relating the provisions of relevant entertainment should appear on the SEV licence and not a premises licence or club premises certificate. Local authorities should also avoid imposing conditions on either licence that are contradictory.
- 7.4 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.
- 7.5 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.

## **8.0 Determination of applications**

- 8.1 A licence from the Council is required for the use of a premise as a sex establishment. An SEV 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).

- 8.2 The Council has the power, at any time, to revoke a premises licence. This may be on one of the mandatory grounds on which a licence could be refused or on the basis of either of the discretionary grounds set out in Paragraph 12(3)(a) or (b), which relate to the suitability of the licence holder to continue to hold the licence or where the business is carried on for the benefit of another person who would be refused a licence in their own name.

## 9.0 Legal Comments

9.1 The Council has power to revoke a sex establishment licence under Paragraph 17(1) of Schedule 3 to the 1982 Act. This is on the basis of either the mandatory grounds on which a licence should be refused or on the first two of the discretionary grounds.

9.2 The mandatory grounds for refusal are:

- (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 an EEA state or was not so resident 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 an EEA state; or  
that the applicant has been refused the grant or renewal of 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.

9.3 The discretionary grounds for refusal (so far as relevant to this application) are:

- 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;

9.4 The Licensing Committee may, after giving the holder of an SEV licence under this Schedule an opportunity of appearing before and being heard by them, revoke the licence at any time on the basis of any of the grounds referred to in paragraphs 9.2 or 9.3.

9.5 If the licence is revoked, the authority must, if required to do so by the person who held the SEV licence, give a statement of reasons for their decision within seven days of being so required.

9.6 Where an SEV licence is revoked, the holder is disqualified from holding or obtaining a licence in the area of the authority for a period of twelve months beginning with the date of revocation.

9.7 The Council's SEV Licensing Policy made specific provision for those SEVs trading in the borough when the 1982 Act was adopted and

confirms it will not apply the nil SEV policy to existing businesses that were already trading as SEVs with authorisation, subject to certain requirements being satisfied. However, the policy similarly makes clear that if any of those venues cease to trade, there is no presumption that any new application will be treated more favourably.

9.8 Paragraph 27 of Schedule 3 to the 1982 Act provides the licence holder with a right to appeal to the magistrates' court. The decision of the magistrates' court may be further appealed to the Crown Court.

9.9 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 revocation. Comments within the written application or orally at the hearing which relate to moral grounds, for example, must not be considered by the Committee.

9.10 The Council's legal advisor will give further advice as required at the hearing.

#### 10.0 Finance Comments

10.1 There are no material financial implications arising from the request to revoke the Sexual Entertainment Venue (SEV) licence. If the decision is to revoke the licence the Council will forego the licence income, and there are possible cost implications if the decision is appealed, however this will be managed within existing budget provision.

#### 11.0 Appendices

<b>Appendix 1</b>	Request for Revocation letter dated 3 <sup>rd</sup> March 2023
<b>Appendix 2</b>	Witness Statement and notes – Officer A
<b>Appendix 3</b>	Witness Statement and notes – Officer B
<b>Appendix 4</b>	Witness statement Mohshin Ali (15 <sup>th</sup> May 2023)
<b>Appendix 5</b>	Exhibit MA/01: Witness Statement PC Morgan (3/1/23) – sensitive photos - RESTRICTED
<b>Appendix 6</b>	Witness Statement PC Guerra (2/1/23)
<b>Appendix 7</b>	PC Guerra – CCTV Transcript (RGG/001/ RGG/002)
<b>Appendix 8</b>	PC Guerra – CCTV Photo Evidence (RGG/004-020) – sensitive photos - RESTRICTED
<b>Appendix 9</b>	PC Guerra – Communication with Sols (RGG/003)

<b>Appendix 10</b>	Exhibit MA/02: Companies House
<b>Appendix 11</b>	Table of Breaches CCTV 18 <sup>th</sup> August 2022
<b>Appendix 12</b>	Witness Statement Mohshin Ali (24 <sup>th</sup> August 2023)
<b>Appendix 13</b>	Exhibit MA/03: Westminster Committee Decision 25/5/2023
<b>Appendix 14</b>	Exhibit MA/04: LBTH Committee Decision 17/10/2017
<b>Appendix 15</b>	List of visits
<b>Appendix 16</b>	Licence Holder Cover sheet and contents
<b>Appendix 17</b>	Witness Statement of Manpal Clair with exhibit list/exhibits
<b>Appendix 18</b>	Witness Statement of Bahadur Singh Binning with exhibit list/exhibits
<b>Appendix 19</b>	Report by Andy Bamber including exhibits and risk assessments/reviews/visits
<b>Appendix 20</b>	Performers statements x 3
<b>Appendix 21</b>	CCTV Clips 18 <sup>th</sup> August 2022 23:00-00:00 hrs & 19 <sup>th</sup> August 2022 00:00 – 00:30 hrs
<b>Appendix 22</b>	A copy of the existing SEV Licence
<b>Appendix 23</b>	LBTH Standard Conditions
<b>Appendix 24</b>	Plan of the premises
<b>Appendix 25</b>	Maps of the premises showing the site location
<b>Appendix 26</b>	A copy of existing Premises Licence
<b>Appendix 27</b>	SEV Policy

# Appendix 1

The London Borough of Tower Hamlets  
Acting as an Appropriate Authority  
Tower Hamlets Town Hall  
160 Whitechapel Road  
London  
E1 1BJ

[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

3<sup>rd</sup> March 2023

Your ref:  
Our ref: PSU:010281

Place Directorate  
Public Realm

Head of Environmental Health and  
Trading Standards: David Tolley

Environmental Health & Trading  
Standards  
Licensing & Safety Team  
4<sup>th</sup> Floor, Tower Hamlets Town Hall  
160 Whitechapel Road  
London E1 1BJ

Tel: [REDACTED]  
Enquiries to: **Mohshin Ali**  
Email: [Mohshin.Ali](mailto:Mohshin.Ali@towerhamlets.gov.uk) [REDACTED]

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Dear Appropriate Authority,

**Schedule 3 of the Local Governmental (Miscellaneous Provisions) Act 1982 as  
amended by the Policing and Crime Act 2009**  
RE: The Nags Head, 17-19 Whitechapel Road, London E1 1DU

I write in the capacity of the Licensing Authority, acting as a Responsible Authority to request the Appropriate Authority consider revoking the Sexual Entertainment Venue Licence for the above premises.

The reasons for this request is that test purchases carried out on the 18<sup>th</sup> August 2022 led to physical contact initiated by performers in relation to the individuals making the test purchases". This included pushing of the breast in face of the test purchasers, kissing of their neck and grinding into the groin areas. Please see attached witness statements from the Surveillance Operatives. Note, we have redacted the Officer's names and will be referring to them as Officer A and Officer B.

CCTV footage was requested on the 9<sup>th</sup> September 2022, which the Licensing Authority noted confirmed breaches of the below standard licence conditions, and supported the witness evidence mentioned. A chronology of breaches seen in the CCTV footage will be provided shortly.

The evidence shows of breaches of the following Standard Conditions attached to these premises' current Sexual Entertainment Venue Licence.

- 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.***

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.***

As the copy of the CCTV footage was requested from the licence holder, we understand that they have retained the original copy. We reserve the right to play the same footage at the hearing in a closed session.

The applicant's solicitor has responded to the Licensing Authority and stated the following:

*"concerns about the way in which performances were being delivered by those performers were flagged by staff to management and dip sampling of CCTV footage of performances was undertaken. The dip sampling revealed, inter alia, breaches of my client's Performer and Customer Codes of Conduct. This triggered my client's internal disciplinary procedures and the Performers involved were suspended".*

Given the above, the Licensing Authority acting as a Responsible Authority is requesting the revocation of this licence because the licence holder is unsuitable to hold the licence by reason of the breaches witnessed, with regard to paragraphs 17(1) and 12(3)(a) in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

It is also worth noting that a similar breaches of the SEV licence were found at the premises in 2017, which resulted to objection to the renewal of the licence. Details of the hearing for this renewal can be found in the link below. On this occasion the Licensing Committee granted the renewal with additional conditions.

<http://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?CId=324&MId=8231&Ver=4>


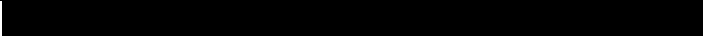
This letter is being copied to the company as the licence holder and also to the director of the company (also copied to their solicitor).

Yours sincerely,



**Mohshin Ali**  
**Senior Licensing Officer**

**Cc:**

- NH License Ltd, 
- Manpal Singh Clair, 
- Manpal Singh Clair, the Nags Head, 17-19 Whitechapel Road, London E1 1DU
- Luke Elford, John Gaunt & Partners Kin s Cross Business Centre, 180 - 186 King Cross Road, London WC1X 9DE 



# Appendix 2

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]

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: 18/08/2022

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

**Statement**

1. I am [REDACTED] and I am employed by The Surveillance Group Ltd, of [REDACTED]
2. I was instructed by The Surveillance Group Ltd to attend The Nags Head Gentlemens Club, 17-19 Whitechape Road, London, E1 1DU, in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 22:45 hrs on the 18/08/2022 I arrived at The Nags Head Gentlemens Club, 17-19 Whitechape Road, London, E1 1DU, in order to conduct a test purchase task.
4. Upon arrival at the premises the front entrance was covered by a single male sat at a table by the door. The entrance fee was £3.00. I was verbally told the rules and nothing was visible of the rules on show. The individual had some form of identification around his neck.
5. Inside the premises there were two further security staff members with ID cards around their necks. I walked up to the bar and ordered a drink then sat down at the seats directly by the stage where pole dancers performed. The venue had CCTV visible in multiple areas including the private and VIP areas. There were two members of staff working the bar area and an individual who appeared to be a manager at the end of the bar taking payments for dances. All staff were appropriately dressed in smart casual wear.
6. Inside the venue the sage was to the back with seating directly in front of the stage. The bar ran along the right-hand side where four private booths were also located. At the other end of the bar there were toilets in the far-right hand corner and three VIP booths on the left-hand side.

Name / Signature: [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. *There were more than ten dancers who walked around the establishment, asking for money before they went on stage. I was asked if I could buy a dancer a drink, which I obliged.*
8. *I conversed with an English girl named Mia and I bought her a drink and then we went for a private dance which cost £20 for five minutes. Myself and my colleague were in the same booth during this dance. The dancer rubbed herself against me but no touching was allowed. The security guard did come in from time to time to check but spent most of the time at the entrance, CCTV was visible in the booth areas.*
9. *After the dance had finished, I paid £240 for a 30-minute VIP dance and a drink. This dance was in a separate booth where CCTV was visible directly to the front. The dancer made quite a bit of contact with me whilst naked, thrusting herself against my groin whilst rubbing her breasts against my face and also kissing my neck. She told me that I was allowed to touch her but not the vagina area, I politely declined the offer.*
10. *During the dance we talked about her having a daughter and the other job she did in the day working in a shop. She said she enjoyed the dance work though because it pays really good money.*
11. *At no time during the visit was there any mention of any drug use.*
12. *There were no performer inside the gentleman's toilets and there was no physical contact between performers.*
13. *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 18/08/2022. I exhibit these as [REDACTED].001.*
14. *I believe the facts stated in this witness statement are true.*

**Name / Signature:** [REDACTED] .....

## **The Nags Head – E1 1DU**

**18/8/2022 – 19/8/2022**



**Entered the premises @ 22.45**

**When we arrived at the establishment we were not touted into the premises. The front entrance was covered by a single male sat at a table by the door. The entrance fee was £3. He verbally told us the rules but there was nothing visible of the rules on show. He did have some form of identification around his neck but unsure as to whether it was an SIA licence or not.**

**Once inside the venue it was noted that there were 2 further security staff again with id cards around their necks but unsure if they were SIA. We walked upto the bar and ordered ourselves some drinks before going to sit down at the seats directly by the stage where the pole dancers performed. CCTV was visible in multiple areas around the venue including the Private and VIP areas. There were 2 members of staff working the bar area with what looked like the manager at the end of the bar taking payments for the dances. All staff were appropriately dressed in smart casual wear and also fully covered.**

**As you walked into the venue, the stage was to the back of the venue, where there was seating directly in front. The bar ran along the right hand side where there also was the private dance booths, 4 in total. At the other end of the bar there was the toilets in the far right hand corner and on the left hand side of the venue was where the VIP dance booths were, 3 in total.**

**Inside, there were 10+ dancers that we could see who all walked around with either a jar or their purses open asking us for money before they went on stage. We were also asked if we could buy them a drink which we obliged. I got talking to an English girl called Mia where I bought her a drink and then we went for a private dance which cost £20 for 5 minutes. Myself and my colleague were both in the same booth whilst this was happening. The dancer did rub herself against me but no touching was allowed. The security guard did come in from time to time to check but spent most of the time at the entrance, CCTV was visible in the booth areas. After that had finished we paid £240 for a ½ an hour VIP dance and also a drink. It was separate booths this time where CCTV was visible directly to the front. The dancer made quite a bit of contact with me whilst naked, thrusting herself against my groin whilst rubbing her breasts against my face and also kissing my neck. She told me that I was allowed to touch her but not the virgina area, I politely declined the offer. During the dance we talked about her having a daughter and the other job she did in the day working in a shop. She said she enjoyed the dance work though because it pays really good money.**

**At no time whilst in there did we see or hear any mention of any drug use.**

**There were no performers inside the gents toilets and there was no sexual physical contact between the performers.**

# Appendix 3

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]

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

Occupation: Surveillance Operative

This statement (consisting of 

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 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: 18/08/2022

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

**Statement**

1. I am [REDACTED] and I am employed by The Surveillance Group Ltd, of [REDACTED]
2. I was instructed by The Surveillance Group Ltd to attend The Nags Head Gentlemens Club, 17-19 Whitechapel Road, London, E1 1DU, in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 22:45 hrs on the 18/08/2022 I arrived at The Nags Head Gentlemens Club, 17-19 Whitechapel Road, London, E1 1DU, in order to conduct a test purchase task.
4. Upon arrival at the premises the front entrance had a male at the door. The entrance fee was £3 and the male verbally communicated the rules upon entering the venue. The male had an identification badge around his neck.
5. Upon entering Inside the premises there were two further security staff members with ID cards around their necks. I ordered a drink at the bar and then sat down directly in front of the stage where pole dancers performed. TV's were situated above the bar and also in the private and VIP areas. There appeared to be 2 people working at the bar, with a possible manager that was taking card payments for the dances. The staff were all appropriately dressed, smart casual and fully covered.
6. The layout as you walk into the venue, the stage is located at the very back, where one female would dance on the pole. To the middle, in front was the seating area. The bar ran along the right-hand side, before the bar to the right-hand side was the private booths dance area, that contained at least four private booths. To the far end of the bar was the toilets in the right-hand corner. And the left-hand side went into the VIP dance area, which had at least three open booths.

Name / Signature: [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. *There were approximately ten or more dancers and they walked around collecting money from individuals before they got up on to the stage, taking it in turns, on the occasion buying one a drink. I conversed with a Romanian dancer "Patricia" and I decided to go for a private dance, which I paid £20.*
8. *I had a double performance with my colleague in the same room with his dancer. The dancer made contact with me on my lap. The security did check on us through the beaded curtains but was outside of it most of the time.*
9. *I then had a VIP dance which was £240 and included a drink for us both. In the VIP booth no security was seen until the very end of the dance. There was CCTV directly in front of us and it was an open booth area. The dancers looked out for each other's bag and the dancer explained to me that someone had once ran off with one of their bags.*
10. *The dancer made a fair amount of contact with me, she pressed her breasts into my face, brushing against my neck and ear. She spent a lot of time on my lap with her underwear to the side and touching her vagina, she would also grind against my groin area. She did explain to me that I was allowed to touch her a little bit if I wanted, I declined politely. We spoke a bit about my tattoos and she told me how she wanted to get bum implants.*
11. *There was no mention at all about drug use within the premises, and no offers of further sexual service.*
12. *On visiting the gentleman's toilets there were no performers inside. There was no sexual physical contact between the dancers.*
13. *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 18/08/2022. I exhibit these as ■■■.001.*
14. *I believe the facts stated in this witness statement are true.*

**Name / Signature:** \_\_\_\_\_



## Operative Notes

### **The Nags Head E1 1DU**

**18/8/22**



Entry approximately: 22:45.

Arriving at the Nags head venue we were not tought into the premises, the front entrance had a male sat by the door, entrance was £3, he verbally communicated the rules to us for when entering the venue. He had a badge attached around his neck, unable to see if it was SIA licence.

On entering inside the venue there was a further 2 security staff. Both of which also had the badges around their neck. We ordered our drinks at the bar and went and sat down directly infront of the stage where the pole was for the dancers. Cctv could be seen in multiple places over the stage, above the TV's, above the bar, also in the private and VIP dance areas. There appeared to be 2 people working at the bar, with a possible manager that was taking card payments for the dances. The staff were all appropriately dressed, smart casual and fully covered.

The layout as you walk into the venue, you have the stage at the very back, where one female would dance on the pole. To the middle infront was all the seating area. The bar ran along the right hand side, before the bar to the right hand side was the private booths dance area that contained atleast 4 private boothes. The far end of the bar was the toilets in the right hand corner. And the left hand side went into the VIP dance area, which again had atleast 3 open boothes. .

There was approximately 10+ dancers, they would walk around collecting money from individuals before they got up on to the stage, taking it in turns, on the occasion buying one a drink. I got talking to a Romanian dancer "Patricia", we decided to go for a private dance, which we paid £20, we ended up having a double performance with my collegue in the same room with his dancer. The dancer did make contact with me on my lap. The security did check on us through the beaded curtains but was outside of it most of the time. We then went for a VIP dance which was £240 and included a drink for us both. In the VIP no security was seen until the very end of the dance, but there was cctv directly infront of us, as it was quite an open booth area. The dancers would look out for each other's bag, as the dancer explained to me that someone had once ran off with one of their bags. The dancer made a fair amount of contact with me, she pressed her breasts into my face, brushing against my neck and ear. She spent a lot of time on my lap with her underwear to the side and touching her vagina, she would also grind against my groin area. She did explain to me that I was aloud to touch her a little bit if I wanted, I declined politely. We spoke a bit about my tattoos and she told me how she wanted to get bum implants.

There was no mention at all about drug use within the premises, and no offers of further sexual service. On visiting the gents toilets there were no performers inside. There was no sexual physical contact between the dancers.

# Appendix 4

Witness Statement

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

URN:

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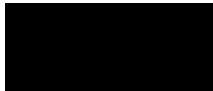
Statement of: Mohshin ALI

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

Occupation: Senior Licensing Officer

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:



Date: 15<sup>th</sup> May 2023

**Statement**

1. I am Mohshin ALI and I am employed by the London Borough of Tower Hamlets as a Senior Licensing Officer in the Licensing Section of Environmental Health & Trading Standards. I have been a Licensing Officer since July 2004 and I am duly authorised under the Licensing Act 2003. I am also aware of the systems used for issuing and storing records in relation to the above Act and I am authorised to access records in order to look at the history of premises.
2. I make this statement as an addition to previous evidence for the Licensing Authority, because of further evidence which came to my attention on Friday 12<sup>th</sup> May 2023.
3. On Friday 12<sup>th</sup> May 2023, the Licensing Authority received an email from Police Officer Steve Muldoon about other premises, 'Vanity' in Soho operated by Mr. Manpal Singh Clair, being subject to summary review. In particular, as part of those proceedings, it came to the police's attention that there had been multiple breaches of the condition on that SEV licence prohibiting contact between dancer and customer.
4. The police later emailed to the Licensing Authority copies of the evidence in that matter, which I now exhibit as **Exhibit MA/01**.
5. I note that in paragraph 10 of his statement, Mr. Clair mentions other premises in relation to

Name / Signature:



Page 33

Date:

15<sup>th</sup> May 2023

**Witness Statement**

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

which he has been involved in their running. I am surprised that he omits mention of 'Vanity'.

6. I produce **Exhibit MA/02** which are print offs from the Companies House website confirming the same Mr. Manpal Clair to be an officer (and sole Director) of both the corporate licence holder in the present case, and in the company who operated 'Vanity'."

Name / Signature:

Page 34

Date:

15th May 2023

# Appendix 5

I identify this exhibit as that referred  
to in the statement signed by me

Exhibit number: EXHIBIT MA/01

Date: 15 May 2023

Name: Mohshin Ali

Signed:



**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

**Statement of** David Morgan PC4242AW ..... URN: 

Signed:		
---------	--	--

Age if under 18 **Over 18** ..... (if over 18 insert 'over 18') Occupation: Police Officer .....

This statement (consisting of: ....**3**..... pages 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 anything in it which I know to be false, or do not believe to be true.


Signature:  ..... Date: 03/01/2023.....

I am the above named person and this statement is a continuation of the statement that I provided on Tuesday 3rd January 2023 with regards to viewing the CCTV for the Vanity bar, 4 Carlisle Street, W1D 3BJ.

Whilst viewing the CCTV for the initial drink spike crime report allegation, I noticed various unconnected incidents that took place within the venue that are contrary to the premises licence and Sexual Entertainment Venue (SEV) licence conditions.

PC Guerra has made reference to many of these conditions in his statement that he wrote on the 2<sup>nd</sup> January 2023 and my statement includes further incidents of breaches that I witnessed whilst watching the CCTV. Most of the breaches are connected with conditions 17 and 22 of the SEV licence (i.e. no physical contact between the performers and customers whilst relevant entertainment is being provided).

Whilst watching the CCTV, it has become clear that many of the female performers are allowing physical contact between themselves and the customers and there seems to be frequent contact of a sexual nature between both the customers and the performers. These range from kissing, to the touching of the performer's breasts, buttocks and vaginas. Some of the incidents that I have witnessed have already been documented in PC Guerra's statement, so I won't duplicate those. However, the additional incidents that I have noticed in addition to those PC Guerra has supplied for

Signature:  Signature witnessed by: .....

Continuation of Statement of David Morgan PC 4242AW.....

the 24<sup>th</sup> November 2023 are as follows:

At **01:29:55 on Camera 3**, an IC1 male in a dark coloured jacket is seen talking to an IC1 female with shoulder length blonde hair. The female is talking to the male and is seen hugging him and talking in his ear. The male can be seen to take out some notes from his trouser pocket and starts to hand over some money to the female. She is seen to grab some money from his hand and starts to count it. The male seems to ask for some of the money back and she hands one of the notes back. The female then walks away followed by the male and they proceed to go upstairs where she provides him with a private dance. This incident is of note as during the interim committee hearing, it was stated that no money is taken from customers by the performers and that all transactions go through the DPS or other members of the management staff. This does not seem to be the case on this occasion. I have taken a screen shot of this incident and I exhibit it as DJM/1.

At **01:10:04 on Camera 14**, a female performer is giving a male customer a private dance in one of the booths. During the dance, the female is facing away from the male and the male can clearly be seen to be touching the performer’s buttocks afterwhich the female does not to stop him. I have taken a screen shot of this and exhibit it as DJM/2. A few seconds later, the female is facing straddling the male and the he is seen to touch her genitals. Again, the female make no attempts to stop him or does she call for a member of staff or security. This screen shot is exhibited as DJM/3. The dance continues and the male continues to touch the female’s breasts and buttocks numerous times.

At **02:13:52 on camera14**, a different female is performing a dance for a male customer and the male can be seen touching the females buttocks. I exhibit this screenshot as DJM/4. During this dance, the female removes her underwear and the male continues to touch her thighs and slaps her buttocks. This can be seen at 02:16:43 and 02:18:03, screenshots of which I exhibit as DJM/5 and DJM/6. Throughout, the dance, members of staff can be seen walking up and down the corridor, but

Signature: 

Signature witnessed by: .....



Continuation of Statement of David Morgan PC 4242AW.....

at no time does anyone intervene nor does the female performer ask the male to stop.

At **02:39:21 on camera 14**, again, another female performer is dancing for another male customer.

As the female is sat on the male facing away from him, he can be seen touching her buttocks and slapping them. I exhibit this screenshot as DJM/7. Again, at no point does the female resist, nor do any members of the management intervene. A minute or so later, the female turns to face the male and his right hand can be seen moving towards her genitals and it appears that his hand makes contact with her vagina as she sits on his lap. This screen shot is exhibited as DJM/8. The female continues to dance and the male continues to touch her and at one point kisses one of her buttocks.

At **02:43:46**, the female can be seen facing away from the male, and he is seen to place his finger directly between her legs touching her vagina. At this point, the female does turn around and moves his hand away, but the dance continues without the female calling for assistance from staff or security.

Throughout my viewing of the CCTV footage, it was clear that the DPS and members of management staff were constantly walking past the booths and were within sight of the performers and customers. However, at no point have I seen them intervene or ask the performers or customers not to make contact with each other. As such, I believe that the SEV conditions have been breached on numerous occasions and it is from this, that I believe that the venue is being managed in an irresponsible manner.

[Redacted]

Signature: [Redacted]

Signature witnessed by: .....

**RESTRICTED CONTENT**

**DJM/1-DJM/9**

# Appendix 6

WITNESS STATEMENT

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

Statement of PC Reaz Guerra 1614CW..... URN: [ ] [ ] [ ] [ ]

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

This statement (consisting of: ... 14.... pages 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 anything in it which I know to be false, or do not believe to be true.

Signature: [ ] ..... Date: 2ND January 2023.....

Tick if witness evidence is visually recorded [ ] (supply witness details on rear)

I am the above-named person, currently employed in the Westminster Police Licensing Unit.

This is a further statement in addition to my previously statement dated 14th December 2022.

I submit the below information in relation to an application by the Westminster Police Licensing Unit, on behalf of the Commissioner of the Metropolitan Police, to review the premises licence for Vanity Bar And Nightclub Basement To First Floor 4 Carlisle Street London W1D 3BJ, 20/03227/LIPT. The premises is also licensed as a Sexual Entertainment Venue (SEV) ref 21/13871/LISEVR.

As previously detailed, PC Muldoon and myself attended the premises on the 9th December 2022 to make enquiries regarding crime reference 6573153/22, PC Muldoon requested CCTV to be downloaded at the time of the visit and was told by Lorraine Forman that it would be ready for Monday. The was series of email exchanges between the premises and PC Muldoon in relation to the CCTV. The premises stated that the request CCTV was disproportionate and unnecessary. The interim step hearing was held on 15th December 2022, during which the Police highlighted the obstruction and delay by the premises in providing the CCTV.

Signature: [ ] Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

Following the interim steps hearing there were further emails exchanged with the premises, which in my view were an intentional to further delay providing the Police with CCTV.

It also became apparent that the date of the offence for Crime Reference 6573153/22 had been misread, initially thought that it had taken place on 24/25<sup>th</sup> Nov 2022, the offence actually took place on 23/24<sup>th</sup> November. when this was noticed PC Muldoon informed the premises, such that the CCTV for the correct time period could be provided, which was followed by a further exchange of obstructive emails from the premises.

At 10:50hrs on 21/12/22 I emailed the Solicitor acting for the premises (Luke Elford) with a letter detailing the necessity and requirement of the premises to provide the CCTV. (Exhibit RGG/003).

The premises solicitor the confirmed that the CCTV was now ready and could be collected. Given the delays already experience in obtaining the CCTV I arranged to collect the CCTV from their solicitor that afternoon, despite being on annual leave I attended an address in [REDACTED] to collect the CCTV from the solicitor. I was on annual leave and had no option but to travel into London with my 5 year old daughter to collect the CCTV, as it would have been difficult, for both myself and other members of our team to make arrangements to collect it in the forthcoming days on the approach to Christmas.

I attended the address/location provided at approximately 1520 hours calling Luke Elford to inform him that I was outside, a few moments later he came outside and he handed my two white envelopes, with handwriting on the outside. I said "HELLO, SO WHAT IS IN THE ENVELOPES?"

Mr Elford replied "IT SAYS WHATS THERE ON THE ENVELOPES" his tone was somewhat dismissive, I read out the handwriting on the envelopes to confirm. I did not open the envelopes as I did not want to risk losing the contents. Mr Elford then said "REAZ I NEED YOU GIVE ME THE DETAILS OF THE SUPERINTENDENT AND THE OFFENCE DETAILS BY THE END OF THE DAY OTHERWISE I WILL MAKE A FORMAL COMPLAINT." his tone was aggressive and confrontational.

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

Conscious of the fact that I had my daughter with me I said "LUKE, I CANT REMEMBER THE SUPERINTENDENTS NAME, BUT CAN EMAIL IT TO YOU LATER, THE OTHER DETAILS WE ARE STILL WATING FOR BUT AS SOON AS WE GET THEM WE WILL PASS THEM ON."

I then said "LUKE, I GOT MY DAUGHTRER WITH ME, AS ITS MY DAY OFF, PLEASE I WOULD RATHER NOT DISCUSS THIS RIGHT NOW AND I DON'T FEEL ITS APPROPRIATE FOR ME TO DISCUSS THIS NOW, BUT I'M HAPPY TO SPEAK TO YOU LATER ON THE PHONE OR BY EMAIL"

He replied "THAT'S NOT MY PROBLEM, I DIDN'T ASK YOU TO BRING HER."

I said "NO YOUR ABSOLUTELY RIGHT YOU DIDN'T BUT I HAD NO CHOICE, I WILL EMAIL YOU THE SUPERINTENDENT'S NAME LATER."

I thanked him for the CCTV and said goodbye, he returned inside the building a I left. I would describe the encounter as unnecessarily uncomfortable and unpleasant. Luke Elford then emailed me later that afternoon stating that I had refused to discuss the matter with him, this was not the case, I simply stated that it was inappropriate to discuss it in front of my daughter.

The CCTV provided contained footage from 21<sup>st</sup>-22<sup>nd</sup> November 2022 and 23<sup>rd</sup>-24<sup>th</sup> November, with footage from 19 different cameras. At the interim steps hearing the premise stated that there were 22 cameras. The following is a summary of the location/field of view of the cameras provided, this is from my knowledge of the areas I have seen within the venue and using the premises plans.

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

<b>Camera No</b>	<b>Approximate location/coverage</b>
3	Ground floor by edge of bar pointing towards front of premises
4	Ground floor located by staircase, looking towards bar
5	Ground floor located behind bar, looking over bar and towards staircase
6	Ground floor located by staircase, looking towards bar.
7	1 <sup>st</sup> Floor, above/by entrance looking into room
9	1 <sup>st</sup> Floor, located on far wall looking back across room towards room.
10	Basement, lobby/landing area at bottom of stair, entrance to the booth is on the left, female toilet on the right.
11	Basement, Landing area between stairs/ female toilets and changing rooms.
12	Basement Changing Rooms
13	Basement, camera located in centre of walkway between booths looking at double entrance door from lobby into booths.
14	Basement booths, located above 1 <sup>st</sup> right hand booth as you enter room.
15	Basement booths, located in last booth on the right, entrance to booth area is top right of screen
16	Basement booths, located in last booth on the left, entrance to booth area is top left of screen, door on right leads to staff office and back of house area

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

17	Basement booths, located above 1 <sup>st</sup> left hand booth as you enter room.
18	Believed fire escape – exact location unknown
19	Storeroom – exact location unknown
20	Basement - office
21	Believed fire escape – exact location unknown
22	Ground floor – outside main entrance looking west along Carlisle street.

Notably cameras 1,2 and 8 were not included in the footage provided. I recalled from my visit on the 9<sup>th</sup> Dec 22 that Lorraine Forman insisted on showing us footage from the basement of her having to open the basement fire escape door which leads to a fire escape staircase to ground/street level, Lorraine Forman stated that she had to open the fire escape door and stand outside in order to use the PDQ card machine process payments. None of the cameras provided covered this area. It is unknown what cameras 1 and 2 would show. PC Muldoon contacted the venue to clarify this but to date no response was received. The CCTV Time stamp on the recorded footage is three (3) Minutes fast.

From the CCTV that I have viewed from 21<sup>st</sup>/22<sup>nd</sup> and 23<sup>rd</sup>/24<sup>th</sup> November 2022 I have produced a transcript, exhibits RGG/001 and RGG/002 refer.

Both the Premises licence and SEV Licence have conditions relating to CCTV :-

***Premises licence – Conditions 29 & 30***

***29. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times***

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

*when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.*

*30. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested*

**Sev Licence conditions 10 & 11**

*The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.*

*A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.*

On the ground floor, the camera outside the main entrance (Camera 22) does not adequately capture a facial image of all persons entering or exiting. an example of this is evidenced in the

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

CCTV on Camera 22, on 24/11/22 at 03:07:41, two people leave the premises and the footage is of insufficient quality to identify them. (screenshot produced as exhibit **RGG/004**)

The only other camera that covers the internal entrance in the main area of the ground floor is Camera 3 and again this does not provide sufficient quality footage, particularly of people leaving in all light conditions. There are no cameras in the lobby area between the main street entrance and the entrance to the ground floor.

**SEV - Condition 21**

**21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.**

On the 1<sup>st</sup> floor, the relevant entertainment takes place in a large room, there are approximately eight (8) armchairs located around the periphery of the room, where customers sit, there are three (3) movable concertina screens (approximately 1.8m high) which are positioned ad hoc to provide privacy.

The two cameras located on the ceiling at either end of this large room do not provide sufficient coverage, particularly as the seats located on the periphery of the room are often obscured by screens, also the seats at the far end of the room are out of view of the camera position at the far end of the room and in low light condition are not adequately covered by the only other camera.

In the Basement booth area, there are 6 booths three on each side with a walkway down the middle. As you enter this room, there is a seat/area just to the immediate left as you enter, where the PDQ machine is situated and staff often stand/sit. Within the booth area there are only four cameras to cover all six booths (cameras 14, 15, 16, 17). The booths have bead screens in-between them and this obscure the CCTV coverage, particularly of the middle booths. The

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

positioning of the seating within the booth allows customers to be seated out of view of the CCTV cameras, the dancers are also aware that the seats are out of camera view, this is evident on Camera 15 (21/11/22 23:06:15), when a male enters the booth and sits in the chair that is within the view of the camera, the dancer then speaks to him, turns and points at the camera and the male gets up and sits in the seat out of the view of the camera – Screenshot Nov21 Cam15 230645 - Exhibit RGG/005).

I also produce screen shots of Camera 14, 16 and 17, showing the inadequate coverage of all the booths, in each of the screen shots all the booths are occupied by at least one customer and one dancer.

Exhibit RGG/006 – Nov 21 Cam 14 225919 – male out of view at bottom of screen, dancer/male in middle booth obscured by beaded screen

Exhibit RGG/005 - Nov 21 Cam 15 230645 - dancer/male in middle booth obscured by beaded screen

Exhibit RGG/007 - Nov 21 Cam 16 232708 - dancer/male in middle booth obscured by beaded screen

Exhibit RGG/008 - Nov 21 Cam 17 234542 - dancer/male in middle booth obscured by beaded screen.

The inadequate coverage breaches both the conditions on the SEV and premises licence, as the minimum expectation would be that all areas where relevant entertainment takes place should be adequately covered by CCTV as per the conditions on both licences.

Premises licence condition 24

***24. The sale of alcohol shall be ancillary to the use of the premises for either i) music and dancing and substantial refreshment or ii) Relevant Entertainment and substantial refreshment.***

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

The CCTV does not show and evidence of any substantial refreshment being provided, the only form of food being consumed are the lemon/limes being provided with what is assumed to be shots of tequila., whilst it is evident that regulated entertainment is being provided (recorded music), the premises was essentially operating as a Sexual Entertainment Venue on both 21/22<sup>nd</sup> and 23/24<sup>th</sup> November 2022, and therefore should be fully compliant their SEV Licence.

Numerous conditions have been breached on both dates and is evident on the CCTV.

**SEV Conditions breached:-**

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

**17. There shall be no physical contact between Performers whilst performing.**


**20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.**

**21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.**

**22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.**

**23. Performers must redress fully immediately after each performance.**

It is clearly evident from CCTV that there are many instances where customers and performers are permitted to touch each other, with physical contact frequently being made often of a sexual nature, whereby customers are permitted to touch the breasts, bottom and vaginas of the dancers; and dancers touch and rub the customers crotches. These incidents are not limited to a

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

single performer or customer but occur between numerous dancers and different customers. It appears to be commonplace and regular behaviour, the SIA security or management when positioned on each floor ignore and are not seen to actively challenge or prevent the touching/between performers and customers. Breaching conditions 16, 17, 21, 22 and 23.

These many incidents of touching have been detailed with the CCTV transcripts, Exhibits RGG/01 & RGG/02.

To highlight but just a few incidents on the 24<sup>th</sup> November: -

Male seated in chair, top left of screen. Dancer is lying on male facing him, her breasts in his face, male has his hands on her bottom. **Screenshot - Camera 7 02:59:21 – Exhibit RGG/009**

Male seated in chair, Dancer is stood in front of male, bent over with left knee on his thigh, male has right hand on her left breast **Screenshot -24Nov Cam7– 03:00:56 - Exhibit RGG/010.**

Male seated in chair, top left of screen. Dancer is kneeling down on floor in front of male and has her hand in male’s crotch **Screenshot -24Nov Cam7– 02:59:34 - Exhibit RGG/011**

Male seated in chair middle left of screen, dancer seated sideways on left leg of male, male has his right hand in dancers crotch. **Screenshot 24Nov – Cam 9 03:53: 29 - Exhibit RGG/012**

Male seated in chair middle left of screen, dancer is stood in front of male, bent over, male has right hand on her bottom. believed his left hand is also on dancers bottom but view is obscured by screen. - **Screenshot 24Nov – Cam 9 03:54: 52 - Exhibit RGG/013**

Male is seated out of camera view, dancer is stood up in front of male facing away, male places hands on her hips and the grabs/rubs her bottom. **Screenshot 24Nov – Cam 14 01:18: 48 - Exhibit RGG/014**

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

Male is seated out of camera view, Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. **Screenshot 24Nov – Cam 14 03:10:59 - Exhibit RGG/015**

Male is seated out of camera view; Dancer is stood up facing Male. Male has his hand in between dancer’s legs on her vagina, then hand moves in and out between dancers’ legs - **Screenshot 24Nov – Cam 14 03:11:38 - Exhibit RGG/016**

Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - **Screenshot 24Nov – Cam 14 03:24:06 - Exhibit RGG/017**

Dancer is facing seated male, male touches dancers’ breasts with both his hands **Screenshot 24Nov – Cam 16 02:41:42 - Exhibit RGG/018**

Male and dancer stood up embracing each other and kissing on lips - **Screenshot 24Nov – Cam 16 03:35:15 - Exhibit RGG/019**

Male and dancer stood up embracing each other and kissing on lips - **Screenshot 24Nov – Cam 16 03:41:22 - Exhibit RGG/020**

It is also evident that, many of the male customers are intoxicated and in their intoxicated state are being encouraged to purchase more dances/performances. two such examples being

22<sup>nd</sup> November 22 – 02:27 t0 03:00 – Intoxicated male attempts various different payments, by phone and bank cards, has 4 dancers with him in the booth, when the performance ends the male stands up and clearly unsteady on his feet.

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

24<sup>th</sup> November 22, 03:30 – Camera 16 - Male stands up, clearly unsteady on his feet, stumble as he gets up and has to use his right hand to hold on to wall to support himself, swaying from side to side and has to lean against wall. Dancer returns and male has his hand on her bottom, then grabs her bottom with both hands.

***35. There shall be at least one SIA registered door supervisor on duty on every floor where Relevant Entertainment is provided for the entire time the Relevant Entertainment is provided.***

On 24<sup>th</sup> November 2022, cameras 13 and 17 between 0300hours to 0440 hours the basement booths are supervised solely by a male member of staff, he is not wearing or displaying an SIA badge, it is believed that he is not an accredited SIA security person.

Another noteworthy incident is captured on camera 6 (ground floor bar) and camera 15 (basement booths) a male customer having entered the booth with a dancer at approximately 23:06 hours. Then at approximately 23:30 hours on camera 15, male is seated out of view a member of staff attempting to make a payment using his phone, Male makes payment on card machine, then staff screws up both copies of the printed receipt, staff the takes the customers mobile phone which is unlocked (bank card image visible on phone screen) up to the bar on the ground floor to complete the transaction (See Camera 6 - 23:31:55) Staff returns to booth, transaction appears declined, staff leave momentarily and returns with another PDQ machine, unclear if transaction made as out of camera view. It is questionable as to why the customer allowed the member of staff to use his phone for a payment with the customer not being present.

The premises is failing to uphold and fully promote the licensing objectives, their obstructive approach in providing CCTV, which clearly evidences many breaches of both their Premises Licence and SEV Licence and shows the premises is being managed and operated in an irresponsible manner.

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

**Summary of Exhibits**

Exhibit Number	Description of Exhibit
RGG/001	CCTV Transcript 21/22 Dec 2022
RGG/002	CCTV Transcript 23/24 Dec 2022
RGG/003	Email chain between Solicitor (Luke Elford) and PC Guerra
RGG/004	Screenshot showing male leaving premises, poor camera quality/position does not allow person to be identified. - CCTV on Camera 22, on 24/11/22 at 03:07:41
RGG/005	Screenshot Nov21 Cam15 230645 - Exhibit RGG/005) – dancer points at the camera and the male gets up and sits in the seat out of the view of the camera
RGG/006	Screenshot – Nov 21 Cam 14 225919 – male out of view at bottom of screen, dancer/male in middle booth obscured by beaded screen
RGG/007	Screenshot - Nov 21 Cam 16 232708 - dancer/male in middle booth obscured by beaded screen
RGG/008	Screenshot - Nov 21 Cam 17 234542 - dancer/male in middle booth obscured by beaded screen.
RGG/009	Screenshot - Camera 7 02:59:21 – Male seated in chair, top left of screen. Dancer is lying on male facing him, breasts in his face, male has his hands on her bottom.
RGG/010	Screenshot -24Nov Cam7– 03:00:56 - Dancer is stood in front of male, bent over with left knee on his thigh, male has right hand on her left breast
RGG/011	Male seated in chair, top left of screen. Dancer is kneeling down on floor in front of male has hand in male’s crotch Screenshot -24Nov Cam7– 02:59:34

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

RGG/012	Male seated in chair middle left of screen, dancer seated sideways on left leg of male, male has his right hand in dancers crotch. Screenshot 24Nov – Cam 9 03:53: 29
RGG/013	Male seated in chair middle left of screen, dancer is stood in front of male, bent over, male has right hand on her bottom. believed his left hand is also on dancers bottom but view is obscured by screen. - Screenshot 24Nov – Cam 9 03:54: 52 -
RGG/014	Male is seated out of camera view, dancer is stood up in front of male facing away, male places hands on her hips and the grabs/rubs her bottom. Screenshot 24Nov – Cam 14 01:18: 48
RGG/015	Male is seated out of camera view, Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. Screenshot 24Nov – Cam 14 03:10:59
RGG/016	Male is seated out of camera view, Dancer is stood up facing Male. Male has his hand in between dancer’s legs on her vagina, then hand moves in and out between dancers legs - Screenshot 24Nov – Cam 14 03:11:38
RGG/017	Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - Screenshot 24Nov – Cam 14 03:24:06
RGG/018	Dancer is facing seated male, male touches dancers’ breasts with both his hands Screenshot 24Nov – Cam 16 02:41:42
RGG/019	Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:35:15
RGG/020	Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:41:22

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# Appendix 7

**Exhibit RGG/01 – CCTV Transcript 21/22 Dec 2022**

Camera	Date	Time	Description of Footage
03	21/22/22	23:56:27	Drunk male (A) with shirt on backwards open/untied
03	22/11/22	00:15:23	Male (B) enters with friend, greeted by female and taken to bar.
03	22/11/22	00:12:22	Male (C) enters and greeted by 2 females.
03	21/11/22	23:56:27	Drunk male (A) with shirt on backwards open/untied - unsteady on feet
03	21/11/22	22:34:22	Male (A) swings around pole, take off t-shirt. Shane walks past him and looks at him. Barman approaches and talks to him; male doesn't put his shirt back on but swings it around over his head.
03	21/11/22	23:21:09	Male (A) dances on pole again, the rips his t-shirt, the spoken to by Lorraine.
04	22/11/22	00:15:26	Male (B) taken to bar by dancer, she rubs finger down his face, rubs his chest with her left hand, then unzips his coat, puts hands on his head, then runs hand down his stomach, she takes his coat to the cloak room. Dancer returns a few seconds later, male has right hand around her waist at the top of her bottom. Male then buys more drinks and pays to go upstairs.
04	22/11/22	01:34:30	Male (E) at bar with two dancers. one dancer is stroking his face, Male appears to say the word ' "Coke" male places his right hand by his nose, intimating that he is sniffing something. Both dancers then nod their heads and point downstairs. (Screenshot 22Nov Cam 04 – 013456 – Exhibit RGG03) Male makes payment to bar staff, then makes another payment. Remains at bar with two dancers, hugs one of them. then goes to go upstairs, called back by bar staff, further conversation with dancer who points to her nose with her right index finger. Male then leaves premises believed to smoke then re-enters.
05	22/11/22	01:37:20	Male (D) taken upstairs.
05	22/11/22	00:16:30	Male (D) orders two more beers and pays by phone
05	22/11/22	00:28:31	Male (D) orders 4 more shots and, struggles to find his phone, pays by phone.
05	22/11/22	00:30:05	Dancer places arm around his neck and speaks into his ear, continues to talk to him, strokes his head, then shakes him. Male (D) makes further payment
05	22/11/22	00:30:50	Male (E) makes a payment by phone, barman gives thumbs up, then Males (D) & (E) are taken upstairs.
05	22/11/22	01:35:45	Male (E) has faced makes another payment

05	22/11/22	01:56:04	Male (F) at bar, pays by contactless
05	22/11/22	01:59:30	Male (F) has his nipple pinched through his shirt.
05	22/11/22	02:00:10	Male (F) pays by pin, the gets his phone out and has to check his phone.
05	22/11/22	02:02:41	Male (F) buys another beer.
06	21/11/22	23:31:55	Staff comes upstairs from basement to bar, with customers phone which is unlocked, speaks with bar staff and uses phone to complete transaction using PDQ machine at bar, customer not present. Staff then goes back down to basement (See camera 15)
06	22/11/22	00:31:00	Male (E) Makes payment for something then goes upstairs with Male (D) and two dancers.
06	22/11/22	00:40:50	Male (D) is back at bar, orders another beer and two more shots. then joined by male (E) and dancer.
06	22/11/22	00:44:25	Male (E) make further payment by phone and then goes downstairs with dancer.
06	21/11/22	23:29:50	Staff making written record of transactions
06	21/11/22	23:31:58	Staff comes up from downstairs with customers phone to use phone on PDQ machine (customer remains downstairs) bar staff shakes his head and staff member goes back downstairs.
07	22/11/22	00:30:00	Male (D) & (E) upstairs seated separately.
07	22/11/22	00:33:04	Male (e) rubs right hand on dancers left leg.
07	22/11/22	00:35:42	Male (E) places right hand on dancers bottom and strokes it.
07	22/11/22	00:36:10	Male (E) continues to rub dancers' legs with both hands
07	22/11/22	00:37:21	Dancer places her left high heel onto right thigh of Male (E)
07	22/11/22	00:37:34	Dancers has her back to Male (E) her bottom at his head height, her left hand reaches behind her and rubs his crotch. Male then pulls her toward him, and her knees are in his crotch.
07	22/11/22	00:38:32	Male (E) runs his hand along dancer's body touching her breasts. she the runs her hand down his chest
07	22/11/22	00:39:25	Dancer continues to rub her hands over Male (E) chest.
10	22/11/22	00:45:10	Male (E) comes downstairs into booths
10	22/11/22	01:18:20	Male (E) comes out of booths, hugs and kisses dancer.
10	22/11/22	01:19:00	Male (E) hugs and kisses dancer and stroking her bottom with his right hand.
10	22/11/22	02:04:01	Male (F) enters booths followed by black male.
13	21/11/22	23:42:50	Lorraine brings in champagne
14	22/11/22	02:27:46	Male (D) enters booth with one dancer,

14	22/11/22		Shane comes in with PDQ machine to take payment, dancer stroking his hair., male (E) makes payment by phone.
14	22/11/22	02:34:35	Dancer seated male (D) lap, grinding her bottom against him.
14	22/11/22	02:34:50	Second dancer joins them
14	22/11/22	02:34:59	Third dancer joins them
14	22/11/22	02:35:08	Fourth dancer joins them
14	22/11/22	02:35:24	One dancer leaves the booth.
14	22/11/22	02:35:30	Dancers take in in turn to sit on his lap and grind against him.
14	22/11/22	02:37:30	Dancer rubs this inside of his right leg/ Crotch with her right hand
14	22/11/22	02:39:45	Male (D) holding breasts of dancer.
14	22/11/22	02:40:00	Dancer rubbing inside of his thigh.
14	22/11/22	02:42:29	Lorraine come in to take further payment, Male (D) stands up, unsteady whilst he is searching through his pockets to find his bank card, dancer hugs him from behind whilst payment is being taken.
14	22/11/22	02:43:27	Lorraine gestures to dancers to dance and move about. unclear if payment is authorised, dancers continue to talk to him and he then takes out his mobile phone, dancers then flick through his phone whilst he is holding it.
14	22/11/22	02:46:00	Lorraine returns to take a payment, which is authorised, and dancers continue to dance.
14	22/11/22	02:47:00	Dancer continues to sit on his lap, grinding against him.
14	22/11/22	02:49:47	Dancer is standing between male's legs facing him, he puts his hand between dancers legs and touches her vagina.
14	22/11/22	02:50:37	Dance is stood between male's legs facing away from him, he slaps her bottom twice with his right hand.
14	22/11/22	02:54:30	Lorraine enters booth and has discussion with dancers.
14	22/11/22	03:01:50	Dance ends, dancers put their underwear back on. Male (D) stands up, unsteady on his feet.
15	21/11/22	23:06:02	Dancer and male enter booth, male sits down in armchair that is within the view of the CCTV camera, dancer then points at and looks at CCTV camera and male the moves to a seat outside of the camera view. (Screen shot Nov21 Cam15 – 230645 - Exhibit RGG/000)
15	21/11/22	23:30:00	Male makes payment on card machine, then staff screw up both copies of the printed receipt, staff the takes the customers mobile phone which is unlocked up to the bar on

			the ground floor to complete the transaction (See Camera 6 - 23:31:55)
	21/11/22	23:32:42	Staff returns to booth, transaction appears declined, staff leave momentarily and returns with another PDQ machine, unclear if transaction made at out of camera view.
15	22/11/22	02:04:37	Male (F) enters booth with dancer, get seated in chair out of camera view.
15	22/11/22	02:04:49	Dancer takes males bottle of beer, drinks from it then pouts some down her breasts.
15	22/11/22	02:07:28	Dancer has male (F) credit card and is rubbing over her body.
15	22/11/22	02:08:48	Dancer rubs credit card against her vagina the drops it onto the other armchair within camera view.
15	22/11/22	02:14:11	Lorraine brings in tray of drinks and credit card machine, dancer picks up bank card from chair and hands it to Lorraine who takes a payment,
15	22/11/22	02:15:42	Male in middle booth with dance who is rubbing her breasts in his face, he is rubbing her lower back and bottom with his right hand.
15	22/11/22	02:21:20	Male (F) stands up, belt and zip on trousers undone
15	22/11/22	02:21:32	Dancers stroke male (F) on his chest while he does his belt up.
15	22/11/22	02:22:09	Dancer kisses Male (F)
15	22/11/22	02:25:30	Male (F) stands up and kisses dancer, Lorraine come in to take payment
15	22/11/22	02:26:53	Lorraine gestures to her waistband.
15	22/11/22	02:27:01	Lorraine appears to say "Pull Your Trousers Up"
15	22/11/22	02:27:16	Lorraine gestures and appears to say "Keep your trousers up."
15	22/11/22	02:29:43	Dancer pours beer on herself.
15	22/11/22	02:30:40	SIA security enters booth, points to the floor where the beer has spilled and asks Male to get up.
15	22/11/22	02:31:50	Shane comes into booth, Male drinks approx. 1/3 remaining bottle of beer.
15	22/11/22	02:33:20	Male (F) leave the booth, dancer remain and is seen drying her body with paper towel before getting dressed.
16	22/11/22	00:45:21	Male (E) and dancer enter booth, male takes of coat and unbuttons outer shirt, hugs dancer, Lorraine come in and takes payment, male stands up and get phone out of his coat to make payment, long discussion with Lorraine and male.

16	22/11/22	00:49:15	Dancer wraps male's arms around her and starts dancing with him, dancer bends over in front of male and he starts to thrust his groin into her bottom.
16	22/11/22	00:49:54	Male sit down and dancer is facing him, e rubs his hand up her legs to her bottom.
16	22/11/22	00:51:10	Males stroke dancers bottom
16	22/11/22	00:51:55	Dancer removes her knickers and male continues to stroke and rub her bottom with both his hands.
16	22/11/22	00:52:30	Dancer is in front of seated male, she bends over and her continues to rub her bottom.
16	22/11/22	01:10:50	Dance ends and dancers starts to get dressed.
16	22/11/22	01:14:34	Male and dancer stood up in booth engaged in conversation, dancer places her left hand on male's bottom, and he continues to rub his hands up and down her body.
16	22/11/22	01:18:05	Dancer and male leave the booth.
17	22/11/22	00:10:10	Dancer removes her knickers and grinds her bottom against the male crotch.
17	22/11/22	00:10:57	Male places hand between the dancer legs and rubs the inside of her bottom
17	22/11/22	00:11:30	Dancer the straddles male and sits on his legs, rubbing his chest with er left hand. Male has his hands on the dancer's bottom
17	22/11/22	00:11:50	Dancer is position in front of male facing him straddled over his left leg, with her breast level with his face, male can be seen rubbing dancers bottom with his right hand.
17	22/11/22	00:12:00	Male has is holding dancers' breasts with his hand
17	22/11/22	00:12:18	Dancer positions herself sideways across male who is seated, male has his hand on dancer's bottom.
17	22/11/22	00:12:24	Dancer is position with her back to the male, rubbing her bottom against his crotch, male has right hand on her abdomen and move it down to her vagina.
17	22/11/22	00:12:33	Dancer continues to grind her bottom in male's crotch, whilst he rubs her breasts, dancer has her hands on his whilst he rubs her breast.
17	22/11/22	00:15:18	Dance is lying on her back on male, left hand reaches over and touches her vagina, the move up and touches her left breast.
17	22/11/22	00:15:48	Dancer stands up and put her knickers back on.
17	22/11/22	00:16:05	Dancer is standing up facing away from male who is still seated, male prods her bottom with his right index finger and then pats her bottom with his right palm

17	22/11/22	00:17:00	Dancer puts on her coat and they both leave the booth.
17	22/11/22	02:33:55	Male is seated, dancer is positioned in front of him with left leg raised and resting on back of the seat to the left of the male's head, other foot on the floor, male is stroking left with his left hand.
17	22/11/22	02:34:06	Dancer bends over further and rubs her vagina with her right hand
17	22/11/22	02:34:22	Male touches her vagina with his right hand.
17	22/11/22	02:24:34	Male leans forward and runs his right hand up dancer's left leg up to her bottom.
17	22/11/22	02:38:00	Dancer is positioned standing in front of seated male, facing away from him, male places both his hands on her bottom
17	22/11/22	02:38:30	Male continues to rub dancer's bottom with his right hand.
17	22/11/22	02:39:34	Dancer is facing male, he runs his hands up from her bottom up her back.
17	22/11/22	02:39:58	Dancer standing in front of seated male, he then slaps her bottom with his right hand, dancer bends over and he continues to rub her bottom with both hands. SIA is standing next to the booth.
17	22/11/22	02:52:49	Dancer is seated on male's lap, grinding her bottom against his crotch, whilst he has his hands on her hips.
17	22/11/22	02:53:31	Dancer is stood in front of male, right leg raised, male runs his right hand up and down her left leg.



**Exhibit RGG/02 – CCTV Transcript 23/24 Dec 2022**

File Name	Camera	Date	Time	Description of Footage
	03	24/12/22	03:26:10	Male (G) victims friend looks outside main door then returns inside the premises
	07	24/11/22	02:24:05	White male is brought upstairs with black female dancer, seated in chair.
	07	24/11/22	02:25:27	Dancer is seated in his lap grinding against his crotch.
	07	24/11/22	02:26:05	Dancer the straddles male and the slides down onto floor.
	07	24/11/22	02:27:26	Dancer rubs her left knee into his crotch, she sits on his lap with her back to him, grinding against his crotch.
	07	24/11/22	02:28:34	Dancer turns around, facing male, lying against him and slides her body down the front of his.
	07	24/11/22	02:50:53	Two males brought upstairs with two dancers, one male seated corner and other male seated right corner, dancer pushes male on left into his seated., rubbing his face and chest with her left hand.
	07	24/11/22	02:51:49	Male on left, dancer is sitting in his lap grinding her bottom in his crotch.
	07	24/11/22	02:51:55	Dancer lies back on top of male; his hands briefly touch her breasts.
	07	24/11/22	02:52:08	Dancer turns around and her breasts are at his head height, and she is rubbing her knees up and down his crotch, she runs her hands down his stomach to his crotch
	07	24/11/22	02:52:24	Other male is stood up pouring champagne into glass for the dancers, and dancer in the right hands the male on the left a glass of champagne, other dancer takes the glass from the male and drinks from it, goes to place back on the table but then offers the male the glass he take a sip and she places back on the table.
	07	24/11/22	02:53:45	Dancer is lying on her back on top of seated male, his right hand holding her right breast.
	07	24/11/22	02:54:00	Dancer stands up and turns to face male, left knee resting on his right thigh, the males hands are resting on either side of the chair, the dancers right hand reaches down between her legs and touches his crotch. Dancer then slides her body down his and then rubs both her hands down his chest, to the inside of his thighs, left hand then runs from the inside of his right thigh into his crotch and up to his chest resting on his face
	07	24/11/22	02:54:28	Male is seen rubbing his crotch with his right hand.

	07	24/11/22	02:54:49	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	07	24/11/22	02:55:10	Dancer places her left foot (high heel shoes) on the chair between his crotch, dancer then turn around and seated on male facing away from him grinding her bottom into his crotch.
	07	24/11/22	02:56:05	Dancer strokes males face with her hands, whilst rubbing her knees into his crotch, males' legs can be seen moving from contact with the dancer.
	07	24/11/22	02:56:21	Dancer runs both her hands down the male's chest into his crotch.
	07	24/11/22	02:56:51	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	07	24/11/22	02:57:01	Dancer is lying on her back on top of male, his right hand is holding her right breast.
	07	24/11/22	02:57:16	Male hand right hand resting on her right hip and moves it towards her stomach.
	07	24/11/22	02:57:32	Dancer is stood in front of male, bends over toward him, and reaches down and place her left hand in his crotch.
	07	24/11/22	02:57:44	Dancer is stood in front of male, bends over toward him and rubs her right knee into his crotch.
	07	24/11/22	02:57:58	Dancer straddles male placing her knees on his thighs, his right hand is moving up and down the back of her left thigh
	07	24/11/22	02:58:15	Dancer still straddling male, he places both his hand on her bottom.
	07	24/11/22	02:58:26	Dancer runs her hands down his chest to his crotch, and the places her head into his crotch.
	07	24/11/22	02:58:54	Dancer is stood in front of male, bent over ,male has hand on her bottom.
	07	24/11/22	02:59:11	Dancer is stood in front of male, bends over toward him, he is rubbing his left hand along her right leg.
	07	24/11/22	02:59:21	Dancer is lying on male facing him, breasts in his face, male has his hands on her bottom. <b>Screenshot -24Nov Cam7 – 02:59:21 - Exhibit RGG/000)</b>
	07	24/11/22	02:59:34	Dancer is kneeling down on floor in front of male has hand in male's crotch <b>Screenshot -24Nov Cam7– 02:59:34 - Exhibit RGG/000)</b>
	07	24/11/22	03:00:56	Dancer is stood in front of male, bent over with left knee on his thigh, ,male has right hand on her left breast <b>Screenshot -24Nov Cam7– 03:00:56 - Exhibit RGG/000</b>
	07	24/11/22	03:04:22	Dancer is lying on her back on top of male, his right hand is holding her right breast.

	09	24/11/22	03:46:00	Male seated on chair, middle right of screen. Dancer stood in front of him, male has hands on her bottom, and move hands up her back., dancer rubbing her left knee into his crotch.
	09	24/11/22	03:46:59	Dancer lying on her back on top of male, male has his left hand on her left breast.
	09	24/11/22	03:47:45	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	09	24/11/22	03:50:13	Dancer continues grinding her bottom into his crotch.
	09	24/11/22	03:50:18	Dancer lies back on top of males, he rubs her right breast through her top with his right hand.
	09	24/11/22	03:53:29	Dancer seated sideways on left leg of male, male has his right hand in dancers crotch. <b>Screenshot 24Nov – Cam 9 03:53: 29 - Exhibit RGG/000</b>
	09	24/11/22	03:54:42	Lorraine comes into room and speaks with SIA
	09	24/11/22	03:54:54	Dancer is stood in front of male, bent over, male has right hand on her bottom. <b>Screenshot 24Nov – Cam 9 03:54: 52 - Exhibit RGG/000</b>
	09	24/11/22	03:56:11	Male moves his hands from dancers bottom up to her breasts and the back down to her bottom
	09	24/11/22	03:59:49	Dancer has her breasts in his face, male holding her left breast with his right hand.
	09	24/11/22	04:00:37	Dancer lying on her back on top of male, male has his left hand on her exposed left breast.
	09	24/11/22	04:02:05	Lorraine leaves the room
	09	24/11/22	04:02:51	Dancer is stood in front of male, bent over, male has right hand on her bottom.
	14	24/11/22	00:59:22	Dancer and male enter booth, male removes two outer coats and sits down on chair out of camera view, dancer straddles male
	14	24/11/22	01:03:00	Dancer removes her bra
	14	24/11/22	01:04:30	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	14	24/11/22	01:04:50	Dancer lies back on male and his right hand can be seen on the inside of her right thigh. dancer then throws her spectacles onto the table and stands up. leans through into the next booth and reaches over to male in other booth, then turns around and puts her spectacles back on
	14	24/11/22	01:05:13	Dancer is stood in front of male he places both his hand on the front of her waist and starts to undo the zip/fastening on her knickers. Dancers partially undoes the zip she rubs her vagina.

	14	24/11/22	01:08:25	Dancers removes her knickers., stands up and faces male, then rubs her vagina with her right hand
	14	24/11/22	01:10:05	Dancer is stood in front of male facing away, male rubs bot hands on her bottom
	14	24/11/22	01:10:22	Dancer turns and faces male, dancer then rubs and taps her vagina with her right hand
	14	24/11/22	01:10:27	Male touches her vagina with his right thumb, and dancer gyrates in front of him and leans into him
	14	24/11/22	01:11:11	Dance is facing male sat on his left leg, males' right hand can been seen groping and squeezing dancers left breast.
	14	24/11/22	01:14:17	Dancer is stood up leaning against wall, rubbing her vagina with her right hand, the move towards male and leans over , males hands the move onto her hips/waist
	14	24/11/22	01:18:00	Dancers is straddled across male, facing him, he is rubbing both her breasts with his hands.
	14	24/11/22	01:18:45	Dancer is stood up in front of male facing away, male places hands on he hips and the grabs/rubs her bottom. <b>Screenshot 24Nov – Cam 14 01:18: 48 - Exhibit RGG/000</b>
	14	24/11/22	01:18:50	Males slaps dancers bottom with both his hands several times, the pulls her down onto his lap.
	14	24/11/22	01:19:36	Dancer is seated on male's lap, facing away from him, male runs his hand up her back.
	14	24/11/22	01:19:42	Male rubs his finger nails up and down dancers back.
	14	24/11/22	01:25:52	Male and dancer leave the booth
	14	24/11/22	01:39:33	Different male along with two dancers in booth, male is seated
	14	24/11/22	01:43:45	Lorraine brings in tray with three shots and male pays using hi phone. – time on phone is shown as 0140hrs, (CCTV Timed at 01:43:59)
	14	24/11/22	01:44:13	Dancer seated to right of male, picks up saltshaker and sprinkles salt on her left breast/nipple, male then appears to lick it off.
	14	24/11/22	01:44:51	Male appears to stop sucking on dancers breast when she hands him the shot glass, they all down a shot.
	14	24/11/22	01:46:48	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	14	24/11/22	01:51;37	Shane comes into take a payment, first transaction attempt out of camera view, but believed payment being made using phone, Shane shakes his head, believed transaction is declined, male takes out his wallet and takes

				out a bank card, card doesn't appear to work, male hands another card to Shane, unclear if transaction is processed, Shane leaves the booth. Dancer holds male by his hair with two hands and pulls him close to her she wraps arms around his neck.
	14	24/11/22	01:56:34	Shane returns with PDQ machine, male attempts to pay by using phone, payment appears to be decline, Shane tears of receipt and throws it on the table, male shakes his head. then takes a bank card out of his wallet, places in PDQ machine then removes card, Shane stands up and walk out of booth with
	14	24/11/22	01:58:39	Shane returns, male puts card back in PDQ machine, male places another card in PDQ machine, transaction appears to be decline. Shane uses his phone to on PDQ machine, then male uses phone to make payment twice, both appear declined. all leave booth and move toward the fire escape and the end of the booths.
	14	24/11/22	02:08:04	Male and same two dancers return to the booth, dancers collect their bags and leave the booth
	14	24/11/22	03:05:01	Male and dancer enter booth, male sit down out of camera view
	14	24/11/22	03:06:07	Dancer sits on male's lap.
	14	24/11/22	03:08:30	Dancer is seated on male facing away from him grinding her bottom into his crotch
	14	24/11/22	03:08:51	Male runs his right-hand fingernails down the dancers naked back.
	14	24/11/22	03:10:40	Male has right hand on dancers left breast.
	14	24/11/22	03:10:58	Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. <b>Screenshot 24Nov – Cam 14 03:10:59 - Exhibit RGG/000</b>
	14	24/11/22	03:11:26	Male has his hand in between dancer's legs on her vagina, then hand moves in and out between dancers legs
	14	24/11/22	03:11:37	Dancer turns and faces male, she has her right hand on her vagina, male has his right hand below hers rubbing in between her legs , male then moves his hands onto her hips. - <b>Screenshot 24Nov – Cam 14 03:11:38 - Exhibit RGG/000</b>
	14	24/11/22	03:11:51	Male has right hand on dancers left breast
	14	24/11/22	03:21:10	Male is stroking dancer's bottom.
	14	24/11/22	30:22:36	Male kisses dancers bottom, and dancer turns and looks at male

	14	24/11/22	03:23:30	Dancer gets dressed
	14	24/11/22	03:24:06	Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - <b>Screenshot 24Nov – Cam 14 03:24:06 - Exhibit RGG/000</b>
	14	24/11/22	03:24:56	Male leaves the booth.
	16	24/11/22	02:21:45	Male and Dancer stood up in booth, awaiting to make payment, Dancer and male kiss on the lips., dancer hugging male and rubbing her right hand over his chest, the strokes his face, male appears unsteady on his feet swaying from side to side.
	16	24/11/22	02:22:45	Dancer and male kiss again, male is rubbing her bottom with his left hand.
	16	24/11/22	02:24:46	Male and dancer stood up facing each other, male is flicking dancer right nipple with his left have
	16	24/11/22	02:27:46	Dancer cuddles/hugs mage
	16	24/11/22	02:41:40	Dancer is facing seated male, male touches dancers' breasts with both his hands <b>Screenshot 24Nov – Cam 16 02:41:042 - Exhibit RGG/000</b>
	16	24/11/22	02:43:30	Shane brings in more drinks and takes payment.
	16	24/11/22	02:48:08	In Middle booth dancer takes males hands and places them on her hips, male then touches her breasts.
	16	24/11/22	03:28:47	Middle booth dancer and male hugging each other.
	16	24/11/22	03:29:47	Dancer leave booth without getting dressed
	16	24/11/22	03:30:00	Male stands up, clearly unsteady on his feet, stumble as het get up and has to use his right hand to hold on to wall to support himself, swaying from side to side and has to lean against wall. Dancer returns and male has his hand on her bottom, then grabs her bottom with both hand
	16	24/11/22	03:35:15	Male and dancer kiss on lips again <b>Screenshot 24Nov – Cam 16 03:35:15 - Exhibit RGG/000</b>
	16	24/11/22	03:40:45	Male and dancer kiss on lips again
	16	24/11/22	03:41:22	Male and dancer kiss on lips again <b>Screenshot 24Nov – Cam 16 03:41:22 - Exhibit RGG/000</b>
	16	24/11/22	03:50:53	Male puts on coat and leave the booth
	16	24/11/22	04:09:10	Middle Booth – Male grinding against dancers bottom whilst stood up
	17	24/11/22	02:26:25	Male enters booth with two dancers., dancer sits on him and grinds her bottom in his crotch., then straddles him

				and he touches her bottom., the other dancer faces away from him and puts her bottom on his right hand.
	17	24/11/22	02:25:57	Lorraine walks past the booth
	17	24/11/22	02:28:41	Dancer rubs males crotch with her right foot, the rubs crotch with both feet, other dancer rubs his crotch with her right hand.
	17	24/11/22	02:28:57	Dancer places her head in his crotch, the rubs his crotch with her right hand and then remove her top.
	17	24/11/22	02:29:57	Dancer is kneeling on floor leaning in toward male, her touches her left breast with his right hand.
	17	24/11/22	02:37:33	Male is lying back in chair dancer approaches and put her right hand into the top of his trousers
	17	24/11/22	02:40:15	Male has his right hand in dancer's crotch
	17	24/11/22	02:43:35	Dancer rubs her breasts into his crotch, whilst rubbing his chest with her right hand, then rubs her feet in his crotch
	17	24/11/22	02:45:15	Shane come in to check on the booth
	17	24/11/22	02:45:40	Shane is stood outside the booth; dancer is touching the males leg.
	17	24/11/22	02:45:51	Male touches dancer breasts with two hands
	17	24/11/22	02:52:30	Lorraine comes into booth to take payment.
	17	24/11/22	03:06:00	Lorraine brings in champagne, whilst male struggles to open the bottle the dancer lies on her back between his legs and continues to rub his crotch
	17	24/11/22	03:17:55	Dancer is lying on her back on top of male, his left hand can be seen rubbing dancer's vagina, dancer sits up and continues to grind against his crotch.
	17	24/11/22	03:18:57	Lorraine takes further payment
	17	24/11/22	03:21:10	Dancer rubs his chest continuously and kisses his chest, rubs breasts into his groin
	17	24/11/22	03:23:29	Male is seen using his mobile phone
	17	24/11/22	03:32:15	Lorraine takes another payment
	17	24/11/22	03:36:39	Male is hugging dancer his hands on her bottom

# Appendix 8



**RESTRICTED CONTENT**

**RGG/004 – RGG/020**

# Appendix 9

## **Exhibit RGG/003 - Email chain between Solicitor (Luke Elford) and PC Guerra**

Reaz,

To confirm:

I have just handed to you two envelopes containing 4 x USB sticks containing the CCTV requested for 21/22 November and 23/24 November.

You could not remember the name of the acting superintendent who signed the certificate authorising the summary review, but you are going to send this to me by the end of the day.

You have stated that you do not have any of the details I have requested for the 21/22 November allegation but that as soon as these are obtained they will be provided. It is my suggestion that they **must be obtained as a matter of urgency** and provided to us immediately. If the details are either not provided to us or provided at a late stage (when the police, as a whole, have been aware of the allegation since the date the CRIS was created – 10:46am on 24/11/22) then we reserve the right to raise that matter subsequently. As I have said, those are enquiries that could and should have been made before the triggering of the review with the police placing great reliance on these allegations. It is reasonable to expect the police to have conducted basic evidence gathering.

You refused to discuss the case any further as you had your daughter with you. You explained that you were on your day off. I said that neither of those matters was my or my client's fault.

By the end of today please confirm:

- **Name of acting superintendent who signed summary review certificate and contact details**
- **When we can expect a description of the complainant and supporting details for 21/22 November**
- **When we can expect the totality of the police evidence**

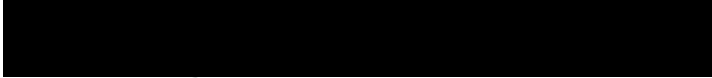
I would remind you that this review was triggered on 13 December 2022 with the trigger incident being cited as taking place on 25/26 November 2022 (as referenced in **both** the application for summary review and the certificate). It was only after the interim steps hearing on 15 December, and indeed, not until nearly 8pm that day, that the police disclosed that they had in fact got the date completely wrong inadvertently misleading and misdirecting the applicant and the licensing sub-committee and wasting a great deal of everyone's time and effort. I further remind you that at the time the review was triggered the police (you) were in already possession of the CRIS report (6573153/22) which **clearly** explains that the date of the allegation was 24 November. Did neither you, PC Muldoon, or Acting Superintendent (name tbc) read that CRIS report prior to submitting the review/signing the certificate?

Thanks.

**Kind Regards**

**Luke Elford**

Partner



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Partners: Tim Shield (569713) | Michelle Hazlewood (569714)  
Christopher Grunert | Jon Wallsgrove | Patrick Robson | Luke Elford  
Practice Manager: Jonathan Pupius

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**From:** [Reaz.Guerra@](mailto:Reaz.Guerra@) <[Reaz.Guerra@](mailto:Reaz.Guerra@)>  
**Sent:** Wednesday, December 21, 2022 1:24:13 PM  
**To:** Luke Elford <[LElford@](mailto:LElford@)>  
**Cc:** [Steve.Muldoon@](mailto:Steve.Muldoon@) <[Steve.Muldoon@](mailto:Steve.Muldoon@)>  
[gerald.gouriet@](mailto:gerald.gouriet@) <[gerald.gouriet@](mailto:gerald.gouriet@)>  
**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Dear Luke

I will aim to be there at 3pm.

Kind Regards  
Reaz

**From:** Luke Elford <[LElford@](mailto:LElford@)>  
**Sent:** 21 December 2022 12:55  
**To:** Guerra Reaz - AW-CU <[Reaz.Guerra@](mailto:Reaz.Guerra@)>; Muldoon Steve - AW-CU <[Steve.Muldoon@](mailto:Steve.Muldoon@)>  
**Cc:** [Gary.Grant@](mailto:Gary.Grant@) <[Gary.Grant@](mailto:Gary.Grant@)> [gerald.gouriet@](mailto:gerald.gouriet@) <[gerald.gouriet@](mailto:gerald.gouriet@)>  
**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Reaz,

Is there a particular reason why you are not answering the questions I have asked or providing the information I have asked for?

My address is [REDACTED]. If you call me on arrival, I will come down.

I have a telephone appointment between 2 and 3 so please avoid arriving during that period.

**Kind Regards**  
**Luke Elford**

Partner

LElford [REDACTED]  
[REDACTED]



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**From:** [Reaz.Guerra](#) [REDACTED]

**Sent:** 21 December 2022 12:50

**To:** Luke Elford <[LElford](#) [REDACTED]>; [Steve.Muldoon](#) [REDACTED]

**Cc:** [Gary.Grant@](#) [REDACTED]

**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Luke,

Thanks, could you confirm the address/location in [REDACTED]

Kind Regards

Reaz

**From:** Luke Elford <[REDACTED]>

**Sent:** 21 December 2022 11:52

**To:** Guerra Reaz - AW-CU [REDACTED]; Muldoon Steve - AW-CU [REDACTED]

**Cc:** [Gary.Grant@](#) [REDACTED]; [gerald.gour](#) [REDACTED]

**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

See below.

Please respond to the questions I have asked.

**Kind Regards**  
**Luke Elford**

Partner



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**From:** [Reaz.Guerra](#) [REDACTED]

**Sent:** 21 December 2022 11:41

**To:** Luke Elford <[LElford](#) [REDACTED]>; [Steve.Muldoon](#) [REDACTED]

**Cc:** [Gary.Grant@](#) [REDACTED]; [gerald.gouriet](#) [REDACTED]

[Ben.J.J.Chadwick](#) [REDACTED]

**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Luke,

Please find attached forms. – Still inadequate, but they will have to do. If the ICO come knocking we will refer them on to the you/the Met.

In terms of collecting the CCTV today, where would it need to be collected from? – Whitechapel

Could you also confirm what format the footage is in (e.g. .avi, .mp4) and/or if it requires specific app/software to be viewed? - .mp4 – the player software has been uploaded onto the USBs for you.

Kind Regards

Reaz

**From:** Luke Elford <[REDACTED]>

**Sent:** 21 December 2022 11:25

**To:** Muldoon Steve - AW-CU <[REDACTED]>; Guerra Reaz - AW-CU  
[REDACTED]

**Cc:** Gary Grant <[REDACTED]>

**Subject:** Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Dear PCs Muldoon and Guerra,

I write further to previous correspondence regarding the above.

You have requested CCTV footage from all cameras at Vanity Bar, 4 Carlisle Street, London W1D 4BJ for the following dates:

1. 21/22 November 2022; and
2. 23/24 November 2022 (incorrectly requested and particularised in review documents and certificate as 25/26 November 2022) – Please may I have the name and contact details for the acting superintendent who signed the review certificate. We may need to contact them in due course.

We remain of the view that your request is neither necessary nor proportionate for the prevention or investigation of the allegations as set out in CRIS references 6573153/22 (23/24 November) and 6572076/22 (21/22 November) and that the request, if complied with, places our client in breach of its obligations as a data controller.

We note that you are yet to provide us with any sort of description of the complainant **in relation to 21/22 November including transaction amounts, card details, and transaction times** despite our requesting these from you several times. All of these details could and should have been secured prior to the submission of the review and it is noted that all of the CRIS reports were in your possession prior to the interim steps hearing on 15 December 2022. **Please provide these today.**

It is further noted that the CRIS report for the trigger incident which you particularised as taking place on 25/26 November 2022 was printed and accessible to you prior to the review application being served and **clearly contains** the correct offence dates.

In spite of this, and in order to comply with condition 30 of the venue's premises licence, the footage has now been downloaded and will be made available for collection.

Before we arrange exchange of the footage, **please may I request, again, that you properly complete the venue's CCTV request form.** So far you have been unable or unwilling to complete it to a satisfactory standard.

I have taken the step of converting the document into Word format for you so that you can type directly into the document. It is reasonable to ask you to complete the form properly.

In terms of collection of the footage, I am working from home today. I will at my offices in Kings Cross both tomorrow and Friday, but I have meetings during the following periods:

- Thursday 22/12 – 9am to 11am and 3pm to 4pm
- Friday 23/12 – 9am to 10:30am and 3:30pm – 5pm

You are welcome to come and collect the footage today, or we can fix a time tomorrow or Friday.

Turning now to the unsigned, undated, letter that you sent to me by email (timed 10:50) the content of which is noted/refuted. I wish to highlight the following paragraph for you:

**The police require footage from all cameras at all times on the days in question in order to undertake a comprehensive and effective in enquiry into the allegations made. It is not possible for the police to limit its enquiries to specific cameras and/or specific times within those days. The police's investigations will concern what may *and may not* have taken place on those days. What is precisely relevant will only crystallise as investigations are undertaken (both of the footage and of other evidential sources) and the results of those investigation are analysed.**

It is **absolutely possible** and in fact, very simple, for the Police to limit their enquiries to specific cameras and/or specific times.

For example, in relation to the 24 November allegation (CRIS 6573153/22) the male enters the venue at 01:34 rendering any footage from any camera prior to 01:34 irrelevant to that investigation. It might be reasonable, for example, to request

footage from 01:20 to show a short passage of time leading up to the male's entry to the premises, but instead you have asked for footage from 21:00 hours on 23 November onwards.

In a similar vein, you have requested footage from all cameras at the venue. This would include cameras in back of house areas such as the office and female changing rooms. Being that we can show the complainant's entire evening in the venue from entry to exit, save perhaps any trips to the bathroom, how can it be necessary and proportionate for you to have access to hours and hours of footage, including sensitive personal data, for areas that have no relevance whatsoever to your investigation.

In summary:

- **Please properly complete the venue cctv release form and return to me (email is fine)**
- **Please let me know how/when you would like to collect the CCTV footage**

I would remind you that the CCTV footage is being provided to you for the express purpose of investigating the allegations within CRIS numbers 65731153/22 and 6572076/22 and for no other purpose. The footage is to be kept securely by the Metropolitan Police and is not to be further shared with any person without the express consent of the data controller.

Best wishes.

**Kind Regards**  
**Luke Elford**

Partner



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# Appendix 10

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[Advanced company search \(/advanced-search\)](/advanced-search)

I identify this exhibit as that referred to in the statement signed by me


NH LICENSE LTD

Exhibit number: EXHIBIT MA/02

Company number **12523134**

Date: 15 May 2023

Name: Mohshin Ali

Signed: 

Follow this company

File for this company

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Current officers

Apply filter

## 1 officer / 0 resignations

### CLAIR, Manpal Singh

Correspondence address **128 City Road, London, United Kingdom, EC1V 2NX**

Role Active **Director**

Date of birth **February 1983**

Appointed on **18 March 2020**

Nationality **British**

Country of residence **England**

Occupation **Businessman**

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VANITY LICENSE LTD

Company number **12523049**

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  - [More \(https://beta.companieshouse.gov.uk/company/12523049/more\)](https://beta.companieshouse.gov.uk/company/12523049/more)
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### Filter officers

<input type="checkbox"/> Current officers
--

### 1 officer / 0 resignations

---

#### **CLAIR, Manpal Singh**

Correspondence address **128 City Road, London, United Kingdom, EC1V 2NX**

Role Active **Director**

Date of birth **February 1983**

Appointed on **18 March 2020**

Nationality **British**

Country of residence **England**

Occupation **Businessman**

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# Appendix 11

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

**Table of Breaches from CCTV for 18<sup>th</sup> August 2022**

Standard Conditions attached to these premises' current Sexual Entertainment Venue Licence:

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.***
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.***

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Officer A - Surveillance Operative (MN)  
Performer A - "Maya" (referred to Mia in statement)

Officer B - Surveillance Operative (RS)  
Performer B: "Patricia"

Customer C - unidentified customer at the end of video  
Performer C - "Elena"

Breaches can be observed throughout the CCTV footage as described in the table.

Room Name/ Camera number	Date/ Time as shown on screen	Subjects seen: Officer (A, B)*	Description of Activity	Breach of condition (Condition(s) listed)
-----------------------------	---	---	-------------------------	--

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

		<b>Performers (A, B)*</b>		
Camera 01 (VIP Room)	18/08/20 22 23:10:38	Performer A  Officer A	Performer A straddled onto Officer A's lap and touched Officer A's body, including his groin intermittently.  Officer A is touched by Performer A.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:10:39	Performer A  Officer A	Performer A straddled onto Officer A's lap, taking Office A's left hand and put it on her leg.  Officer A invited to touch Performer A's leg.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:11:21	Performer A  Officer A	Performer A invited Officer A to touch Performers A's waist.  Officer A invited to touch performer A's waist.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:11:28	Performer A  Officer A	Performer A sat of Officers A's lap taking Officer A's hands and put it on her breasts.  Officer A invited to touch Performer A's breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:11:45	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's legs.	Cond 35



**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

Camera 01 (VIP Room)	18/08/20 22 23:12:11	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's legs.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:12:27	Performer A  Officer A	Performer A sat on Officer A's lap and touched Officers A's face.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:12:30	Performer A  Officer A	Performer A sat on Officer A's lap and covered her genitals to deter Officer A's advances of hands.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:12:51	Performer A  Officer A	Performer A touched Officer A's body and head intermittently.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:14:08	Performer B  Officer B	Performer B touched Officers B's face and possibly kissed Officers B's neck.  Officer B is touched and possibly kissed by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:14:30	Performer A  Officer A	Performer A sat on Officers A's lap and stroked Officers A's body.  Officer A is touched by Performer A.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

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Camera 01 (VIP Room)	18/08/20 22 23:15:11	Performer A  Officer A	Performer A high fived Officer A.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:15:30	Performer A  Officer A	Performer A touched Officers A's body and groin.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:15:44	Performer A  Officer A	Performer A invited Officer A to touch Performers A's bottom and body.  Officer A invited to touch performer A's bottom and body.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:16:37	Performer A  Officer A	Performer A invited Officer A to touch Performers A's legs.  Officer A invited to touch performer A's legs.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:17:15	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:17:26	Performer A  Officer A	Performer A touched Officers A's body.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22	Performer A	Performer A accepted uninvited touch of Officers A's hands intermittently.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

	23:17:27	Officer A	Officer A touched Performers A's body.	
Camera 01 (VIP Room)	18/08/20 22 23:17:54	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:18:06	Performer B  Officer B	Performer B touched Officer B's left arm.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:18:26	Performer B  Officer B	Performer B touched Officer B's body.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:18:33	Performer A  Officer A	Performer A strokes Officers A's groin and body intermittently.  Officer A is touched by Performer A.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:20:59	Performer A  Officer A	Performer A straddled Officer A and invited Officer A to touch Performers A's body. Performer A touched Officer A's body.  Officer A invited to touch performer A's body and is touched by Performer A.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

Camera 01 (VIP Room)	18/08/20 22 23:22:33	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:22:42	Performer A  Officer A	Performer A invited Officer A to touch Performers A's breasts.  Officer A invited to touch performer A's breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:23:23	Performer A  Officer A	Performer A sat on Officer A's lap and accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:23:43	Performer A  Officer A	Performer A touched Officers A's groin and body intermittently. Performer A possibly kissed Officer A's neck.  Officer A is touched by Performer A.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:24:38	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:26:13	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

			Officer A touched Performers A's body.	
Camera 01 (VIP Room)	18/08/20 22 23:26:53	Performer B  Officer B	Performer B touched Officer B's face.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:27:21	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.  Officer A touched Performers A's body including breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:28:28	Performer A  Officer A	Performer A invited Officer A to hug and touched Officer A's body intermittently.  Officer A invited to touch performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:28:55	Performer B  Officer B	Performer B touched Officer B's face intermittently.  Officer B is touched by Performer B.  Missing footage from 23:29:14 – 23:29:23*	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:30:18	Performer A  Officer A	Performer A touched Officers A's body intermittently.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22	Performer A	Performer A invited Officers A's to touch Performer A's body.	Cond 35 & 38

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

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	23:30:33	Officer A	Officer A touched Performers A's body, including breast.	
Camera 01 (VIP Room)	18/08/2022 23:31:11	Performer A Officer A	Performer A touched Officers A's face and body.  Officer A is touched by Performer A.  Missing footage from 23:31:24 – 23:31:32*	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:31:41	Performer B Officer B	Performer B touched Officer B's chest.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:32:32	Performer A Officer A	Performer A touched Officers A's face and body.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:32:48	Performer A Officer A	Performer A touched Officers A's hand.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:33:19	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's body.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

Camera 01 (VIP Room)	18/08/2022 23:33:35	Performer A Officer A	Performer A touched Officers A's shoulder.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:33:41	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:34:30	Performer A Officer A	Performer A invited Officer A to a kiss on the cheek and a hug.  Officer A invited to touch performer A's waist.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:34:30	Performer A Officer A	Performer A touched Officer A's shoulder.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:34:34	Performer B Officer B	Performer B kisses Officer B's cheeks.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:46:48	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands.  Customer C touched Performer C's body, including breasts.	Cond 35 & 38

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

Camera 01 (VIP Room)	18/08/20 22 23:47:10	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands.  Customer C touched Performer C's body and breasts. Customer C removes part of Performer C's clothing.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:47:56	Performer C  Customer C	Performer C straddled Customer C's lap and accepted uninvited touch of Customer C's hands.  Customer C touched Performer C's body and breasts. Customer C removes part of Performer C's clothing.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:47:58	Performer C  Customer C	Performer C touched Customer C's body.  Customer C is touched by Performer C.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:49:18	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.  Customer C touched Performer C's body including her genitals and breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:50:54	Performer C  Customer C	Performer C touched Customer C's groin.  Customer C is touched by Performer C.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:51:05	Performer C  Customer C	Performer C stands on sofa and puts genitals in Customer C's face.	Cond 35



**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

			Missing footage from 23:51:14 – 23:51:21*	
Camera 01 (VIP Room)	18/08/20 22 23:51:32	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.  Customer C touched Performer C's body and breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:51:34	Performer C  Customer C	Performer C straddled Customer C and touched Customer C's chest.  Customer C is touched by Performer C.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:53:12	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently. Customer C then licked/kissed Performer C's back.  Performer C stops dancing and talks to Customer C once licked/kissed. Performer C departs room.  Customer C touched Performer C's body and breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:54:24	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands and face intermittently.  Customer C touched Performer C's body and genitals.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22	Performer C	Performer C touched Customer C's groin.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

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	23:54:25	Customer C	Customer C is touched by Performer C.	
Camera 01 (VIP Room)	18/08/20 22 23:54:54	Performer C  Customer C	Performer C deters Customer C from touching her genitals.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:55:41	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands.  Customer C touched Performer C's body and breasts.  Missing footage from 23:56:14 – 23:56:26*	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:56:12	Performer C  Customer C	Customer C kissed/licked Performer C's breast. Performer C deters Customer C kissing her breasts.  Customer C touched Performers C's breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:56:41	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.  Customer C touched Performer C's body including breasts, and her genitals.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:58:13	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.	Cond 35 & 38

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

			Customer C touched Performer C's body including breasts, licked her breast, and kissed Performer C on face.	
Camera 01 (VIP Room)	18/08/20 22 23:58:20	Performer C  Customer C	Performer C touched Customer C's chest, stands on sofa and puts genitals in Customer C's face.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:59:27	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.  Customer C touched Performer C's body including breasts.	Cond 35 & 38

# Appendix 12

Witness Statement

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

URN: 

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Statement of: Mohshin ALI

Age if under 18 (if over insert "over 18"): Over 18 Occupation: Senior Licensing Officer

This statement (consisting of 

2
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 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: 

Date: 24<sup>th</sup> August 2023

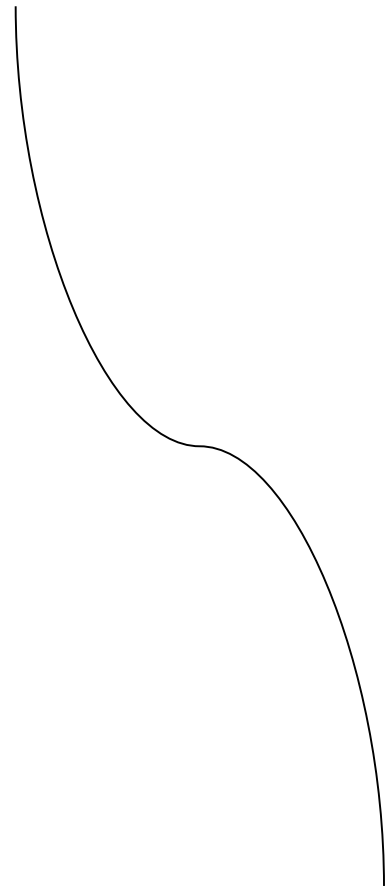
**Statement**

1. I am Mohshin ALI and I am employed by the London Borough of Tower Hamlets as a Senior Licensing Officer in the Licensing Section of Environmental Health & Trading Standards. I have been a Licensing Officer since July 2004 and I am duly authorised under the Licensing Act 2003. I am also aware of the systems used for issuing and storing records in relation to the above Act and I am authorised to access records in order to look at the history of premises.
2. I make this statement as an addition to my previous statement of 15<sup>th</sup> May 2023.
3. Vanity Bar and Nightclub, 4 Carlisle Street, London W1D 4BJ had its SEV renewal application refused by Westminster City Council on Thursday 25 May 2023. The evidence supporting the revocation highlights similar breaches namely touching between performer and customer during a performance which took place at Nags Head with the link being Mr Clair. I produce **Exhibit MA/03** which is the formal decision of Westminster City Council's Licensing Sub-Committee.
4. Mr. Manpal Singh Clair as per his statement submitted in response to the revocation request mentions other premises in relation to which he has been involved in their running. However, the existence of that club (Vanity Bar and Nightclub), and the pending proceedings, were omitted from Mr Clare's statement.

Name / Signature: 

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

5. The Licensing Committee for the revocation request was originally due to be heard on 16<sup>th</sup> May 2023. The Licensing Authority received evidence late in the day and we did our best to disclose it as soon as we were able to. Although we did not resist the request for an adjournment, we remain of the view that it is highly relevant that Mr Clair has very recently lost a SEV licence elsewhere in London on the basis of his fitness to hold a licence; and in particular, the case there disclosed breaches of the licence conditions very similar to those admitted in this case.
  
6. I produce **Exhibit MA/04** which is the formal decision of Tower Hamlets' Licensing Committee hearing of 17<sup>th</sup> October 2017 where additional conditions were imposed.



# Appendix 13

I identify this exhibit as that referred  
to in the statement signed by me

Exhibit number: EXHIBIT MA/03

Date: 24 August 2023

Name: Mohshin Ali

Signed:





**WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 6**  
**("The Committee")**

**Thursday 25 May 2023 – Item 3**

Membership: Councillor Robert Eagleton (Chair),  
Councillor Concia Albert and Councillor Jim Glen

Officer Support:	Legal Adviser:	Vivienne Walker
	Policy Officer:	Daisy Gadd
	Committee Officer:	Sarah Craddock
	Presenting Officer:	Emanuela Meloyan

Other Parties: Mr Gary Grant (Counsel for the Applicant), Mr Luke Elford and Heidi Lawrence (John Gaunt and Partners), Mr Manpal Clair (Director of the Applicant Company), Mr Andrew Bamber (Compliance Consultant to the Applicant Company), Dr Philip Hadfield (Consultant), Stephen Pantling (Proposed General Manager), Mr James Rankin (Counsel for the Metropolitan Police Force), PC Steve Muldoon and PC Reaz Guerra, Mr Richard Brown (Solicitor, Westminster's Citizens Advice representing the 4 objectors), Objector 1, 2 witnesses on behalf of objector 1 and Objector 3 and Objector 4.

**Application for a Renewal of a Sex Establishment Licence in respect of Vanity Bar and Nightclub 4 Carlisle Street London W1D 3BJ 22/11772/LISEVR**

**FULL DECISION**

**Premises:**

Vanity Bar and Nightclub  
4 Carlisle Street  
London W1D 3BJ

**Applicant**

Vanity License Limited

**Ward**

West End

**Summary of Application**

This is an application for the renewal of a Sex Establishment Licence (Sexual Entertainment Venue) under Schedule 3 of the Local Government Miscellaneous Provisions Act 1982 as amended (LG(MP)A1982) for the Premises known as Vanity Bar and Nightclub, 4 Carlisle Street, London W1D 3BJ. The Basement to First Floor of the Premises has operated as a sex establishment

(Sexual Entertainment Venue) since 2012. The Premises are located in Westminster core CAZ North.

There is a resident count of 135.

There was a transfer of the Licence in 2020 which was renewed on 30 November 2021 and was granted under delegated authority. This Licence reference 21/13871/LISEVR expired on 15 December 2022. The Premises also have the benefit of a Premises Licence. Reference 20/03227/LIPT.

On 8 December 2022, Vanity License Limited submitted an application to renew the Sex Establishment Licence to continue to operate the Premises as a Sexual Entertainment Venue. The Licence permits relevant entertainment Monday to Saturday from 09:00 to 03:00 hours and Sunday from 09:00 to 23:00 hours.

### **Representations Received**

- Metropolitan Police Service (PC Reaz Guerra)
- Five Interested Parties.

### **Issues raised by Objectors**

- It is believed that there have been numerous breaches of the conditions on both SEV Licence and Premises Licence.
- The nature and severity of the alleged breaches raises serious concerns with the Police regarding the licence holder's ability to operate the premises in line with the conditions attached to the SEV Licence.
- The conduct of staff and customers, the disruption and noise plus the safety concerns have steadily got worse over the years and is now intolerable.
- The noise continues every night until 4 a.m. as pedicabs and the last customers who hang around and staff leave.
- The amount of violent or abusive incidents that occur on a regular basis is worrying.
- I am aware of a steady deterioration of the quality of life in Carlisle Street.
- The noise generated immediately in front of the building which the residents have itemised and reported in Licensing hearings since 1989 has never abated.

### **Policy Position**

#### **Suitability of Applicant – SU1**

The Applicant has stated that no relevant offences have been committed.

#### **SEV carried on for the benefit of another person – SU2**

The Applicant has confirmed that they will not be carrying out the functions of regulated entertainment at this premises for the benefit of another person.

### **Appropriate number of SEV in a locality – NO1**

The appropriate number of sexual entertainment venues in the relevant localities is 25 in the Westminster core CAZ north. As the premises are currently licensed this application, if granted, will not exceed 25.

### **Character of the relevant locality – LO1**

Carlisle Street is a small cul-de-sac with not through traffic.

### **Use of premises in the vicinity – LO2**

The main use of the premises in the immediate vicinity is residential with a few licensed premises (under the Licensing Act 2003). Within a 100-metre radius of the premises, there is a resident count of 135. There are no other SEV premises or schools within 100 metres of the premises. There is one place of worship within 100 metres of the premises.

### **Layout, character or condition of the venue – LO3**

The premises have its main entrance on Carlisle Street. The basement, ground and first floors are included within the licensable areas for Relevant Entertainment purposes.

## **SUBMISSIONS AND REASONS**

Ms Emanuela Meloyan, Senior Licensing Officer, outlined the application to the Committee. She advised that representations had been received from the Metropolitan Police Service and five Interested Parties. She advised that the Premises are located within the West End Ward and the Westminster core CAZ North. She confirmed that the additional submissions from the Applicant, the Metropolitan Police Service and the Interested Parties had been circulated to the Committee.

Mr Gary Grant, Counsel on behalf of the Applicant outlined the application for the annual renewal of the Sex Establishment Licence for Vanity before the Committee. He stated that Vanity was now compliant with all 14 reopening conditions imposed on its Premises Licence at the Summary Review and that the Responsibility Authorities had met with the new Designated Premises Supervisor (DPS) who would also be the General Manager of Vanity. Mr Grant confirmed that the Applicant had decided not to reopen Vanity until all the new processes, policies and management team were in place with a verifiable compliance regime overseeing the operation.

Mr Grant outlined that sexual entertainment was not to everyone's liking however in a liberal democracy this was not enough to refuse the renewal of this SEV licence. He advised the Committee of the history of the Premises and stated that the Applicant had taken over the Premises in 2014, reopened it after refurbishment in 2015 and that the SEV licence had been successfully renewed without objection in 2016, 2017 2018 and most recently in 2021 and 2022. He emphasised that this was an established business and that although the type of business was not too everyone's taste that in itself was not enough to prohibit it. He added that over

20,000 people visited Vanity annually and it offered a legitimate and lawful source of entertainment for many people (male and female) of all ages and sexual orientation. He advised that although breaches of the SEV licence had taken place there had been no outright prostitution or sexual intercourse or forced labour occurring within the Premises and therefore the breaches were not at the top end of seriousness of breaches. He emphasised that the Applicant had been horrified to learn of the breaches at Vanity and had worked with purpose to resolve matters.

Mr Grant referred to the suitability of the locality for the Premises and stated that Soho had been (and still is to some extent) famously known for its adult entertainment since the 1930s and that this Premises had been operating as a sexual entertainment venue for the past 40 years. He explained that the renewal of the SEV licence had been mainly unopposed however on the occasions the annual renewal of the SEV licence had been opposed there had been residential objections made regarding Public Nuisance. He advised that all the locality submissions made by residents that this was not an appropriate place for this venue had been previously raised on each and every contested renewal application since 2014, and each time the Committee had considered these representations in detail and had decided that the locality point was not a good reason to refuse the renewal of this SEV licence. He added that nothing had now changed to rule that a lap dancing venue was inappropriate in Soho. He outlined that there were two other SEV licences operating within a three minute walk from Vanity and that Vanity was located right in the middle of the West End CAZ North area deemed a suitable location for such venues as stated in the Council's Sexual Entertainment Venues Statement of Licensing Policy.

Mr Grant advised that the Council had already determined through its own SEV Policy that the West End CAZ North was the appropriate place for up to 25 SEV licences. He added that there was nowhere near that number of SEV licences currently operating in this locality. He stated that the Environmental Health Service and the Licensing Authority had not objected to the renewal of the SEV licence as one would expect if it was an inappropriate location, so on policy grounds the Council's own experts in particular the Licensing Authority did not object to the locality of Vanity. He advised that the Public Nuisance issues raised by the objectors were similar to the ones raised during the Summary Review in January 2023 and that the 14 additional conditions attached to the Premises Licence at that hearing had dealt with the Public Nuisance issues. He referred the Committee to page 143 of the Agenda Pack where Mr Watson, Environmental Health Service (EHS) advised that the noise limiter had been signed off by the EHS and he confirmed that they had not objected to the renewal of the SEV licence as there had not been any substantial complaints against the Premises since 11 November 2021, when there had been fighting on the street which did not involve customers from Vanity. He stated that Public Nuisance was not an objective in the renewal of a sex establishment licence.

Mr Grant explained that the Premises use to operate as a full on nightclub and that the Premises Licence permitted the venue to open until 03:30 hours Monday to Saturday and its conditions specifically envisages the venue operating as a 'discotheque'. He advised that the Applicant wished to continue operating this venue as a sex establishment venue, however if he was not permitted to do so he would be forced to revert to operating it as a nightclub. He added that the Applicant had already had several inquiries from nightclub operators offering to purchase the venue and that evidence from both the Council's Responsible Authorities and Mr

Andrew Bamber (Compliance Consultant to the Applicant Company) and Dr Philip Hadfield (Consultant) indicated that the impact on residents from SEV establishments were much less than on vertical drinking nightclubs or late night bars. He further added that the SEV licence restricted the capacity of the Premises to 89 patrons whereas the Premises licence alone would allow for a capacity of 175 patrons.

Mr Grant advised that the Applicant had accepted that the pedicabs were a real concern for residents and had demonstrated this by agreeing to the 14 additional conditions being added to the Premises Licence after the Summary Review hearing. He explained that the Applicant was very much in favour that these 14 additional conditions on the Premises Licence be added to the SEV licence to alleviate resident's concerns. Mr Grant highlighted that pedicabs were a problem for the whole of the West End and that although the Council had lobbied central Government on this issue there was still no legislative powers to deal with them. He stated that removing the SEV licence would not resolve the issue of pedicabs and that pedicabs would still operate in the immediate vicinity.

Mr Grant referred to Dr Philip Hadfield's (Consultant) findings contained in the Agenda Pack. He advised that Dr Hadfield had visited the area on a Friday and Saturday night in late January 2023 and the photograph contained at page 329 of the pack clearly indicated pedicabs going into Carlisle Street even when Vanity was closed. Mr Grant also referred the Committee to a photograph that showed a sign located outside of Vanity clearly informing patrons not to engage with pedicabs and warning them that they were a source of crime and disorder. He advised that there was now a SIA door supervisor employed solely to deter pedicabs from the area because it was not something that the Applicant wanted associated with the Premises.

Mr Grant referred to pages 212 to 227 of the Agenda Pack which contained the following updated policies and procedures: Codes of conduct for dancers and performers, Drug Policy, Noise Management, Welfare and Safeguarding and Pedicabs. He advised that there would also be a dispersal policy, SIA monitoring of the outside area in the future and vehicles would be encouraged to move away from the Premises. He advised that the suggestion of noise outbreak from the Premises was somewhat historical because the Applicant had undertaken a full refurbishment which included extensive noise dampening and the fitting of a noise limiter which has now been recalibrated and checked by EHS on 22 May 2023. He strongly emphasised that the Applicant would arrange regular engagement with residents and that a condition had been imposed on the Premises Licence to have quarterly residential meetings. He added that an invitation had been sent out a week ago for the first meeting and all those who had sent in representations for the Summary Review had been invited via emails/letter.

Mr Grant referred to Dr Hadfield report contained at pages 279 to 338 of the Agenda Pack. Mr Grant requested that the Committee pay particular attention to paragraph 40 of the report (the executive summary). He advised that Dr Hadfield was a leading reliable expert in gaining evidence regarding cumulative impact in licensing policy matters and he had been instructed to consider all the locality points raised by the residents. Dr Hadfield advised the Committee that he had found that although Carlisle Street was a cu de sac many people mitigated that way out of Soho to Oxford Street because of the one way traffic system and that it had been bustling with noisy activity in the early hours of the morning even whilst Vanity

was not operating. He advised that it was his belief that Soho was the correct location for SEV licences, and that the Council's Policy had worked in that it had prevented a proliferation of SEV licences throughout Westminster. Dr Hadfield advised that there were certain public safety advantages for Vanity to operate as this part of the street was particularly dark so having an open venue would ensure there were 'eyes on the street'. He added that at the moment there was no natural surveillance and people were walking through dark streets. Mr Grant then emphasised that the Premises were right in the heart of precisely the area where the Council's Policy sets out was appropriate for SEVs.

Mr Grant referred to the CCTV installed in Vanity in 2015. He advised that all the cameras were in the exact positions as they were at the time Westminster Licensing Police Officers had approved them. He outlined that the Applicant and the management of Vanity had assisted the Police with their CCTV request and in no way had obstructed the handover of the CCTV footage. He advised that for seven years the Premises had operated without incident or complaint and that footage was only requested because of the allegations made at the Summary Review. He confirmed that two of the CCTV cameras had not been working due to a water leakage in the first floor flat. He explained that it was absolutely right that there had been correspondence between Mr Elford, the instructing solicitor, requesting a more targeted and proportionate request for CCTV by the Police and that the Applicant had been unfairly treated because asking for 500+ hours of footage downloaded onto memory sticks was not an easy or quick job. He confirmed that all the CCTV footage was handed over voluntarily once the Applicant had received the proper paperwork and clearly demonstrated breaches to the conditions on the SEV licence. Mr Grant emphasised that the Applicant was not trying to hide the breaches he simply did not know the breaches were occurring in Vanity. Mr Grant advised that PC Muldoon had met with the new DPS and had confirmed that the CCTV was now fully compliant, and the training records were completed and are up to date.

Mr Grant set out the suitability of the Applicant to hold a SEV licence. He referred to the Decision Notice of the Summary Review which stated that Mr Clair was suitable to hold an alcohol and regulated entertainment Premises Licence and promote the licensing objectives including the Prevention of Crime and Disorder because if they had concluded otherwise the Premises Licence would have been revoked which was the Police's request. Mr Grant advised instead the Committee accepted the suggestion of the suspension for three months and imposed a number of conditions on the Premises Licence as well as the removal of the management of Vanity. Mr Grant emphasised that the Licensing Committee on the 9 January 2023 had deemed Mr Clair a perfectly fit and proper person to hold an alcohol and entertainment Premises Licence.

Mr Grant explained that Mr Clair was a 40 year old man who had not been convicted of an offence except for one driving incident. He was a man of good character with no convictions and no cautions against him. He was a reputable businessman, and his family has been involved in this industry since he was a boy. He strongly advised that merely because there have been breaches in Vanity did not mean he was an unsuitable person to manage the Premises. He advised that it was the conclusion at the Summary Review that the spiking of drinks was not occurring at Vanity but at a secondary place after the customers had left the Premises and that it was independent players acting alone. He advised that the Premises would now employ a Welfare Officer to be on duty at all times and that drunkenness was an issue for every licenced Premises within Soho.

Mr Grant advised that the Applicant had been outraged to see the breaches of the conditions of the SEV licence on the CCTV footage and had dismissed the Vanity management team immediately. He outlined that the Applicant manages several venues and due to personal reasons he took his 'eye off the ball' when his baby was born and had left the day to day management to his managers who were experienced and trusted, however, this trust had been misplaced. Mr Grant explained that the Applicant had previously employed a professional compliance team to monitor the activities in the venue but had stopped using the company due to the high cost of it and because the business was in debt because of being closed over covid. Mr Grant highlighted to the Committee that Mr Bamber's report stated that there was not one SEV licence where a dancer had not stepped over the line in order to make more money and these breaches were not unique to Vanity. He outlined that when a dancer did breach the house rules they were immediately dismissed. He emphasised that when there was a compliance regime in place there was no repeated breaches of conditions and that the Applicant had suggested that going forward Mr Bamber's team would make 15 covert visits in the first year to ensure compliance with the conditions of the SEV licence.

Mr Grant called Mr Andrew Bamber (Compliance Consultant to the Applicant Company) to address the Committee. Mr Bamber advised that he met the Applicant in 2017, when he had approached him to develop a compliance system for the Premises. He advised that he had carried out a standard risk assessment which had identified gaps and stress areas in the business and had then supported the Applicant in covert and overt visits. He stated that checks included inspecting signage, checking employment records and for breaches of the house rules.

Mr Grant set out the breaches that had occurred in the Applicant's Premises called the Nags Head located in Tower Hamlets. He advised that the Applicant had authorised an investigation as soon as he had been informed of the breaches that had been spotted on the CCTV and the dancers in question had been immediately dismissed. Mr Grant advised that the Applicant had then asked for dip sampling of CCTV footage of dancers over a month period from 20 August to 24 September 2022, which had shown no further breaches of the conditions of the SEV licence. He emphasised that this indicated that the Applicant proactively dealt with the breaches before the Authorities even notified him of any problems and this incident gave the Licensing Committee at Tower Hamlets the confidence that the Applicant could deal with incidences swiftly.

Mr Grant advised of the new DPS that the Applicant had employed and who had provided a witness statement at page 268 of the Agenda Pack. He outlined that the new DPS had previously operated an SEV licence for 14 years and was enormously experienced in operating a Premises Licence. Mr Grant confirmed that the Applicant is now aware of the problems of the past, and so there was every reason to believe that he would run a tight ship from now on. He confirmed that the Applicant had undertaken all the necessary training. He further advised that the Applicant had employed a new dance manager (house mother) who was previously a former performer at the venue. He outlined how she was married and relied on the income from the Premises. He strongly emphasised that the dancers did not feel that they were exploited and that they resented the patronising attitude that sometimes comes to bear on what they had chosen to do as adults for a living.

Mr Grant emphasised that systems, policies and procedures had now been put in place to ensure there would be no further breaches to the house rules. He outlined there would also be compliance visits to ensure standards were maintained. He emphasised again that the Applicant wished to duplicate the 14 new conditions proposed on the Premises Licence to the SEV licence and there would be quarterly meetings with the residents. He then outlined the additional conditions that the Applicant had agreed to be attached to the current SEV licence upon its renewal which were contained at pages 44 and 45 of the Additional Pack.

The Committee commented that it appeared there had been a widespread culture of disregard for the conditions on the SEV licence because the photographs of the CCTV footage indicated brazen breaches from multiple dancers not individuals in full view of security and management staff with no action being taken. The Committee also considered that the Applicant should have engaged with the residents during the five months that Vanity had been closed to work, in order to alleviate their concerns before the Premises are open to the public.

In response to questions from the Committee, Mr Grant advised that going forward the Applicant would definitely be more involved in all his businesses. He highlighted how CCTV could now be monitored from the Applicant's mobile phone and how the covert visits would ensure standards would be maintained. He advised of the challenges regarding the pedicabs but emphasised that the Applicant should not be punished for something that was out of his control. He emphasised that the breaches were not as serious as say as the venue operating as a brothel. He advised of the experience of the new DPS and General Manager and that the Premises had operated without complaint for seven years. He advised that the Applicant accepted responsibility for everything that has happened under his SEV licence, and he was now putting things right. He advised that the Applicant had made the mistake of trusting others when he had personal issues to deal with and he would not make the same mistake twice. Mr Elford outlined what qualities the Applicant had looked for in the new house mother and that a customer would be immediately asked to leave the Premises if he started touching a dancer. He outlined that there would be a new security team, policies and procedures so the venue would have a completely new culture.

Mr James Rankin, Counsel for the Metropolitan Police Service confirmed that the Police were against the renewal of the SEV licence even though they have had sighting of the CCTV. He outlined that the Police had taken on board that the Applicant had a whole new raft of policies, however, there had been numerous and continuous failings of the conditions of the SEV licence and this behaviour could not be allowed to continue with the Applicant simply coming back to the Licensing Committee with new policies/management and security. He stated that the Police accepted that in some respects their evidence on the 9 January 2023, at the Summary Review had been lacking however what was determined then did not predetermine the decision today.

Mr Rankin referred the Licensing Committee to the Decision Notice of the 9 January 2023, and advised that Mr Grant had cherry picked a line from the decision. He requested that the Committee refer to paragraph 29 of the Decision Notice where it was noted by the Committee that there had been breaches of the condition of the Premises Licence and SEV Licence and although this hearing was conducted under the Licensing Act 2003, the breaches of the SEV licence conditions was good evidence of poor management of the Premises. He advised that Mr Grant had not



gone on to paragraph 30 where it had been noted that the breaches of the SEV licence would be dealt with under different legislation and that the findings of this Sub Committee in relation to the Review of the Premises Licence was not to be binding on any other Licensing Sub Committee. It stated instead that this decision should not be used to sway the decision of any other Licensing Sub Committee dealing with the renewal of the SEV licence. He advised that the Committee deliberately avoided making any findings in relation to the breaches of the conditions on the SEV licence save to use them as evidence of poor management. He then referred to the third paragraph under paragraph 21 which stated that this decision was in no way intended to sway or influence any future decision. Mr Rankin advised the Committee that this was entirely the correct approach as the two licences needed to be dealt with under different legislation.

Mr Rankin advised why he had introduced the evidence in relation to the London Borough of Tower Hamlets and the Nags Head and that it had not been to booster the Police's case but because Mr Grant had advised that the Committee had been given the 'full picture' of Mr Clair at the Licensing Committee on the 9 January 2023, and this was not the case. Mr Rankin referred the Committee to page 274, paragraph 54 of the Agenda Pack and read it out to members. He stated that what the paragraph did not mention was that the Applicant had faced an awkward renewal of his SEV licence for the Nags Head in 2017 and that he just narrowly squeaked by and got his SEV licence. He added that the Police considered that the Committee should be aware of this and the incident(s) on the 18 August 2022.

Mr Rankin then referred the Committee to page 232 of the Agenda Pack and reminded Members that Mr Grant had stated that it had just been one dancer that had been touched however this was not what the Licensing Sub Committee at Tower Hamlets had concluded. He advised that they had found a serious breach of standard condition 12 and that there had been intentional sexual contact between the performances and covert Police Officers. He then outlined that the two Police Officers acting on behalf of the Licencing Authority carried out covert test purchases which confirmed that dancers were making repeated intentional sexual contact with customers. He advised that the Committee did however grant the renewal of the SEV licence as Mr Clair had committed to enforce the standard conditions and cooperate with licencing officers in the future and in particular not to obstruct the viewing of CCTV footage, including the viewing of CCTV in the course of random checks by the Licensing Officers. He emphasised that Mr Grant omitted to inform the Committee sitting on the 9 January 2023, of this and how Mr Clair now faces an application to revoke this SEV licence for precisely what happened on the 18 August 2022.

Mr Rankin set out that the Applicant had decided to do CCTV dip sampling to determine whether the performers had been breaching the no touching conditions in a fairly substantial way. He advised that this could just be good management or concern for the dancers, or it could be that the Police Officers that did the regulatory check on the 18 August 2022, had been clocked by the management of the Nags Heads. The Applicant then as a result of this contacted Mr Bamber so they were able to come before the Committee and say that they had discovered the breaches themselves before the regulatory or enforcement proceedings by the London Borough of Tower Hamlets. Mr Rankin emphasised that the Police believe the opposite and referred the Committee to the Police's statements contained at pages 158,159 and 161 of the Agenda Pack. He advised that he did not know how Mr Bamber could say these two Police Officers were drunk because the hearing to

consider the renewal application had been adjourned so this was untested evidence.

Mr Rankin advised that if the Applicant had discovered the breaches himself and it is to be believed that he was concerned about them (maybe he had already dismissed Mr Bamber by then) why had he not carried out dip sampling at Vanity because if he had, he would have discovered that in embedded in Vanity was a culture of breaches of touching that went way beyond just casual contact which the CCTV footage would clearly demonstrate to the Committee. Mr Rankin advised that after Mr Bamber was dismissed, within that six month period, standards slipped and when they viewed the evidence it would indicate that it was not just on one occasion it was actually embedded in every single one of the girls because every single girl that appeared on the CCTV was indulging in behaviour that went way beyond casual touching.

Mr Rankin emphasised that there was seven minutes of CCTV footage to show the Committee which needed to be played in closed session. The TEAMS Live EVENT was switched off and the Press and Public were asked to leave the gallery.

The seven minutes of CCTV footage was then played to the Licensing Committee and all parties present at the hearing. Mr Rankin highlighted to the Committee the breaches of the conditions that had taken place in Vanity whilst the CCTV footage was being played to all parties.

Mr Rankin advised that at some stage the cameras had been moved or their angles tilted so that all areas of the club were not covered by CCTV. Mr Rankin then outlined the conditions of the SEV licence that he believed had been breached:

- Condition 10 (CCTV had been removed or titled and did not cover the whole of the Premises)
- Condition 16 (relevant entertainment should be given only by performers and the audience should not be permitted to participate in the relevant entertainment)
- Condition 17 (there shall be no physical contact between performers performing)
- Condition 20 (customers must remain fully clothed)
- Condition 21 (booths shall be constantly monitored by CCTV)
- Condition 22 (there shall be no physical contact between the performer and customers except for the exchange of money or tokens)
- Condition 35 (there shall be at least one SIA on duty on every floor where relevant entertainment is provided for the entire time the relevant entertainment is provided)

Mr Rankin referred the Committee to PC Muldoon's statement on page 6, Mr Guerra's statement on page 63 and David Morgan's statement on page 170 of the Agenda Pack. He advised that the CCTV footage was obtained but not without difficulty and he added that he did not want Mr Grant to champion this as something that the Applicant should be rewarded for doing. He emphasised that it had been a struggle to get hold of the CCTV footage and that eventually the Applicant had no option but to give the Police the footage. He added that this was not the behaviour expected of a SEV Licence Holder.

Mr Rankin referred to the newly appointed DPS and General Manager of Vanity Mr Pantling. He advised that Mr Pantling had been graded for the Committee's consideration as a man with considerable experience, however, he had last operated a SEV licence 10 years ago in Hillingdon where he had a pub called the Old Norwood that did strip tease. Mr Rankin advised that Mr Pantling was 68 years old and that operating Vanity was a young man's game because the General Manager needed up to date experience of administering all the policies and procedures. Mr Rankin then referred to the possibility of the Premises turning into a night club if the renewal of the SEV was not made, however, the view of the Commissioner was 'do it and let us see what happens' and if the Applicant manages the Premises badly it would be subject to another Review Hearing.

Mr Rankin concluded by confirming that the Police had no faith in the Applicant even with the introduction of the new policies, procedures, management team and the offering of additional conditions on the SEV licence.

In response to questions from the Committee, Mr Rankin outlined why the Police had decided not to prosecute the Applicant but had instead made representations to revoke his SEV licence. He advised that the Police would have viewed the circumstances differently if the breaches had occurred by one rogue performer and not multiply performances. He emphasised that the Applicant had already been given the space to improve the operation of his Premises, however, it appeared that he was not genuinely committed to doing this and complying with the conditions of his licences. He confirmed that the Police were requesting the refusal of the renewal of the licence based on the breaches that had occurred within the Premises and not regarding it being an unsuitable locality for a sexual entertainment venue. PC Muldoon confirmed that there were residents living across and down the street from the Premises however the Council's Policy did deem it as a suitable place for such a venue.

Mr Rankin continued and advised that it was perfectly possible to operate a nightclub without complaint and that the Police would wait to see what the Applicant did with the Premises if his SEV licence was not renewed today. He outlined the difficulty the Police had in obtaining the CCTV footage and advised that the Police eventually collected it on the 21 December 2022, by hand which left them very little time to view and gather further evidence for the Summary Review hearing held early in January 2023. He further outlined that the Police had difficulty pinpointing exactly what they needed which was why they had requested over 500+ hours of CCTV footage from the venue. He commented that the new DPS needed to be strong and up to date with all the new policies and procedures as operating a SEV licence in Soho was particularly tricky. He referred to the Premises Plans on page 49 of the Agenda Pack and indicated the areas where the CCTV cameras were either not working/or had been tilted the other way or where screens had obstructed the view of the cameras.

Ms Daisy Gadd, Policy Officer, advised that she believed that she had seen a further breach during the showing of the CCTV footage in that sexual entertainment had been taken place after 03:00 hours. The parties then discussed this further breach and the legal advisor advised she would seek clarification.

Mr Richard Brown, Solicitor from Westminster's Citizens Advice representing the 4 objectors advised that it was arguable that if a Premises were granted a TENS that it would be entitled to the 11 exceptions if it already had a SEV licence. Mr Grant

advised that there had been no objections from the Police or the Environmental Health Service regarding the use of the TENS for Regulated Entertainment.

Mr Brown advised that Carlisle Street was a cul de sac which had very little traffic late at night and that since the closure of Vanity on the 22 December 2022, the street had been increasingly quieter. He advised that there were other Licensed Premises operating in the street, however it had become clear to residents the negative impact that Vanity had on the area during its closure over the last five months. He advised that the locality for the purpose of the SEV policy was Westminster CAZ north. He added that circumstances could change and even if they had not changed the Act gives the Committee the discretion on this application to make a different decision to the one set in the Council's policy as long as the decision could be justified. Mr Brown emphasised that the residents believed that the circumstances had changed for one important reason which was the source of nuisance that was specifically linked to these Premises. He advised that the findings from the Summary Review highlighted the nuisance caused by the pedicabs waiting outside the Premises for customers who had consumed too much alcohol and were unable to make informed decision which was the direct reason pedicabs were in Carlisle Street. Mr Brown referred to the photograph provided by Dr Hatfield on page 329 of the Agenda Pack and advised that the residents were aware that pedicabs would always pass through Carlisle Street, however, since Vanity had closed, they had stopped congregating in Carlisle Street. This had made a huge difference to the noise levels and Public Nuisance in the street, and this was the crucial point to residents.

Mr Brown advised that Dr Hatfield evidence was based on visiting the area twice compared to residents who have lived in the vicinity for over 30 years. He advised that the residents accepted that pedicabs would come into the street as they were part of the West End however it was not until Vanity closed could the residents prove that the pedicabs specifically congregated in Carlisle Street because of Vanity. He advised that the street had improved immensely since the closure of Vanity and until now residents were unable to demonstrate the pedicabs were attracted specifically to the street because of the SEV licence.

Mr Brown advised that in terms of the breaches to the SEV licence it was clear from the CCTV footage that repeated and frequent breaches had occurred by multiple performances and customers. He echoed what the Committee had implied that the behaviour was more of a cultural thing which was more difficult to change. He added that on the 24 November 2022, when Temporary Events Notices (TENS) were granted. There was an extension of alcohol until 05:00 hours however there was no mechanism under the Licensing Act 2003 to extend relevant entertainment so therefore every instance after 03:00 hours was a breach of the conditions of the TENS.

Mr Brown advised that the Licensing Committee on the 9 January 2023, found significant comfort in the fact that the Applicant had committed to employ an experienced DPS and it was for this Committee to decide whether the person that had been chosen was experienced enough to operate this sort of Premises. He advised that operating in Westminster was a particular challenge especially within the West End Cumulative Impact Area. He added that there would soon be a 24-hour hostel operating near the site of Vanity and therefore the surveillance of the street that Dr Hatfield had mentioned in his report would be achieved then.

Mr Brown explained that the absence of complaints regarding a Premises did not mean there were no operating problems. He advised that the residents had informed him that making complaints was futile and time consuming which was why they had decided to concentrate their efforts on making representation on the renewal applications. He advised that the threat to operate a late-night bar was something that the residents had discussed at length and considered that they would prefer to a SEV licence because they could always apply to Review the Premises Licence.

Objector 1 stated that she could not always face complaining and objecting to applications as it took a lot of time and energy. She outlined how literally life changing the closing of Vanity had been on the resident's lives and how she could now have an uninterrupted night's sleep for the first time in years. She explained that there was no longer pedicabs congregating in the street or SIAs or customers or dancers talking and laughing into the early hours of the morning. She advised of the negative impact of pedicabs and how the drivers hung around the streets shouting, arguing and chatting to the SIAs who did nothing to control their noise. She outlined how the noise from the street reverberated into her flat. She advised that she did not dispute that Soho was a busy place however she would still like to emphasise the locality point because she considered that the building was not fit to operate an SEV licence as the noise within the building travels in odd ways.

Objector 1 advised that the Applicant had had eight years to sort out the issues and alleviate the concerns of residents. She set out how the previous manager had discussed concerns with her however the relationship had eventually deteriorated. She explained how she had undertaken mediation in 2017 through the Council but it had not improved the situation. She advised that the Applicant had written lots of policies and procedures that sounded impressive however they did not mean anything as they do not respect the residents because dancers and customers were allowed out on the street causing Public Nuisance.

Witness 1 gave a background to the use of the Premises over the years and advised that Paul Raymond had sold him the building as he had decided that Carlisle Street was no longer an appropriate place to operate a sexual entertainment venue. He advised that when the Premises were operated as a striptease and nude Premises without alcohol (which was the crucial different to Vanity) there had been no issues. He advised that he had been accosted on several occasions by working girls seeking to bring his custom into the Premises which he had refused. He considered that the Applicant's case was weak because he had not been able to operate a tight ship. He strongly considered that the SEV licence should be revoked. The Committee noted that the previous DPS had seemed quite diligent from the resident's perspective and had tried to deter the pedicabs from the venue, however her strategy had only worked for a couple of weeks.

Witness 2 advised that he had been on friendly terms with the previous manager who had been dismissed. He stated that she had been open to discuss issues with him and on one occasion she had helped him when his bike was stolen. He advised that vibrations transmitted through the structure of building so the Premises were not suitable to be a nightclub. He set out how he had seen one of the dancers canoodling with a customer at the bottom of the stairs of the front door where there was obviously no CCTV. He advised that it was impossible for one person to view 20 CCTV cameras and that the CCTV footage indicated that there was not much dancing going on at the Premises. He emphasised that he considered that it was a

completely inappropriate place for a sexual entertainment Premises and/or a nightclub and such venues had moved out to industrial spaces where they did not bother anyone. He wondered if these breaches occurred before midnight or afterwards because it seemed the more intoxicated the customers got the more the house rules were broken. He requested that if the Committee were not minded to revoke the SEV licence that they consider reducing the opening hours to midnight to alleviate the resident's concerns.

Objector 2 advised that the Soho Society and people living in Soho recognise that the place was originally the heart of the sex industry and therefore did not often make representations against such application/Premises. She advised of the mixture of sexual entertainment venues such as cabaret, striptease and gentlemen's clubs and stated that she could not remember the last time the Soho Society had called for a Review of such an establishment. She advised that it was crucial for the Soho Society that all Premises maintain and do not breach the conditions on their licences, especially SEVs and that the Applicant had demonstrated that he was unable to comply with the conditions on his SEV licence. She set out that the Soho Society believed that Vanity had a culture of acceptance for this type of behaviour which seemed to have occurred on a regular basis late into the night. She advised that the other Premises in Carlisle Street either closed around 11pm or midnight and after that the street was fairly quiet. She advised that it was obvious from the Decision Notice from the Summary Review that pedicabs were picking up intoxicated people from the club and taking them off somewhere and robbing them and therefore the opening of Vanity would increase the crime and disorder in the area.

Objector 3 echoed everything that the other objectors and witnesses had shared with the Committee. She advised that the pedicabs pick up people and take them to places as well as pick them up and bring them to Vanity for a tip from the Premises. She considered that the Police would never get to the bottom of the spiking allegations however what could be determined was that they all occurred after customers had attended Vanity.

During his summing up, Mr Rankin advised that having a SEV licence brings with it great responsibility and therefore how many times could the Applicant be allowed to get away with breaching the conditions on his licences by simply turning up and imposing further conditions on his licences and employing a different management team. He stated that the Applicant took 'his eye of the ball' for more than several months and that if one delegates to someone that operates their business badly it was ultimately still their responsibility. He concluded by advising the Committee that the Police, on the balance of probabilities, considered that Mr Clair was not a fit and proper person to hold a SEV licence.

During his summing up, Mr Grant referred to the suitability of the locality and the Applicant. He requested that the Committee turn to page 46 of the Agenda Pack where he referred to paragraph 8.4 of the Officers' report which sets out the statutory test for the suitability of the locality. He advised that the Council's SEV Policy clearly stated that Westminster CAZ North was an appropriate location for such Premises and indeed 25 of such Premises. He advised that Public Nuisance was a specific licensing objective under the Licensing Act when dealing with Premises Licence and this was raised in the Summary Review and 14 additional conditions had been attached to the Premises Licence to alleviate residential concerns. He emphasised that this had been the appropriate forum to deal with

such matters and not under the SEV legislation. He confirmed that the layout of the Premises did not make it unsuitable to be either a SEV establishment or a nightclub and that a place for smokers had not been realised on the 1<sup>st</sup> floor because of residential complaints. Mr Grant emphasised that it was not fair to blame the Premises for a much wider problem of pedicabs and that by revoking the SEV licence did not simply cure the pedicab problem in the West End.

Mr Grant concluded by reminding the Committee of the suitability of the Applicant. He advised that the Premises had operated for seven years without complaint and reminded Members of all the new policies and procedures that had been put in place to ensure the conditions on the SEV licence were not breached again. He emphasised the compliance regime that would be operating throughout the Premises by Mr Bamber, a highly respected businessman and that the new DPS and General Manager was more than qualified to operate the Premises. He advised that the Applicant had been punished enough by having to close for five months and this would be enough of a deterrent to ensure that no breaches ever occurred again. He concluded by advising that the Committee ultimately look at this renewal proportionality and ask themselves whether the only sanction was to refuse the renewal application or consider that the culture could change at this venue with all the new policies and procedure and new management in place.

### **Conclusion**

1. The Committee noted that it has a duty to consider each application on its individual merits and did so when determining the application.
2. The Committee has determined an application for a renewal of a Sexual Entertainment Venue Premises Licence made by Vanity License Limited to operate the Premises as a Sexual Entertainment Venue between the of Monday to Saturday 09:00 to 03:00 hours Sunday 09:00 to 23:00 hours.
3. The Committee noted that the Applicant had made a very detailed application which included experts' reports but was not convinced, having heard all the evidence from the Metropolitan Police Service and local residents, that the Applicant was a fit and proper person to hold a SEV Licence.
4. The Committee noted that the Applicant had put in place new policies and procedures but despite that, there have been numerous and continued breaches of the conditions of the SEV Licence.
5. The Committee considered that they did not have confidence that the Applicant would operate the Premises responsibly because of his failures to comply with all relevant conditions of the SEV Licence.
6. Serious breaches at Vanity came to light from the Police examining the CCTV footage submitted by the Premises after the allegations of serious criminal behaviour in the Premises including fraud and drink spiking. No charges were brought in relation to those allegations, however serious breaches of Condition 17 were observed being committed by most of the dancers employed at the premises, not just one or two rogue performers.

6. The Committee felt that a pattern of behaviour and breaches of the SEV Licence conditions over several years and across the Applicant's venues had been demonstrated by the Metropolitan Police Service and local residents.
7. The Committee noted that the Applicant had previously offered extra conditions which were added to the Licence at the previous Committee hearing. These have not been found to be effective in solving the issues. The Applicant failed to comply with those conditions.

Having carefully considered the committee papers, the additional material and the submissions made by all parties, both orally and in writing, the Committee has decided to Refuse the application for the above reasons and in particular, pursuant to Paragraph 12(3)(a) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.

In all the individual circumstances of the case the application is **Refused**.

**This is the Full Decision of the Committee which takes effect forthwith.**

**The Licensing Sub-Committee**

**25 May 2023**



# Appendix 14

I identify this exhibit as that referred  
to in the statement signed by me

Exhibit number: EXHIBIT MA/04

Date: 24 August 2023

Name: Mohshin Ali

Signed:



**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE LICENSING COMMITTEE**

**HELD AT 10.00 A.M. ON TUESDAY, 17 OCTOBER 2017**

**THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5  
CLOVE CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Rajib Ahmed (Chair)  
Councillor Khales Uddin Ahmed  
Councillor Shah Alam  
Councillor Dave Chesterton  
Councillor Candida Ronald  
Councillor Shiria Khatun

**Other Councillors Present:**

**Apologies**

Councillor Peter Golds  
Councillor Suluk Ahmed  
Councillor Andrew Cregan  
Councillor Md. Maium Miah  
Councillor Joshua Peck  
Councillor Rachael Saunders

**Others Present:**

Philip Kolvin QC	– (Counsel for Nags Head)
Juilan Skeens	– (Legal Representative for The Nags Head)
Luke Elford	– (Legal Representative for The Nags Head)
Andy Bamber	– (Compliance Consultant)
Manpal Singh	– (Applicant)
Ms A	– (Performer (and potential witness to the assault on 4 <sup>th</sup> May 2017))
PC Mark Perry	– (Metropolitan Police)
Officer P	– (Covert Police Officer)

**Officers Present:**

Mohshin Ali	– (Senior Licensing Officer)
Victoria Fowler	– (Legal Services)
Tom Lewis	– (Team Leader - Licensing Services)

Simon O'Toole  
Simmi Yesmin

– (Counsel)  
– (Senior Committee Officer,  
Democratic Services)

## **1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

Councillor Shiria Khatun and Councillor Rajib Ahmed declared a person interest on item 3.1, Application for a renewal of a Sexual Entertainment Venue for the Nags Head, 17-19 Whitechapel Road, London E1 1DU on the basis that they had worked with Mr Andy Bamber, Compliance Consultant, in his previous capacity as an ex-employee of the Council.

## **2. RULES OF PROCEDURE - LICENCES FOR SEXUAL ENTERTAINMENT VENUES**

The rules of procedure were noted.

## **3. ITEMS FOR CONSIDERATION**

### **3.1 Application for a Renewal of a Sexual Entertainment Venue Licence for the Nags Head, 17-19 Whitechapel Road, London E1 1DU**

The Chair exercised his power to exclude the press and public from the meeting.

It was agreed that;

“Pursuant to Public Bodies (Admission to Meetings) Act 1960, and the Local Government Act 1972 the members decided that exceptionally a Licensing Committee hearing on Tuesday October 17th at 10 o'clock should be closed to the public because it was likely that exempt information would be disclosed in the course of a full hearing to determine the application for a renewal of a sexual entertainment venue licence. The exempt information related to action taken or to be taken in connection with the investigation or prosecution of a serious sexual assault at the licensed premises on May 4th 2017, and that there was also a risk that information would have been disclosed which identified the victim or witnesses which may have prejudiced the investigation or prosecution of the offence.

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a renewal of the Sexual Entertainment Venue licence for The Nags Head, 17- 19 Whitechapel Road, London E1 1DU. It was noted that the licence consists of the basic licence, plus additional conditions relevant to the premises only. In addition, the Tower Hamlets standard SEV conditions also apply and form part of the licence. It was noted that the Licensing Authority had objected to the application and this had been supported by the Police.

At the request of the Chair, Mr Philip Kolvin QC, acting on behalf of the Applicants, gave apologies on behalf of Mr Adrian Studd, Licensing Consultant, and Mr Saab Binning, Manager, and asked that there evidence is accepted as hearsay.

Mr Kolvin explained that the premises had been run by the Singh family for the past 30 years, and that it was their third year for applying for a SEV licence, it was noted that there had been no objections from local residents, local businesses or objections based on the environment or character of the area. Mr Kolvin explained that he would address the two issues that had been referred to in the objection, the first one was of the reported assault on 4<sup>th</sup> May 2017 and the second one was the conduct of dancers on 11<sup>th</sup> May 2017.

Mr Kolvin explained that there had been a rigorous process and effort to ensure compliance measures were in place to improve procedures. It was noted that as a result of these incidents a number of compliance visits had been conducted and all had shown that the venue was fully compliant.

Mr Kolvin stated that since the adjournment at the previous meeting on 2<sup>nd</sup> October 2017, Mr Singh now accepted that touching had occurred on 11<sup>th</sup> May 2017 this was detailed on page 6 of the Supplemental Agenda 2. Mr Singh unreservedly expressed his apologies for this incident and wanted to highlight that this was not an example of how the venue was run. It was noted that measures were now in place to prevent this from ever happening again.

He then went on to explain that the Singh family had no history of bankruptcy, had no convictions and had other venues in London that were compliant and licensed venues. He referred Members to page 232 of the Supplemental Agenda 1, the Entertainer's Daily Briefing which was explained to the performers on a daily basis. Customer house rules were on page 230 and it was confirmed this was displayed all around the venue.

It was noted that Mr Andy Bamber, Compliance Consultant had been appointed by the Singh Family to help with compliance, measures and controls. Mr Andy Bamber, gave a brief introduction and a summary of his experience to date. He confirmed that his appointment was independent and had started work with the venue from Feb/Mar 2017. It was noted that Mr Bamber had arranged a number of covert/compliance visits and reported his findings to management after each visit.

It was further noted that Mr Bamber had arranged nine compliance visits and all nine visits found the venue to be compliant. A dip sampling process had also been introduced, where random samplings of CCTV footage would be checked, so a three layer check was now in place, overt, covert and dip sampling. Mr Bamber confirmed that he visited the venue on a regular basis and confirmed to his best knowledge that there wasn't another venue as compliant as the Nags Head in London.

Mr Kolvin then highlighted the sequence of events leading up to alleged assault on 4<sup>th</sup> May 2017. **(Restricted)**

Members then heard about the incidents on 11<sup>th</sup> May 2017, where covert officers undertook test purchases and found significant breaches of the conditions on the licence. When a further visit was made on 15 June 2017 the premises was found to be fully compliant. It was noted that Mr Singh was not informed of these allegations on 11<sup>th</sup> May until 50 days after the incident, if this had been within 31 days (according to the conditions) then this could have been verified by the CCTV footage that is kept for 31 days. Management and performers had initially denied that this took place, however it was clear from Members that they wanted to hear from the Covert Police Officers who carried out the test purchases, and with no CCTV footage as evidence, Mr Singh accepted what the Police had said in terms of the number of breaches that were made on 11<sup>th</sup> May and would give the dancers involved final written warnings as there was clear misconduct and instructions were not adhered to.

Members were referred to pages 49 & 62 where further compliance visits were made and the venue was found to be compliant. Mr Kolvin then went on to detail the conditions that had been drafted between Licensing Services, Police and the Applicants. He believed that these conditions were sufficient to prevent these incidents from happening again and was satisfied that these conditions would be adhered to.

Mr Kolvin concluded by referring to the discretionary grounds for refusal and highlighted that the standard of fitness was obviously met, with high standard of management, there had been no objections on vicinity, no changes to demographics and the layout of the venue was small, neat and tidy.

Mr O'Toole, through the Chair asked questions on the layout of the premises, the availability of incident log and questioned whether the Licensing Officers would be able to access CCTV footage. It was confirmed that Licensing Officers and Police Officers would be able to view CCTV footage, even on a random check, but not be able to download and take it away unless there was a criminal investigation or breach of conditions as the Applicant said this would infringe guidance from the Information Commission Office and the Data Protection Act.

The Chair adjourned the meeting at 11.55am for a short comfort break and reconvened at 12.10pm.

At the request of the Chair Mr Tom Lewis, Licensing Team Leader briefly explained the two main issues which were of concern i.e. the assault on 4<sup>th</sup> May 2017 and the conduct of the dancers and the breach of conditions on 11<sup>th</sup> May 2017. Mr Lewis then detailed the incidents in full. Mr Lewis informed Members that one of the officers who conducted the covert visit was present at the meeting and available to answer any questions and asked that his identity remain anonymous and be referred to as Officer P.

It was noted that a meeting (without prejudice) was arranged and all interested parties met and agreed on a draft set of proposed conditions, which were robust and better enforceable. Mr Lewis confirmed that his objection was supported by the Police.

Members then heard from PC Mark Perry, Metropolitan Police who explained that SEV licences required a greater amount of monitoring and he was concerned about the inappropriate behaviour of dancers at the venue. PC Perry then referred Members to page 28 of the supplemental agenda 1 and explained the series of events which took place in relation to the assault on 4<sup>th</sup> May 2017.

PC Perry (**Restricted**) the incidents on 11 May did support the culture of inappropriate touching at the venue. He also believed that the additional conditions proposed would help alleviate concerns.

PC Perry welcomed the efforts made on behalf of the Applicant and was pleased and reassured that information would be available on request. He explained that the Police had the power to seize evidence if required. PC Perry concluded that he welcomed the fact that the applicants had accepted that the incidents on 11<sup>th</sup> May had occurred and had offered conditions and were working with officers.

Following a detailed discussion, Members asked a number of questions to which the following was noted;

- That the incident on 4<sup>th</sup> May (**Restricted**)
- That there was a financial contract between the performers and the owners of the venue as they had to pay to work at the venue.
- It was the applicant's view that management acted accordingly and in line with procedures and did what was right based on the information given.
- Concerns were raised as to blame culture on women (dancers)
- That the Entertainer's Daily Briefing was read out and explained to all performers before the venue opened each day.
- The customer conduct was displayed all around the venue.
- That there had been eleven compliance visits in total over the last six months, and all were found the venue to be compliant.
- It was noted that the victim on the 4<sup>th</sup> May (**Restricted**).
- Witness statements from other performers state that if sexually assaulted then the dance is immediately stopped and the customer is asked to leave the venue.
- (**Restricted**)
- That the CCTV footage taken on 4<sup>th</sup> May also showed that there was a breach of condition where a performer was seen to be hugging a customer.

At 1pm the Chair closed the meeting.

The second meeting started at 2pm.

The Chair welcomed everyone.

In response to further questions from Members the following was noted;

- Authorised Officers referred to in the proposed draft conditions included Police Officers and Licensing Officers.
- The Applicant maintained that officers would be able to view CCTV footage but would not be allowed to download footage or be handed over footage unless it was associated to criminal proceedings or to investigate a breach of conditions.
- That the Entertainers Daily Briefing and Customer Rules had been rewritten in order to make the rules more robust and enforceable and clear that you must not touch the dancer.
- SIA door staff also explained the rules to customers when they come into the venue.
- That there were 12 dancers performing on 11<sup>th</sup> May
- That during the 30 years of trading, there had only been one complaint of sexual assault.
- That there was a further need to educate customers and dancers.
- That dip sampling meant that 4-5 CCTV footage slots would be randomly picked and checked to see that everything was compliant.
- That there was no sign outside the venue, no advertising, and there were no staff outside touting, that SIA door staff stand inside the entrance.

At this stage the Chair formally asked that Police Officer P who was present at the meeting could be released as there were no questions to ask of him.

Cllr Shiria Khatun asked if questions could be asked of one of the performers who was in attendance at the meeting but was not a witness.

The Chair adjourned the meeting at 3.20pm to seek legal advice and reconvened at 3.27pm.

The Chair announced that they would not ask Mr Kolvin to call the performer.

Mr Kolvin then asked the Chair if he could voluntarily call the performer as his witness and asked her questions despite the fact she had not made a witness statement. The Chair sought legal advice and consulted the Committee (without adjourning) and then said that exceptionally the Committee would agree to the performer being called to give evidence at this stage. The performer confirmed the following;

- That her name was **(Restricted)** (Ms A) and that she had worked at the Nags Head for 12 years.
- That she was part of the East London Strippers Union Collective
- That Nags Head was the safest place to work in where dancers felt protected.
- That she had a good relationship with managers and staff
- That she had never been sexually assaulted at the premises.
- That dancers do not permit any sexual contact and can easily protect themselves if they were being assaulted
- That she had been working on the night of 4<sup>th</sup> May, **(Restricted)**.



- That she was also working on 11<sup>th</sup> May and she did not engage or see anything that was described by Police Officers
- That dancers were given a daily briefing.
- That she did not see everything that goes on in the venue.

The Chair invited all parties to make final submissions.

Mr Kolvin concluded by saying that no touching is allowed, dancers are protected. That policy and procedures had been scrutinised and revised with great care. He highlighted that the venue was a good family run business, with a dedicated Compliance Manager. The applicants expressed their apologies for the breaches in May. Mr Kolvin said that they accept the conditions and felt that the imposing of the conditions would be a proportionate response as the venue was a compliant business. He highlighted that there was a total of 80 staff working at the venue, the venue had been trading for decades, there was a commitment to work with the responsible authorities and that there had been 11 compliance visits within the last 6 months and all had been found to be fully compliant.

Members then heard from Mr Lewis and PC Perry who stated that they were happy with the conditions and if agreed by Members then this would help alleviate the concerns they had. They were also pleased that the police evidence on 11<sup>th</sup> May had been accepted by the applicants.

Mr O'Toole for clarity confirmed that the Applicant expressly agreed that authorised officers could review CCTV footage although not ask for a copy unless investigating a breach of conditions or criminal offence.

Members adjourned the meeting at 3.40pm for deliberations and reconvened at 4.50pm.

Accordingly, the Sub Committee unanimously

### **RESOLVED**

That the application for a renewal of a Sexual Entertainment Venue Licence for The Nags Head, 17-19 Whitechapel Road, London E1 1DU be **GRANTED an identical licence with additional conditions.**

At a hearing of the London Borough of Tower Hamlets Licensing Committee on Tuesday October 17<sup>th</sup> 2017 the Committee unanimously resolved to grant the renewal of a Sexual Entertainment Venue Licence to the Nags Head at 17-19 Whitechapel Road, London E1 1DU subject to the Standard Conditions, and additional conditions set out below.

The Committee imposed additional conditions after determining that the Licensees had committed serious breaches of the Standard Conditions, and that in May and June 2017 the management did not have the ability to adhere to the Standard Conditions for sex establishments.

The SEV Licence will expire on 31<sup>st</sup> May 2018.

In reaching its decision the Licensing Committee had regard to the Act, Tower Hamlets' Sex Establishment Licensing Policy made pursuant to Schedule 3 of the Act (the Policy), the information contained in the Agenda (white papers), Supplemental Agenda 1 and Supplemental Agenda 2 (pink restricted papers). Over the course of two meetings the Committee heard submissions on behalf of the Applicant and the Licensing Authority as Objector, and evidence from Mr Bamber and Ms A (a performer at the premises) on behalf of the Objector. The Applicant and Objector agreed that all the other witness statements on behalf of both parties could be admitted as hearsay statements.

The Committee decided to conduct a full hearing review into the application for renewal of the SEV Licence because the Licensing Authority had objected on the basis that the Licensees were unsuitable to hold a licence pursuant to paragraph 12(3) of Schedule 3 of the Act, ie that they were unsuitable "for any other reason".

The events which gave rise to the full hearing review occurred on May 4th and May 11th 2017.

The Committee accepted PC Mark Perry's unchallenged evidence that by May 2017 there had, in all probability, developed among some of the performers at the premises a culture of consensual inappropriate touching which was in breach of the Standard Conditions. One such incident ("the hug") was recorded on CCTV on May 4th between a performer and member of the public. PC Perry went on to say that this culture was not safe and it was "a slippery slope because if you say it is ok to hug they [the members of the public] may then take it further especially if they had had something to drink." Mr Colvin QC on behalf of the Applicant conceded that the May incidents were not acceptable and that they "exposed a fault line" about how the premises were managed

#### Alleged sexual assault

On May 4th 2017 a performer at the premises, referred to as Ms Y, was allegedly assaulted by a member of the public (referred to as Mr X) during a private dance. **(Restricted)**

The Committee accepted all the hearsay evidence regarding how performers responded if touched during a private dance and carefully analysed the agreed CCTV recording timeline of the incident on May 4th. **(Restricted)**

**(Restricted)**

**(Restricted)**, the Committee found that the management failed to take the matter sufficiently seriously, or properly investigate it. The management also failed to protect Ms Y on May 4th, and had failed to provide appropriate support to Ms Y at the time of the alleged sexual assault or afterwards.

The position was aggravated by what the Committee considered was the Licensees' generally dismissive approach to the matter, especially when it knew beyond doubt that the allegation was that of a serious sexual assault. It was compounded by the Licensees' subsequent obstruction of, and failure to cooperate with the licensing officers in the investigation of the incident. The Committee did not accept the Licensees' reasons for refusing to provide a copy of the CCTV of the incident to the licensing officer (redacted as necessary) and this was a serious breach of Standard Condition 12. The Committee found that the Licensees' failure to cooperate promptly with the licensing officers request for a copy of the incident book was inconsistent with the high standard of management stipulated by the Policy.

#### Intentional sexual contact between performers and covert police officers

On May 11th 2017 two police officers, acting on behalf of the Licensing Authority, carried out covert test purchases. These purchases confirmed that performers were making repeated intentional sexual contact with customers. The nature of the sexual contact is summarised below.

- Grinding of buttocks onto officers groin, this occurred on several occasions with all performers, and on one occasion one performer was grinding their vagina on officer's groin.
- Placing of the breast into the officers faces. This was mostly only light contact (slight brushing across the face). However on one occasion one of the performers in putting their breast in the officer's face made contact with the officer's closed mouth with their nipple.
- Squeezing of officer's penis, this occurred on two occasions by one performer who reached behind her with one hand and squeezed the officer's penis through their clothing.
- Rubbing of forehead on penis, this occurred with one performer where they knelt between the legs of the officer and rubbed their forehead back and forth on the officer's penis through their clothing.
- Breast being in open hands of the officers whilst seated, which occurred once with one performer.
- One performer asked one of the Officers to put their hand on the performer's buttocks, which they did.
- One performer placed one of the Officer's hand on her exposed pubic area.
- During one of the private dances one of the performers kissed one of the Officers with a closed mouth.

Officers describe in their statements that there were a number of occasions performers touched their vagina's and parting the lips of their vagina's. Furthermore on one occasion a performer simulated acts of personal stimulation by parting their vagina with her fingers exposing their labia and with their other hand rubbed their inner vagina from the base up to the clitoris.

The Licensees admitted that two of its performers had committed the above intentional sexual behaviour.

The Committee found that the above intentional sexual behaviour of two performers was a serious and persistent breach of Standard Condition 26 (implementation and enforcement of House Rules), Conditions 35 and 36 (no intentional physical contact - save for specified exceptions) and Condition 38 (no other form of sexual activity, including but not limited to acts or the simulation of acts of personal stimulation).

The Committee found that the lack of effective enforcement of the Standard Conditions and compliance with the House Rules was likely to be directly affecting the safety of performers as evidenced by the alleged sexual assault on May 4th.

The Committee decided that in May and June 2017 the Licensees' clearly did not have a high standard of management. The management structure was such that it lacked the capacity to operate the venue, or the ability to ensure adherence to the Standard Conditions for sex establishments. As such, it was arguable that, at that time, the Licenses were unsuitable "for any other reason" to hold a SEV Licence.

After careful consideration the Committee decided to grant the renewal of the SEV Licence after taking full account of the following matters.

- 1 The admissions by the Licensee, their apology for the breaches, their positive track record, and their full commitment in the future to enforce the Standard Conditions, and strict adherence to, and compliance with the House Rules and Code of Conduct, and any other conditions the Committee might impose.
- 2 The Committee accepted the Licensees' promise to fully cooperate with licensing officers in the future and in particular not to obstruct the viewing of CCTV footage (including the viewing of CCTV in the course of random checks by the licensing officers).
- 3 That PC Mark Perry, and Mr Tom Lewis (Team Leader, Licensing and Safety Team Environmental Health and Trading Standards) considered that the imposition of additional stringent conditions would mitigate the risks of similar problems occurring at the premises in the future.
- 4 The significant efforts already made by the Licensees to ensure that the premises operated in a way which was fully compliant with the Standard Conditions, and the additional conditions that the Committee were going to impose.

The Committee imposed the following additional conditions.

- 42 Documents to prove compliance with the Licence pursuant to Standard Condition 3.

An incident log shall be kept at the premises, and made available on request to authorised officers immediately. It must be completed within 3 hours of the incident and shall record the following

- (a) all crimes reported to the venue by a member of the public, a performer or member of staff;
- (b) any breach or alleged breach of either the House Rules made by a member of the public or the Code of Conduct made by a performer, and the action taken by the management;
- (c) when a person is removed from the premises;
- (d) any faults in the CCTV system;
- (e) any visit by a relevant authority or emergency service.

- 43 In the event that a performer alleges that they have been sexually assaulted the management will immediately ensure that

- (a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) all measures that are reasonably practicable are taken to apprehend a suspect pending the arrival of the police;
- (c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

- 44 In the event that during a performance the management or security either witness a member of the public making intentional physical contact with a performer (save as permitted by Standard Conditions 35 or 36) or a performer makes a similar allegation to management or security, that member of the public shall be removed from the premises without delay. The management or security may use their discretion to allow that member of the public a supervised 10 minute drink up time prior to being removed from the premises.

- 45 Without prejudice to Standard Conditions 12 and 13, at all times the private performance areas and booths are occupied by performers and members of the public trained staff shall regularly monitor the CCTVs which cover that area.

46 Independent Compliance Audit

- (a) An independent compliance auditor, to be instructed and paid for by the Licensees, must carry out a minimum of four (4) compliance audits per year of the private performance areas and booths when sexual entertainment is offered at the premises. The compliance audits must not be pre-arranged with the Licensees or any employee or agent of the Licensees.
- (b) A copy of the compliance audit, signed and dated by the Compliance Auditor, must be kept at the premises (The Nags Head Public House, 17-19 Whitechapel Road E1 1DU) and made available to authorised officers without delay.

The meeting ended at 4.50 p.m.

Chair, Councillor Rajib Ahmed  
Licensing Committee

# Appendix 15

ref	date	name	type	off
65862	20/03/2014	Nags Head	1L Licensing Act visit	KB
67514	02/03/2015	Nags Head	1V Licensing SEV visit	ANH



67656	31/03/2015	Nags Head	1V Licensing SEV visit	ANH
67747	24/04/2015	Nags Head	1R Licensing revisit	JMC
68933	06/11/2015	Nags Head	T3 TS Primary	IDM
69429	06/11/2015	Nags Head	1V Licensing SEV visit	JSM
69169	16/02/2016	Nags Head	TB TS virtual/desktop visit	KVM
69317	04/03/2016	Nags Head	T3 TS Primary	KVM
71186	31/05/2016	Nags Head	1N Licensing Notice check visit	DAD
69854	22/06/2016	Nags Head	1V Licensing SEV visit	MAL
	30/09/2016		Police vists	

70570	17/10/2016	Nags Head	1L Licensing Act visit	ANH
70600	20/10/2016	Nags Head	1L Licensing Act visit	ANH
	11/05/2017		Police vists	
72353	12/06/2017	Nags Head	1V Licensing SEV visit	MAL
73561	13/04/2018	Nags Head	1L Licensing Act visit	DAD
73718	20/06/2018	Nags Head	1L Licensing Act visit	DAD
	09/05/2019		Surveillance Group	
79901	11/05/2022	Nags Head	1N Licensing Notice check visit	MAL

80618	18/08/2022	Nags Head	1T Licensing - Test purchase	MAL
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text

KD visit L LA2003 visit: DPS not present  
manager : Shamsheer Singh present  
Licence on display  
full licence on premises  
no DPS no letter of authorisation

Condition 18

1 SIA on premises up to 2 Thur-Fri  
performances every 10-15 mins#

Record of Security

CCTV - covering all rear stage area obscured in smaller screen.

Authorisation not provided - will correct.

VIP areas covered by CCTV

No dancing taking place at time of inspection

17-19 Whitechapel Road, London, E1 1DU

Present: Andrew Heron (Licensing Officer), Mr Singh (Applicant) and Luke Elford  
(legal representative – Jeffrey Green Russell Solicitors) AH: I am very concerned  
by the lack of CCTV coverage in

the two private booth areas. I highlighted to the Applicant that there are many blind spots. In the first triple-boothed area, there are two cameras; the booths have high walls that camera cannot see into, only across the top. The Applicant suggested dropping the walls of the booths; I advised that I do not believe that this will be enough to prevent blind spots. The Applicant's legal advisor tells me that "you are always going to have blind spots" – I am concerned that there is a lack of willingness to cooperate. If each booth requires a camera to be able to see into it, then that is what will satisfy the LBTH Council's conditions.

There is a second private dance area with a large private room that has one camera filming one lower corner of the room, there are another 3 booths that have a camera not focused in on them, but to a door to a store room (sometimes used as a changing area, I am advised).

I advised that this is not satisfactory and will need addressing before coming to the Hearing, they may wish to supply a plan to Members so they can consider if the premises will have sufficient coverage by the time the licence is granted.

Singh, the Applicant.

This visit was to look at the additional CCTV cameras that had been installed following the first visit, where it was highlighted that all of the private dance areas had no CCTV contrary to the LBTH SEV Policy.

I was given a tour of the premises looking at the positioning of all the new cameras in each room. I was shown the cameras positioned in the two private booth areas. They had good coverage from above and there were no blind spots. I was satisfied that the coverage was adequate.

We went to the upstairs office and overviewed the system so that I could see the view that cameras have when operational. Mr Singh advised that they were not at present recording as he had received advice from his legal representative that they should not be turned on. I advised that I not only need to see it being operational, but also the functionality of it, which would include him showing me historical recordings, even if they were from the previous 24hour period. I advised that I would need to return again, likely unannounced, to make sure that the system is on and recording. Me Singh further advised that the images will be available to download onto USB sticks and made available to the Responsible Authorities upon request.

We also discussed the Code of Conduct. Mr Singh advised that each dancer signs the Code of Conduct on their first night performing, and that is kept for around a year after they depart, though he'll occasionally get request from past dancers asking for that to be destroyed before that time. He advised that the copy in the dressing room would be permanently framed.

Visit with Cllr Gold LBTH Licensing Committee - saw Mr Singh, brother of Licensee.

Joint licensing visit to SEV with Police and Licensing - specific conditions with regard to pricing appear to be complied with

SEV visit with Police licensing, all SEV licence condtions checked,

Trading Standard virtual/desktop visit

Visit to T to UBS stick containing CCTV images re: complaint of overcharging on 9/2/16.

Placed into evidence bag no: M00092504.

Notice ok

Premises visited for SEV renewal compliance check. All ok

Breach (touching) 2 Police Officers. Licensing Committee heard evidence (we did not have delegated authority at this stage) – Dates 05/09/2016 and 15/11/2016 – licence granted

<p>17/10/2016 15:54 ANH</p> <p>Visit at 15:30 to hand deliver letter requesteign retention of CCTV. Met with licence holder, he was aware of the letter, as advised by solicitor Luke Elford earlier that day. He said that it was taking a long time to download, only one hour took an hour to record. I advised that all SEVs have received the same request and that the decision to ask for this has come from management.</p>
<p>21/10/2016 9:32 ANH</p> <p>Hand-delivered third SEV CCTV retention letter - Gave to PLH Mr Singh</p>
<p>Breach (touching) 2 Police Officers. Objection by Police and Licensing Authority to renewal – Committee on 17/10/2017 – licence granted with conditions. <a href="http://democracy.towerhamlets.gov.uk/mgAi.aspx?ID=82394">http://democracy.towerhamlets.gov.uk/mgAi.aspx?ID=82394</a></p>
<p>Premises visited for SEV renewal compliance check. On Monday 12th June 2017, I was working with my colleague Corinne HOLLAND (Licensing Officer). We were met by Manpal SINGH (licence holder and manager) and Julian SKEENS (legal representative). I had printed out my notes from the compliance visit of 2016 which I used this to make my notes for this visit.</p> <p>Once the compliance visit was done, Officer HOLLAND asked Mr SINGH if we could see the incident book but Mr SINGH looked towards Mr SKEENS for an answer. Mr SKEENS said that they couldn't show us the incident book as it would be in breach of data protection as it contained personal information. He said they would show it to the Police if there was an incident. I advised that we were aware of an incident that took place on the 4th May 2017 and asked if we could see this. Mr SINGH went to get the incident book and he then showed us one of the pages whilst holding the book in his hands. I could see some entries had been made but as he did not hand it over to us for full inspection I was not clear as to what information the incident book had contained. We were told that the incident of 4th May 2017 was not in the incident book and this was kept separately in a full log which had been made available to the Police. They said that they were unaware that an incident had occurred at the time. We then left the premises</p>
<p>SEV compliance visit done- All ok</p>
<p>20/ 6/2018 16:24 DAD</p> <p>Visited Nags Head circa 14:00- An IC3 doorman was on duty (although he doesnt stand directly outside premises, he was sitting on a stool in the alcove by the entrance)</p>
<p>Surveillance Group – no issues noted.</p>
<p>Renewal public notice checked</p>

Covert visit found breaches of conditions which lead to revocation application

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# Appendix 16

**NH LICENSE LTD**

**SEV LICENCE HOLDER'S PAPERS**

**FOR**

**SEV REVOCATION HEARING**

**ON**

**16 MAY 2023**

**Before Tower Hamlets Council's Licensing Committee**

**Sch. 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended)**

**Tower Hamlets Council (as a Licensing  
Authority)**

**Applicant**

**and**

**NH License Ltd**

**SEV Licence Holder**

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**SEV LICENCE HOLDER'S PAPERWORK  
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- 1. Witness Statement of Manpal Clair**
- 2. Exhibit List to Witness Statement of Manpal Clair**
- 3. Manpal Clair Exhibits MC1 – MC31**
- 4. Witness Statement of Bahadur Singh Binning**
- 5. Exhibit List to Witness Statement of Bahadur Singh Binning**
- 6. Bahadur Singh Binning Exhibits SB1 – SB4**
- 7. Expert Report of Andrew Bamber**
- 8. Appendix 1 to Report of Andrew Bamber**
- 9. Exhibits AB1 and AB2**
- 10. 2017 SEV Risk Assessment**
- 11. 2022 SEV Risk Assessment Review**

**The SEV Licence Holder has also submitted 4 x CCTV clips from 18-19 August 2022.**

# Appendix 17

**1st Statement of Manpal Clair**

**Made on behalf of SEV Licence Holder**

**Dated: 8 May 2023**

**Before Tower Hamlets Council's Licensing Committee**

**Sch. 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended)**

**Tower Hamlets Council (as a Licensing  
Authority)**

**Applicant**

**and**

**NH License Ltd**

**SEV Licence Holder**

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**Witness Statement of Manpal Clair  
(Director NH License Ltd)**

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1. My name is Manpal Clair. I am 40 years old. [REDACTED]  
[REDACTED]. I am of previous good character and have no previous criminal convictions or cautions (save for a driving matter). I am married with two children under the age of 4.
2. I am the sole director of NH License Ltd ("the Licence Holder") at The Nags Head, 17-19 Whitechapel Road, London E1 1DN ("the Premises").
3. I make this witness statement in relation to the application to revoke the Sexual Entertainment Venue Licence ("SEV") for the Premises.
4. To assist the Licensing Committee I have prepared a timeline of events, which I exhibit as **MC1**.

**Background**

5. My family have run licensed premises since the 1970s and I have grown up in and around them and the wider hospitality industry all my life. This includes pubs, bars, nightclubs, and sexual entertainment venues or stripclubs ("**SEVs**").

6. The flat where my parents lived when I was a child was above my father's nightclub in Forest Gate.
7. I have always worked in the hospitality industry. It is my career and I have never done anything else. You could say that my role was always to take over the hospitality businesses built by my father and my uncle.
8. I started working in my family's venues at around 12 years old. I would help with cleaning and stocking the cellars. I started working behind the bars of our venues aged 18 and have progressed from there to managing the entire group of companies.
9. I hold a Personal Licence to sell alcohol and have done so since 2005.
10. My group of companies currently operates two venues:
  - a. The Premises; and
  - b. The Nellie Dean (a public house) in Westminster.
11. The group of companies also previously operated:
  - a. The Crown (a public house) in the City of London; and
  - b. The Hope (a public house) in Camden.
12. Both The Crown and The Hope were leased from a pub company and were handed back to the company when the leases expired during Covid.

### **HISTORY OF THE PREMISES**

13. My father first acquired the Premises in the 1970s. At the time I think it was operating as a public house and he turned the Premises into a strip pub/club.
14. My father ran the venue successfully and with minimal issues from the late 1970s until he began winding down towards his retirement around 2003.
15. In the run up to my father's retirement, I began to take on a more prominent role in the business. In 2020 the SEV Licence was transferred to the SEV Licence Holder. This was part of a wider restructuring of our business interests. For example, the Premises Licence for The Nellie Dean Public House was transferred to Nellie Dean License Ltd.
16. I was running the Premises when the Council determined to introduce the Local Government (Miscellaneous Provisions) Act 1982 regime for Sex Establishments in Tower Hamlets.

17. The Premises, along with several others, were highly involved in that process including the drafting of Tower Hamlets SEV conditions.
18. The Premises runs largely without incident. I exhibit as **MC2** an email from PC Mark Perry detailing the dealings that the Premises have had with the Police and the lack of issues.
19. The Premises is a small SEV where entertainment takes place on the ground floor only. I exhibit as **MC31** a plan of the Premises. The basement of the Premises is our cellar and storage area. The first floor of the Premises is where our offices are located, as well as a secondary changing room.
20. Access to the Premises is via Whitechapel Road. From the pavement one enters a small atrium area. The atrium is manned by one of our SIA Door Supervisors who is stationed there when the Premises is open.
21. The SIA Door Supervisor in the atrium will vet the person seeking entrance to the Premises and make sure that their attention is drawn to:
  - a. The Customer House Rules;
  - b. Our age verification policy; and
  - c. Our price tariff.
22. All of these are displayed on the wall inside the atrium. An enlarged copy of the Customer House Rules is displayed on the back of the door that provides entrance into the venue.
23. In addition to displaying the rules at the entrance to the Premises, they are also displayed at the entrances to and within the dance areas.
24. In terms of the Code of Conduct for Performers, these are displayed within performer changing areas. Further copies are kept in the upstairs office.
25. The atrium area is covered by closed-circuit television, and we have two further cameras outside the Premises on Whitechapel Road.
26. In terms of CCTV coverage there are a total of 16 cameras situated on the ground floor of the Premises covering all areas that customers have access to except for the toilets. Most of the CCTV cameras (10 in total) cover the two dance areas.
27. We employ three SIA Door Supervisors at any one time. One, as explained above, is stationed outside the front door in the atrium area. The other two SIA door supervisors are located inside the Premises. One is located outside the dance area by the entrance

to the female toilets and the other is situated towards the rear of the Premises near the male toilets. From time to time each SIA Door Supervisor will conduct a sweep of the Premises including the dance areas.

28. In addition to myself, we employ 4 managers at the Premises and 2 further bar staff. The managers (who we call relief managers) are:
  - a. Alcir Orlandi
  - b. Daniel Habte
  - c. Shamsheer Singh; and
  - d. Saab Binning.
29. Saab is the senior manager of the group.
30. At any one time we have roughly 25 to 30 performers who perform at the Premises. They do not all perform at the same time and at most, we will have between 10 and 12 performers at the Premises at any given time down to about 4 or 5 during quiet periods.
31. Performers operate in two shifts. The first shift covers lunchtime and the afternoon, the second the evening until close of business. We try our best to accommodate performer's wishes when scheduling performers shift patterns.
32. We have had issues with performers before, but nothing like we have experienced here. We have had to warn performers about breach of rules but have never had to instantly dismiss anybody as was the case here.

#### **INCIDENT LEADING TO THIS APPLICATION**

33. It is perhaps easier if I approach matters chronologically and following my timeline (**MC1**) to help the Licensing Committee understand what took place and when.
34. On 18 August 2022, two undercover officers instructed by Tower Hamlets Council ("the Council") visited the Premises for what the Council call a "mystery shopper" visit.
35. I was unaware of the undercover officers' covert visit to the Premises until 13 September 2022 when I was made aware by email.
36. During their visit the undercover officers observed breaches of the Premises' SEV licence by two performers who had recently started work at the Premises – Patricia and Maya. Patricia and Maya commenced work at the Premises at the start of August 2022.



37. The breaches observed are unacceptable. They will be unacceptable to you, and they are unacceptable to me and to my management team. They are **not** indicative of how my Premises operates or what happens there on a day-to-day basis.
38. On 19 August 2022, I received a telephone call from my manager, Saab Binning (“**Saab**”). I have regular conversations with Saab about how the Premises is operating.
39. During the telephone conversation Saab told me that he had concerns about some of the new performers we had taken on at the venue, specifically Maya, Patricia, and another performer called Elena.
40. Saab explained that he had been told by some of our other performers that these performers (Patricia, Elena, and Maya) had been seen to be breaching our Code of Conduct for Performers and thereby, potentially, breaching the conditions of the SEV Licence.
41. Saab said that he didn’t feel that he had enough evidence to take further action at that time as it was only gossip between and about performers.
42. I told Saab that we have to take such things extremely seriously. I asked Saab to conduct dip sampling of CCTV footage involving performances by Patricia, Elena, and Maya and to see whether any of their performances breached our Code of Conduct for Performers. I asked Saab to report back to me when he had viewed the footage.
43. Saab telephoned me later that day (19 August 2022) confirming that he had observed breaches of the Code of Conduct for Performers by each of Patricia, Elena, and Maya and that those breaches had been repeated and were serious. I asked Saab whether each of those performers had been given an induction at the Premises and he confirmed that he had. The induction process would have covered all the policies and procedures that we have in place at the Premises including how performances are and are not to be provided.
44. I also asked Saab whether he had been conducting the daily briefings for performers that should take place daily. These briefings are used to remind performers before the start of each shift about our standards. Saab confirmed that the briefings had been taking place and that each of the performers noted (Patricia, Elena, and Maya) had attended a briefing before each shift that they had worked at the Premises.
45. As of 19 August 2022 (Friday) I resolved to suspend Patricia, Elena, and Maya from working at the Premises. They were next scheduled to perform on 20 August 2022 (Saturday) evening.
46. I prepared three letters, one each for Patricia (Bianca-Beatrice), Elena (Elena), and Maya (Pollyanna) notifying them that they were suspended from performing at the Premises pending a full investigation. The letters were given to the performers by me when they

attended the Premises on 20 August 2022. They were allowed to collect any belongings that they had in the changing rooms and were then asked to leave.

47. The relevant performers (Patricia, Elena, and Maya) were suspended from the Premises and unable to perform there as of 20 August 2022. I exhibit as **MC/3** copies of the letters handed to the relevant performers on 20 August 2022.
48. I was concerned that there might be other performers breaching our Code of Conduct for Performers beyond Patricia, Elena, and Maya. Post-Covid we had taken on several new performers at the Premises to replace those who left the United Kingdom altogether.
49. I employ a rigorous compliance regime at the Premises and have done since I took over. The regime was supplemented by an external consultant appointed in 2017.
50. The compliance regime is spearheaded by Andrew Bamber ("**Andy**") of AB Conformitas. Andy is an experienced ex-Police Officer who was also employed by the Council. Andy will explain in his witness statement precisely what the compliance regime entails but in summary – we regularly put to the test our staff, our performers, and our policies and procedures through a series of overt and covert visits to the Premises. This is backed up by a full risk assessment.
51. I emailed Andy on 20 August 2022 to let him know what had happened. I exhibit a copy of my email to Andy as **MC4**.
52. Andy and I spoke on the telephone, and we agreed several action points for each of us arising out of the suspensions of Patricia etc.
53. For my part, I was going to:
  - a. Conduct a full investigation into performances by the relevant performers;
  - b. Arrange a full briefing for performers to reiterate, above and beyond the daily briefing sessions, our expectations around what is and is not okay; and
  - c. Conduct further dip sampling of dances by other performers to see whether breaches of the Code of Conduct were more widespread.
54. Andy's action points were:
  - a. To review the risk assessment for the Premises and to see whether it needed to be updated;
  - b. To conduct/arrange a series of overt and covert visits to the Premises to see whether breaches of the Code of Conduct were more widespread.

55. I will come on to my investigation into the performances by Patricia, Elena, and Maya and the outcome of that investigation in due course at the relevant point in this statement.
56. The full briefing was arranged and took place on 26 August 2022.
57. Between 20 August and 24 September, I watched approximately 25 hours of CCTV footage covering performances by every performer (including those who had been suspended) at the Premises. I looked specifically for whether customers or performers were breaching our Codes of Conduct.
58. Two things struck me when conducting the dip sampling exercise.
59. First, except for the suspended performers, all the performances that I observed complied with our Code of Conduct for Performers and therefore the conditions of our SEV Licence.
60. Second, in relation to the performances on 18 August by the suspended performers, it seemed to me like a good number of the issues observed were instigated or triggered by the undercover officers repeatedly touching the performers unbidden.
61. I saved several CCTV clips from 18 August 2022 showing compliant dances by other performers. I am happy to disclose these clips if required.
62. It is my view that these clips show that the performances by Patricia, Elena, and Maya, were unique to them and not symptomatic of wider issues at the Premises. This was the conclusion that I drew from what I saw.
63. On 13 September 2022 I received an email from my licensing solicitor, Luke Elford ("Luke") of John Gaunt and Partners, attaching a letter from the Council dated 9 September 2022. I exhibit as **MC5** and **MC6** a copy of the Council's email and letter. I exhibit as **MC7** a copy of the email to me attaching the letter.
64. Given the above and what I had found during my investigations, the letter from the Council did not come as a surprise.
65. Luke acknowledged receipt of the letter to the Council officer. I exhibit as **MC8** a copy of his email to Mohshin Ali dated 13 September 2022. I spoke to Luke on the telephone on 13 September 2022 and we agreed that we would assist the Council by providing whatever help they needed in relation to their investigation.
66. On 14 September 2022 I emailed Luke confirming that I would download the relevant footage so that it could be provided to the Council officer. I also asked for help pulling together the documents that the Council officer had requested. I exhibit as **MC9** my email to Luke.

67. By 16 September 2022 I had downloaded and saved all the footage requested by the Council officer. I handed the footage to Luke to deliver. Luke sent an initial response to the Council, which I exhibit at **MC10** together with a list of all the performers (stage names) that were on duty on the evening of 18 August 2022. I exhibit the latter as **MC11**.
68. I expected that the Council would want the information as quickly as possible, so I was surprised when Luke had to chase the Council officer to arrange to handover the footage. My understanding is that Luke chased on 21 and 23 September 2022 respectively and I exhibit a copy of those emails as **MC12** and **MC13**.
69. The Council officer responded on 26 September 2022 and I exhibit a copy of that email as **MC14**. Luke liaised with the Council officer about when to attend Mulberry Place and hand over the footage and it was agreed that he would do so on 4 October 2022. I exhibit as **MC15** and **MC16** emails in relation to that.
70. The footage was handed over at the Council offices (Mulberry Place) on 4 October 2022.
71. On the same day (4 October 2022) I wrote to each of the suspended performers (Patricia, Maya, and Elena) informing them that they would no longer be permitted to perform at the Premises and, effectively, dismissing them. I exhibit as **MC17** copies of those letters.
72. None of the performers (Patricia, Elena, or Maya) have performed at the Premises since 18 August 2022.
73. In relation to the second part of the Council's request, which was for details of the performers who performed for the undercover officers (Patricia and Maya) I provided this to Luke on 4 October 2022 and 5 October 2022 respectively. I exhibit as **MC18** and **MC19** the details I provided for Patricia. I exhibit as **MC20** and **MC21** the details I provided for Maya.
74. Luke provided Patricia's details to the Council officer on 5 October 2022. I exhibit that email as **MC22**. Luke provided Maya's details to the Council officer on 7 October 2022 and I exhibit that email as **MC23**.
75. On 11 October 2022 Luke emailed the Council officer to ask whether he had viewed the footage provided. I exhibit a copy of that email as **MC24**.
76. On 14 October 2022 the Council officer responded to say that the footage hadn't been viewed yet. I exhibit that email as **MC25**. I was surprised by this. No response was offered, or ever has been offered, to the touching initiated by one of the undercover officers.
77. On 21 October 2022 the Council officer emailed to say that the Council were going through the footage. I exhibit a copy of that email as **MC26**. This seemed like a holding response.

78. We then heard nothing from the Council at all for nearly two months before receiving an emailed letter on 15 December 2022 informing us that the Council would not be prosecuting for breaches of the SEV Licence. I exhibit as **MC27** and **MC28** the email and letter respectively. From our point of view, we felt that a line had been drawn under the matter and that no further action would be taken.
79. Not having had any correspondence since December 2022, we were very surprised to receive the Council officer's letter by email on 24 February 2023, some 6 months after the visit took place. We hadn't heard from the Council at all between 16 December 2022 and 23 February 2023. I exhibit as **MC29** and **MC30** copies of that email and letter.

### **SUMMARY**

80. I was made aware of an issue regarding certain performers by my manager at the Premises.
81. The performers involved were all relatively recently employed from another venue.
82. None of the performers involved performed at the Premises again after 18 August 2022. They were suspended on 20 August 2022 and dismissed on 4 October 2022 following a full and thorough investigation.
83. Our response to the issues was swift and decisive and I am not sure what else we could have done under the circumstances.
84. I appreciate that the behaviour of the three performers (Patricia, Maya, and Elena) was unacceptable, but it is not indicative of wider problems at the Premises.
85. We operate an extremely robust compliance regime and will continue to do so.
86. I respectfully ask the Council to reject the application to revoke the SEV Licence.

**I believe that the facts stated in this witness statement are true to the best of my knowledge and belief.**

Signed: 

**Manpal Clair**

**Date: 8 MAY 2023**

Before Tower Hamlets Council's Licensing Committee

Sch. 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended)

Tower Hamlets Council (as a Licensing  
Authority)

Applicant

and

NH License Ltd

SEV Licence Holder

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**Exhibit List – Manpal Clair**

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<b>Exhibit</b>	<b>Document</b>
<b>MC1</b>	Timeline of events
<b>MC2</b>	Email from Mark Perry 31 March 2023
<b>MC3</b>	Suspension letters 20 August 2022
<b>MC4</b>	Email to Andy Bamber 20 August 2022
<b>MC5</b>	Council email 9 September 2022
<b>MC6</b>	Council letter 9 September 2022
<b>MC7</b>	Email Luke Elford to Manpal Clair 13 September 2022
<b>MC8</b>	Email Luke Elford to Mohshin Ali 13 September 2022

<b>MC9</b>	Email Manpal Clair to Luke Elford 14 September 2022
<b>MC10</b>	Email Luke Elford to Mohshin Ali 16 September 2022
<b>MC11</b>	List of performers on duty 18 August 2022
<b>MC12</b>	Email Luke Elford to Mohshin Ali 21 September 2022
<b>MC13</b>	Email Luke Elford to Mohshin Ali 23 September 2022
<b>MC14</b>	Email Mohshin Ali to Luke Elford 26 September 2022
<b>MC15</b>	Email Luke Elford to Mohshin Ali 28 September 2022
<b>MC16</b>	Email Luke Elford to Mohshin Ali 3 October 2022
<b>MC17</b>	Dismissal letters 4 October 2022
<b>MC18</b>	Email Manpal Clair to Luke Elford 4 October 2022
<b>MC19</b>	Performer documents (Patricia)
<b>MC20</b>	Email Manpal Clair to Luke Elford 5 October 2022
<b>MC21</b>	Performer documents (Maya)
<b>MC22</b>	Email Luke Elford to Mohshin Ali 5 October 2022
<b>MC23</b>	Email Luke Elford to Mohshin Ali 7 October 2022
<b>MC24</b>	Email Luke Elford to Mohshin Ali 11 October 2022

<b>MC25</b>	Email Mohshin Ali to Luke Elford 14 October 2022
<b>MC26</b>	Email Mohshin Ali to Luke Elford 21 October 2022
<b>MC27</b>	Council email 15 December 2022
<b>MC28</b>	Council letter 15 December 2022
<b>MC29</b>	Council email 24 February 2023
<b>MC30</b>	Council letter 24 February 2023
<b>MC31</b>	Layout Plan of the Premises



## MC/1 – Nags Head Timeline

Date	What Happened
18/08/22	Undercover officers instructed by the Council visit the Premises (unknown to Premises until 13 September 2022).
19/08/22	My manager, Saab Binning, expressed concerns to me by telephone about performances provided by certain performers at the Premises.
19/08/22	I instructed Saab to undertake dip sampling of the relevant performers to see whether breaches of our Code of Conduct had taken place.
19/08/22	Saab confirmed to me verbally that he had observed breaches of our Code of Conduct. I resolved to suspend the performers involved pending further investigation.
20/08/22	I write to each of the performers identified by Saab in his dip sampling (Patricia, Maya, and Elena) suspending them from performing at the premises.
20/08/22	I sent an email to Andy Bamber (Compliance Consultant) explaining what had happened and we spoke on the telephone. Andy agreed that I needed to investigate what had happened and take decisive action.
09/09/22	Council's letter sent by post and email.
13/09/22	Council's letter forwarded to me by licensing solicitor.
13/09/22	Licensing solicitor confirms receipt of Council's letter by email.
14/09/22	I acknowledge receipt of the letter and confirm that I will download the footage as requested.
16/09/22	I confirm to my licensing solicitor that the footage is ready for collection.
16/09/22	Initial response to Council letter sent by my licensing solicitor together with a list of performers on duty on 18 August 2022.
21/09/22	Licensing solicitor chases Council officer for a response to email dated 16 September 2022.
23/09/22	Licensing solicitors again chases Council officer for a response to email dated 16 September 2022 and provides CCTV data release form.
26/09/22	Council officer responds.

28/09/22	Liaison between Council officer and licensing solicitor about dropping off footage to Mulberry Place.
03/10/22	Council officer and licensing solicitor agree for licensing solicitor to drop off footage at 2pm on 4 October 2022.
04/10/22	I provide performer documentation for "Patricia" ( [REDACTED] ) to my licensing solicitor for onward transmission to Council officer.
04/10/22	I write to each of the performers (Patricia, Maya, and Elena) dismissing them from the premises forthwith.
05/10/22	I provide performer documentation for "Maya" (identified as Mia by undercover officers) to my licensing solicitor for onward transmission to the Council officer.
05/10/22	Licensing solicitor provides performer documentation for Patricia to Council officer.
06/10/22	Licensing solicitor queries whether documents for Maya needed (as identified as Mia by undercover officers). Council officer confirms required and licensing solicitor confirms will be provided.
07/10/22	Licensing solicitor provides performer documentation for Maya to Council officer.
11/10/22	Licensing solicitor asks council officer whether he has viewed cctv footage provided.
14/10/22	Council officer confirms footage is yet to be viewed.
21/10/22	Council officer emails licensing solicitor confirming that licensing authority is going through footage.
22/10/22 – 14/12/22	No correspondence from Council officer regarding investigation.
15/12/22	Email from Council officer attaching letter confirming that the licensing authority will not prosecute for breaches.
16/12/22 – 23/02/23	No correspondence from Council officer regarding investigation.
24/02/23	Email from Council officer attaching letter confirming application to revoke SEV licence.

**From:** MARK.J.Perry@met.police.uk <[REDACTED]> **On Behalf Of** CEMailbox-  
.TowerHamletsLicensing@met.police.uk  
**Sent:** Friday, March 31, 2023 2:39 PM  
**To:** Luke Elford [REDACTED]@john-gaunt.co.uk>  
**Cc:** Heidi Lawrance <[REDACTED]@john-gaunt.co.uk>  
**Subject:** RE: Nags License Ltd - The Nags Head, 17 - 19 Whitechapel Road London - Visits to Premises

Hi Luke,

Police Licensing conducted two visits to the premises on 12 April 2018 and 6 November 2015 no issues were found.

A general Police visit was conducted on the 21<sup>st</sup> November 2019 again with no issues.

For a more detailed response you may wish to consider a FOI request.

Kind Regards

Mark



PC Mark Perry  
Central East Licensing Unit  
Metropolitan Police Service (MPS)  
[REDACTED]  
Email [mark.j.perry@met.police.uk](mailto:mark.j.perry@met.police.uk)  
A: Licensing Office, 1<sup>st</sup> Floor Stoke Newington Police Station



Nags Head  
17-19 Whitechapel Road  
London  
E1 1DU

Date 20<sup>th</sup> August 2022

Dear Bianca-Beatrice,

**Re: Investigation of Breach of SEV Licence Condition / Breach of Performer Code of Conduct - SUSPENSION LETTER**

During routine sampling of the venue's CCTV footage it appears that you may have breached our SEV Licence conditions and our Performer Code of Conduct.

I will be investigating further CCTV footage and speaking with the venue management as part of our disciplinary procedures.

Whilst those investigations are ongoing I must ask you not to attend The Nags Head.

Please take this letter as confirmation that you are **suspended from attending at/performing at the premises**.

I will write to you at the conclusion of my investigations letting you know the outcome.

If you have any queries concerning this letter, please contact me at

[REDACTED]

Yours sincerely,

[REDACTED]

**Manpal Clair  
Director  
NH License Ltd**

Registered office  
NH License Ltd, Kemp House, 160 city road, London, Ec1v 2nx  
Company No. 12523134

Nags Head  
17-19 Whitechapel Road  
London  
E1 1DU

Date 20<sup>th</sup> August 2022

Dear Pollyanna,

**Re: Investigation of Breach of SEV Licence Condition / Breach of Performer Code of Conduct - SUSPENSION LETTER**

During routine sampling of the venue's CCTV footage it appears that you may have breached our SEV Licence conditions and our Performer Code of Conduct.

I will be investigating further CCTV footage and speaking with the venue management as part of our disciplinary procedures.

Whilst those investigations are ongoing I must ask you not to attend The Nags Head.

Please take this letter as confirmation that you are **suspended from attending at/performing at the premises.**

I will write to you at the conclusion of my investigations letting you know the outcome.

If you have any queries concerning this letter, please contact me at

[REDACTED]

Yours sincerely,

[REDACTED]

**Manpal Clair**  
**Director**  
**NH License Ltd**

Registered office  
NH License Ltd, Kemp House, 160 city road, London, Ec1v 2nx  
Company No. 12523134

Nags Head  
17-19 Whitechapel Road  
London  
E1 1DU

Date 20<sup>th</sup> August 2022

Dear Elena,

**Re: Investigation of Breach of SEV Licence Condition / Breach of Performer Code of Conduct - SUSPENSION LETTER**

During routine sampling of the venue's CCTV footage it appears that you may have breached our SEV Licence conditions and our Performer Code of Conduct.

I will be investigating further CCTV footage and speaking with the venue management as part of our disciplinary procedures.

Whilst those investigations are ongoing I must ask you not to attend The Nags Head.

Please take this letter as confirmation that you are **suspended from attending at/performing at the premises.**

I will write to you at the conclusion of my investigations letting you know the outcome.

If you have any queries concerning this letter, please contact me at

[REDACTED]

Yours sincerely,

[REDACTED]

**Manpal Clair  
Director  
NH License Ltd**

Registered office  
NH License Ltd, Kemp House, 160 city road, London, Ec1v 2nx  
Company No. 12523134

From: manpal singh [REDACTED]  
Subject: Nags Head - Urgent  
Date: 20 Aug 2022 at 11:28:47  
To: andrew bamber [REDACTED]

---

Andy

As you know I have recruited many new staff post covid and as you are aware I've been conscious that new performorrs need to learn the rules. Since all the annual checks have been taken, we have undertaken dip sampling and have come across a incident that I'm most unhappy with. As a result I have suspended the individuals.

I am going to reiterate all the house rules and standards in the next couple of days with all my staff and I would like a number of visits undertake to check on the staff, would that be acceptable.

You know I don't allow this sort of stuff and it's unacceptable and it's got to be dealt with quickly and effectively

Thanks

Manu  
Manpal Singh Clair

**From:** Mohshin Ali <Mohshin.Ali [REDACTED]>  
**Sent:** Friday, September 9, 2022 2:43 PM  
**To:** Luke Elford [REDACTED]; john-gaunt.co.uk>  
**Subject:** Nags Head, 17-19 Whitechapel Road, London

Dear Sir/Madam,

**Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London**  
**Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and**  
**Crime Act 2009**

Please see the attached. The hard copy is in the post.

Kind regards,

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

[REDACTED]  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk) | [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

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**Place Directorate**

**Environmental Health and Trading Standards**

Head of Service: **David Tolley**

2<sup>nd</sup> Floor, Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel: **020 7364 5498**

Enquiries to: **Mohshin Ali**

Email: [Mohshin.ali](mailto:Mohshin.ali)

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

NH License Ltd  
Kemp House  
160 City Road  
London  
EC1v 2NX

9<sup>th</sup> September 2022

Dear Sir/Madam,

**Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009**

I write in response to an investigation into a possible breach of your Sexual Entertainment Venue Licence, which was deemed granted by this authority under the above legislation on 27<sup>th</sup> May 2022.

During a mystery shopper operation within the premises on 18<sup>th</sup> August 2022 found touching occurring by the performer to the mystery shopper, namely pushing of the breast in face of the Mystery Shoppers, kissing of their neck and grinding into the groin areas.

As you are aware, Condition 12 of the Tower Hamlets Standards Conditions on your licence state:

*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;*

In response to the investigation please retain and provide us with copies of all CCTV recordings from Thursday 18<sup>th</sup> August 2022 at 23:00 hours to Friday 19<sup>th</sup> August at 00:00 hours serving the below. Please make sure that recordings are viewable by date and time.



1. All VIP booths in the VIP Dance Area on the days/times detailed above.

Please also provide copies of staff logs for these dates/time, including security, management and dancers in line with conditions 28 and 29:

*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;*

*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;*

Please advise me of a convenient date/time in which we can collect these recordings.

Yours sincerely,



o s n

**Senior Licensing Officer  
Environmental Health and Trading Standards**

Cc Luke Elford, Solicitor (██████████@john-gaunt.co.uk)



**From:** Luke Elford [REDACTED]john-gaunt.co.uk>  
**Sent:** Tuesday, September 13, 2022 12:21 PM  
**To:** Manpal Singh Clair [REDACTED]  
**Subject:** Fwd: Nags Head, 17-19 Whitechapel Road, London

Dear Manu,

With apologies for the delay in getting this over to you - please see attached and below from Tower Hamlets Council in relation to alleged breaches of condition on 18 August.

I haven't had a chance to consider the detail as yet, or whether the request is DPA/GDPR compliant, but can you please retain the footage requested from 23:00 to 00:00 as a starting point and we can go from there.

I have some concerns about the use of undercover officers (again!) for licensing visits and we can explore those when we speak.

Please acknowledge receipt and let me know when footage downloaded/information available.

Thanks.

**Kind regards,**

**Luke Elford**

Partner

[REDACTED]ohn-gaunt.co.uk

[www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)

[REDACTED]

Sent from my mobile. Please excuse typos.

---

**From:** Mohshin Ali <[Mohshin.Ali](mailto:Mohshin.Ali)[REDACTED]>  
**Sent:** Friday, September 9, 2022 2:42:45 PM  
**To:** Luke Elford [REDACTED]john-gaunt.co.uk>  
**Subject:** Nags Head, 17-19 Whitechapel Road, London

Dear Sir/Madam,

**Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London**  
**Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and**  
**Crime Act 2009**

Please see the attached. The hard copy is in the post.

Kind regards,

**Mohshin Ali**

Senior Licensing Officer

Licensing and Safety Team

Environmental Health & Trading Standards

Place Directorate

Mulberry Place

5 Clove Crescent  
London E14 2BG

   
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**From:** Luke Elford [REDACTED]@john-gaunt.co.uk>  
**Sent:** Tuesday, September 13, 2022 12:16 PM  
**To:** Mohshin Ali <Mohshin.Ali@[REDACTED]>  
**Subject:** Re: Nags Head, 17-19 Whitechapel Road, London

Hi Mohshin,

Just seen this and other email with licence. Acknowledging receipt.

I will pass this request on to client, and they will, or I will, be in touch. Haven't looked at the detail yet.

Quick thing - I see the letter is addressed to client's registered office - is that the only place it was sent, or was it posted to the premises also? Was the letter sent recorded/special delivery, or just by first/second class post?

Please confirm.

Thanks.

**Kind regards,**  
**Luke Elford**

Partner

[REDACTED]@john-gaunt.co.uk

[www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)

Sent from my mobile. Please excuse typos.

---

**From:** Mohshin Ali <Mohshin.Ali@[REDACTED]>  
**Sent:** Friday, September 9, 2022 2:42 pm  
**Subject:** Nags Head, 17-19 Whitechapel Road, London

Dear Sir/Madam,

**Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London**  
**Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and**  
**Crime Act 2009**

Please see the attached. The hard copy is in the post.

Kind regards,

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate

Mulberry Place  
5 Clove Crescent  
London E14 2BG

  
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**From:** manpal singh [REDACTED]  
**Sent:** Wednesday, September 14, 2022 3:44 PM  
**To:** Luke Elford [REDACTED]@john-gaunt.co.uk>  
**Subject:** Re: Nags Head, 17-19 Whitechapel Road, London

Hi Luke

Thanks for sending this over.

I'll download the footage as you've suggested and get the records together.

Can you help with what we are required to provide them?

Happy to help the council with the investigation but I don't want to hand over something I'm not meant to and end up with the ICO breathing down my neck.

I'll let you know when that's done and we can review.

Thanks,

Manu

Manu  
Manpal Singh Clair

On 13 Sep 2022, at 12:21, Luke Elford [REDACTED]@john-gaunt.co.uk> wrote:

Dear Manu,

With apologies for the delay in getting this over to you - please see attached and below from Tower Hamlets Council in relation to alleged breaches of condition on 18 August.

I haven't had a chance to consider the detail as yet, or whether the request is DPA/GDPR compliant, but can you please retain the footage requested from 23:00 to 00:00 as a starting point and we can go from there.

I have some concerns about the use of undercover officers (again!) for licensing visits and we can explore those when we speak.

Please acknowledge receipt and let me know when footage downloaded/information available.

Thanks.

**Kind regards,**  
**Luke Elford**

Partner

[REDACTED]@john-gaunt.co.uk

[www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)

[REDACTED]

Sent from my mobile. Please excuse typos.

---

**From:** Mohshin Ali <[Mohshin.Ali@\[REDACTED\]](mailto:Mohshin.Ali@[REDACTED])>  
**Sent:** Friday, September 9, 2022 2:42:45 PM  
**To:** Luke Elford <[\[REDACTED\]@john-gaunt.co.uk](mailto:[REDACTED]@john-gaunt.co.uk)>  
**Subject:** Nags Head, 17-19 Whitechapel Road, London

Dear Sir/Madam,

**Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London**  
**Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and**  
**Crime Act 2009**

Please see the attached. The hard copy is in the post.

Kind regards,

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

[REDACTED]  
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Partners: Tim Shield (569713) | Michelle Hazlewood (569714)  
Christopher Grunert | Jon Wallsgrove | Patrick Robson | Luke Elford  
Practice Manager: Jonathan Pupius

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Our Privacy Notice can be viewed here: <https://www.john-gaunt.co.uk/data-privacy-notice>



**From:** Luke Elford  
**Sent:** Friday, September 16, 2022 6:13 PM  
**To:** Mohshin Ali <Mohshin.Ali [REDACTED]>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London  
**Importance:** High

Dear Mohshin,

**Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London  
Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing  
and Crime Act 2009**

I write further to your letter of 9 September 2022 (copy attached), which was sent to NH License Ltd's registered office by post. A further copy of that letter was hand delivered to the venue on 13 September 2022.

My client has now downloaded and secured the footage requested in accordance with condition 12 of the Tower Hamlets Standard Conditions for Sexual Entertainment venues.

My client is happy to drop the footage off to Mulberry Place. Shall we mark it for your attention? We will need someone to sign for the footage and that person will also need to complete our CCTV footage request form. This is a form that we ask all agencies to complete when taking possession of our CCTV footage and forms part of our Data Protection policy.

I have had a brief opportunity to view the footage and it is fair to say does not make for happy viewing. Having said that, and you wouldn't have been aware of this, the behaviour of the performers involved was actually flagged by my client's staff as part of my client's own internal due diligence mechanism.

The performers that can be seen on the footage are new to the venue (post-Covid – I don't have the precise date to hand but can get it if needed) having joined the Nags Head from other venues.

Concerns about the way in which performances were being delivered by those performers were flagged by staff to management and dip sampling of CCTV footage of performances was undertaken. The dip sampling revealed, inter alia, breaches of my client's Performer and Customer Codes of Conduct. This triggered my client's internal disciplinary procedures and the Performers involved were suspended. I am more than happy to expand on the actions taken by my client once you have had a chance to review the footage and as your investigations progress. If a meeting to discuss would help, I'm more than happy to arrange one.

I do need your help though, please, with the second part of your request. You have asked for **"copies of staff logs for these dates/time [sic], including security, management and dancers in line with conditions 28 and 29."**

Forgive me, but I cannot see what part of Condition 28 or Condition 29 (both Tower Hamlets Standard Conditions for Sexual Entertainment Venues) obliges us to provide staff logs/security logs etc? I don't think we will have a problem providing you with

that information, but I just wonder whether Conditions 28 and 29 are the right provisions. Do you in fact mean a different condition or conditions? If so, please confirm which condition(s).

I am uncomfortable about the possible ramifications of releasing to you the full records of each and every performer who was performing at the venue on 18 August. That is a significant amount of personal information. Attached is a list of the Performers that worked on the evening of 18 August, and I would be grateful if you would please indicate which Performer Records you require. Presumably, the Undercover Officers, or as you refer to them, the Mystery Shoppers, can (or already have?) provided you with the names of the Performers involved? Please confirm.

As soon as you tell us which records you require, they will be provided to you without delay.

For the avoidance of doubt, and just so there is no misunderstanding between us, we are not refusing to give you the information you are asking for. Rather, we would simply like you to narrow your request so that we don't inadvertently disclose more personal data than is necessary and proportionate. The disclosure of personal data is a sticky wicket and one that I am sure the council understand. Effectively we are inviting you to make your request DPA/GDPR compliant.

Please do come back to me about how best for us to deliver the footage to you and the second part of your request (staff logs etc.).

With my best wishes.

**Kind Regards**

**Luke Elford**

Partner

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**From:** Mohshin Ali <[Mohshin.Ali@██████████](mailto:Mohshin.Ali@██████████)>

**Sent:** 09 September 2022 14:43

**To:** Luke Elford <[██████████@john-gaunt.co.uk](mailto:██████████@john-gaunt.co.uk)>

**Subject:** Nags Head, 17-19 Whitechapel Road, London

Dear Sir/Madam,

**Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London  
Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and  
Crime Act 2009**

Please see the attached. The hard copy is in the post.

Kind regards,

**Mohshin Ali**

Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)  [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

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**Nags Head**

**17-19 Whitechapel Road, London E1**

**Performers on duty 18 August 2022 (evening shift)**

- 1. KARINA**
- 2. TATI**
- 3. DANIELLA**
- 4. ELENA**
- 5. LOUISA**
- 6. AMANDA**
- 7. CHLOE**
- 8. MAYA**
- 9. PATRICIA**
- 10. VICKI**

**From:** Luke Elford [REDACTED]@john-gaunt.co.uk>  
**Sent:** Wednesday, September 21, 2022 7:08 AM  
**To:** Mohshin Ali <Mohshin.Ali@[REDACTED]>  
**Subject:** Re: Nags Head, 17-19 Whitechapel Road, London

Hi Mohshin,

Just following up on the below please.

I am in a review hearing out of town for most of today but will be checking emails intermittently.

I can also (once I am back in front of a computer) send across the form that we would like completed when we release the CCTV footage.

Thanks.

**Kind regards,**

**Luke Elford**

Partner

[REDACTED]@john-gaunt.co.uk

[www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)

[REDACTED]

Sent from my mobile. Please excuse typos.

---

**From:** Luke Elford  
**Sent:** Friday, September 16, 2022 6:12:55 PM  
**To:** Mohshin Ali <Mohshin.Ali@[REDACTED]>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London

Dear Mohshin,

**Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London  
Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing  
and Crime Act 2009**

I write further to your letter of 9 September 2022 (copy attached), which was sent to NH License Ltd's registered office by post. A further copy of that letter was hand delivered to the venue on 13 September 2022.

My client has now downloaded and secured the footage requested in accordance with condition 12 of the Tower Hamlets Standard Conditions for Sexual Entertainment venues.

My client is happy to drop the footage off to Mulberry Place. Shall we mark it for your attention? We will need someone to sign for the footage and that person will also need to complete our CCTV footage request form. This is a form that we ask all agencies to complete when taking possession of our CCTV footage and forms part of our Data Protection policy.

I have had a brief opportunity to view the footage and it is fair to say does not make for happy viewing. Having said that, and you wouldn't have been aware of this, the behaviour of the performers involved was actually flagged by my client's staff as part of my client's own internal due diligence mechanism.

The performers that can be seen on the footage are new to the venue (post-Covid – I don't have the precise date to hand but can get it if needed) having joined the Nags Head from other venues.

Concerns about the way in which performances were being delivered by those performers were flagged by staff to management and dip sampling of CCTV footage of performances was undertaken. The dip sampling revealed, inter alia, breaches of my client's Performer and Customer Codes of Conduct. This triggered my client's internal disciplinary procedures and the Performers involved were suspended. I am more than happy to expand on the actions taken by my client once you have had a chance to review the footage and as your investigations progress. If a meeting to discuss would help, I'm more than happy to arrange one.

I do need your help though, please, with the second part of your request. You have asked for ***“copies of staff logs for these dates/time [sic], including security, management and dancers in line with conditions 28 and 29.”***

Forgive me, but I cannot see what part of Condition 28 or Condition 29 (both Tower Hamlets Standard Conditions for Sexual Entertainment Venues) obliges us to provide staff logs/security logs etc? I don't think we will have a problem providing you with that information, but I just wonder whether Conditions 28 and 29 are the right provisions. Do you in fact mean a different condition or conditions? If so, please confirm which condition(s).

I am uncomfortable about the possible ramifications of releasing to you the full records of each and every performer who was performing at the venue on 18 August. That is a significant amount of personal information. Attached is a list of the Performers that worked on the evening of 18 August, and I would be grateful if you would please indicate which Performer Records you require. Presumably, the Undercover Officers, or as you refer to them, the Mystery Shoppers, can (or already have?) provided you with the names of the Performers involved? Please confirm.

As soon as you tell us which records you require, they will be provided to you without delay.

For the avoidance of doubt, and just so there is no misunderstanding between us, we are not refusing to give you the information you are asking for. Rather, we would simply like you to narrow your request so that we don't inadvertently disclose more personal data than is necessary and proportionate. The disclosure of personal data is a sticky wicket and one that I am sure the council understand. Effectively we are inviting you to make your request DPA/GDPR compliant.

Please do come back to me about how best for us to deliver the footage to you and the second part of your request (staff logs etc.).

With my best wishes.

**Kind Regards**

**Luke Elford**

Partner

[john-gaunt.co.uk](mailto:luke@john-gaunt.co.uk) | [www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)



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**From:** Luke Elford  
**Sent:** Friday, September 23, 2022 6:53 PM  
**To:** Mohshin Ali <Mohshin.Ali@[REDACTED]>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London

Hi Mohshin,

Just following up on my emails below again, please.

I haven't got your out of office, but maybe you are away?

Please find attached the form that will need to be completed when taking receipt of the footage that we have been ready to supply since my email of 16 September.

**Kind Regards**

**Luke Elford**  
Partner

[REDACTED]@john-gaunt.co.uk | [www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)



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**From:** Luke Elford [REDACTED]@john-gaunt.co.uk>  
**Sent:** 21 September 2022 07:08  
**To:** Mohshin Ali <Mohshin.Ali@[REDACTED]>  
**Subject:** Re: Nags Head, 17-19 Whitechapel Road, London

Hi Mohshin,

Just following up on the below please.

I am in a review hearing out of town for most of today but will be checking emails intermittently.

I can also (once I am back in front of a computer) send across the form that we would like completed when we release the cctv footage.

Thanks.

**Kind regards,**  
**Luke Elford**  
Partner  
[LElford@john-gaunt.co.uk](mailto:LElford@john-gaunt.co.uk)



[www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)



Sent from my mobile. Please excuse typos.

**From:** Mohshin Ali <[Mohshin.Ali@\[REDACTED\]](mailto:Mohshin.Ali@[REDACTED])>  
**Sent:** Monday, September 26, 2022 4:59:43 PM  
**To:** Luke Elford <[\[REDACTED\]@john-gaunt.co.uk](mailto:[REDACTED]@john-gaunt.co.uk)>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London

Dear Luke,

Apologies, I will respond later this week as I am currently dealing with other cases that have taken priority.

Also, I will be at Mulberry Place on Tuesday and Thursday if your client wanted to drop off the footage.

Thanks

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

[REDACTED]  
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**From:** Luke Elford  
**Sent:** Wednesday, September 28, 2022 3:45 PM  
**To:** Mohshin Ali <Mohshin.Ali@████████████████████>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London

Hi Mohshin,

I've got the footage so will need to drop it off/collect signed release form.

I'm not about tomorrow though as up in Sheffield.

When are you about next week? Can drop off to someone else if that's not convenient?

**Kind Regards**

**Luke Elford**  
Partner

████████████████████@john-gaunt.co.uk | [www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)



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**From:** Mohshin Ali <[Mohshin.Ali@████████████████████](mailto:Mohshin.Ali@████████████████████)>  
**Sent:** 26 September 2022 17:00  
**To:** Luke Elford <████████████████████@john-gaunt.co.uk>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London

Dear Luke,

Apologies, I will respond later this week as I am currently dealing with other cases that have taken priority.

Also, I will be at Mulberry Place on Tuesday and Thursday if your client wanted to drop off the footage.

Thanks

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards

Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG



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**From:** Mohshin Ali <Mohshin.Ali@[REDACTED]>  
**Sent:** Monday, October 3, 2022 1:48 PM  
**To:** Luke Elford [REDACTED]@john-gaunt.co.uk>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London

Dear Luke,

I'll see you tomorrow at 2pm.

In relation to the second part of the request, please provide the details for "Patricia" for now.

The other performer was named by the Mystery Shopper as "Mia" which I assume should be "Maya"

Thanks

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

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**From:** Luke Elford [REDACTED]@john-gaunt.co.uk>  
**Sent:** 30 September 2022 17:03  
**To:** Mohshin Ali <Mohshin.Ali@[REDACTED]>  
**Subject:** Re: Nags Head, 17-19 Whitechapel Road, London

Thanks - next Tuesday works. If I come to Mulberry Place for 2pm is that okay? I'll send an invite as a reminder.

Have you had a chance to have a look at the second part of my email so that we can lawfully comply with second part of your request (performer IDs and rights to work)?

**Kind regards,**  
**Luke Elford**  
Partner  
[REDACTED]@john-gaunt.co.uk  
[www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)  
[REDACTED]

Sent from my mobile. Please excuse typos.

**From:** Mohshin Ali <[Mohshin.Ali@towerhamlets.gov.uk](mailto:Mohshin.Ali@towerhamlets.gov.uk)>  
**Sent:** Friday, September 30, 2022 4:48:07 PM  
**To:** Luke Elford <[luke@john-gaunt.co.uk](mailto:luke@john-gaunt.co.uk)>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London

Dear Luke,

I am around next Tuesday and Friday. On different days, one of my colleague's will be around for collection. Alternatively, I can arrange for a pick up from the premises.

Thanks

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

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**From:** Luke Elford <[luke@john-gaunt.co.uk](mailto:luke@john-gaunt.co.uk)>  
**Sent:** 28 September 2022 15:45  
**To:** Mohshin Ali <[Mohshin.Ali@towerhamlets.gov.uk](mailto:Mohshin.Ali@towerhamlets.gov.uk)>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London

Hi Mohshin,

I've got the footage so will need to drop it off/collect signed release form.

I'm not about tomorrow though as up in Sheffield.

When are you about next week? Can drop off to someone else if that's not convenient?

**Kind Regards**

**Luke Elford**

Partner

[luke@john-gaunt.co.uk](mailto:luke@john-gaunt.co.uk) | [www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)

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**From:** Mohshin Ali <[Mohshin.Ali@\[REDACTED\]](mailto:Mohshin.Ali@[REDACTED])>  
**Sent:** 26 September 2022 17:00  
**To:** Luke Elford <[\[REDACTED\]@john-gaunt.co.uk](mailto:[REDACTED]@john-gaunt.co.uk)>  
**Subject:** RE: Nags Head, 17-19 Whitechapel Road, London

Dear Luke,

Apologies, I will respond later this week as I am currently dealing with other cases that have taken priority.

Also, I will be at Mulberry Place on Tuesday and Thursday if your client wanted to drop off the footage.

Thanks

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

[REDACTED]  
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Nags Head  
17-19 Whitechapel Road  
London  
E1 1DU

Date 4<sup>th</sup> October 2022

Dear Bianca-Beatrice,

**Re: Investigation of Breach of SEV Licence Condition / Breach of Performer Code of Conduct - DISMISSAL LETTER**

I write further to my letter of 20 August 2022.

I have now completed my investigation into potential breaches by you of our SEV Licence conditions and our Performer Code of Conduct.

Having reviewed our CCTV footage and spoken with the General Manager I am satisfied that your behaviour means that you **will no longer be permitted to perform at The Nags Head.**

Please let me know if you have any belongings at the venue and I will arrange for these to be sent to you.

Yours sincerely,



**Manpal Clair**  
**Director**  
**NH License Ltd**

Registered office  
NH License Ltd, Kemp House, 160 city road, London, Ec1v 2nx  
Company No. 12523134



Nags Head  
17-19 Whitechapel Road  
London  
E1 1DU

Date 4<sup>th</sup> October 2022

Dear Pollyanna,

**Re: Investigation of Breach of SEV Licence Condition / Breach of Performer Code of Conduct - DISMISSAL LETTER**

I write further to my letter of 20 August 2022.

I have now completed my investigation into potential breaches by you of our SEV Licence conditions and our Performer Code of Conduct.

Having reviewed our CCTV footage and spoken with the General Manager I am satisfied that your behaviour means that you **will no longer be permitted to perform at The Nags Head.**

Please let me know if you have any belongings at the venue and I will arrange for these to be sent to you.

Yours sincerely,



**Manpal Clair**  
**Director**  
**NH License Ltd**

Registered office  
NH License Ltd, Kemp House, 160 city road, London, Ec1v 2nx  
Company No. 12523134

Nags Head  
17-19 Whitechapel Road  
London  
E1 1DU

Date 4<sup>th</sup> October 2022

Dear Elena,

**Re: Investigation of Breach of SEV Licence Condition / Breach of Performer Code of Conduct - DISMISSAL LETTER**

I write further to my letter of 20 August 2022.

I have now completed my investigation into potential breaches by you of our SEV Licence conditions and our Performer Code of Conduct.

Having reviewed our CCTV footage and spoken with the General Manager I am satisfied that your behaviour means that you **will no longer be permitted to perform at The Nags Head.**

Please let me know if you have any belongings at the venue and I will arrange for these to be sent to you.

Yours sincerely,



**Manpal Clair**  
**Director**  
**NH License Ltd**

Registered office  
NH License Ltd, Kemp House, 160 city road, London, Ec1v 2nx  
Company No. 12523134

**From:** manpal singh [REDACTED]  
**Sent:** Tuesday, October 4, 2022 6:52 PM  
**To:** Luke Elford [REDACTED]@john-gaunt.co.uk>  
**Subject:** Re: Nags Head, 17-19 Whitechapel Road, London

Hi Luke

As per the request from the council please find attached documents for the performer Patricia.

Thanks

Manu  
Manpal Singh Clair

On 3 Oct 2022, at 14:00, Luke Elford <[REDACTED]@john-gaunt.co.uk> wrote:

Dear Manu,

Please see below.

I have made an appointment to drop off the footage at Mulberry Place at 2pm tomorrow.

In relation to the second part of the council's request, the part we were querying, the council would like the relevant details for Patricia. We now need to supply the following in accordance with condition 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;*

1. Performer record – must include proper name, aliases and home address
2. Photo ID
3. Proof of address
4. Right to work documentation

If you can get that over to me please I will pass it on.

The council only want this at the moment because the name of the other performer was given as Mia and that doesn't tally with our records (albeit see comment below about it likely being Maya).

**Kind Regards**

**Luke Elford**  
Partner



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### Performer Information

**Performers "stage" name:** Patricia

**Performers Full Name:** Bianca-Beatrice [REDACTED]

**Date of Birth:** [REDACTED]

**Address:** [REDACTED]

**Date:** 03/08/2022

**Review date:** 02/08/2023

[REDACTED]



12. Înălțimea  
Height 165  
Taille

13. Culoarea ochilor  
Colour of eyes CĂPRUI  
Couleur des yeux

14. Domiciliul  
Residence MARAMUREȘ  
Domicile

do/Sig  
Unterschrift  
Helyi név írásmódja  
Pobytí/Atárság/Simlu an  
Hátlekötés van de houd  
podpis/Innehavarens namntecken  
Taille/Height/Yuoc/Visina/Magasság/  
Výška/Visina/Längd 13. Culoarea ochilor/Leírás  
ojos/Silmade värvus/Silmiten värvi/Couleur des yeux  
Szemszín/Dath na súl/Colore degli occhi/Akku spalva/Act  
Kolor oczu/Cor dos olhos/Farba očí/ Barva očí/Ögonfärg/ 14. D  
trvalého pobytu/Wohnort/Bopæ/ Domicilio/Elukohti/Asuinpaikka/D  
Áquoivjç/Prebivalište/Lokali/Alt chónaitha/Residencia/Gyvenamoji vieta/Dz  
Verblijfplaats/Miejscze zamieszkania/Residência/Adresa/Prebivalište/Hemort/

[REDACTED]

PASAPOORT / PASSEPORT

ROMANIA / ROMANIA / ROMANIE  
PE ROU  
1. Numarul de pasaport / Passport No.  
2. Numele titularului / Name of the holder  
3. Culoarea ochilor / Colour of eyes  
ROMANIA  
BIANCA-BEATRICE  
ROMANA

12 FEB/FEB 19  
12 FEB/FEB 29  
BAIA MARE  
MARAMURES

5. Adresa emisionii / Address of issue  
MARAMURES

[REDACTED]

BIANCA-BEATRICE

Cardholder [REDACTED] BIANCA-BEATRICE [REDACTED]  
 MasterCard Number [REDACTED]  
 Total Credit Limit [REDACTED]

**Summary** 04 July 2022

Balance brought forward from previous statement	<span style="background-color: black; color: black;">[REDACTED]</span>
Payments to your account	<span style="background-color: black; color: black;">[REDACTED]</span>
Spending on your account plus any adjustments	<span style="background-color: black; color: black;">[REDACTED]</span>
<b>New Balance</b>	<span style="background-color: black; color: black;">[REDACTED]</span>
<b>Minimum Payment</b>	<span style="background-color: black; color: black;">[REDACTED]</span>

**The Minimum Payment each month will be the greater of:**  
 (i) £5 or the full balance if less.  
 (ii) that month's interest, any Default Charges and that month's Instalment Plan fee(s), 1/12th of any annual fee and 1% of the remaining balance (Including any Instalment Plan balance(s) but excluding any annual fee).

Your minimum payment should reach your account by 29 Jul 2022.

**Minimum Payment**  
 If you make only the minimum payment each month, it will take you longer and cost you more to clear your balance. If you are unable to pay the minimum payment or are in financial difficulty, please contact us on 0345 8354482. For all other enquiries, please call the number on the reverse of your statement.

If you make the minimum payment of £68.90 and it reaches us on the due date of 29 July 2022 your estimated interest payment next month is £30.83. Please refer overleaf for further details.



bank giro credit

Paid in by \_\_\_\_\_  
 Date \_\_\_\_\_

[REDACTED] BIANCA-BEATRICE [REDACTED]  
[REDACTED] [REDACTED]

Natwest  
[REDACTED]

Total Cash		
Cheques etc		

73 £   
 Transaction code

Fee	Items
-----	-------

Please do not write or mark below this line

WilliamsLea 02077724200



## Right to Work status

**BIANCA BEATRICE** 

They can work in the UK until 3 October 2024.

### Details

They can work in any job.

You must check their right to work again on 3 October 2024.

### ▼ Legal basis of status

This leave is issued in accordance with the EU exit separation agreements.

For EU citizens, and the family members of EU citizens or of UK citizens, this is the Withdrawal Agreement. For EEA European Free Trade Association (EFTA) citizens, and the family members of EEA EFTA citizens, this is the EEA EFTA Separation Agreement. For Swiss citizens, and the family members of Swiss citizens, this is the Swiss Citizens' Rights Agreement.



**If you employ this person**



**From:** manpal singh [REDACTED] >  
**Sent:** Wednesday, October 5, 2022 2:52 PM  
**To:** Luke Elford [REDACTED]@john-gaunt.co.uk>  
**Subject:** Re: Nags Head, 17-19 Whitechapel Road, London

Luke

Maya docs attache.

Manu  
Manpal Singh Clair



## Performer Information

**Performers "stage" name:** Maya

**Performers Full Name:** Pollyanna [REDACTED]

**Date of Birth:** [REDACTED]

**Address:** [REDACTED]

**Date:** 02/08/2022

**Review date:** 01/08/2023

Assinatura do titular / Signature du titulaire  
Bearer's signature / Firma del titular

Este passaporte deve ser assinado pelo titular,  
salvo em caso de incapacidade.

Ce passeport doit être signé par le titulaire,  
sauf en cas d'incapacité.

This passport must be signed,  
except where the bearer is unable to do so.

Este passaporte debe ser firmado por el titular,  
salvo en caso de incapacidad.

PASSAPORTE  
PASSPORT

REPÚBLICA FEDERATIVA DO BRASIL

TIPO / TYPE PAÍS EMISSOR / ISSUING COUNTRY PASSAPORTE Nº / PASSPORT NO

P BRA  
SOBRENOME / SURNAME

N / NAMES

POLLYANNA

NACIONALIDADE / NATIONALITY  
BRASILEIRO(A)

OF BIRTH

IDENTIDADE Nº / PERSONAL NO

OF BIRTH

DATA DE EXPEDIÇÃO / DATE OF ISSUE

23 FEV/FEB 2016

AUTORIDADE / AUTHORITY

CG LONDRES

VÁLIDO ATÉ / DATE OF EXPIRY

22 FEV/FEB 2026

**RESIDENCE PERMIT**

[REDACTED]

**POELYANNA**

**VALID UNTIL**

**31-12-2024**

**PERMIT AND DATE OF ISSUE**

**UK 21-09-2022**

**TYPE OF PERMIT**

**LEAVE TO REMAIN**

**WORK PERMITTED**



# Council Tax Bill 2022/23

Please quote this account number whenever you contact us: [REDACTED]

Date of Issue

16 Mar 2022

If you are having financial difficulties due to Covid 19 please visit our website for information and help.

Miss Pollyanna [REDACTED]

## ADDRESS OF PROPERTY LIABLE FOR CHARGE

Your property has been valued in Band C

### Increase in council tax to fund Adult Social Care

The council tax attributable to Enfield Council includes a 2% precept to fund adult social care. For further information about the adult social care precept please visit [www.enfield.gov.uk](http://www.enfield.gov.uk)

REASON FOR THIS BILL New Year Billing

## STATEMENT OF ACCOUNT

	01/04/2022	31/03/2023	
Charge due for period			£1,637.08
Single Person Discount	25.00%		£409.27 CR

Total Amount Due

£1,227.81

FDMECCTPRJ228PR2Rec:16716Pg:1



**From:** Luke Elford  
**Sent:** Wednesday, October 5, 2022 3:53 PM  
**To:** Mohshin Ali <Mohshin.Ali@towerhamlets.gov.uk>  
**Subject:** NH License Ltd - The Nags Head - Performer Information (PATRICIA)

Dear Mohshin,

Good to see you yesterday.

Further to your letter of 9 September 2022 and your email of 3 October 2022 (timed 13:48) please find attached performer information for Patricia (Bianca-Beatrice [REDACTED])

I have provided the documents unredacted. Please would you ensure that the documents are not shared any more widely than they need to be for the purposes you have requested them, or that if they are, they are suitably redacted before that is done.

Thanks.

**Kind Regards**

**Luke Elford**  
Partner

[REDACTED]ohn-gaunt.co.uk | [www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)



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For more details on our services please click on the links above.



**From:** Luke Elford  
**Sent:** Tuesday, October 11, 2022 1:43 PM  
**To:** Mohshin Ali <Mohshin.Ali@[REDACTED]>  
**Subject:** NH License Ltd - The Nags Head - CCTV footage

Dear Mohshin,

Have you had a chance to review the CCTV footage that I dropped into you on the 4<sup>th</sup> of October?

I have been having another look at the footage and wondered whether, performers notwithstanding, you might want to have a chat about how one of the undercover officers has conducted himself during the visit? A few red flags...

I can put them in writing if you like, but perhaps better discussed in person in the first instance?

**Kind Regards**

**Luke Elford**  
Partner

[REDACTED]@john-gaunt.co.uk | [www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)



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**From:** Mohshin Ali <[Mohshin.Ali@\[REDACTED\]](mailto:Mohshin.Ali@[REDACTED])>  
**Sent:** 14 October 2022 14:51  
**To:** Luke Elford <[\[REDACTED\]@john-gaunt.co.uk](mailto:[REDACTED]@john-gaunt.co.uk)>  
**Subject:** RE: NH License Ltd - The Nags Head - CCTV footage

Dear Luke,

Thank you for your email.

The Licensing Authority has not viewed the CCTV footage yet and is hoping to do these next week.

We will contact you/your client in due course.

Kind regards,

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk) [\[REDACTED\]@towerhamlets.gov.uk](mailto:[REDACTED]@towerhamlets.gov.uk)

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**From:** Luke Elford <[\[REDACTED\]@john-gaunt.co.uk](mailto:[REDACTED]@john-gaunt.co.uk)>  
**Sent:** 11 October 2022 13:43  
**To:** Mohshin Ali <[Mohshin.Ali@\[REDACTED\]](mailto:Mohshin.Ali@[REDACTED])>  
**Subject:** NH License Ltd - The Nags Head - CCTV footage

Dear Mohshin,

Have you had a chance to review the CCTV footage that I dropped into you on the 4<sup>th</sup> of October?

I have been having another look at the footage and wondered whether, notwithstanding, you might want to have a chat about how one of the undercover officers has conducted himself during the visit? A few red flags...

I can put them in writing if you like, but perhaps better discussed in person in the first instance?

**Kind Regards**

**Luke Elford**  
Partner

@john-gaunt.co.uk | [www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)



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Partners: Tim Shield (569713) | Michelle Hazlewood (569714)  
Christopher Grunert | Jon Wallsgrove | Patrick Robson | Luke Elford  
Practice Manager: Jonathan Pupius

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**From:** Mohshin Ali <[Mohshin.Ali](mailto:Mohshin.Ali)>  
**Sent:** Friday, October 21, 2022 5:53:34 PM  
**To:** Luke Elford <[john-gaunt.co.uk](mailto:john-gaunt.co.uk)>  
**Subject:** Nags Head, 17-19 Whitechapel Road, London

Dear Luke,

By way of update, the Licensing Authority going through the process of viewing all of the CCTV footage as part of the investigation. We will contact you/your client in due course.

Kind regards,

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

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**From:** Mohshin Ali <[Mohshin.Ali](mailto:Mohshin.Ali)>  
**Sent:** Thursday, December 15, 2022 12:27:01 PM  
**To:** Luke Elford <[john-gaunt.co.uk](mailto:john-gaunt.co.uk)>  
**Subject:** Nags Head, 17-19 Whitechapel Road, London

Dear Sir/Madam,

**Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and  
Crime Act 2009**

Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London

Please see the attached. The hard copy is in the post.

Kind regards,

**Mohshin Ali**  
Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

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**Place Directorate**

**Environmental Health and Trading Standards**

Head of Service: **David Tolley**

2<sup>nd</sup> Floor, Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel: **020 7364 5498**

Enquiries to: **Mohshin Ali**

Email: [Mohshin.Ali@](mailto:Mohshin.Ali@towerhamlets.gov.uk) [REDACTED]

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

NH License Ltd  
Kemp House  
160 City Road  
London  
EC1v 2NX

15<sup>th</sup> December 2022

Your ref:  
Our ref: PSU:010281

Dear Sir/Madam,

**Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009**

Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London

The Licensing Authority has viewed the CCTV footage you have submitted for the 18<sup>th</sup> August 2022. At this stage we have not completed a chronology of breaches seen in this footage, though we noted a number of them during the viewing on the footage, mainly intentional touching between customer and performer during a dance (performance).

We have noted the comments from your solicitor in the email dated 16<sup>th</sup> September 2022 and we acknowledge the Performers involved were suspended due to the breaches of the conditions that were identified in this CCTV.

The Licensing Authority has decided not to initiate a prosecution for this offence, however, should any breaches be found in the future, we reserve the right to bring this breach back into action. In the meantime, you are reminded of your duty to maintain the conditions of your licence and including the *standard conditions for sexual entertainment venues (revised 23rd June, 2015)*.




This letter is being sent to the company as the licence holder and also copied to the director of the company (also copied to your solicitor).

Yours sincerely,



**Mohshin Ali**  
**Senior Licensing Officer**

**Cc:**

- Manpal Singh Clair, 128 Cit Road, London, United Kingdom, EC1V 2NX
- Luke Elford, Solicitor  ([john-gaunt.co.uk](mailto:john-gaunt.co.uk))



**From:** Mohshin Ali <Mohshin.Ali@towerhamlets.gov.uk>

**Sent:** Friday, February 24, 2023 5:20 PM

**To:** Luke Elford [REDACTED]@john-gaunt.co.uk>

**Subject:** Nags Head, 17-19 Whitechapel Road, London

Dear Sir/Madam,

**Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and  
Crime Act 2009**

The Nags Head, 17-19 Whitechapel Road, London

Please see the attached. The hard copy will be in the post.

Kind regards,

**Mohshin Ali**

Senior Licensing Officer

Licensing and Safety Team

Environmental Health & Trading Standards

Place Directorate

Mulberry Place

5 Clove Crescent

London E14 2BG

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**Place Directorate**

**Environmental Health and Trading Standards**

Head of Service: **David Tolley**

Environmental Health & Trading Standards  
Licensing & Safety Team  
4<sup>th</sup> Floor, Tower Hamlets Town Hall  
160 Whitechapel Road  
London E1 1BJ

Tel: **020 7364 5498**

Enquiries to: **Mohshin Ali**

Email: [Mohshin.Ali@](mailto:Mohshin.Ali@towerhamlets.gov.uk) [REDACTED]

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

NH License Ltd  
Kemp House  
160 City Road  
London  
EC1v 2NX

24<sup>th</sup> February 2023

Your ref:  
Our ref: PSU:010281

Dear Sir/Madam,

**Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009**

Re: Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London

I write to you following my letter dated 15<sup>th</sup> December 2022 regarding the above premises.

As you are aware, the Licensing Authority has decided not to initiate a prosecution for the breaches of the SEV licence which occurred on the 18<sup>th</sup> August 2022 where intentional touching between customer and performer during a dance (performance).

We have noted the performers involved were suspended due to the breaches of the conditions that were identified as a result of the test purchase. Considering the breaches that were highlighted by the test purchasers and your client's CCTV footage, the Licensing Authority acting as a Responsible Authority has decided it's appropriate to request that the Appropriate Authority consider revoking the Sexual Entertainment Venue Licence.

This letter is being sent to the company as the licence holder and also copied to the director of the company (also copied to your solicitor).

Yours sincerely,

[REDACTED]

**o s n**

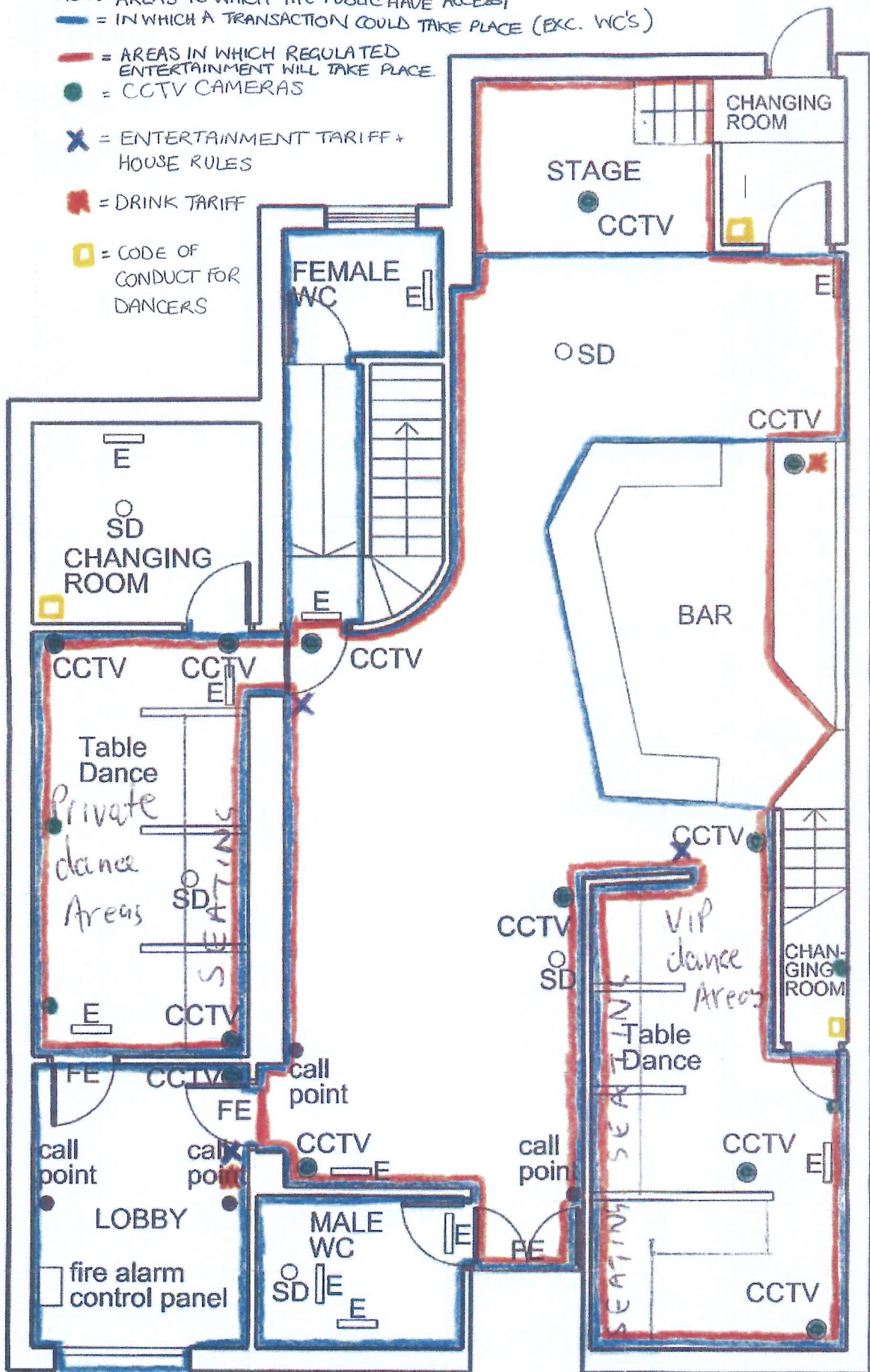
**Senior Licensing Officer**

**Cc:**

- NH License Ltd, Kemp House, 160 City Road, London EC1v 2NX
- Manpal Singh Clair, 128 City Road, London, United Kingdom, EC1V 2NX
- Luke Elford, Solicitor [REDACTED] [john-gaunt.co.uk](http://john-gaunt.co.uk)



- KEY: AREAS TO WHICH THE PUBLIC HAVE ACCESS/  
 — = IN WHICH A TRANSACTION COULD TAKE PLACE (EXC. WC'S)  
 — = AREAS IN WHICH REGULATED ENTERTAINMENT WILL TAKE PLACE  
 ● = CCTV CAMERAS  
 X = ENTERTAINMENT TARIFF + HOUSE RULES  
 ■ = DRINK TARIFF  
 □ = CODE OF CONDUCT FOR DANCERS



THE NAGS HEAD GENTLEMAN'S VENUE

ENTRANCE

# Appendix 18

**1st Statement of Bahadur Singh Binning**

**Made on behalf of SEV Licence Holder**

**Dated: 9 May 2023**

**Before Tower Hamlets Council's Licensing Committee**

**Sch. 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended)**

**Tower Hamlets Council (as a Licensing  
Authority)**

**Applicant**

**and**

**NH License Ltd**

**SEV Licence Holder**

---

**Witness Statement of Bahadur Singh (Saab) Binning  
(Manager / Designated Premises Supervisor)**

---

1. My name is Bahadur Singh Binning ("Saab"). I was born on the [REDACTED] and I am 50 years old.
2. I am the primary Relief Manager at The Nags Head, 17-19 Whitechapel Road, London E1 1DU ("the Premises"). I am also the Designated Premises Supervisor ("the DPS") for the purpose of the Premises Licence issued under the Licensing Act 2003 for the Premises.
3. I am making this statement in relation to the application to revoke the Sexual Entertainment Venue Licence ("the SEV Licence") held by NH License Ltd ("the SEV Licence Holder") for the Premises.
4. I started work at the Premises in September 2015. I have worked at the Premises for nearly 8 years. Before working at the Premises I worked at other venues in Tower Hamlets including the City Hotel on Brick Lane.
5. I hold a Personal Licence to sell alcohol under the Licensing Act 2005. It was issued in 2005 by Redbridge Council.
6. Although my job title is "Relief Manager" it is better to think of me as the General Manager at the Premises. I operate the business day-to-day for the SEV License Holder and its director, Mr Manpal Clair ("Manu").

7. I oversee the other two relief managers, Daniel Habte (“Daniel”) and Alcir Orlandi (“Orlandi”). I am also responsible for overseeing the bar staff, performers, and our security (door staff).
8. I am fully aware of all the conditions of the Premises Licence and the SEV Licence and I know that my role is to ensure that those conditions are complied with and that the Licensing Objectives (in relation to the Licensing Act 2003) are promoted at all times.
9. There are very few issues at the Premises. We have few involvements with the Police and for the most part that is them (the police) asking for our CCTV footage for incidents that have taken place in the vicinity that do not involve customers. Occasionally a customer will need to be refused service or removed from the Premises, but these occasions are few and far between and when they happen, they are recorded in our incident log.
10. I work most nights when the Premises is open and providing sexual entertainment, which is 6 nights per week. The Premises is closed on Sundays. Sometimes we close on Bank Holidays too if we think things will be quiet and there will not be enough business to justify opening the doors.
11. I stayed with the business throughout the period of closure during Covid-19. It was a hard couple of years as Sexual Entertainment Venues (“SEVs”) were pretty much the last type of Premises to be allowed to reopen by the Government.
12. We lost a significant number of performers during Covid-19. Lots of performers returned to their countries of origin and simply haven’t returned.
13. We took on 8 new dancers in August 2022 to replace performers that had left during Covid.
14. Whenever we take on a new performer, they are given a full induction on how the Premises operates and what the rules are. They are given copies of our policies and procedures and taken through them point by point. They are also shown (by another performer) examples of what is and what is not acceptable when performing at the Premises. The performers are asked to sign to acknowledge that they have been provided with and trained in the rules and a copy of that paperwork is kept at the Premises in the general office. We do this with all new performers.
15. The process is as comprehensive as it can be because we appreciate that we operate in a highly regulated environment.
16. I wish to exhibit, as **SB1** and **SB2** the induction packs completed by the performers known as Maya and Patricia.
17. Maya completed her induction with the Premises on 2 August 2022.

18. Patricia completed her induction the following day on 3 August 2022.
19. We induct performers individually so that they are paid the maximum amount of attention during the induction process and so that they are able to fully understand what is expected of them.
20. In addition to a full induction, we hold daily briefings with the performers. At the daily briefings we cover things like:
  - a. Forward planning of rotas;
  - b. Expectations for the afternoon and evening ahead e.g. whether the Premises is likely to be busy; and
  - c. Our Performer Guidelines and Performer Code of Conduct.
21. The Code of Conduct and the Guidelines are so important. I know full-well that the performers find it tedious that they are told every day what they can and can't do, how they can and can't behave, but it is for our own protection. They are constantly reminded.
22. We record the briefings that are provided to the performers in a briefing log. I exhibit as **SB3** a copy of the briefing log for August 2022.
23. On 18 August 2022, two briefings were given. We give two briefings a day because there are effectively two shifts at the Premises – one from around lunchtime until the early evening and the second from early evening until close.
24. On 18 August 2022 the briefings were given by Orlandi at 13:20 and 17:38 respectively. The performers that are the subject of the Council's investigations (Patricia, Elena, and Maya) all attended the 17:38 briefing and would all have been reminded at that briefing about the Premises' rules.
25. Around the 16<sup>th</sup> or 17<sup>th</sup> of August, I became aware of some gossip between performers to the effect that "*certain girls were breaking the rules and getting away with it.*" I asked for the names of the performers, in confidence, and I was given the following names:
  - a. Patricia;
  - b. Maya; and
  - c. Elena.

26. I had not, at this point, seen breaches of the rules by these performers but the gossip concerned me to the extent that I telephoned Manu to discuss it with him. I did this on the 19<sup>th</sup> of August 2022.
27. I explained to Manu what I had been told, what I had seen, and that I felt, at that time, that I probably didn't have enough to go on to take any action. There is a lot of gossip that goes on in the Premises, much like any workplace.
28. Manu reminded me that we must be extra cautious about allegations of breaches of the SEV Licence. He asked me to have a look at our CCTV footage and review some of the dances provided by those performers and to see whether they were compliant.
29. I regularly conduct dip sampling of our CCTV system as well as watching performances live in to check compliance.
30. I reviewed a series of clips involving Patricia, Elena, and Maya from the night of the 18<sup>th</sup> of August 2022. What I saw was not okay. Dances aren't normally like that.
31. In each case (Patricia, Maya, Elena) were breaching our rules.
32. I completed a dip sampling record, which is something that I do whenever I review CCTV footage. I produce, as **SB4**, a copy of the dip sampling record that I completed on 19 August 2022 at Manu's request.
33. Manu asked me to call him back when I had watched the footage, so I did. I explained to Manu what I had seen.
34. Manu asked me whether the performers involved had been provided with a proper induction and whether they attended the daily briefings. I knew that they had both been inducted properly because I was involved. As to the briefings, I spoke with Orlandi, and he confirmed that they were present and had been since joining in early August.
35. Manu told me there and then that he was going to suspend the three of them. Manu asked me when they were next scheduled to perform and I told him that they were next due in on Saturday evening, which would have been the 20<sup>th</sup> of August.
36. Manu told me to leave it with him. He said that he would prepare letters to each of the performers suspending them from the Premises. He asked me to gather more footage of their performances so that he could review it.
37. Manu attended the Premises on 20 August 2022 and handed each of Patricia, Elena, and Maya a letter. They were each allowed to collect any belongings they had in the changing rooms and were sent home. They have not performed at the Premises since.
38. A week later, on the 26<sup>th</sup> of August 2022, I held a briefing with all our managers, staff, and performers. A "super briefing" if you will. At the briefing we went over each of the

rules in the performer guidelines and code of conduct in detail. It was made very clear, if it was not clear already, that the type of behaviour engaged in by Patricia, Elena, and Maya would not be tolerated at the Premises.

39. I am not aware of any issues at the Premises after August 2022. We still record any incidents in our incident logs, we record our daily briefings, and I conduct dip sampling of our CCTV footage. None of this has disclosed issues even remotely like August 2022.
40. The Premises is a great place to work and the performers who want to come to work and work according to the rules are very happy. There is a good rapport between staff and performers. I think it would be a very great shame if three bad dancers, all of whom have not worked at the Premises again, was allowed to spoil things for everyone else.

**I believe that the facts stated in this witness statement are true to the best of my knowledge and belief.**

Signed: 

**Bahadur Singh (Saab) Binning**

**Date: 9<sup>th</sup> May 2023**

Made on behalf of SEV Licence Holder

Dated: 9 May 2023

Before Tower Hamlets Council's Licensing Committee

Sch. 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended)

Tower Hamlets Council (as a Licensing  
Authority)

Applicant

and

NH License Ltd

SEV Licence Holder

---

**Exhibit List – Bahadur Singh (Saab) Binning**

---

<b>Exhibit</b>	<b>Document</b>
<b>SB1</b>	Performer induction pack "Maya"
<b>SB2</b>	Performer induction pack "Patricia"
<b>SB3</b>	Daily briefing log August 2022
<b>SB4</b>	CCTV dip sampling log 19 August 2022



MAYA

# THE NAG'S HEAD

## PERFORMER GUIDELINES

1. Dancers may not commence performing at the premises until the induction process is complete and proof of identity and entitlement to work has been provided.
2. Dancers must always sign in with the manager before starting each shift.
3. Dancers are to arrive within adequate time to ensure that they are ready to perform on the main floor or to carry out other duties as requested by the duty manager.
4. Dancers shall use the dressing room facilities provided to change into appropriate attire as required by the club.
5. Dancers appropriate attire shall include:
  - a) Floor length elegant gowns and high heel shoes as approved by the management. The Nags Head reserves the right to specify what is and is not appropriate on a continual basis.
  - b) Dancer's hair and make-up must be presented professionally.
6. Dancers are never to intentionally meet any customer outside of the Club.
7. Dancers are never to agree to meet a customer outside of the Club.
8. Dancers must never engage in any unlawful activity within the Club.
9. Dancers may only consume alcohol in moderation. Dancers shall not perform if intoxicated through alcohol or drugs.
10. Dancers must never consume, possess or be under the influence of any unlawful drug or substance, unless it is personally prescribed medication by a registered doctor.
11. Dancers are never to invite or knowingly permit dancer's spouse, boyfriend nor anyone else with whom dancers are romantically involved to enter the venue.

4809878

# THE NAG'S HEAD

## CODE OF CONDUCT FOR DANCERS

1. During a performance there shall be no full bodied physical contact between the Dancer and the customer other than the transfer of money or token at the beginning, during and conclusion of the dance.
2. During the performance of a private dance customers must remain seated and are not permitted to dance or otherwise participate in the performance other than as a spectator.
3. Customers must remain appropriately clothed at all times. Neither customer nor dancer may remove any of the customers clothing during a performance.
4. If a customer attempts to touch, or speak to a Dancer inappropriately, the Dancer must immediately stop the performance and explain the house rules. If the customer persists in the inappropriate behaviour, the Dancer shall stop the performance and ask for assistance from the management, who will take appropriate action, which may include escorting the customer out of the Club.
5. During a performance there shall be no full bodied physical contact between Dancers and they are not to touch each other's genitalia and or breasts.
6. Dancers shall not engage in an act of prostitution (the receiving of gratuities or payments for any form of sexual favour).
7. Dancers shall not solicit for gratuities or payment in return for sexual favours.
8. Dancers must redress at the conclusion of the performance.
9. Dancers must remain fully dressed while on the premises, except while performing in areas approved by the Council for sexual entertainment and in the approved changing rooms.
10. Dancers may only perform in the areas of the club designated by management.
11. Dancers must not give out any personal information, including telephone numbers, or contact details away from the Club.
12. Performers must never be in the company of a customer except in an area open to the public within the premises.


4509577

# THE NAG'S HEAD


- 12. Dancers are required from time to time to participate in promotional activities and offers as designated by the manager.
- 13. Dancers are required from time to time to participate in stage performances as designated by the manager.
- 14. Dancers shall only use the smoking area in the rear court yard provided for their use.
- 15. For the purposes of safety and compliance, the Nags Head employs the use of closed circuit cameras and radio communications throughout the premises.
- 16. Any dancer found to be in breach of any of these rules, without reasonable excuse, will be subject to the disciplinary procedure which may result in being excluded from the Nag's Head .

The Nags Head has zero tolerance for prostitution, solicitation, drug misuse, illegal conduct.

The signing of this document signifies that you, the dancer, have read and understood the Nags Head Code of Conduct for Dancers, Performers Guidelines, and that you agree to comply with the documents and accept the obligations under them.

Dancer printed birth name Pollyanna 

Dancer stage name MAYA

Dancer's signature 

Date Signed 02-08-2022

4869578

# THE NAG'S HEAD

## PERFORMERS WELFARE POLICY

1. Each performer will undergo a preliminary interview with the Manager and will provide two forms of identification, including a utility bill and photographic identification and, if appropriate, any proof of entitlement to work in the UK.
2. During induction, the House Rules, Welfare Policy and Code of Conduct together with a copy of any conditions on the Premises Licence or Sexual Entertainment Venue Licence will be explained. The dancer will be required to sign and confirm their understanding.
3. Appropriate health and safety training will be provided in relation to the layout of the premises and the procedures in case of emergency.
4. Training will be provided in relation to working schedules, changing room etiquette, payments and charging, disciplinary procedure, customer relations and conflict management, incident reporting and arrival and exit procedures.
5. Any performer concerned about the behaviour of a customer shall report the incident to the Manager or door supervisor who will take immediate action to investigate and take appropriate action.
6. Staff members must constantly supervise the behaviour of customers at the premises and shall intervene where any customer is breaching the "House Rules" or otherwise causing alarm or distress to a performer.
7. Performers shall be provided with free tap drinking water on request; there is no requirement for performers to drink alcohol.
8. Secure dressing room facilities are provided. Performers will use the dressing room facilities for changing before and after the performance period and for rest breaks as agreed with the Manager.
9. There is a designated smoking area for performers in the rear courtyard and whilst at the premises, performers may only smoke in this area.
10. All areas of the premises to which the public have access will have adequate supervision via CCTV and/or a SIA registered door supervisor.
11. For their safety, performers will be required to stay until the end of the performance period and if required will be escorted by a door supervisor to their vehicle on departure from the premises.
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# THE NAG'S HEAD

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Dancer printed birth name

Pollyanna

Dancer stage name

Marya

Dancer's signature

Date Signed

02-08-2022

4809576

# THE NAG'S HEAD

Mobile

[REDACTED]

Date of Birth

[REDACTED]

Signed

[REDACTED]

Date

02/08/2022

4809875

Pataicia

# THE NAG'S HEAD

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4809878

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4809577



# THE NAG'S HEAD

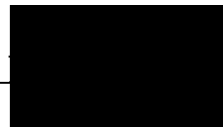
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Dancer printed birth name

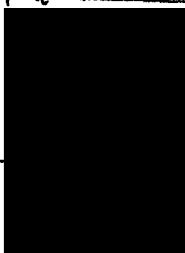
Bianca Beatrice



Dancer stage name

Pataicia

Dancer's signature



Date Signed

03.08.2022

4809876

# THE NAG'S HEAD

## PERFORMERS WELFARE POLICY

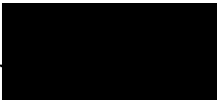
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11. For their safety, performers will be required to stay until the end of the performance period and if required will be escorted by a door supervisor to their vehicle on departure from the premises.
12. Taxis can be provided for performers on request in order to leave the premises. There is no requirement for the House to pay the fare of such taxi.

# THE NAG'S HEAD


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Dancer printed birth name Bianca Beatrice 

Dancer stage name Patricia

Dancer's signature  Date Signed 03.08.2022

4309578

# THE NAG'S HEAD

Mobile

Date of Birth

Signed

Date 03-08-2029

4802875

August 12022

DAY	BRIEFING TIME SHIFT 1	SIGNED	BRIEFING TIME SHIFT 2	SIGNED	COMMENTS
1	13:05	Orlandy	17:44		
2	13:09	Daniel	17:26		
3	13:04	Daniel	17:45		
4	13:06	Daniel	17:17		
5	13:04	Daniel	17:25		
6	13:09	Orlandy	17:07		
7	closed	—	—	—	—
8	13:07	Orlandy	17:12		
9	13:04	Daniel	17:27		
10	13:09	Orlandy	17:37		
11	13:21	Orlandy	17:26		
12	13:09	Orlandy	17:39		
13	13:03	Orlandy	17:47		
14	closed	—	—	—	—
15	13:17		C 17:21		
16	13:14	Daniel	17:32		
17	13:01	Orlandy	17:46		
18	13:20	Orlandy	17:38		
19	13:36	Orlandy	17:01		
20	13:11	Orlandy	17:16		
21	closed	—	—	—	—
22	13:09	Orlandy	17:27		
23	13:12	Orlandy	17:47		
24	13:06	Orlandy	17:53		
25	13:10	Orlandy	17:28		
26	13:24	Orlandy	17:31		
27	13:16	Orlandy	17:35		
28	closed	—	—	—	—
29	closed	—	—	—	—
30	13:26	Orlandy	17:57		
31	13:09	Orlandy	17:47		



## NAGS HEAD CCTV DIP SAMPLING LOG

**Objective:** To dip sample and view cctv footage on a monthly basis to assess compliance by entertainers and customers in relation to the SEV conditions and House Rules for the venue.

**Method:** As part of an independent compliance structure to randomly select days, and times of days, in each month and to review the footage of the cameras inside the venue to assess the activity of the dancers and customers. Then to report any infringements to the owners for the appropriate action to be taken, as is necessary in the circumstances.

	Date selected	Time selected	Venue location
1	18/08/22	23.15 - 23.55	VIP
2			
3			
4			

**Comments:** 19/08/22 I had been told that several new performance were breaching rules since to many, instructed to dip sample performance.  
Dip sample completed 19.30  
Breached observed - Patricia, Maya, Elena  
possible assault by customer on Maya (touching)

Name	Signed	Date
SAAB		19/08/22

# Appendix 19

**NH LICENSE LTD**

**THE NAGS HEAD**

**EXPERT REPORT OF  
ANDREW BAMBER**

**DATED: 8 MAY 2023**



## EXECUTIVE SUMMARY

1. I attach **Appendix 1** a timeline of the work that I have undertaken for the ownership of The Nags Head from 2017 to date.
  
2. I am a Crime & Disorder Consultant working with the night-time economy. I provide advice and guidance for licensing applications, I assist with licensing reviews, and risk assess licensed premises. I devise compliance structures and processes to minimise risk of breach of licence conditions.
  
3. As a summary of my background I have been:
  - A Licensing Observation Officer.
  - A Divisional Licensing Inspector on a busy and challenging London Borough.
  - The Operations Manager for the Central London Clubs and Vice Unit.
  - A Detective Chief Inspector managing divisional crime investigations.
  - A senior Investigating Officer.
  - A Borough Commander responsible for developing and delivering local policing plans that include the night-time economy challenges.
  - An Assistant Director, for 10 years, of an inner London Borough. I was responsible for the Safer Communities portfolio that included the development and delivery of the Partnership Community Safety Strategy. I was responsible for the Licensing function and the night-time economy, problem solving local crime and ASB hotspots, and the development and management of Licensing policies.

4. When I was first asked to review the management of The Nags Head and the policies that supported the Sexual Entertainment Venue Licence, I conducted a risk assessment of the operation that consisted of:
  - Interviewing Manpal Clair (owner)
  - Interviewing Bahadur Singh Binning (DPS)
  - Conducting interviews with door supervisors and the SIA provider
  - A desktop review of policies, procedures, performer documentation, and CCTV systems.
  - Overt visits to the premises where the SEV conditions were assessed against a checklist.
  - Covert visits to the premises where individuals visited the premises as 'customers' and tested the house rules, performer conduct, door supervisor conduct, and the outside and inside of the venue in accordance with the SEV conditions.
  - The Sexual Entertainment Venue licence was also benchmarked against the Council's SEV guidance and Standard Conditions as found on the Council website.
  
5. The completed Risk Assessment contained a series of recommendations. I recommended an independent compliance regime that ensured that a risk assessment was completed each year with both covert and overt inspections of the venue to test compliance with the licence conditions.
  
6. The owner agreed to commission a number of visits each year. He would not know the date, time, or type of visit that would be undertaken. A report of the visit would be provided at the conclusion of each visit.

7. In addition to the agreed visit format the owner was able to (and did) request additional visits if he had specific concerns. For example, if a number of new performers commenced work at the venue and after their induction, he wanted to monitor their compliance with the licence conditions, or simply to gain third-party insight into how the venue was running. (AB1)
8. The last occasion additional visits were requested was in August 2022. The DPS, Bahadur Binning, had discovered breaches of conditions when dip sampling (which is also a risk assessment recommendation) CCTV footage.
9. When it comes to managing human behaviour, it is almost impossible to completely de-risk an operation when factoring in:
  - Peoples lapses of concentration.
  - Unintentional acts.
  - Reckless, or irresponsible acts.
  - Or indeed wilful and deliberate acts despite rules and regulations.
10. It is most unusual for a observation officer to seek to initiate or engage in any act that would effectively ensure that there was a breach of a licence condition, or the continuation of a breach. Such acts guarantee a breach of the licence condition or the continuation of such a breach.
11. **In my view, the Premises employs a robust and rigorous risk-based approach to achieve compliance with the Sexual Entertainment Venue Licence conditions.**
12. **I have no doubt at all that the current owner and management are fit and proper persons the hold a Sexual Entertainment Venue Licence and that the compliance structure that is in place is fit for purpose.**

13. This case clearly highlights the conscientious nature of the owner, and that the compliance process is effective. The breaches of the licence conditions were highlighted as part of the compliance process and immediate action taken to rectify the problem.

#### Introduction

14. I have been asked by Luke Elford of John Gaunt & Partners to set out my involvement with The Nags Head 17-19 Whitechapel Road, London E1 1DU.
15. I am a Crime & Disorder Consultant working with the night-time economy. I provide advice and guidance for licensing applications, I assist with licensing reviews, and risk assess licensed venues. I devise compliance structures and processes to minimise the risk of breaching licence conditions and to uphold the Licensing Objectives.
16. Whilst I have a business involvement with the venue known as the Nags Head by providing independent oversight and compliance support, I acknowledge that my primary duty is to the Court and the Licensing Committee. All facts identified in this document are true to the best of my knowledge and experience. They were either witnessed or experienced by me personally or relayed to me in good faith and appear to be credible and reliable.
17. I can evaluate the operational environment based upon my considerable experience and qualifications. I can view the environment through several perspectives and make objective and proportionate interpretations of any data and evidence.
18. The opinions I have expressed within in this report are honestly held and correct to the best of my judgement and belief.

19. The work that I have undertaken includes a risk assessment process and compliance regime. I have attached a brief resume of my personal profile.
20. In 2017, I was approached by the owner of the venue to undertake some work on his behalf. He explained that he owned the Sexual Entertainment Venue in Whitechapel Road E1. Known as 'The Nags Head'.
21. He set out his concerns about managing such a venue and highlighted that he was acutely aware of his responsibilities in relation to the management of the Sexual Entertainment Venue Licence along with the Licensing Objectives under the Licensing Act 2003. He explained that whilst he understood the requirements and responsibilities he wanted to make sure that his venue was compliant.
22. He highlighted that no matter how rigorous he was in the management of the venue he could not be there 100% of the time that it was open. He was concerned about the potential of a possible failure by the management to carry through his policies of strict compliance with the licence conditions. He also recognised the difficulty of managing the potential for customers or performers to breach a condition through a deliberate, unintentional, reckless, or irresponsible act.
23. In general, he asked for my advice on how to either eliminate the risk of a breach of the licence going forward or significantly reduce the potential for a breach of the conditions as much as possible.
24. I have produced a timeline of my involvement that briefly details the work that I have undertaken for the owner.

### Risk Assessment

25. The purpose of the risk assessment is confined to compliance with the Sexual Entertainment Venue Licence conditions as placed on the licence by Tower Hamlets, the Licensing Authority. It does not cover or include the fire risk assessment, health and safety risk assessments, or the SIA risk assessment, which are separate documents.
26. In 2017 I developed the first risk assessment for the venue. Apart from the Covid-19 lockdown years (2020/2021) the risk assessment has been updated each year.
27. To determine the type of risk associated with each condition the following methodology was adopted:
  - The owner Manpal Singh was interviewed.
  - The DPS Bahadur Singh was interviewed.
  - Door supervisors and the owner of the door supervisor company were interviewed.
  - There was a desktop review of policies, procedures, dancer documentation, and CCTV systems.
  - Overt visits were conducted at the premises and the SEV conditions were assessed against a checklist.
  - Covert visits were made to the premises where individuals visited the premises as 'customers' and tested the house rules, dancer conduct, door supervisor conduct, and assessed the outside and inside of the venue in accordance with the SEV conditions.
  - The Sexual Entertainment Venue licence was benchmarked against the Tower Hamlets SEV guidance and standard conditions as found on the Tower Hamlets website.

28. Human behaviour is a key area for any business it is almost impossible to completely de-risk operations when factoring in:

- Peoples lapses of concentration.
- Unintentional acts.
- Reckless, or irresponsible acts.
- Or indeed wilful and deliberate acts despite rules and regulations.

29. A risk assessment in any business is about mitigation. It is about ensuring that the business has due diligence in place to prevent incidents and to highlight failures in behaviour and processes if they occur (which they inevitably do) and to take the most appropriate and effective action. Risk cannot be completely eradicated.

30. At the end of the assessment process, I produced a series of recommendations that are contained on page 20 of the 2017 Risk Assessment.

31. The recommendation to implement and manage an independent compliance regime was introduced by the management and continues to run.

32. From 2018, apart from the Covid lockdown period (2020/21), the risk assessment has been reviewed and updated as necessary, annually.

### Visits

33. The visits to the venue are divided into covert and overt visits. The visits dictated by the Sexual Entertainment Venue licence are decided upon by me. If they are to be covert visits, I task my associates or if it is to be an overt visit then I conduct it on a date and time selected by me. The owner and management have no prior knowledge of when the visits will take place, or who will be visiting.

34. Occasionally the owner will contact me about concerns that he has when new performers are starting work at the venue. He will ask for a set of covert visits (see email dated 09/09/2019 – AB1) to test their behaviour and their compliance to the house rules.

#### Covert visits

35. Unlike the Police or Local Authority there is no requirement for me to obtain an authority under the Regulation of Investigatory Powers Act 2000 even though the visits are covert in nature, that they are for a specific investigation, and that it is inevitable that personal information will be obtained during the visits.

36. Neither is there any restriction on my associates trying to initiate touching by encouraging the entertainers. Unlike Police Officers, Council Officers, or individuals employed by Local Authorities who should not act as 'Agent Provocateurs' while working covertly. In other words, those employed by appropriate authorities should not act, *'as a person who commits, or who acts to entice another person to commit an illegal or rash act or falsely implicates them in partaking in an illegal act, so as to ruin the reputation of, or entice legal action against, the target, or a group they belong to or are perceived to belong to'*.

37. However, associates acting on my behalf are specifically told not to touch the entertainers as to do so would be an assault.

38. The covert visits are designed to be a compliance test and they are similar in nature to 'test purchases' or 'mystery shopping exercises' that are conducted by many organizations and businesses to test their employee's compliance with their company rules and policies.

39. In these cases, the visits are carried out without the knowledge of staff working in the Nags Head. A 'covert customer' is placed into the club to assess compliance with



a number of Sexual Entertainment Venue licence conditions. Some conditions e.g. whether or not the CCTV is working, cannot be assessed during a covert visit and are covered during overt visits instead.

40. The owner, whilst aware of this type of visit, is not told when the visits will actually take place or who by. The visits have been undertaken by a range of people who have held senior positions in the Metropolitan Police and Local Government.
41. As I am known to the owner and management, I do not carry out the covert visits. The visits are carried out by a number of associates who are conversant with licensing legislation and in particular the conditions contained on the licences of The Nags Head. The associates are not known to the management or the entertainers.
42. As an additional firewall I do not know the actual date or time of the visit. I provide a timeframe for the visit and then leave it to the associate as to when to conduct the actual visit.
43. At a date and time selected by the covert customer the visit to the venue will start with the covert customer checking the outside of the venue to ensure that there is no advertising on the venue or in the immediate area. They will ensure that the inside of the venue cannot be seen from the street or that no noise emanates from the building. They will watch the door security staff from a distance to ensure that there is no touting of customers as people walk past the venue.
44. As the covert customer enters the venue, they will check that the signage is properly placed and that it is clearly displayed and evident so that any customer is clearly aware of the house conditions etc. The covert customer will expect the door staff comply with the policies and procedures of the venue. For example, the door staff

are clearly identifiable as door security staff. That they explain what the venue is and that the house rules are pointed out to them.

45. Inside the venue they will check that the licence conditions and house rules are being adhered to. Specifically, no touching, that there is no nudity in the public area, no people under the age of 18, that the tariffs are displayed and that the correct amounts are being charged in line with the tariffs.
46. They monitor the customers and entertainers to ensure compliance of the house rules. As part of that process, they engage with the entertainers in the bar area and pay for private dances.
47. The associates are specifically instructed not to initiate touching between themselves and the entertainer as to do so could constitute an assault. They can verbally encourage the entertainer to try and entice them to touch to see if the individual transgresses. They also encourage the entertainer to part with their telephone number.
48. At the conclusion of each visit the associate provides a synopsis of the visit that is provided to the owner.

#### **Overt visits**

49. I conduct the overt visits on a day and time of my choosing. Similar to the covert visits I check the outside of the venue, the surrounding area, and check to see if the door security is adhering to the licence conditions.
50. After acknowledging the Designated Premises Supervisor, I inspect the venue to ensure that all notices are clearly displayed in the public and private parts of the ground floor, and that the logs books are being used and kept up to date. I check the

location and number of door supervisors working in the venue. Check that the entertainment is being accurately recorded and that the entertainers are appropriately attired and that there is no nudity in the public area.

51. Having inspected the ground floor and the entertainment areas I move with the Designated Premises Supervisor to the office on the first floor. There I undertake a check of the entertainers' records and dip sample the CCTV footage. The dip sampling involves viewing of CCTV footage from randomly selected dates and times from the retained footage over the previous month. I view the bar area to ensure that there are no underage customers, that there is no nudity or poor customer behaviour. I then view the entertainment area to see if I can detect any breaches of the 'House Rules'.
52. At the conclusion of my visit, I check and sign the incident log and provide a report of my visit to the owner.

#### **DIP sampling CCTV footage**

53. In addition to the main CCTV system the owner has remote access to live footage and the Designated Premises Supervisor has a handheld device that enables him to view the CCTV footage from the bar area rather than sit on the first floor watching the main system screen. This adds to the effective supervision of the entire venue.
54. In addition to the main CCTV system and the remote access the owner introduced a dip sampling process as part of the CCTV policy. During my overt visits (as previously described) I dip sample footage from the previous month to assess the activities of the entertainers, the management, and customers.
55. In addition to my dip sampling the owner and the DPS also dip sample footage at regular intervals. A record of the dip sampling is retained in a register that is

available on request by authorised officer. Authorised officers attending the venue and requesting to view footage should also make a relevant entry.

56. The dip sampling process led to an intervention by the management. I was emailed on the 20<sup>th</sup> of August 2022 by the owner who informed me that the dip sampling process conducted by management had revealed breaches of the licence conditions.
57. In the email the owner highlights that there have been breaches, that the entertainers have been removed and he requested some covert visits.
58. I respond with some advice and sought clarification on the number of additional visits that would be required.

#### **Council visit**

59. I have been made aware that the council conducted a covert visit to the Nags Head and that the incident that the owner referred to in his email of the 20<sup>th</sup> of August included a breach of the licence conditions by the observation officers while conducting a covert visit.
60. I have not been provided with a copy of the RIPA authorization for the visit. Nor have I seen the guidance and engagement rules that should be given to the observation personnel to ensure that the conduct of the observation officers is beyond reproach and that they are not party to any offences. That the observation officers know how to conduct themselves during such a visit and that they should not assault performers, act as agent provocateurs, or seek to entrap individuals. This guidance document should form part of any covert visit authorization to ensure that officers do not instigate a breach of licence conditions or try to make the incident more elaborate than it actually is.

61. It is most unusual for observation officers to initiate or engage in any act that would effectively ensure that there was a breach of a licence condition, or the continuation of a breach.
62. If officers act in this way, it is impossible for licence holders to prevent a breach of their licence conditions.

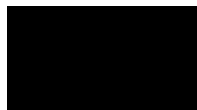
### Opinion

63. In my opinion the venue known as The Nags Head is owned and managed by conscientious individuals who seek to manage a safe environment for people that work there.
64. The owner has worked hard to ensure that there is compliance regime that is effective. This is highlighted by the actions of the DPS who discovered breaches of the licence conditions while dip sampling CCTV footage as part of the compliance process.
65. I have no doubt at all that the current owner and management are fit and proper persons the hold a Sexual Entertainment Venue Licence and that the compliance structure that is in place is fit for purpose.
66. This case clearly highlights the conscientious nature of the owner, and that the compliance process is effective. The breaches to the licence conditions were highlighted as part of the compliance process and immediate action taken to rectify the problem.
67. The dip sampling process and the covert visits are designed to reduce the risk associated with human failure by the performers or customers so that immediate corrective action can be taken.

68. Compliance audits are essential to ensure that a company adheres to all applicable rules and laws. However, no matter how robust a compliance audit is there will always be audit failures no matter what the business environment is.
69. When it comes to managing human behaviour, it is almost impossible to completely de-risk operations when factoring in:
- Peoples lapses of concentration.
  - Unintentional acts.
  - Reckless, or irresponsible acts.
  - Or indeed wilful and deliberate acts despite rules and regulations.
70. Observation officers should not intentionally breach the house rules by touching the performer. It is a willful and deliberate act despite the house rules and licence conditions and cannot be mitigated against.

**I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.**

Signed:

A solid black rectangular box redacting the signature of the person.

**Andrew Bamber**

Dated: **8 May 2023**



## Appendix 1

### Timeline of the work undertaken at The Nags Head, Whitechapel

#### 2017

In May 2017 there was an allegation of an assault on a performer. I undertook a review of the incident on behalf of the Owner.

In the same month (May) I introduced the owner to the development of a Risk Assessment and a Risk Register based upon the licence conditions that had been set for the Sexual Entertainment Venue Licence.

As part of the risk assessment process all the venue's policies were reviewed, amended, and new policies developed.

Along with the risk assessment a Licensing Manual was produced for the Owner and management team.

From May through December ten (10) covert visits were made to the venue to assess the management and the entertainers.

During the same period eight (8) overt visits were made to the venue to check the interior of the venue. I also completed the revised policies and introduce dip sampling of the CCTV system.

A total of eighteen (18) visits were conducted during 2017.



## 2018

The risk assessment was reviewed along with the venue's policies to ensure that it was still fit for purpose.

Nine (9) covert visits were undertaken to test the management and entertainers. CCTV privacy impact assessment.

Ten (10) overt visits were undertaken to inspect the venue, check the venue policies and logbooks, and to dip sample CCTV footage.

A total of nineteen (19) visits were conducted during 2018.

## 2019

The risk assessment was reviewed along with the venue's policies to ensure that it was still fit for purpose.

Four (4) covert visits undertaken.

Two (2) overt visits undertaken.

A total of six (6) visits were conducted during 2019. The reduction in visits was proportionate to the lack of issues exposed during 2017 and 2018.

## 2020

No visits undertaken at the Nags Head. I was out of the country January through February. During March I was preparing to undertake a review of the risk assessment when the first Covid lockdown was implemented.

At the end of the first lockdown period, I was asked to undertake a Covid Risk Assessment for the venue pending a potential opening. The venue never opened.

**2021**

Two (2) covert visits to test management and entertainers on return to the venue post Covid.

## 2022

I reviewed the venue's risk assessment post Covid.

Five (5) covert visits to the venue to test management and entertainers.

One (1) overt visit.

A total of six (6) visits were conducted during 2022 returning to the level set pre-pandemic.

## 2023

An overt visit took place on 3 May 2023.

A covert visit is scheduled for 9 May 2023.

Further visits will be undertaken during 2023. It may be prudent to increase the number of visits undertaken in 2023 in view of the allegations made and the breaches observed so that they are more reflective of the levels of visits in 2017 and 2018.

### **Explanatory Note:**

**On the 17<sup>th</sup> October 2017 the Licensing Sub-Committee added additional conditions to the Sexual Entertainment Venue Licence. One condition was the requirement to undertake 4 compliance visit per year and to produce a signed and dated report that should be retained at the venue and produced upon request of an authorised officer.**

**To date I have not had any contact with the any officer responsible for the supervision of licensed premises in Tower Hamlets.**

From: manpal singh [REDACTED]  
Subject: Nags head - covert visits  
Date: 9 September 2019 at 17:09:05 BST  
To: [REDACTED] ndrewbamber [REDACTED]

Hi Andy

Hope your well.

I've had a number of new performers start at Nags Head and I have concerns around compliance of house rule breaches.

Could you arrange for a number of covert visits to check compliance on any dates and time of your choosing without mine or any staff knowledge.

I look forward to hearing from you.

Manu  
Manpal Singh Clair

From: andrew bamber [REDACTED]  
Subject: Re: Nags Head - Urgent  
Date: 20 August 2022 at 14:22:45 BST  
To: manpal singh [REDACTED]

Dear Manu

As we've discussed in the past, it will always difficult to mitigate unacceptable behaviour by customers and staff when they transgress deliberately or through thoughtless behaviour. The important thing is that your internal due process has picked this up quickly, you are right saying that it needs to be dealt with quickly and effectively.

Adhere to your protocols by ensuring that the dip sampling log identifies the the fact that your manager has uncovered the breach. Make sure that you cross reference in the incident log. It doesn't need to be lengthy in the incident log as long as the details are in the dip sampling log.

I agree with your action to meet with staff and reiterate the house rules. Get them to resign the house rules after the meeting.

You haven't explained the breach but I assume that it's touching? If so consider the following.

Did the dancer initiate the breach?  
Did the customer touch the dancer, if so that may well be an assault by the customer. I assume that the dancer didn't report the breach so you need to reiterate the need to report such incidents at your meeting with staff.

I'll undertake a number of covert visits (I need to know how many you would like?). Obviously you won't know when and I'll come back to you at the end of the visits. Obviously if anything happens then it will be reported to you immediately.

Andy B  
Sent from my iPhone

On 20 Aug 2022, at 11:28, manpal singh [REDACTED] wrote:

Andy

As you know I have recruited many new staff post covid and as you are aware I've been conscious that new performorrs need to learn the rules. Since all the annual checks have been taken, we have undertaken dip sampling and have come across a incident that I'm most unhappy with. As a result I have suspended the individuals.

I am going to reiterate all the house rules and standards in the next couple of days with all my staff and I would like a number of visits undertake to check on the staff, would



that be acceptable.

You know I don't allow this sort of stuff and it's unacceptable and it's got to be dealt with quickly and effectively

Thanks

Manu  
Manpal Singh Clair

# AB Conformitas Ltd

**The Nags Head Gentleman's Venue  
17-19 Whitechapel Road  
London E1**

**Assessment of the risks associated with the conditions on the sexual entertainment venue  
licence**

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## 1. Introduction

Nags Head Ltd operates a lap dancing club in Whitechapel which has the benefit of a premises licence and SEV. On the 4th May 2017 there was an incident at the Nags Head Gentleman's Venue where a customer deliberately touched a dancer during a private dance. The dancer and the management dealt with the incident appropriately and effectively in accordance with the SEV licence conditions set out in the licence by the Licensing Authority, Tower Hamlets Council. The customer was immediately asked to leave. Subsequently the assault was reported to the police and it is still being investigated.

The Company operates a 'No Touch' rule and customers and entertainers are given (multiple) instructions to this effect and the reality of the incident on the 4th of May has been a concern for the management of Nags Head Ltd for a while. As a consequence they had already entered into discussions, before the incident occurred, to enhance their compliance regime at the Nags Head. Discussions were held in February and early May to explore how to undertake a review of the 'Nags Head' venue for the Nags Head business development plan, and when it should commence. On the 15th May final agreement was reached on the process to review, and risk assess the companies policies, procedures and compliance management. Work started immediately at the venue known as the Nags Head Gentleman's Club.

The risk assessment recognises that the deliberate touching of a performer on the 4th May, in contravention of the 'House Rules' was dealt with in accordance with the SEV licence conditions placed on the licence by Tower Hamlets Council, the licensing authority. The entertainer known as Summer complained to the duty manager that a customer had touched her and that she had terminated the performance in accordance with the House Rules. The customer readily admitted to the manager that he had touched the dancer and agreed to leave the premises immediately on finishing his drink.

The dancer returned to the bar whilst the customer was leaving and she continued to work until the end of her shift without any further complaint about the way that the customer behaved.

Subsequently the dancer complained to the police that the customer had not merely touched her but had sexually assaulted her. Prior to the allegation of sexual assault the dancer and the manager had acted precisely in accordance with the House Rules. However, if the dancer had made an allegation of sexual assault at the time of the incident then the manager would have dealt with the matter in a completely different way. The manager would have called the police immediately, involved the SIA door staff and sought to detain the customer until the arrival of the police.

This particular incident occurred despite adherence to the licence conditions;

- The verbal warnings given by the SIA licences door supervisor at the entrance to the venue,
- The notices of the customer code of conduct displayed at the entrance to the venue
- The notices of the customer code of conduct displayed at the entrance to the private dance areas.

It is not known if the entertainer also highlighted the 'no touch' House Rule before the performance started.

The owners of Nags Head Ltd had already recognised that despite having all the conditions in place, and monitoring them as a management team, it is exceptionally difficult to manage and deal with the impulsive and spontaneous acts by reckless customers or entertainers. It is for this reason the management of Nags Head Ltd wanted to introduce an enhanced level of compliance at their venues.

## 2. Method

The overall risk assessment for the company and its operation covers a multitude of potential risks. The purpose of this risk assessment is confined to the compliance with SEV licence conditions" (Appendix 2 and 3) as placed on the licence by Tower Hamlets, the licensing authority. It does not cover or include the fire risk assessment, health and safety risk assessments, or the SIA risk assessment.

It is important to understand that this is a risk assessment and it does not represent or identify problems in the business. This piece of work is solely about identifying risks to the business environment that may exist given the current compliance procedures and processes. By identifying potential risks associated with the management of a business environment new, enhanced, and/or additional measures can be put into place to develop the business and the safety and welfare of staff and customers alike.

The owners of Nags Head Ltd have already identified that there are risks associated with the management of such a business and this was reinforced when a customer spontaneously and impulsively touched a dancer during a performance, despite all current controls that comply with the SEV conditions. They also recognise that this act, or any future impulsive act, by a customer represents a risk to the licence. As a consequence the owners wish to develop a business model that provides additional and greater compliance control measures than those demanded by the licensing authority and the police.

The risk assessment recognises that the licensing authority and the police have regularly visited and inspected the premise. That they have agreed and signed off the SEV conditions and how the management of the Nags Head have interpreted and implemented them. They have completed annual inspection visits and made no recommendations to improve any aspect. Therefore it is reasonable to assume that the current control measure are satisfactory as far as the police and the Local Authority are concerned.

To assess the risks associated with the conditions on the SEV licence each of the specific conditions were assessed against a 5\*5 matrix (Appendix 1). Each condition was considered against the likelihood of such an occurrence happening and the possible consequences (actions of the police and licensing authority) if such a breach came to the attention of the licensing authority.

There are existing control measures in place to manage each condition. The current control measures for each condition would identify if a breach of the condition was rare, unlikely, possible, likely, or almost certain. Then, if a potential breach of a condition is identified as possible in one of the 5 likelihood categories then the likelihood of the breach is assessed against the possible 5 consequence or potential actions of the licensing authority. In other words the consequence or risk would be negligible, marginal, moderate, major, or catastrophic to NH Ltd. By assessing each licence condition vertically and horizontally on the matrix a risk score of 1-25 is assigned to the condition. The lower the score the lower the risk of something going wrong. The higher the score the greater the risk of something going wrong.

- Green (a score of 1-3) represents a very low risk of something going wrong given the existing controls in place. Intervention by the licensing authority would be confined to advice and guidance by authorised officers and the possibility of increased licensing visits to ensure management controls.
- Yellow (a score of 4,5,6,8 or 9) represents a moderate risk of something going wrong with the existing control measures. Intervention by the licensing authority may include formal warnings by the licensing authority about current and future conduct.
- Orange (a score of 10,12, 15) represents a high risk of something going wrong with the existing control measures. Intervention may include formal warnings and or a revocation hearing at a licensing committee.
- Red (a score of 16, 20, 25) represents a catastrophic risk if something were to go wrong with the existing control measures. Intervention could result in the closure of the premises/revocation of the SEV licence.

To determine the type of risk associated with each condition the following methodology was adopted.

- The owner Manpal Singh was interviewed.
- The personal licence holder Bahadur Singh was interviewed.
- Door supervisors and the owner of the door supervisor company were interviewed.
- There was a desktop review of policies, procedures, dancer documentation, and CCTV systems.
- Overt visits were conducted at the premises and the SEV conditions were assessed against a checklist.
- Covert visits were made to the premises where individuals visited the premises as 'customers' and tested the house rules, dancer conduct, door supervisor conduct, and assessed the outside and inside of the venue in accordance with the SEV conditions.
- Reviewed the SEV licence against the Tower Hamlets website and the SEV guidance and standard conditions

At the conclusion of the review recommendations, if necessary, are made to enhance the control measure with additional controls and thus reduce the risk of any infringement of the specific condition. As a result the risk rating (score) may be lowered.

### 3. Findings

#### 3.1 Licensing Authority

As part of the risk assessment I looked at the councils website and the published SEV standard conditions. The website and the Nags Head SEV licence has the potential to create an environment of confusion. The licence issued to Nags Head Ltd, signed by the LA on the 20th December 2016, clearly states that there are 41 'standard conditions' that must be complied with, and they are attached at appendix 2. The licence itself, issued by the Licensing Authority, places a further 3 specific conditions that relate to capacity in the venue and the display and availability of the licence. However, the standard conditions as posted on the TH website only contain 33 conditions and appears to be incomplete. One can only assume that the Licensing Authority have not kept their website up to date given the discrepancy in the number of standard conditions.

Having studied the 44 standard conditions issued to the Nags Head by the Licensing Authority the following observations are made. It is clear that there is no customer SEV condition that stipulates 'no touching'. Condition 23 states, 'Signs must be displayed at appropriate locations advising that any customer **attempting** to make physical contact with a performer **will** be asked to leave. Condition 20 states 'The Licensee shall prepare House Rules governing the conduct of customers'. The House Rule states 'You must **not touch** the performer during her performance. Failure to comply with this code **may** result in you being asked to leave the premises without refund of any monies paid.

Condition 26 states, 'The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment' it is a subjective test and open to interpretation, and there is nothing in the SEV conditions that state that a failure to adhere to the House Rules is a breach of the SEV conditions.

Condition 35 states that. "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". As this condition is within the Performer section of the SEV conditions the inference is that the contact should not come from the performer and does not mention touching by the customer.

Since the granting of the SEV licence the owners say that there has been 4 visits by authorised officers from the police and the licensing authority. There were 3 announced visits by authorised officers from Tower Hamlets, the licensing authority, and 1 unannounced visit by a joint team of police and council officers. During these visits both staff and management refer to the police and the Licensing Authority implying a criticism that they have not kept or supplied copies of entries in a premises log book. There is no SEV condition on the licence or a House Rule that stipulates that the owners, management, or staff must keep such a document. However, it is recognised that it is good practice to keep such a document and record relevant matters as they arise. Other than the incident book comments the police and the licensing authority have not given any advice or guidance on the running/management of the premises, nor have they sought to apply for additional SEV conditions under condition 7 in the licence.

It is therefore reasonable to assume that the Police and the Licensing Authority are satisfied with the current arrangements at the venue because there has been no suggestions by either licensing team to improve, change or add additional conditions.

In addition the Police and the Licensing Authority have not made known to the owners any risk assessment they have compiled to agree the granting of the licence and the management of the conditions.

### **3.2 SEV Licence and conditions**

The full assessment of all of the conditions is attached in a spread sheet that follows this commentary.

Each licence condition is assessed along with the current control measure for that specific condition and it is given a risk score that will identify if the current position represents a low, medium, high, or dangerous risk. When given a score (of 1-25) each management control measures is then reviewed to see if the owners can enhance the management control measure and as a consequence reduce the risk of something going wrong. Therefore achieving a lower score.

The current controls in place to manage the venue and the SEV licensing conditions are effective and have been subject to annual inspection by the licensing authority. As a consequence the vast majority of the conditions carry the lowest risk factor (green) on the matrix. There are a small number of medium (yellow), and high (orange) risk factors, and there are 2 red risks that could be catastrophic for the business if the control measures failed. The licensing authority and the police have agreed and accepted the current risks by acknowledging them in their inspections because they have not made any additional recommendations, as they could under condition 7 in the SEV licence.



The additional control measures being considered by the owners (independent of the licensing authority and the police) will reduce most of the risks to low and medium. There are 2 that will remain high despite all of the proposed enhancements because it is incredibly difficult to completely mitigate for impromptu, impulsive, spontaneous, and/or reckless acts by entertainers and/or customers.

### 3.3 Low Risk



Of the 44 SEV conditions 32 of the conditions were assessed as green with the low risk score of 1 and they represent a very negligible risk to the business. This primarily because the particular licence condition has been fully met and controls that are in place for that condition are more than adequate. Also the business is supported by a dedicated firm of licensing solicitors who provide advice and guidance in relation to all 44 conditions. Even so, the owners wished to fully review and audit their business model and implement a new compliance regime across their business portfolio that will reinforce and maintain the already high standards assessed in this review.

### 3.4 Medium Risk



Five (5) conditions were assessed as yellow and represent a medium risk to the venue. the 5 conditions are;

<p><b>Condition 3</b> 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.</p>	<p>An adhoc approach to document storage could cause delays in the provision of documentation, in the second part of this condition. The owners are introducing a licensing manual to ensure that all relevant documentations are immediately available upon request. Also the introduction of a more comprehensive incident log will improve the information provision and staff are able to provide a meaningful document. The introduction of these additional measures reduces the risk factor and a new 'low' risk factor is then realised</p>
<p><b>Condition 5</b> 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.</p>	<p>The owners rely on the SIA company to provide licensed staff. The reliance on the company represents an unmanaged risk NH Ltd and it is possible for unlicensed door staff to operate if their licence expires and the firm do not deal with the matter. The door staff tend to remain the same. The recommendation is that the SIA company provide NH Ltd the renewal dates for individual licences so that the risk of employing unlicensed door staff is removed. The risk assessment for the door supervisor staff will be reviewed and refreshed. If implemented the risk reduces to 'low'</p>
<p><b>Condition 13</b> CCTV cameras shall be installed and maintained at the locations shown on the attached plan, to the reasonable satisfaction of the licensing authority.</p>	<p>A recent incident highlighted that the summer time change had not been applied to the system. Management should enhance the supervision of the system with a new compliance process and should include dip sampling of footage that will ensure the system is regularly reviewed and time change checks ensuring UK time changes are made.</p>
<p><b>Condition 15</b> The number of persons to be accommodated in the premises at any one time shall not exceed a 100 persons</p>	<p>Counters are not used by door staff. It appears unlikely that the premises will cater for 100 customers. However, should the event ever occur door staff and management would not be able to provide accurate numbers if challenged by an authorised officer. Implementation of counters will reduce the risk to 'low'</p>

**Condition 20**

The Licensee shall prepare House Rules governing the conduct of customers.

The house rules have been compiled by the management and are prominently displayed at the entrance to the premises. They are also located in site specific locations within the premises. These rules have been agreed and signed off by the licensing authority. The way they are displayed in the premises has also been accepted.

There is however a discrepancy between the SEV conditions and the house rules that have not been picked up by the licensing authority and may cause confusion.

As well as being displayed in the premises they are now incorporated in a new licensing manual for the premises. The compliance of this condition will be monitored and reviewed through a proposed new compliance regime. Any changes asked for by the licensing authority will be dealt with promptly. However NH Ltd should clarify with the licensing authority the discrepancy over the house rules and the sev condition as it could cause confusion

**3.5 High Risk**



Five (5) conditions were assessed with a high (orange) risk factor with the current controls in place

**Condition 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.

The licensee manages the premises in line with the SEV conditions and has the advice and guidance of a specialised firm of licensing solicitors.

The management of NH Ltd manage the conditions as agreed by the licensing authority and the police. Both agencies visit the premises and have agreed how the management of the NH have interpreted the conditions and implemented them. That is despite discrepancies (condition 20 and 23) Condition 23 states that customers attempting to touch will be asked to leave. It is a moot point but there is nothing in the condition that specifically states that having touched a performer the customer will be asked to leave. In addition the house rules (20), agreed by the council, state that a customer **may** be asked to leave if touching takes place.

Given the differing elements in the conditions and house rules there is a higher rating given because the council and or the police may interpret the conditions differently to the management of the NH and thereby create unnecessary conflict.

<p><b>Condition 24</b>          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.</p>	<p>The customer and drug policy does not specifically cover the <u>admittance</u> of those suspected of being intoxicated or under the influence of drugs and should probably be included given that the SEV condition cover the 'admittance to' and 'allowed to remain' criteria</p> <p>If introduced the risk factor reduces to the acceptable level of 6 rather than the higher factor of 12</p> <p>This will also be enhanced with a new compliance regime that provides independent overt and covert visits to the premises to test compliance.</p> <p>There will always be a risk with this condition as individuals react differently to alcohol and may not exhibit obvious signs. However, the additional control measure will reduce the risk sufficiently to medium.</p>
<p><b>Condition 26</b>          The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.</p>	<p>Rule 24. The admittance of those under the influence of alcohol or drugs is not specifically mentioned in the customer house rules therefore the risk is higher. To reduce the risk factor it should be added.</p> <p>You can be intoxicated and not cause a public disturbance or nuisance to the neighbours. But the quietly intoxicated can pose a risk to the no touch house rule and the safety of the dancers.</p> <p>By introducing additional control measures at 24 this risk will also reduce to medium, marginally above a green rating.</p> <p>Implemented and effectively enforced is in the main a subjective test. Whilst the Licensing Authority and the police have not invoked any changes under condition 7 there is therefore an implied acceptance that every thing is being effectively managed. However, the owners wish to enhance their current arrangements with an independent compliance structure.</p>

**Condition 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.

It is exceptionally difficult to manage impulsive, spontaneous and or reckless acts by customers either before or after a performance when the customer quickly kisses the performer on the cheek as a 'hello' or 'thank you' as is a custom. The entertainer may not transgress but the customer may.

During unannounced overt and covert visits to the premises on behalf of the owner no physical contact was observed or experienced.

This condition should be reinforced in the entertainers briefing at the commencement of each shift.

Consideration should be given to placing a supervisor in the private dance area.

**Condition 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.

During unannounced covert and overt visits to the premises on behalf of the owner no such activity was observed. The PLH was questioned about such behaviour during the overt visits and found to be fully conversant with the condition. He places himself at the end of the bar area at the entrance to the private dance area and has a clear and unobstructed view of the entertainment as it happens. He also has a clear and unobstructed view of the stage. The condition is contained within the performers code of conduct and signed by performers.

The higher risk factor was given because whilst it was not observed during any test visits management know that despite licence conditions, house/performer rules, warnings and briefings. It is incredibly difficult to stop spontaneous, reckless, and or deliberate acts by individuals that consequently place the licence at risk

The condition should be reinforced in the daily management briefings to the entertainers.

Monitored through dip sampling of CCTV footage

The introduction of unannounced overt and covert compliance visits to the premises.

Whilst the stage performances can be proactively managed by the PLH working in the main bar area it is more difficult to constantly monitor the private dance area therefore consideration should be given to placing a supervisor in the entertainment area.

### 3.6 Dangerous/Catastrophic Risk





**Condition 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.

This condition received a high rating because of the touching incident that occurred on the 4th May.

On visits to the premises the authorised officers from the council and the police have been satisfied with the way that the 'no touching' house rule is brought to the attention of the customer.

This SEV condition only refers to customers attempting to make physical contact and makes no comment about actual contact by the customer to the performer. Condition 35 says that there should be no physical contact between the performer and the customer but as it is contained in the performers section of the SEV conditions and it really refers to the performer touching the customer and not the customer touching the performer. It is a moot point but in essence there is no actual condition on the licence relating to touching a performer. This condition about signage states that you **will** be asked to leave if you **attempt** to touch. The actual house rule says you **may** be asked to leave if you **actually touch**.

The discrepancy may cause difficulties with authorised officers visiting the premises

The House Rules notice is displayed at the entrance to the premises and on the wall at the entrance to the private dance area. The no touch condition is the 10th bullet point on a A4 sheet of the house rules in bold font 12. Consideration should be given to reviewing the size, quality, wording, and the display positioning of documents within the premises.

Whilst the specific condition is complied with and there is negligible risk to compliance around the provision and placing of the notice, and the licensing authority and the police have agreed and accepted the current signage the management should consider

- Clarifying with the licensing authority the discrepancy so that the SEV conditions and the House Rules are exactly the same.
- At the point of entry to the private dance area where the performance is to be performed the house rules are pinned on the wall consideration should be given to actually pointing them out to the customer before the performance starts.
- Consider making the signs larger so that they are easily read.
- Consider placing notice in each booth
- Any incident will be fully recorded in the premises Incident log. Even though the existence of a log is not an SEV condition
- Revisit the presentation of the House Rules. The no touch condition is the 10th bullet point on the house rules in bold font 12. It could be made more prominent
- Consider the placement of a supervisor in the private dance areas.

**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.

This condition is linked to condition 23

This condition has been tested during unannounced overt and covert visits to the premises on behalf of the owner. During the visits the PLH was seen to proactively monitor the private dance area. CCTV is in existence monitoring the dance areas and continuously records events as they happen. Any footage within the recording time limits was readily available.

Each performer is aware of and signs a performer code of conduct so that they understand all house rules and that they should not engage in any contact during their performance. The person responsible for the daily management is aware of the condition and states that he regularly briefs the entertainers on their conduct.

Sitting alongside this is a customer code of conduct and this is pointed out to customers at the entrance to the club by the SIA door staff. At the point of entry to the dance area the code of conduct is also displayed.

Despite the notices and briefings it is difficult to manage a spontaneous, reckless, and or deliberate acts by entertainers (and customers) when they are dancing For this reason a risk factor of 16 has been assigned to this condition.

This is lower than the customer condition at 23 because of the performers code of conduct and the management briefings that are in place.

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Given a recent incident on the 4th May the owner is keen to eliminate any event where performers or customers touch during a performance. To ensure strict compliance with the specific condition, even with the impossibility of managing and stopping impulse acts by entertainers or customers the recommendations are to

1. Revisit the size and type of signs displayed throughout the premises
2. Review and improve the location of the signs.
3. Reinforce the no touching policy in daily briefings with the performers at the commencement of each shift.
4. Dip sample cctv to ensure nothing is missed by management supervision.
5. Introduce an independent compliance regime to test compliance through unannounced overt and covert visits to the premises.

Covert visits will include the payment for private dances to assess the compliance of no touch by performers.

In this case covert customers will not attempt to touch the performer but assess contact from the performer.

## 4. Conclusions.

The reason for this review arises out of the owners of Nags Head Ltd being aware of the risks associated with the management of sexual entertainment venues. The Nags Head venue has the benefit of a specialist legal team for advice, and the licensing authority and the police appear to have accepted the current management arrangements as they have conducted annual compliance visits and they have not made any recommendations for improvements. Despite this the owners wanted to map their risks, assess their current conditions and their position, and look to see if they could introduce additional measures to develop their compliance mechanism. The aim being to improve the safety and welfare of their entertainers and at the same time provide the Licensing Authority with a reassurance that their business model was compliant and well managed to the highest standards because of their proactive approach to their responsibilities.

The assessment found that the business was run in line with the 44 conditions set out in the SEV licence. The covert visits to the premises, at times of the day that were unknown to the owner and staff, did not reveal any breaches of the conditions. Accepting that the premises complies with the conditions set out in the licence by the licensing authority there are a number of areas where the current controls could be enhanced to reduce the risk of a breach of the conditions happening in the future.

The main areas of risk for the venue centre around the behaviour of the customers and the entertainers. The customers 'attempt to touch' SEV condition, the 'touch' condition in the House Rules, and the entertainers 'no physical contact' condition are areas where the owners should concentrate their efforts. Whilst customers are notified of the House Rules, and the entertainers are aware of, and sign a performers policy the owners should ensure that they have developed an environment that does all it can to prevent spontaneous, reckless, impulsive, and deliberate acts by either customers or entertainers that are in contravention of the licence. Such acts place the business in jeopardy.

In addition to the 2 main risk areas there are a number of lesser risks that could benefit from additional control measures. In the main these potential developments inevitably all link to the 2 main risk areas involving the 'no touch and attempted touch risks. By implementing the range of recommendations all of the risk areas will be reduced. However, whilst the owners are able to implement hard structure management controls to develop the business, the management of human behaviour (the customer and or the entertainer) is much more difficult and complex. It is the creation of an environment where information, notification and early intervention is the key to reducing the risk associated with reckless, deliberate, and impulsive acts by others.

## 5. Recommendations

- Review the signage at the entrance to the venue and inside the premises. Consider additional signs , larger signs and repositioning of current signs that relate to physical contact and tariffs.
- Ensure that the house rules are pointed out to the customer at the point of dance purchases.
- Consider placing a supervisor in the private dance area to reinforce conditions and house rules.
- Reinforce the daily briefings to the entertainers and make a record that the managers briefing took place.
- Introduce an independent compliance structure that conducts covert and overt visits to the premises to assess compliance of conditions.
- Introduce 'dip sampling' of CCTV footage by an independent compliance regime to ensure customers and entertainers are conducting themselves in accordance with the conditions and house rules. Also to ensure that the system is being maintained in accordance with the SEV conditions.
- Clarify the discrepancy of the customer 'no touch' condition with solicitors.
- Amend the house rules to include the non admittance of individuals suspected to be under the influence of drink or drugs so that it is in line with the SEV conditions.
- Ensure that the new licensing manual contains all of the relevant information, that it is kept up to date and is readily available for any authorised officer.
- Introduce counters to be used by the door staff to ensure that the number of people inside the premises are readily available for visits by authorised officers.
- Licence renewal dates of the regular door supervisors to be supplied to the Nags Head management.

● Review the incident log and ensure the following issues are recorded

● All crimes reported to the venue
● All ejections of patrons
● Any complaints received
● Any incidents of disorder
● Seizures of drugs or offensive weapons
● Any faults in the cctv system, searching equipment, or scanning equipment.
● Any refusal of the sale of alcohol
● Any visit by a relevant authority or emergency service
● Any breach of a licence condition reported by a performer.

**Note:** The SEV licence conditions and how they are currently managed by Nags Head Ltd in the venue have been agreed by the licensing authority and the police and inspected during their visits.

## Risk Matrix Template: The Naas Head-1

		Consequences				
		Negligible (1) Increased Licensing authority attention	Marginal (2) Licensing authority intervention with advice/medium financial loss	Moderate (3) Prosecution/High financial loss	Major (4) Temporary closure/Large financial loss	Catastrophic (5) Permanent closure/massive financial loss
Likelihood	Almost certain (5) Has happened and could occur again	Moderate (5)	High (10)	High (15)	Catastrophic (20)	Catastrophic (25)
	Likely (4) It could easily happen	Moderate (4)	Moderate (8)	High (12)	Catastrophic (16)	Catastrophic (20)
	Possible (3) It could happen and has happened in the past	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely (2) No occurrence to date but could occur	Low (2)	Moderate (4)	Moderate (6)	Moderate (8)	High (10)
	Rare (1) Possible but only in extreme circumstances	Low (1)	Low (2)	Low (3)	Moderate (4)	Moderate (5)
	Very Rare (0) Not possible	Very Low (0)	Very Low (0)	Very Low (0)	Very Low (0)	Very Low (0)



	What is the risk: <i><u>A failure to comply with the conditions listed below.</u></i>	Current licence position and the existing control measures already in place	Rate the risk	List additional control measure if appropriate	New risk rating
	<b>General</b>				
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.	There exists a very clear understanding of the licensing requirements and SEV conditions along with the existence of a specialised legal team. Licence holders are named and working in the venue.	1	No additional control measures required	1
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.	As above	1	As above	1

3	<p>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.</p>	<p>SIA staff and management are fully conversant with the requirement to admit authorised officers and to provide documentation. This is augmented by legal advice from a specific firm of licensing solicitors.</p>	4	<p>To reduce the risk the owner is developing a comprehensive licensing manual for the premises, where all relevant documentation that may be asked for will be kept. It will be readily available in the premises. Although it is not an SEV condition the owner will be introducing a revamped incident log that will record all necessary details of incidents that occur. In addition to the incident log a briefing log will be maintained that will expressly show that management have briefed all entertainers on the codes of conduct at the beginning of their shift. The business improvement plan also includes the introduction of a compliance and risk management process. Copies of the covert and overt visits by independent compliance officers will be available.</p>	2
4	<p>The Licensee must give written notice to the Council if s/he wishes to surrender the licence.</p>	<p>Licensee is fully conversant with requirement and has engaged specific licensing solicitors.</p>	1	<p>No additional controls required</p>	1

5	<p>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.</p>	<p>One company supplies SIA trained staff. In the main the personnel are regular staff and have a good working knowledge of their roles and the SEV licence conditions, inc customer code of conduct, drugs policy etc. The NH management are totally reliant on licence management by the SIA company and the NH have no knowledge of licence renewal dates which would pose a risk if a licence expires and the NH management have no information to rely on.</p>	6	<p>The management of the door supervisor company to supply NH Ltd with the details of licence renewal dates for individual SIA staff so that NH Ltd are fully conversant of all licence information they are responsible for.</p> <p>The door supervisor risk assessment requires a review.</p>	1
6	<p>The Licensee is to implement a suitable policy for the safety of the performers when they leave the Premises.</p>	<p>The owners have developed a performer welfare policy which is more comprehensive than the safety policy specified in this condition. The policy provides for the departure requirements of this condition.</p>	1	<p>The extended welfare policy, which is part of the performers induction to the premises, requires no further work and is fit for purpose.</p>	1

7	<p>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.</p>	<p>The licensee manages the premises in line with the SEV conditions and has the advice and guidance of a specialised firm of licensing solicitors.</p> <p>The management of NH Ltd manage the conditions as agreed by the licensing authority and the police. Both agencies visit the premises and have agreed how the management of the NH have interpreted the conditions and implemented them. That is despite discrepancies (condition 20 and 23) Condition 23 states that customers attempting to touch will be asked to leave. It is a moot point but there is nothing in the condition that specifically states that having touched a performer the customer will be asked to leave. In addition the house rules (20), agreed by the council, state that a customer <b>may</b> be asked to leave if touching takes place.</p> <p>Given the differing elements in the conditions and house rules there is a higher rating given because the council and or the police may interpret the conditions differently to the management of the NH and thereby create unnecessary conflict.</p>	12	<p>The management are conscious of the condition and consequently ensure they have quality legal advice from specific licensing solicitors.</p> <p>The owner is enhancing the legal advice with a compliance regime to ensure that the licensing authorities have no cause to change or alter the conditions other than new legislative conditions that become statute.</p> <p>Nags Head Ltd should bring the discrepancies to the attention of the licensing authority and clear up the ambiguity.</p>	1
	<b>Premises</b>				
8	<p>The approved layout of the Premises shall not be altered without prior consent of the Council.</p>	<p>Licensee fully compliant and operates under the guidance of a specialised firm of licensing solicitors.</p>	1	<p>No additional controls required</p>	1

9	<p>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).</p>	<p>Fully compliant. The building is fully compliant with the premises plan and there is no external advertisement. The double door entry and the siting of the stage and the private dance areas ensures that no element of the entertainment can be seen from outside the premises. All elements were examined during unannounced overt and covert visits conducted on behalf of the owner.</p>	1	<p>Continual oversight will enhance the supervision of the condition through the introduction of a new compliance process to include overt and covert visits to the premises on behalf of the owner.</p>	1
10	<p>Sexual entertainment shall take place only in the designated sexual entertainment areas.</p>	<p>During unannounced overt and covert visits conducted on behalf of the owner this condition is being fully complied with. There are dedicated and defined areas for sexual entertainment.</p>	1	<p>While there is full compliance in this area the owner wishes to add additional controls to ensure continued compliance. The owner will introduce a new and independent compliance process that will include overt and covert visits to the premises to ensure that all activity complies with the licence conditions.</p>	1
11	<p>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.</p>	<p>The public area is well defined. PLH and SIA staff have assigned positions to ensure compliance. The changing area is away from the public area and is covered by an SIA individual.</p>	1	<p>The management will be enhancing supervision with a new and independent compliance process that will include overt and covert visits to the premises on behalf of the owner to test compliance.</p>	1

<p>12</p>	<p>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</p>	<p>All licence conditions are in place and the licence holders are fully conversant with their responsibilities. Each element of this condition was inspected during overt visits conducted on behalf of the owner. The system was fully operational, although the change to summer time was delayed. Recordings are kept for 31 days.</p> <p>The owner and staff were fully conversant with the requirement to provide recordings to the relevant authorised officers. The preceding 2 days to be supplied immediately on request and other recordings within 24hrs of a request.</p> <p>In addition to this condition the owner is able to remotely monitor the cameras via an app on his mobile phone so that he is able supervise the premises from were ever he is.</p>	<p>1</p>	<p>Whilst the system complies with the SEV licence condition it is recommended that NH Ltd introduce a new compliance policy and process.</p> <p>An independent a dip sampling process of CCTV footage will ensure that management become more proactive over the management of the premises and the management of the cctv system. The introduction of regular compliance checks ensure the 31 day rule is complied with and that the system remains fully compliant with this condition.</p> <p>Although an incident log is not a current SEV condition a log should be formalised by NH Ltd and it should include all requests from the relevant authorised officers and all requests for material should be entered into the new log with the detail of the exact request for footage and the reasons for it. It should then be signed by the authorised officer making the request.</p>	<p>1</p>
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13	CCTV cameras shall be installed and maintained at the locations shown on the attached plan, to the reasonable satisfaction of the licensing authority.	<p>Fully compliant. The camera system was inspected as part of the overt inspection process on behalf of the owner and found to be installed as specified and in full working order. However the system had not been reconfigured to British summer time and wrongly recorded incident times.</p> <p>In addition the owner monitors the cctv system remotely throughout opening hours through an app on his mobile phone.</p>	8	Management could enhance the supervision of the system with a new compliance process and it should include independent dip sampling of footage that will ensure the system is regularly reviewed and time change checks ensuring UK time changes are made.	1
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.	All staff are aware of this condition and nothing was observed during both unannounced overt and covert visits to the premises on behalf of the owner. CCTV covers the public area which includes the entrance to the toilets.	1	Whilst there is full compliance with this condition the proposed dip sampling of the CCTV system will include monitoring who enters the toilets. In addition the new compliance process with overt and covert visits will improve supervision.	1
15	The number of persons to be accommodated in the premises at any one time shall not exceed a 100 persons	There is a full understanding of the condition. SIA staff and the PLH visually monitor entry, departure, and capacity from within the club.	6	There is no current SEV condition that specifies the use of counters by door staff. Whilst staff are in a position to visually assess the capacity they are not in a position to give a specific capacity number if challenged by an authorised officer. SIA staff should to introduce counters to provide accurate numbers. Their use would be monitored through overt and covert visits on behalf of the owner.	1

16	The licence must be prominently and visibly displayed inside the entrance to the premises	<p>On every unannounced overt and covert visit carried out on behalf of the owner the licence was prominently displayed to the right of the entrance door to the premises and easily seen and able to be read by the customer.</p> <p>It is also prominently displayed inside the main bar area.</p> <p>Fully compliant</p>	1	The supervision will be enhanced with a proposed new compliance process and monitored through overt and covert visits.	1
17	The licence together with the standard conditions must be available at the premises at all times	<p>Both are in the new licensing manual that is maintained on the premises and is readily available upon request of any authorised officer</p> <p>Fully compliant</p>	1	The supervision will be enhanced with a new compliance process. Monitored through overt and covert visits under new compliance programme. The new licensing manual will be reviewed every 6 months and updated as appropriate. Any legislative changes or licence conditions imposed by the licensing authority will be updated immediately.	1
<b>Admission to the Premises</b>					



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.	The notice is prominently displayed at the entrance to the premises. It is on the wall to the right of the inner entrance door and is easily read by any customer. The SIA, PLH, and bar staff are all fully aware of the condition and the Challenge 21 scheme is in operation.	1	Supervision of the condition will be enhanced with a new compliance process. and monitored through overt and covert visits under new compliance programme. Th proposed dip sampling of the cctv system will also provide an additional layer of management supervision.	1
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.	The customer rules are fully displayed at the entrance to the premises. They are on the wall to the right of the inner entrance door and accessible to each customer. It also explains the challenge 21 scheme. The customer rules are also displayed in the premises. SIA staff are fully aware of the scheme as are the bar staff.	1	Supervision of the condition will be enhanced with a new compliance process and monitored through overt and covert visits under new compliance programme.	1
<b>House Rules</b>					

20	<p>The Licensee shall prepare House Rules governing the conduct of customers.</p>	<p>The house rules have been compiled by the management and are prominently displayed at the entrance to the premises. They are also located in site specific locations within the premises. These rules have been agreed and signed off by the licensing authority</p> <p>There is however a discrepancy between the SEV conditions and the house rules that have not been picked up by the licensing authority and may cause confusion.</p>	8	<p>As well as being displayed in the premises they are now incorporated in a new licensing manual for the premises. The compliance of this condition will be monitored and reviewed a through new compliance regime. Any changes asked for by the licensing authority will be dealt with promptly.</p> <p>Clarify with the licensing authority the discrepancy over the house rules and the sev condition as it could cause confusion</p>	1
21	<p>The House Rules shall be prominently and legibly displayed close to each entrance of the Premises.</p>	<p>House rules are prominently displayed within the entrance of the club and at locations within the premises. They are specifically placed at the entrance to the private dance area.</p>	1	<p>Supervision of the condition will be enhanced with a new compliance process. Monitored through overt and covert visits under new compliance programme.</p> <p>Management should consider improving the visibility of the House Rules even though the LA have agreed the current position.</p>	1

22	The House Rules must be made known to customers prior to their admission to the Premises when sexual entertainment is provided	<p>Each customer is informed at the point of entry to the club by the SIA staff and the code is pointed out on the wall. This was explained by SIA staff on the overt visits to the premises and then fully confirmed by covert visits to the premises</p> <p>Fully compliant.</p>	1	<p>Supervision of the condition will be enhanced with a new compliance process. Monitored through overt and covert visits under new compliance programme.</p> <p>It is suggested that the managers briefing log include a briefing to the SIA staff about their roles and responsibilities at the door and other locations.</p>	1
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<p>23</p>	<p>Signs must be displayed at appropriate locations advising that any customer attempting to make physical contact with a performer will be asked to leave.</p>	<p>This condition received a high rating because of the touching incident that occurred on the 4th May. On visits to the premises the authorised officers from the council and the police have been satisfied with the way that the 'no touching' house rule is brought to the attention of the customer.</p> <p>This SEV condition only refers to customers attempting to make physical contact and makes no comment about actual contact by the customer to the performer. Condition 35 says that there should be no physical contact between the performer and the customer but as it is contained in the performers section of the SEV conditions it really refers to the performer touching the customer and not the customer touching the performer. It is a moot point but in essence there is no actual condition on the licence relating to touching a performer. This condition about signage states that you <b>will</b> be asked to leave if you <b>attempt</b> to touch. The actual house rule says you <b>may</b> be asked to leave if you <b>actually touch</b>.</p> <p>The descrpency may cause difficulties with authorised officers visiting the premises</p> <p>The notice is displayed at the entrance to the premises and on the wall at the entrance to the private dance area. The no touch condition is the 10th bullet point on a A4 sheet of the house rules in bold font 12.</p>	<p>20</p>	<p>Whilst the condition is complied with and there is negligible risk to compliance around the provision and placing of the notice, and the licensing authority and the police have agreed and accepted the current signage the management should consider</p> <ol style="list-style-type: none"> <li>1. Clarifying with the licensing authority the discrepancy so that the SEV conditions and the House Rules are exactly the same.</li> <li>2. At the point of entry to the private dance area where the performance is to be performed the house rules are pinned on the wall consideration should be given to actually pointing them out to the customer before the performance starts.</li> <li>3. Consider making the signs larger so that they are easily read.</li> <li>4. Consider placing notice in each booth</li> <li>5. Any incident will be fully recorded in the premises</li> <li>6. Incident log. Even though the existence of a log is not an SEV condition</li> <li>7. Revisit the presentation of the House Rules. The no touch condition is the 10th bullet point on the house rules in bold font 12. It could be made more prominent</li> </ol>	<p>3</p>
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<p>24</p>	<p>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.</p>	<p>There is a customer code of conduct and a drug policy for the premises. During unannounced overt and covert visits to the premises on behalf of the owner there were no incidences where customers were suspected of being intoxicated or under the influence of drugs.</p>	<p>12</p>	<p>Enhanced with a new compliance process. Monitored through overt and covert visits under new compliance programme.</p> <p>The Drug policy while stating that if somebody is suspected of being under the influence of illegal substances they will be asked to leave it doesn't cover the admittance part of this condition. The customer House Rules do not specifically cover the elements of this condition. Consideration should be given to changing both the drug policy and the House Rules.</p> <p>Staff training to improve awareness of alcohol/drug abuse behaviour.</p>	<p>6</p>
<p>25</p>	<p>Customers may not be permitted to photograph, film or electronically record any performance.</p>	<p>This rule is covered in the customer code of conduct and pointed out to each customer by the SIA staff as they enter the premises.</p> <p>Tested and compliant during unannounced overt and covert visits conducted on behalf of the owners.</p>	<p>1</p>	<p>Enhanced with a new compliance process. Monitored through overt and covert visits under new compliance programme.</p>	<p>1</p>

26	<p>The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.</p>	<p>Rules 20-25 and the elements therein were tested during covert and overt visits and every issue found to be fully compliant.</p> <p>However, rule 24 The admittance of those under the influence of alcohol or drugs is not specifically mentioned in the customer house rules therefor the risk is higher.</p> <p>To reduce the risk factor it should be added.</p> <p>You can be intoxicated and not cause a public disturbance or nuisance to the neighbours. But the quietly intoxicated can commit spontaneous and reckless acts that pose a risk to the safety of the dancers.</p>	12	<p>Consideration should be given to amending the House Rules.</p>	4
<b>Performers</b>					
27	<p>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.</p>	<p>All documentation in respect of the dancers was in place during the overt inspection visits and no audience participation was observed during any of the unannounced overt and covert visits conducted on behalf of the owners.</p>	1	<p>Supervision of the condition will be enhanced with a new compliance process. Monitored through overt and covert visits under a new compliance programme.</p>	1

28	<p>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 Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015 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.</p>	<p>The records were checked during 3 visits to the premises and all documentation was kept in an orderly file and readily available when requested.</p> <p>Fully compliant</p>	1	No further controls necessary	1
29	<p>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.</p>	<p>Records were checked on 3 different visits to the premises and found to be fully compliant with this condition.</p> <p>Authorised officers have asked for documentation in the past and have always been immediately available.</p>	1	No further controls necessary	1



Tariffs					
30	<p>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.</p>	<p>The condition is fully complied with and has been tested during unannounced overt and covert visits to the premises. The licensing authority and the police have also inspected and made no recommendations during their visits. The tariff is displayed at the entrance to the venue and beside the bar.</p> <p>There have been no customer complaints.</p>	1	<p>no other controls necessary other than general supervision.</p>	1
31	<p>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</p>	<p>The tariff is clearly displayed at the entrance to the premises and at locations within the premises. Including the entrance to the private dance area and where payment is made for the entertainment. This condition has been confirmed as fully compliant through overt and covert test visits to the premises. The licensing authority and the police have also inspected and made no recommendations during their visits.</p>	1	<p>no other controls necessary other than general supervision.</p>	1

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.	Condition fully compliant and tested through overt visits to the premises.	1	no other controls necessary other than general supervision.	1
<b>Code of Conduct</b>					
33	The Licensee shall prepare and implement a suitable Code of Conduct for performers.	<p>The code of conduct is in the premises licensing manual and is signed by the performers. It is contained within the paper work retained for each performer and has been examined as part of the overt visit structure.</p> <p>The code has also been agreed and accepted by the council. It forms part of the licensing authority inspection.</p>	1	No other controls necessary other than general supervision.	1
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.	<p>As above. This condition is fully complied with and all documentation supplied promptly during overt visit inspection on behalf of the owner.</p> <p>The code has also been agreed and accepted by the council. It forms part of the licensing authority inspection.</p>	1	no other controls necessary other than general supervision.	1

35	<p>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.</p>	<p>This condition is linked to condition 23</p> <p>This condition has been tested during unannounced overt and covert visits to the premises on behalf of the owner. During the visits the PLH was seen to proactively monitor the private dance area. CCTV is in existence monitoring the dance areas and continuously records events as they happen. Any footage within the recording time limits was readily available.</p> <p>Each performer is aware of and signs a performer code of conduct so that they understand all house rules and that they should not engage in any contact during their performance. The person responsible for the daily management is aware of the condition and states that he regularly briefs the entertainers on their conduct.</p> <p>Sitting alongside this is a customer code of conduct and this is pointed out to customers at the entrance to the club by the SIA door staff. At the point of entry to the dance area the code of conduct is also displayed.</p> <p>Despite the notices and briefings it is difficult to manage a spontaneous,</p>	16 (20)	<p>Given a recent incident on the 4th May the owner is keen to eliminate any event where performers or customers touch during a performance. To ensure strict compliance with the specific condition, even with the impossibility of managing and stopping impulse acts by entertainers or customers the recommendations are to</p> <ol style="list-style-type: none"> <li>1. Revisit the size and type of signs displayed throughout the premises</li> <li>2. Review and improve the location of the signs.</li> <li>3. Reinforce the no touch policy in daily briefings with the performers at the commencement of each shift.</li> <li>4. Dip sample cctv to ensure nothing is missed by management supervision.</li> <li>5. Introduce an independent compliance regime to test compliance through unannounced overt and covert visits to the premises.</li> </ol> <p>Covert visits will include the payment for private dances to assess the compliance of no touch by performers.</p> <p>In this case covert customers will not attempt to touch the performer but assess contact from the performer.</p>	12 (15)
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reckless, and or deliberate acts by entertainers (and customers) when they are dancing For this reason a risk factor of 16 has been assigned to this condition.

This is lower than the customer condition at 23 because of the performers code of conduct and the management briefings.

It has been suggested by the police in the past that management consider constant CCTV monitoring during the hours that the venue is open. A better option would be to place a supervisor in the dance area because they will be in a position to intervene immediately if anything untoward were to happen or more importantly if they felt was about to happen. A cctv operative would be too far removed from the incident and there would be a delayed intervention because the operator would have to contact management to intervene. The delay could amount to minutes while a supervisor in the dance area would act immediately. It is the difference between being proactive rather than reactive with a CCTV supervisor trying to watch a number of screens at once.

36	<p>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.</p>	<p>As above.</p> <p>It is exceptionally difficult to manage impulsive, spontaneous and or reckless acts by customers either before or after a performance when the customer quickly kisses the performer on the cheek as a 'hello' or 'thank you' as is <u>a</u> custom. The entertainer may not transgress but the customer may.</p> <p>During unannounced overt and covert visits to the premises on behalf of the owner no physical contact was observed or experienced.</p>	12	<p>See above</p> <p>Should be reinforced in the entertainers briefing at the commencement of each shift.</p> <p>Place a supervisor in the private dance area.</p>	6
37	<p>The Licensee must not permit gratuities or any other items to be thrown at performers.</p>	<p>During unannounced overt and covert visits to the premises on behalf of the owner no such activity was observed. The PLH and an SIA member of staff are in attendance at all times during the performance and are fully conversant with this condition.</p>	1	<p>Continue to be monitored through the introduction of unannounced overt and covert visits to the premises</p>	1

<p>38</p>	<p>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.</p>	<p>During unannounced covert and overt visits to the premises on behalf of the owner no such activity was observed. The PLH was questioned about such behaviour during the overt visits and found to be fully conversant with the condition. He places himself at the end of the bar area at the entrance to the private dance area and has a clear and unobstructed view of the entertainment as it happens. He also has a clear and unobstructed view of the stage. The condition is contained within the performers code of conduct and signed by performers.</p> <p>The higher risk factor was given because whilst it was not observed during any test visits management know that despite licence conditions, house/performer rules, warnings and briefings. It is incredibly difficult to stop spontaneous, reckless, and or deliberate acts by individuals that consequently place the licence at risk.</p>	<p>12 (15)</p>	<p>This should be reinforced in the daily management briefings to the entertainers.</p> <p>Monitored through dip sampling of CCTV footage</p> <p>The introduction of unannounced overt and covert visits to the premises.</p> <p>Whilst the stage performances can be proactively managed by the PLH working in the main bar area it is more difficult to constantly monitor the private dance area. Consider placing a supervisor in the entertainment area.</p>	<p>12</p>
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39	Performers shall be provided with a changing room to which the public have no access.	There are 2 changing areas provided for the entertainers. They were seen to be for the exclusive use of the performers. The main changing area is off the main bar area and is secure. There is a second small changing facility to the side of the stage area that is for the exclusive use of performers. The unannounced covert and overt visits conducted on behalf of the owner confirmed that the public have no access to either.	1	Other than continual management supervision no other control is necessary	1
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].	During the unannounced overt and covert visits to the premises on behalf of the owner confirmed that all performers were fully dressed in the public areas. The only nudity seen was during the course of individual entertainment and the dances that were performed on the stage. The condition is contained within the performers code of conduct and signed by performers.	1	Continue to be monitored through the introduction of unannounced overt and covert visits to the premises	1



41	Performers must re-dress at the conclusion of a performance.	Seen to be fully compliant during unannounced covert and overt visits conducted on behalf of the owner. Condition contained within the performers code of conduct and signed by performers.	1	Continue to be monitored through the introduction of unannounced overt and covert visits to the premises	1
<b>Advertising</b>					

42 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).

Unannounced covert and overt visits were conducted on behalf of the owner. The immediate vicinity and premises were inspected to assess any advertising by the company. There were no adverts in public places around the club; this included the adjacent TFL station, street furniture or any other place that the public appear to have access. The covert visitors were not touted or solicited in and around the local area and walked up to the establishment without interference.

There was no indecent or suggestive advertisement attached to the building or entrance area.

Continue to be monitored through the introduction of unannounced overt and covert visits to the premises

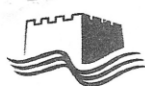
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43	All persons engaged or employed to attend to the entrance area or exterior of the Premises must be suitably dressed and conduct themselves so as not to indicate or suggest the availability of sexual entertainment at the Premises.	During the unannounced overt and covert visits conducted in the premises on behalf of the owner it was confirmed that this condition is complied with in full. The Sia staff are situated within a foyer and not on the pavement. They are dressed suitably all dressed in black and wear their SIA badges. They are fully aware of their roles and responsibilities.	1	Continue to be monitored through the introduction of unannounced overt and covert visits to the premises	1
44	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.	This condition is fully understood by the owner and management of the premises and adhered to. The owners also have the guidance of a specific firm of licensing solicitors.	1	No additional risk management action required	1

## Appendix 1

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## TOWER HAMLETS

Licence / Registration

Certificate Number

21552

### LICENCE FOR A SEXUAL ENTERTAINMENT VENUE

**Licence Number: 21552**

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:**

(1) Karpal Singh (2) Shamsheer Singh and (3) Manpal Singh

to use premises:

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
The Nags Head Public House 17-19 Whitechapel Road	
<b>Post town</b>	<b>Post Code</b>
London	E1 1DU
<b>Telephone number</b>	
[REDACTED]	

as a Sexual Entertainment Venue.

This licence is in force up to: **31<sup>st</sup> May 2017** 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 hours permitted are:

**Monday to Saturday from 11:00hrs to 03:00hrs (the following day)**

**Sunday from 12:00hrs (midday) to 22:30hrs**

The Premises are as per the plans submitted by the Licensing Authority on:  
23<sup>rd</sup> May 2016 Ground Floor only.

FOR OFFICE USE

Receipt Number

Fee Paid

Fee Req.

Date

Initial

Page 1 of 2

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AB Conformitas Ltd  
Reg address: 17 Lindford Forum, Rockingham drive,  
Lindford wood, MK14 6LY  
Company No: 10800504

**The named management responsible for this premises are**

Manpal Singh and Shamsher Singh - Managers  
Bahadur Singh – Relief Manager  
Alcir Orlandi – Relief 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 23<sup>rd</sup> 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. The number of persons to be accommodated in the Premises at any one time shall not exceed 100 persons.

Other requirements or restrictions:

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



Signed by

Tom Lewis  
Licensing & Safety Team Leader  
Environmental Health & Trading Standards

Dated 20<sup>th</sup> December 2016

## Appendix 3

Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015

### STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES (REVISED 23<sup>RD</sup> JUNE, 2015)

#### Definitions

In this Licence, 'approved layout' means the layout of the Premises shown on the attached plan. 'authorised officers' means officers of the Borough Council or of the Police 'drinks tariff' means a tariff showing the price of all drinks 'entertainment tariff' means a tariff showing the price of all sexual entertainment performances, displays of nudity and services related to the sexual entertainment performance (including charges for admission to any part of the Premises; for hire of rooms, booths or reserved areas; or for the company of performers) 'nudity', 'display of nudity' and 'sexual entertainment' are references to those terms as defined by section 27 of the Policing and Crime Act 2009. 'performers' means persons engaged by or through the Licensee who provide or participate in sexual entertainment 'premises' includes land, buildings, stalls, structures or erections, and all forms of vessels or vehicles (including for the avoidance of doubt bicycles, motor vehicles, boats and aircraft). It does not include any private dwelling to which the public is not admitted. the Premises' means the premises authorised in this Licence as a sexual entertainment venue and shown on the attached plan. 'public area(s)' means the area(s) outlined in blue on the attached plan, being the area within the Premises that the public are permitted to enter. 'the public' includes customers, guests and visitors to the premises, but excludes performers and those employees or agents of the Licensee lawfully engaged in managing or operating the Premises.

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#### APPENDIX 1

Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015 '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. Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015

#### **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. Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015

### **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. Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015

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

Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015 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. Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015

**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 4

### The Nags Head Customer House Rules

- The venue operates a smart casual dress code to which you must conform (clearly stated in reception). You must be decently attired on arrival and departure from the premises.
- No person under the age of 18 will be admitted.
- We operate a challenge 21 policy. If you are lucky enough to look under 21 you will be required to produce a valid I.D (either a passport or driving licence).
- You are required to contribute a minimum of £1 for each and every stage dance
- You must remain fully clothed coming in and leaving the club premises.
- Photographs or video footage are not permitted to be taken with any equipment including mobile phones whilst on the premises. (Please keep your camera phone in your pocket).
- You should behave in an appropriate manner outside the premises so as not to cause disturbance to any local residents in the neighbourhood.
- Management reserves the right to refuse admission and to remove customers who fail to comply with the stated rules of the club including causing disturbance to any local residents in the neighbourhood.

#### **The following rules must be followed whilst any performer is dancing for you:**

- Before a dancer may perform, you must be seated with your back against the back of the seat and your hands by your side. You must remain seated for the duration of the dance.
- **You must not touch the performer during her performance.**

- You must not attempt to arrange to meet any performer privately or to give your telephone number or business card for that purpose.
- You should not ask the performer to perform any sexual favour or use any profane language.
- You must not perform any act of masturbation or indulge in other sexual behaviour.

Failure to comply with this code may result in you being asked to leave the premises without refund of any monies paid.

## Appendix 5

### The Nags Head Performer Code of Conduct

- During a performance there shall be no full bodied physical contact between the Performer and the Customer other than the transfer of money or token at the beginning, during or conclusion of the dance.
- During the performance of a private dance Customers must remain seated and are not permitted to dance or otherwise participate in the performance other than as a spectator.
- Customers must remain appropriately clothed at all times. Neither Customer nor Performer may remove any of the Customer's clothing during a performance.
- If a Customer attempts to touch, or speak to a Performer inappropriately, the Performer must immediately stop the performance and explain the House Rules. If the Customer persists in the inappropriate behaviour, the Performer shall stop the performance and ask for assistance from the Management, who will take appropriate action, which may include escorting the Customer from the Premises.
- During a performance there shall be no full bodied physical contact between Performers and they are not to touch each other's genitalia and/or breasts.
- Performers shall not engage in an act of prostitution (the receiving of gratuities or payments for any form of sexual favour).
- Performers shall not solicit for gratuities or payment in return for sexual favours.
- Performers must redress at the conclusion of the performance.
- Performers must remain fully dressed while on the premises, except while performing in areas approved by the Council for sexual

entertainment and in the approved changing rooms.

- Performers may only perform in the areas of the club designated by management.
- Performers must not give out any personal information, including telephone numbers, or contact details away from the premises.
- Performers must never be in the company of a customer except in an area open to the public within the premises.



## Appendix 6

### The Nags Head Performer Guidelines

- Performers may not commence performing at the premises until the induction process is complete and proof of identity and entitlement to work has been provided.
- Performers must always sign in with Management before starting each shift.
- Performers are to arrive within adequate time to ensure that they are ready to perform on the main floor or to carry out other duties as requested by the duty manager.
- Performers shall use the dressing room facilities provided to change into appropriate attire as required by the Premises.
- Performers appropriate attire shall include:
  - Floor length elegant gowns and high heel shoes as approved by the management. The Nags Head reserves the right to specify what is and is not appropriate on a continual basis.
  - Performer's hair and make-up must be presented professionally.
- Performers are never to intentionally meet any Customer outside of the Premises.
- Performers are never to agree to meet a Customer outside of the Premises.
- Performers must never engage in any unlawful activity within the Premises.
- Performers may only consume alcohol in moderation. Performers shall not perform if intoxicated.
- Performers must never consume, possess or be under the influence of any unlawful drug or substance, unless it is prescribed medication by a registered doctor.

- Performers are never to invite or knowingly permit Performer's spouse, boyfriend nor anyone else with whom Performers are romantically involved to enter the venue
- Performers are required from time to time to participate in promotional activities and offers as designated by Management
- Performers are required from time to time to participate in stage performances as designated by Management.
- Performers shall only use the smoking area in the rear court yard provided for their use.
- For the purposes of safety and compliance, The Nags Head employs the use of closed circuit cameras and radio communications throughout the Premises.
- Any dancer found to be in breach of any of these rules, without reasonable excuse, will be subject to the disciplinary procedure which may result in being excluded from the Nag's Head.
- The Nags Head has zero tolerance for prostitution, solicitation, drug misuse, and illegal conduct.

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By signing this document you signify that you, the Performer, have read and understood The Nags Head Performer Code of Conduct, The Nags Head Performer Welfare Policy, The Nags Head Performer Guidelines and that you agree to comply with the obligations therein.

**Signed:** .....

**Performer Stage Name:** .....

**Performer Full Name:** .....

**Date:** .....

## Appendix 7

### The Nags Head Performer Welfare Policy

- Each Performer will undergo a preliminary interview with Management and will provide two forms of identification, including a utility bill and photographic identification and, if appropriate, any proof of entitlement to work in the UK.
- During induction, the House Rules, Performer Welfare Policy and Performer Code of Conduct, together with a copy of any conditions on the Premises Licence and Sexual Entertainment Venue (SEV) Licence will be explained. The Performer will be required to sign and confirm their understanding of the above.
- Appropriate Health and Safety training will be provided in relation to the layout of the Premises and the procedures in case of emergency.
- Training will be provided in relation to working schedules, changing room etiquette, payments and charging, disciplinary procedures, customer relations and conflict management, incident reporting and arrival and exit procedures.
- Any Performer concerned about the behaviour of a Customer shall report the incident to Management or a Door Supervisor who will take immediate action to investigate and take appropriate action.
- Staff members must constantly supervise the behaviour of Customers at the Premises and shall intervene where any customer is breaching the "House Rules" or otherwise causing alarm or distress to a Performer.
- Performers shall be provided with free tap drinking water on request; there is no requirement for Performers to drink alcohol.
- Secure dressing room facilities are provided. Performers will use the dressing room facilities for changing before and after the performance period and for rest breaks as agreed with Management.
- There is a designated smoking area for Performers in the rear courtyard and whilst at the Premises, Performers may only smoke in this area.
- All areas of the premises to which the public have access will have adequate supervision via CCTV and/or a SIA registered door supervisor.

- For their safety, Performers will be required to stay until the end of the performance period and if required will be escorted by a Door Supervisor to their vehicle on departure from the Premises.
- Taxis can be provided for Performers on request in order to leave the Premises. There is no requirement for the Nags Head to pay the fare of such taxi.

**Performer Declaration**

**I confirm that:**

- The Nags Head is not under any liability to make PAYE deductions on my behalf as I am not employed by the Nags Head.
- The onus is on me to make a return to HMRC and it is my obligation to pay any taxes due, including VAT and Income Tax. It is also my responsibility to ensure that I am not claiming any inappropriate benefits or allowances whilst performing on a self-employed basis at The Nags Head.
- I will not hold The Nags Head or any of their employees or other persons working at the premises on a self-employed basis responsible for acts or omissions arising out of my negligence, and I will be responsible for taking out any insurance to cover sickness, damage and loss.
- I confirm that I have declared any convictions for drugs or prostitution or other convictions below, and if required I will obtain a disclosure of my criminal record and show it to the manager.
- I have read, understood and agree to abide by the conditions of the Sexual Entertainment Venue Licence and Premises Licence.

**Disclosure of criminal convictions or if NONE please state "NONE"**

**Nature of Offence**

**Performer "Stage" Name:** .....

**Performer Full Name:** .....

**Home address:** .....

**Postcode:** .....

**Telephone number:** .....

**Date of birth:** .....

**Signature:** .....

# AB Conformitas Ltd

## ANNUAL RISK ASSESSMENT 2022



**17-19 Whitechapel Road  
London E1**

AB Conformitas Ltd  
Reg address: 17 Lindford forum, Rockingham drive,  
Lindford wood, MK14 6LY  
Company No. 10800504

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## Introduction

This risk assessment is the annual review of the Nags Head 17-19 Whitechapel Road, London, E1. The assessment is confined to the sexual entertainment venue licence and how the conditions that are attached to the licence are managed.

The original risk assessment was completed in June 2017. Other than the Covid closure period the risk assessments have been carried out yearly.

### Personal summary: Andrew Bamber

I retired from the Metropolitan Police in January 2007 having served 34 years of exemplary service. Throughout my service I have been regularly involved in the enforcement, management, and development of licensing initiatives and policies. I retired as a Borough Commander.

As a constable I worked as an undercover officer detecting offences in late night licensed premises in central and west London. As an Inspector I was the licensing Inspector for a very busy inner London policing division.

Whilst working as a Chief Inspector I was the operations manager in the central London Clubs and Vice unit from 1990-1996. As a part of this role I had responsibility for late night licensing in Westminster and I supported other London boroughs as appropriate. During this period, I managed both covert and overt police operations on behalf of the police and the local authority to ensure compliance with the legislation and to prosecute breaches where necessary. The overt licensing visits were structured in a way that



ensured that all premises operating with late night licences received at least 4 visits a year from a joint licensing team of police officers and local authority officers. It was during this period that I was involved in the development of the initial licensed door supervisors scheme, commissioned by Westminster City Council, which was implemented and managed by myself within the Clubs and Vice unit. During the same period I researched, with a local authority counterpart, the potential for the introduction of 'Lap Dancing' clubs in Westminster. The work resulted in the introduction of 'lap dancing' establishments in the borough. The initiative and the supervision of the licence was then monitored covertly and overtly by officers under my direction.

As a Borough Commander on 2 London boroughs, between 2001 and the beginning of 2007 (January), I worked with both local authorities to develop the respective licensing and enforcement policies. The work with the Local Authority formed a significant part of Community Safety and local policing plans. With the introduction of the new licensing legislation in 2003 I oversaw the transfer of responsibilities to the local authority and was instrumental in setting up a joint licensing team for a busy inner London borough.

In 2007 having retired from the police and was employed by an inner London local authority as an assistant director. I had responsibility for a wide ranging Safer Communities portfolio that included the licensing function and treatment regimes for drugs and alcohol. During the 10 years spent with the authority I worked closely with the local policing teams to ensure that licensed premises were effectively supervised and managed in line with local initiatives and the borough licensing and enforcement policies.

As the principal officer for licensing in the local authority I worked closely with local community groups, ward councillors, and members of the licensing committee to develop knowledge and understanding of local enforcement policies and crime and disorder initiatives linked to drugs and alcohol and the supervision of licensed premises and the licensing objectives. I was responsible for delivering a structured approach to licensing management and supervision, the councils community safety plan, the enforcement policy, and licensing policy. My role also included the consultation, development, and delivery of the boroughs controlled drinking

zone, cumulative impact zone, Sexual Entertainment Venues, late night levy, early morning restriction orders, Best Bar None, and alcohol treatment programmes.

On my retirement from Local Government I set up my own compliance consultancy and offer independent advice and compliance audits for licensed premises. I have given evidence at licensing hearings/reviews, and appeals on behalf of the Metropolitan Police, Local Authorities and individual premises in each of my respective roles.

I have a Masters Degree in Business Administration.

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## Method

This risk assessment is the annual review and it is confined to the SEV licence conditions as placed on the licence by Tower Hamlets, the licensing authority. It includes the additional conditions that were placed on the licence at the hearing held in October 2017.

This risk assessment does not cover or include the fire risk assessment, health and safety risk assessments, or the SIA risk assessment. They are all separate risk assessments.

It is important to understand that this is a **risk assessment** and that a risk does not represent or identify any problems in the business. It is a business improvement tool designed to manage out any issues before they impact on the business.

This piece of work is solely about reviewing the known risks associated with managing a venue that operates with a Sexual Entertainment Venue licence.

To assess the risks associated with the conditions on the SEV licence each of the specific conditions were assessed against a 5\*5 matrix, as explained in the previous assessments. Each condition was considered against the potential for, or the likelihood of a breach of a condition happening and the possible consequences (actions of the police and licensing authority) if such a breach came to the attention of the licensing authority.

There are existing control measures in place to manage each condition on the licence.

The process assesses the current control measure for each of the conditions to identify whether a breach of the condition would fit into one of the 5 Likelihood (of happening) categories below;

- Rare,
- Unlikely,
- Possible,
- Likely, or
- Almost certain.

After each condition and the potential for a breach of the condition is aligned to one of the 5 likelihood categories it is then assessed against the possible 5 consequences or potential actions of the licensing authority. The consequence or risk for the Nags Head is identified as

- Negligible,

- Marginal,
- Moderate,
- Major, or
- Catastrophic

By assessing each licence condition vertically and horizontally on the matrix a risk score of 1-25 is assigned to the condition. The lower the score the lower the risk of something going wrong. The higher the score the greater the risk of something going wrong.

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- Green (a score of 1-3) represents a very low risk of something going wrong given the existing controls in place. Intervention by the licensing authority would be confined to advice and guidance by authorised officers and the possibility of increased licensing visits to ensure management controls.
- Yellow (a score of 4,5,6,8 or 9) represents a moderate risk of something going wrong with the existing control measures. Intervention by the licensing authority may include formal warnings by the licensing authority about current and future conduct.
- Orange (a score of 10,12, 15) represents a high risk of something going wrong with the existing control measures. Intervention may include formal warnings and or a revocation hearing at a licensing committee.
- Red (a score of 16, 20, 25) represents a catastrophic risk if something were to go wrong with the existing control measures. Intervention could result in the closure of the premises/revocation of the SEV licence.

To determine the type of risk associated with each condition the following methodology was adopted.

- There was a desktop review of policies, procedures, dancer documentation, and CCTV systems.
- Control measures identified in the last assessment have been implemented and assessed.
- Overt visits were conducted at the premises and the SEV conditions were assessed against a checklist.
- Two covert visits were undertaken as part of this risk assessment.
- In addition to the 2 covert visits there have been numerous covert visits to the venue since 2017.

At the conclusion of the assessment each condition will have a score that determines the level of risk associated with it. The control measures are then reviewed to see if additional management action or a change of policy or procedures will affect the score by reducing it and consequently the level of risk.

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Low Risk



There are 52 Sexual Entertainment Venue conditions. Of these 52 conditions conditions, 48 are rated as 'Low risk' of a breach occurring with the management controls that the owners have put in place. This equates to about 92% of the conditions on the Sexual Entertainment Venue Licence having a very negligible chance of being breached. This clearly reflects upon the amount of work that the owners have undertaken to design the operating systems in the Nags Head.

Medium Risk



Four (4) conditions were assessed as yellow and represent a medium risk to the venue.

Because these conditions are all linked to the management of human behaviour there will always be a greater risk of a breach no matter how good and stringent the control measures are. It is exceptionally difficult to mitigate against reckless, opportunistic, intentional, or thoughtless acts by either a customer or an entertainer. The management has implemented an array of control measures all directed at managing these 4 specific conditions.

One such measure is the covert customer visits to the venue. These visits are conducted on a date and time unknown to the owner and management, and specifically test these conditions. Since 2017 there have been a number of covert visits to the venue and on each visit there has not been a breach recorded.

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

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.

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.

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.

### High Risk



There are no high risks attached to any condition.

### Dangerous/Catastrophic Risk



There are no dangerous risks.

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### **Conclusions.**

The owners of the Nags Head are aware of the sensitivities of running sexual entertainment venues and the associated risks with managing the compliance of the licence conditions. The work that they have undertaken since 2017 has been impressive and resulted in the reduction of risks over a wide range of conditions on the SEV licence.

	<b>What is the risk:</b> <i><b>A failure to comply with the conditions listed below.</b></i>	<b>Current licence position and the existing control measures already in place</b>	<b>Rate the risk</b>		<b>New risk rating</b>
	<b>General</b>				
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.	There continues to be a very clear understanding of the licensing requirements and SEV conditions along with the existence of a specialised legal team. The owners have implemented an independent compliance regime that audits the operation Both overtly and covertly, on a monthly basis.  The licence holders have their business office in the venue and the nominated individuals are named and work in the venue.	1	No additional mitigation measures required at this stage.	1



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.	As above	1	No additional mitigation measures required at this stage.	1
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.	SIA staff and management are fully conversant with the requirement to admit authorised officers and to provide documentation. This is augmented by legal advice from a specific firm of licensing solicitors. There has also been staff training provided by the independent compliance officer. The last licensing inspection was managed smoothly and all of the documentation and policies were produced to the authorising officers. The incident log was endorsed by the officers and there was no feed back or recommendation for additional work.	1	No additional mitigation measures required at this stage.	1
4	The Licensee must give written notice to the Council if s/he wishes to surrender the licence.	Licensee is fully conversant with requirement and has engaged specific licensing solicitors.	1	No additional mitigation measures required at this stage.	1
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.	<p>One company supplies SIA trained staff. In the main the personnel are regular staff and have a good working knowledge of their roles and the SEV licence conditions, inc customer code of conduct, drugs policy etc.</p> <p>A risk assessment has been completed and the number of security staff employed are more than enough to manage any issues. The number and positions of staff in the premises has been noted by the police and authorised officers from the council and they are happy with the current situation.</p> <p>All other staff in the venue have ben trained and understand their roles and responsibilities under the licensing act etc.</p>	1	No additional mitigation measures required at this stage.	1

6	The Licensee is to implement a suitable policy for the safety of the performers when they leave the Premises.	The owners have developed a licensing manual for the venue and conducted an annual review of their policies. All of the polices are readily available to staff and the licensing authorities. The venue has an arrangement with a cab company and any entertainer wishing to leave in a cab has one available for her.	1	No additional mitigation measures required at this stage.	1
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.	<p>At the renewal hearing in October 2017 the licensing authority added a further 8 licence conditions that relate to independent compliance monitoring, incident log, crime reporting, crime scene management, and staff monitoring of the cctv.</p> <p>The management of NH Ltd immediately implemented all of the recommendations and the licensing authority and the police have recently visited the venue and inspected the premises. No issues were raised by either party.</p> <p>All of the conditions are now supervised by an independent compliance audit carried out overtly and covertly at regular intervals and a report supplied to the owners.</p>	1	No additional mitigation measures required at this stage.	1
<b>Premises</b>					
8	The approved layout of the Premises shall not be altered without prior consent of the Council.	Fully compliant. The layout is exactly as laid out in the approved plan. The licensee employs a specialised firm of licensing solicitors.	1	No additional mitigation measures required at this stage.	1

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).	The building is fully compliant with the premises plan and there is no external advertisement. The double door entry and the siting of the stage and the private dance areas ensures that no element of the entertainment can be seen from outside the premises. All elements were examined during unannounced overt and covert visits conducted on behalf of the owner.	1	No additional mitigation measures required at this stage.	1
10	Sexual entertainment shall take place only in the designated sexual entertainment areas.	Unannounced overt and covert visits have been conducted on behalf of the owner since June 2017. This condition is being fully complied with. There are dedicated and defined areas for sexual entertainment. Post the Covid closure the owner engaged new entertainers and compliance visits were requested to ensure that the new entertainers fully complied with all licence conditions.	1	No additional mitigation measures required at this stage.	1
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.	<p>The public area is well defined. The PLH and SIA staff have assigned positions to ensure compliance. The changing area is away from the public area and is covered by an SIA individual.</p> <p>Since June 2017 there have been regular overt and covert compliance visits to the venue.</p> <p>Post Covid the owner has built a new changing facility for the entertainers on the first floor of the venue that is well away from the public areas and the entrance to the first floor is monitored by the SIA team.</p>	1	No additional mitigation measures required at this stage.	1

12	<p>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</p>	<p>Since the initial risk assessment the licensing authority has added an additional cctv condition. (see condition 45)</p> <p>All licence conditions are in place and the licence holders are fully conversant with their responsibilities. The management have implemented a dip sampling process to supplement the ability to manage the system.</p> <p>The owner has a cctv maintenance contract that ensures that any defects with the system are rectified asap.</p> <p>During each of the overt compliance visits the cctv system was fully functional and there were staff available to provide anything that was requested by an authorised officer.</p> <p>All footage is retained for the 31 days.</p> <p>The owner and staff are fully conversant with the requirement to provide recordings to the relevant authorised officers. The preceding 2 days to be supplied immediately on request and other recordings within 24hrs of a request.</p> <p>The owner has always been able to remotely monitor the cameras via an app on his mobile phone so that he is able supervise the premises from were ever he is. Since the renewal hearing in October this facility has been extended to the venue managers (DPS)</p> <p>The premises impact assessment has been completed and updated, and the registration with the ICO is current.</p>	1	No additional measures.	1
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13	CCTV cameras shall be installed and maintained at the locations shown on the attached plan, to the reasonable satisfaction of the licensing authority.	<p>The cctv camera system is installed as shown on the venue plans. The owner has a maintenance contract that ensures that it operates effectively. In addition to the fixed system the owner and now the managers can supervise the venue remotely. In accordance with the new licence condition.</p> <p>The system is registered with the ICO and the Privacy Impact Assessment has been completed.</p>	1	No additional mitigation measures required at this stage.	1
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.	All staff are aware of this condition and nothing was observed during any of the unannounced monthly overt and 15 covert compliance visits. The CCTV system covers the public area which includes the entrance to the toilets.	1	No additional mitigation measures required at this stage.	1
15	The number of persons to be accommodated in the premises at any one time shall not exceed a 100 persons	<p>There is a full understanding of the condition. SIA staff and the PLH visually monitor entry, departure, and capacity from within the venue. The DPS is permanently at the end of the bar.</p> <p>One of the SIA members of staff responsible for the number of people in the premises actually sits in the public area of the venue and counts the number of people in the venue.</p>	1	No additional mitigation measures required at this stage.	1

16	The licence must be prominently and visibly displayed inside the entrance to the premises	<p>On every unannounced overt and covert visit carried out on behalf of the owner the licence was prominently displayed. The licence is on the wall the right of the entrance door to the premises and easily seen and able to be read by the customer.</p> <p>It is also prominently displayed inside the main bar area.</p>	1	No additional mitigation measures required at this stage.	1
17	The licence together with the standard conditions must be available at the premises at all times	<p>Both are in the new licensing manual that is maintained on the premises and is readily available upon request by any authorised officer</p> <p>All documents are prominently displayed at the entrance to the venue and in the public area of the venue.</p>	1	No additional mitigation measures required at this stage.	1
<b>Admission to the Premises</b>					
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.	<p>The notice is prominently displayed at the entrance to the premises. It is on the wall to the right of the inner entrance door and is easily read by any customer. The SIA, PLH, and bar staff are all fully aware of the condition and the Challenge 21 scheme is in operation.</p> <p>During the overt and covert visits no person under the age of 18 was ever seen in the venue.</p>	1	No additional mitigation measures required at this stage.	1

19	<p>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.</p>	<p>The customer rules are fully displayed at the entrance to the premises. They are on the wall to the right of the inner entrance door and accessible to each customer. It also explains the challenge 21 scheme. SIA staff are fully aware of the scheme as are the bar staff.</p>	1	<p>No additional mitigation measures required at this stage.</p>	1
<p><b>House Rules</b></p>					
20	<p>The Licensee shall prepare House Rules governing the conduct of customers.</p>	<p>The house rules have been compiled by the management and are prominently displayed at the entrance to the premises. The rules are also located in each of the entertainment booths and at other site specific locations within the premises.</p> <p>Since the last risk assessment the management have redesigned the public notices so that the no touching rule is much more prominent.</p> <p>The house rules have been agreed and signed off by the licensing authority.</p>	1	<p>No additional mitigation measures required at this stage.</p> <p>The owners continually review their policies to ensure the safety of their staff. Compliance visits are also conducted to ensure full compliance.</p>	1
21	<p>The House Rules shall be prominently and legibly displayed close to each entrance of the Premises.</p>	<p>House rules are prominently displayed within the entrance of the club and at locations within the premises. They are specifically placed at the entrance to the private dance area.</p> <p>The management have redesigned the public notices so that the no touching rule is much more prominent. Each private dance booth now has a sign highlighting the 'no touching' condition.</p>	1	<p>No additional mitigation measures required at this stage.</p>	1

22	The House Rules must be made known to customers prior to their admission to the Premises when sexual entertainment is provided	Each customer is informed at the point of entry to the club by the SIA staff and the code is pointed out on the wall. This was explained by SIA staff on the overt visits to the premises and then fully confirmed during each of the covert visits to the premises	1	No additional mitigation measures required at this stage.	1
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23	<p>Signs must be displayed at appropriate locations advising that any customer attempting to make physical contact with a performer will be asked to leave.</p>	<p>In the previous risk assessments this condition received a high rating because of the touching incident that occurred on the 4th May 2017 that was reported to the police.</p> <p>The management have reviewed the signs that are placed in the premises and they have redesigned the public sign to make this condition more prominent. They have also increased the number of signs and ensured that they are placed in a very prominent position in each booth and that they are very legible.</p> <p>The notice is also displayed at the entrance to the premises and on the wall at the entrance to the private dance area.</p> <p><b>There are now a significant number of signs around the venue</b></p> <p>In addition to the signage the owners have introduced an independent compliance regime that consists of unannounced overt and covert visits to the venue along with independent dip sampling of the cctv footage from the 31 day retention period.</p> <p>Entertainers and SIA staff are briefed each day on their responsibilities and the briefing is recorded in the briefing log.</p>	2	No additional mitigation.	2
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24	<p>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.</p>	<p>There is a customer code of conduct and a drug policy for the premises. During unannounced overt and covert visits to the premises on behalf of the owner there were no incidences where customers were suspected of being intoxicated or under the influence of drugs.</p> <p>The owners have reviewed their policies and have now amended the drugs policy to include the refusal to admit anybody suspected of being under the influence of drugs.</p>	2	No additional mitigation..	2
25	<p>Customers may not be permitted to photograph, film or electronically record any performance.</p>	<p>This rule is covered in the customer code of conduct and pointed out to each customer by the SIA staff as they enter the premises.</p> <p>Tested and found to be compliant during unannounced overt and covert visits conducted on behalf of the owners.</p>	1	No additional mitigation measures required at this stage.	1

<p>26</p>	<p>The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.</p>	<p>The no touching rule was broken in 2017 and resulted in the objection by the police at last years renewal hearing.</p> <p>This condition will always carry a higher risk rating because of the the past incident and the difficulty managing human behaviour and reckless, impulsive, or deliberate acts by customers, despite all the warnings, notices, and management supervision.</p> <p>The owners have introduced an independent compliance regime to ensure that there is strict compliance with all of the licence conditions. This work more than covers the additional condition applied by the licensing committee in October 2017.</p> <p>All of the house rules have been thoroughly tested by the unannounced overt and covert compliance visits that have been conducted since June 2017.</p> <p>The owners have revisited all of their policies and also introduced new and additional ones.</p> <p>They now have a discipline policy in respect of their staff and have taken remedial action where necessary. There is a full audit trail of all management action.</p>	<p>9</p>	<p>No additional mitigation at this stage.</p>	<p>9</p>
<p><b>Performers</b></p>					

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.	The monthly unannounced overt and covert compliance visits confirm that only performers engaged by the owners provide the entertainment at the venue and that there is no audience participation or other bad behaviour.	1	No additional mitigation measures required at this stage.	1
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.	<p>The records have been continually checked throughout the year during the overt compliance visits to the premises.</p> <p>The records hold all of the relevant information and they are securely held and are readily available upon request from any authorised officer.</p>	1	No additional mitigation measures required at this stage.	1
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.	On the days that entertainment is provided the owners keep a full record each day of the entertainers that are working at the venue. This record is readily available to any authorised officer upon request. It can be found at the end of the bar where the manager monitors the performers movements.	1	No additional mitigation measures required at this stage.	1
<b>Tariffs</b>					

<p>30</p>	<p>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.</p>	<p>The condition is fully complied with and has been tested during unannounced overt and covert visits to the premises throughout the years. The licensing authority and the police have also inspected and made no recommendations during their visits.</p> <p>The tariff is displayed at the entrance to the venue and beside the bar.</p> <p>There have been no customer complaints. All of the drinks purchased by the covert customers has been exactly that as displayed in the drinks tariff.</p> <p>The latest set of covert visits confirmed that customers pay exactly the same when paying by cash or by card.</p>	<p>1</p>	<p>No additional mitigation measures required at this stage.</p>	<p>1</p>
<p>31</p>	<p>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</p>	<p>The tariff is clearly displayed at the entrance to the premises and at locations within the premises.</p> <p>There is a tariff on the wall at the entrance to the private dance area and where payment is made for the entertainment. Throughout the years the covert compliance visits have confirmed that the venue is fully compliant with this condition and that the prices paid by the covert customer for a private dance is that displayed in the tariff.</p> <p>The licensing authority and the police have also inspected and made no recommendations during their visits.</p>	<p>1</p>	<p>No additional mitigation measures required at this stage.</p>	<p>1</p>

32	<p>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.</p>	<p>Condition fully compliant. A full record of the entertainment provided is contemporaneously recorded by the managers at the point that customers pay for the entertainment.</p>	1	No additional mitigation measures required at this stage.	1
<div style="background-color: #4f81bd; color: white; padding: 2px; display: inline-block;"><b>Code of Conduct</b></div>					
33	<p>The Licensee shall prepare and implement a suitable Code of Conduct for performers.</p>	<p>The code of conduct is signed by each of the the performers. It is contained within the paper work retained for each performer and has been examined as part of the overt visit structure. The new licensing manual for the venue contains all of the venues codes of conduct and policies.</p> <p>The code has also been agreed and accepted by the council. It forms part of the licensing authority inspection.</p>	1	No additional mitigation measures required at this stage.	1
34	<p>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.</p>	<p>As above. This condition is fully complied with and all documentation supplied promptly during overt visit inspection on behalf of the owner.</p> <p>The code has also been agreed and accepted by the council. It forms part of the licensing authority inspection.</p>	1	No additional mitigation measures required at this stage.	1

<p>35</p>	<p>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.</p> <p><b><i>There was a breach of this condition and there will always be a risk of a customer touching a performer despite all the controls in place. Individuals have the potential to act recklessly.</i></b></p> <p><b><i>The high rating of 25 at the commencement of the process was because there was a touching incident and there was a threat of revocation. The owner has implemented a range of measures to minimise the risk. Despite all the measures it is impossible to stop deliberate, reckless, and spontaneous acts by customers.</i></b></p> <p><b><i>Therefore the score represents a rare event in extreme circumstances that would bring a severe reaction from the licensing authority.</i></b></p>	<p>There has been a significant change in the management of this condition since the incident in May 2017. Management have completely reviewed their operating procedures and implemented a range of measures to ensure the safety of their entertainers.</p> <p>There is a independent compliance structure that tests the operation of the venue through unannounced overt and covert visits to the venue. Covert customers purchase private dances to see if there is any suggestion that contact is condoned or if any entertainer suggests such contact.</p> <p>Everyday the entertainers are briefed by the management about the SEV conditions and in particular the no touch rule. A discipline policy has be implemented.</p> <p>Management and independent dip sampling of the cctv system takes place to ensure strict compliance. Remote access to the cctv system has been extended to include the DPS.</p> <p>All of the signage has been revised, improved and added to so that there are more notices.</p> <p>Each performer is aware of and signs a performer code of conduct so that they understand all house rules and that they should not engage in any contact during their performance. The person responsible for the daily management is aware of the condition and states that he regularly briefs the entertainers on their conduct.</p> <p>Sitting alongside this is a customer code of conduct and this is pointed out to customers at the entrance to the club by the SIA door staff. At the point of entry to the dance area the code of conduct is also displayed.</p>	<p style="text-align: center;">25 (25)</p>	<p>The significant amount of work undertaken by the owners in the last 12 months means that this review finds that there are no additional mitigation measures at this stage.</p> <p>Cont: Despite the notices and briefings it is difficult to manage a spontaneous, reckless, and or deliberate acts by entertainers (and customers) when they are dancing</p>	<p style="text-align: center;">5</p>
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36	<p>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.</p> <p><b>See condition 35 above</b></p>	<p>Whilst there will always be a risk that a touching incident may take place the remedial work undertaken by the owners has now significantly reduced that risk. The information given to customers verbally and through notices has been increased. There are daily briefings to the entertainers and there are overt and covert compliance visits.</p>	12	<p>The substantial amount of work undertaken by the management means that there are no new mitigation measures necessary at this stage.</p>	5
37	<p>The Licensee must not permit gratuities or any other items to be thrown at performers.</p>	<p>During unannounced overt and covert visits to the premises on behalf of the owner since June 2017 no such activity was observed. The PLH and an SIA member of staff are in attendance at all times during the performance and are fully conversant with this condition.</p>	1	<p>No additional mitigation measures required at this stage.</p>	1



<p>38</p>	<p>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.</p> <p><b><i>The entertainers do not dance together on the stage. The new supervision model eliminates most of the risk but the score represents a possible occurrence in extreme circumstances</i></b></p>	<p>Since the early part of last year and the incidents brought to the attention of the owner by the police and the licensing authority the management have reviewed their operating model and made some significant changes to the way that the venue is supervised. This is to ensure that people working in the venue are fully conversant with all of the conditions on the licence and that they fully comply with them.</p> <p>The incident in 2017 related to a customer/entertainer contact. There has never been an allegation of contact between performers.</p> <p>Whilst it is incredibly difficult to stop spontaneous, reckless, and or deliberate acts by individuals that consequently place the licence at risk the following additional procedure brought in by the management are designed to eliminate the possibility of infringements occurring.</p> <p>There is an independent compliance structure that tests the operation of the venue through unannounced overt and covert visits to the venue. Covert customers purchase private dances to see if there is any suggestion that contact is condoned or if any entertainer suggests such contact.</p> <p>Everyday the entertainers are briefed by the management about the SEV conditions and in particular the no touch rule. Management and independent dip sampling of the cctv system takes place to ensure strict compliance. A discipline policy has been implemented. Remote access to the cctv system has been extended to include the DPS. All of the signage has been revised, improved and added to so that there are more notices.</p> <p>.</p>	<p>5</p>	<p>The supervision and management of the venue has been significantly redesigned and virtually eliminates the risk.</p> <p>Covert visits to the venue confirm that there are no breaches of this condition.</p> <p>No remedial action.</p> <p>Cont: Each performer is aware of and signs a performer code of conduct so that they understand all house rules and that they should not engage in any contact during their performance. The person responsible for the daily management is aware of the condition and states that he regularly briefs the entertainers on their conduct.</p>	<p>5</p>
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39	Performers shall be provided with a changing room to which the public have no access.	There are 2 changing areas provided for the entertainers. Since the Covid restrictions the owner has built a new changing room facility on the first floor of the venue well away from the entertainment area. It is a large well lit environment with ample facilities.	1	No additional mitigation measures required at this stage.	1
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].	During the unannounced overt and covert visits to the premises, on behalf of the owner, confirmed that all performers were fully dressed in the public areas. The only nudity seen was during the course of individual entertainment and the dances that were performed on the stage. The condition is contained within the performers code of conduct and signed by performers.	1	No additional mitigation measures required at this stage.	1
41	Performers must re-dress at the conclusion of a performance.	Seen to be fully compliant during unannounced covert and overt visits conducted on behalf of the owner.  Condition contained within the performers code of conduct and signed by performers.	1	No additional mitigation measures required at this stage.	1

Advertising					
42	<p>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).</p>	<p>Unannounced covert and overt visits have been conducted on behalf of the owner and have now been ongoing since June 2017. The immediate vicinity and premises are continually inspected to assess any advertising by the company. There have been no adverts in public places around the club; this includes the adjacent TFL stations, street furniture or any other place that the public appear to have access. The covert visitors have never been touted or solicited in and around the local area and walked up to the establishment without interference.</p> <p>There have been no indecent or suggestive advertisement attached to the building or entrance area.</p>	1	No additional mitigation measures required at this stage.	1
43	<p>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.</p>	<p>During the unannounced overt and covert visits conducted in the premises on behalf of the owner this condition has been continually complied with in full. The SIA staff are situated within a foyer and not on the pavement. They are suitably all dressed in black and wear their SIA badges. They are fully aware of their roles and responsibilities. On every occasion that the covert visits have been conducted the door staff point out the house rules, explain how the venue is run and that there is a 'no touching' rule that is strictly enforced.</p>	1	No additional mitigation measures required at this stage.	1

44	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.	This condition is fully understood by the owner and management of the premises and adhered to. The owners also have the guidance of a specific firm of licensing solicitors.	1	No additional mitigation measures required at this stage.	1
<b>Additional Conditions added on the 17th October 2017</b>					
45	An incident log shall be kept at the premises, and made available on request to authorised officers immediately. It must be completed within 3 hours of the incident and shall record the following;  (A) all crimes reported at the venue by a member of the public, a performer or a member of staff; (B) Any breach or alleged breach of either the house rules made by a member of the public of the code of conduct made by a performer, and the action taken by management; (C) Where a person is removed from the premises; (D) Any faults in the cctv system; (E) Any visit by the relevant authority of emergency service.	The incident log is in place and completed everyday. Any incident A-E are recorded in the log.  It is inspected and signed by myself every time an overt compliance visit is conducted.  The log is kept behind the bar and is available for inspection by any authorised officer upon request.	1	No additional mitigation measures required.	1

46	<p>In the event that a performer alleges that they have been sexually assaulted the management will immediately ensure that;</p> <p>(A) The police ( and where appropriate, the London Ambulance Service) are to be called without delay;</p> <p>(B) All measures that are reasonably practicable are taken to apprehend a suspect pending the arrival of the police;</p> <p>(C) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and</p> <p>(D) Such other measures are taken (as appropriate) to fully protect the safety of all persons present in the premises.</p>	<p>The management have had training by myself to ensure that the measures stipulated in the condition are carried out without delay.</p> <p>The knowledge of the managers is tested every 3 months to ensure that they remain alert to the requirements.</p> <p>A risk assessment for the entertainers welfare has been completed and all measures identified to ensure their environment is safe and that they are fully supported by the venue.</p>	1	No other mitigation required at this time.	1
47	<p>In the event that during a performance the management or security either witness a member of the public making intentional physical contact with a performer (save as permitted by standard conditions 35 or 36) or a performer makes a similar allegation to management or security, that member of the public shall be removed from the premises without delay. The management or security may use their discretion to allow that member of the public a supervised 10 minute drink up time prior to being removed from the premises.</p>	<p>The management and SIA staff are fully conversant with the new condition and have been reminded of their obligations by me as soon as the new condition was inserted in the licence.</p>	1	No other mitigation measures required at this time.	1
48	<p>Without prejudice to standard conditions 12 and 13, at all times the private performance areas and booths are occupied by performers and members of the public, trained staff shall regularly monitor the CCTVs which cover that area.</p>	<p>The manager now has the IT facility to monitor the entertainment live as it is being provided in the entertainment areas.</p> <p>The use of the facility is continually being monitored during the covert and overt visits to the venue.</p>	1	No other mitigation measures required at this time.	1

49	<p>Independent Compliance Audit.</p> <p>(A) An independent compliance auditor, to be instructed and paid for by the licensees, must carry out a minimum of four (4) compliance audits per year of the private performance areas and booths when sexual entertainment is offered at the premises. The compliance audits must not be pre arranged with the licensees or any employee or agent of the licensees.</p> <p>(B) A copy of the compliance audit, signed and dated by the compliance auditor, must be kept at the premises (The Nags Head Public House, 17-19 Whitechapel Road, E1 1DU) and made available to authorised officer without delay.</p>	<p>The owners of the NH implemented independent compliance visits before the revision to the SEV licence conditions. Overt and covert compliance visits have been in place since June 2017. The covert and overt visits to the venue have continued.</p> <p>All visits have been unannounced and are part of the owners new independent compliance structure. Both the overt and covert visit reports are kept at the venue and are available for inspection by the police and the licensing authority at any time.</p>	1	No additional mitigation measures required at this stage.	1
50	The number of persons to be accommodated in the premises at any one time shall not exceed 100 persons.	Fully compliant as assessed. During the compliance visits to the venue the numbers in the venue have never come close to the maximum capacity set in the condition. There is a SIA member of staff situated within the public area who has the responsibility to monitor and count the number of clients. In addition the DPS is constantly in the public area monitoring the venue.	1	No additional mitigation measures required at this stage.	1
51	This licence must be visibly and prominently displayed inside the entrance to the premises.	The licence is displayed in the public. Areas and the new licence was immediately put into position upon receipt.	1	No additional mitigation measures required at this stage.	1
52	This licence together with the standard conditions must be available at the premises at all times.	The licence is prominently displayed at the entranced in the public area of the venue.	1	No additional mitigation measures required at this stage.	1



**17-19 Whitechapel Road**  
**London E1**

**Overt visit number 1/2023**  
**4th May 2023**

# NAGS HEAD

## Compliance visit



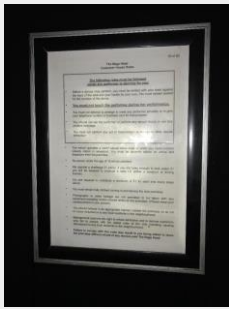
Covert Visit		Overt Visit	✓
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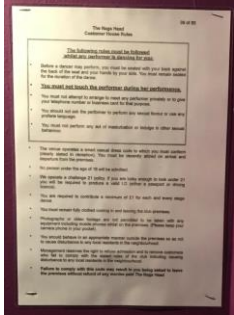
Visit No: 1/2023	Date of Visit: <b>04/05/23</b>	Time: <b>22.00-23.00</b>
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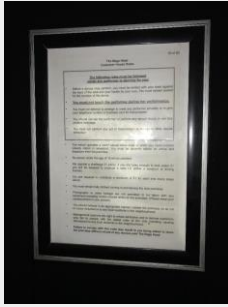

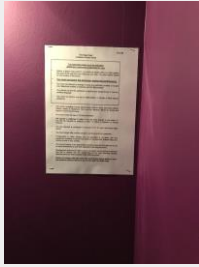
	SEV CONDITION	COMPLIANT	COMMENTS
	<b>General</b>	✓ X	
<b>1</b>	The Licensee must remain in personal control of the premises at all times that it is trading or nominate in writing an individual over the age of 18 with the authority to direct activities within the Premises.	✓	The DPS was present in the venue and managing the entertainment from the end of the bar adjacent to the entertainment area.
<b>2</b>	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.	✓	The licensee retains the services of a dedicated Licensing legal team that manages this condition.
<b>3</b>	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.	✓	All staff have been instructed to ensure that all authorised officers are promptly admitted.  Staff are instructed to ask for identification to ensure that there are no data protection breaches if data is requested.  The following information is readily available behind the bar. Licensing manual, record of overt and covert visits, the incident log, entertainer briefing log, and entertainment log.  All entertainer records are securely stored in the office on the first floor of the venue to comply with data protection requirements and they are available upon request.
<b>4</b>	The Licensee must give written notice to the Council if s/he wishes to surrender the licence.		Managed by the legal advisor.
<b>5</b>	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.	✓	There was 1 SIA member of staff in the foyer to the venue and one inside the venue monitoring customers and the entertainers changing room  The SIA team is independent of the owner and are contracted. The individual stopped me upon entry and politely asked if I was a customer. I explained the purpose of my visit and I was admitted.  The SIA member of staff in the foyer was seated at a small table to the rear of the foyer area.
<b>6</b>	The Licensee is to implement a suitable policy for the safety of the performers when they leave the Premises.	✓	The policy is in existence and it is known to the performers and a copy is given to each individual.





			A welfare risk assessment is reviewed annually and is constantly kept up to date. The documents are retained in the licensing manual located behind the bar.
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.		There have been no added or amended conditions.
	<b>Premises</b>		
8	The approved layout of the Premises shall not be altered without prior consent of the Council.	✓	There has been no alteration to the venue.
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).	✓	<p>The size, the recess of the foyer, and position of the main entrance door all make it impossible to view the inside of the venue from the footway.</p> <p>The exterior of the venue provides no indication of the type of entertainment that is being provided.</p> <p>The building retains the style of a public house with the traditional signage. People walking along Whitechapel would see what appear to be a traditional public house. Albeit that the windows are sealed off.</p>
10	Sexual entertainment shall take place only in the designated sexual entertainment areas.	✓	<p>There was traditional striptease taking place on the stage area at the rear of the bar area and prior to each dance the dancer asked customers to place a £1 coin in a purse.</p> <p>All other entertainment was provided in the designated areas as agreed by the local authority.</p>
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.	✓	The members of the public were all in the main bar area and the venue was being well supervised by the bar manager and the security team.
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	✓	<p>The cctv system is fully compliant and agreed by the Metropolitan Police.</p> <p>There is a remote monitoring device and the owner also has the remote capability</p> <p>The venue is GDPR compliant and the premises impact assessments complete. Registration with the ICO has been renewed and the data manager is identified.</p> <p>The system was inspected and found to be in full working order.</p>
13	CCTV cameras shall be installed and maintained at the locations shown on the attached plan, to the reasonable satisfaction of the licensing authority.	✓	<p>The system is comprehensive and covers all aspects of the venue and it has been agreed by the local licensing officer from the police.</p> <p>The owner has a maintenance contract in place to ensure optimum levels of operation.</p> <p>The system at the time of the visit was fully operational.</p>
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.	✓	The toilets were visited and found to be clear and clean. The entrance to the toilets is in the main bar area and easily seen by the manager who monitors the bar area.
15	The number of persons to be accommodated in the premises at any one time shall not exceed a 100 persons	✓	The bar was very busy. There were around 20-25 customers in the bar area.

1 6	The licence must be prominently and visibly displayed inside the entrance to the premises	✓	<p>There has been no change from my previous visits. This photograph highlights the notice board in the foyer of the venue. It is on the right wall as customers enter the foyer and it contains the licence, house rules, and other information.</p> 
1 7	The licence together with the standard conditions must be available at the premises at all times	✓	<p>There has been no change from my previous visits. In addition to the notice board in the foyer to comply with condition 16 the current licence is displayed on the wall beside the bar area. (see photo A)</p> <p><b>A</b></p>  <p>In addition to the licence being outside the venue, the House rules are also displayed on the notice board in the foyer.</p> <p>There is also a large notice on the entrance door to the venue (see photo B).</p> <p>Notices are also on the wall beside each entrance to the entertainment areas and on the wall of each entertainment booth..</p> <p><b>B</b></p> 
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.	✓	<p>There were no under 18 in the bar during the visit and there are clear notices at the entrance and admission to the venue is strictly controlled by the SIA staff.</p> 
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.	✓	<p>Signs posted at the front entrance, as shown in the photograph for condition 16.</p> <p>SIA staff fully aware of the requirement and there were no persons under the apparent age of 21 in the venue.</p>
<b>House Rules</b>			
20	The Licensee shall prepare House Rules governing the conduct of customers.	✓	<p>The house rules have been produced and are displayed like this throughout the venue. Each of the entertainment booths had this notice placed on the wall.</p> 

2 1	The House Rules shall be prominently and legibly displayed close to each entrance of the Premises.	✓	<p>There has been no change from my previous visit.</p> <p>The house rules are clearly displayed inside the venue and in the foyer. There is also a large notice that is exceptionally difficult to miss on the entrance door to the bar area. The notice is not visible from the footway.</p> <p>Door notice</p>  <p>Entrance wall</p> 
2 2	The House Rules must be made known to customers prior to their admission to the Premises when sexual entertainment is provided	✓	<p>The SIA staff are fully conversant with the rules.</p> <p>During all covert visits the rules have been pointed out to the customer before the customer entered the venue.</p>
2 3	Signs must be displayed at appropriate locations advising that any customer attempting to make physical contact with a performer will be asked to leave.	✓	<p>There are notices at the entrance, in the bar area, and in the booths. The no touch rule has been highlighted in each notice.</p> <p>Booth notice</p>  <p>See other notices above.</p>
2 4	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.	✓	There were no obvious signs of intoxication by any customer.
2 5	Customers may not be permitted to photograph, film or electronically record any performance.	✓	Customers were not using mobile phones or other devices.
2 6	The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.	✓	Everything was in place. The venue was very busy and the bar manager was managing the everything effectively.
<b>Performers</b>			

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.	✓	There was no audience participation and the only people providing the entertainment were the entertainers that were engaged in the venue.
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 Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015 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.	✓	Full records exist containing all relevant information.
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.	✓	The bar manager had the daily record sheet with him in the bar area. The sheets are retained and are instantly available for inspection by any authorised officer. 
<b>Tariffs</b>			
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.	✓	The tariff is clearly displayed at the entrance and on the walls inside the venue.  The photograph below contains both the drinks and dance tariffs.
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	✓	Drink and dance tariffs as above. 
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.	✓	Electronic tills are used and provide an accurate record of charges and the entertainment record is manually recorded by the manager and kept at the end of the bar ready for inspection if required.
<b>Code of Conduct</b>			

3 3	The Licensee shall prepare and implement a suitable Code of Conduct for performers.	✓	<p>All relevant documents are in the premises manual that is kept behind the bar. It is immediately available for inspection by any authorised officer.</p> <p>The code of conduct is part of the performers induction and each sign a copy that is retained in their personal file.</p> <p>At the commencement of each day the dancers are orally reminded of the code of conduct and the briefing is recorded.</p> <p>The owner had recruited new entertainers and had requested a number of covert visits to ensure that the entertainers were adhering to the code of conduct.</p>
3 4	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.	✓	All copies are held securely in the main office and available for inspection.
3 5	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.	✓	I viewed the entertainment in the booths from the end of the bar. There was no contact between the entertainers and the customer. No customer tried to engage with the entertainer dancing on the stage.
3 6	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.	✓	No contact observed during the visit.
3 7	The Licensee must not permit gratuities or any other items to be thrown at performers.	✓	The venue was very busy. There was no unwarranted behaviour by any customer.
3 8	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.	✓	<p>There were no dual performances and stage performances consisted of one entertainer at a time.</p> <p>There was no sexual simulation or stimulation.</p>
3 9	Performers shall be provided with a changing room to which the public have no access.	✓	<p>There are 2 secure changing facilities that are supervised. There is a performers changing and rest area on the 1st floor of the venue. I have inspected the room and found it to be well presented with ample facilities and secure from members of the public.</p> <p>There is a changing area beside the stage so that entertainers can redress at the conclusion of their act on the stage.</p>

<b>4 0</b>	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].	✓	<p>All of the entertainers were clothed while in the bar area with customers.</p> <p>Removal of clothing was confined to each performance away from the bar area and could not be observed by customers in the bar area.</p> <p>There were no other displays of nudity apart from dances performed on the stage.</p>
<b>4 1</b>	Performers must re-dress at the conclusion of a performance.	✓	At the conclusion of stage dances and private dances the entertainers redressed before returning to the bar.

<b>Advertising</b>			
<b>4 2</b>	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).	✓	The venue and the surrounding streets were checked prior to entering the venue. Nothing was found that contravened this condition.
<b>4 3</b>	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.	✓	The member of the SIA staff was well presented and displaying his accreditation. He was positioned at the back of the reception foyer out of view from people passing the venue.
<b>4 4</b>	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.		

## Additional Conditions added by the Licensing Committee on the 17th October 2018

	<p>An incident log shall be kept at the premises, and made available on request to authorised officers immediately. It must be completed within 3 hours of the incident and shall record the following;</p> <p>(A) all crimes reported at the venue by a member of the public, a performer or a member of staff;          (B) Any breach or alleged breach of either the house rules made by a member of the public of the code of conduct made by a performer, and the action taken by management;          (C) Where a person is removed from the premises;          (D) Any faults in the cctv system;          (E) Any visit by the relevant authority of emergency service.</p>	✓	<p>The incident log book is retained behind the bar and is accessible for the licensing officers. At the end of their visit they are requested to sign the days entry.</p>
	<p>In the event that a performer alleges that they have been sexually assaulted the management will immediately ensure that;</p> <p>(A) The police ( and where appropriate, the London Ambulance Service) are to be called without delay;          (B) All measures that are reasonably practicable are taken to apprehend a suspect pending the arrival of the police;          (C) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and          (D) Such other measures are taken (as appropriate) to fully protect the safety of all persons present in the premises.</p>	✓	<p>There have been no incidents.</p> <p>There is a full understanding of roles and responsibilities and there has been no change in the staff.</p>
	<p>In the event that during a performance the management or security either witness a member of the public making intentional physical contact with a performer (save as permitted by standard conditions 35 or 36) or a performer makes a similar allegation to management or security, that member of the public shall be removed from the premises without delay. The management or security may use their discretion to allow that member of the public a supervised 10 minute drink up time prior to being removed from the premises.</p>	✓	<p>As above.</p>
	<p>Without prejudice to standard conditions 12 and 13, at all times the private performance areas and booths are occupied by performers and members of the public, trained staff shall regularly monitor the CCTVs which cover that area.</p>		<p>The cctv system is recognised as an integral element to ensure the effective supervision and management of the venue. It is effectively managed.</p>
	<p>Independent Compliance Audit.</p> <p>(A) An independent compliance auditor, to be instructed and paid for by the licensees, must carry out a minimum of four (4) compliance audits per year of the private performance areas and booths when sexual entertainment is offered at the premises. The compliance audits must not be pre arranged with the licensees or any employee or agent of the licensees.</p> <p>(B) A copy of the compliance audit, signed and dated by the compliance auditor, must be kept at the premises (The Nags Head Public House, 17-19 Whitechapel Road, E1 1DU) and made available to authorised officer without delay.</p>	✓	<p>The licensee has been arranging unannounced overt and covert visits to the venue since May 2017. These visits are conducted by an independent compliance auditor to fully comply with this condition.</p> <p>The covert visits are carried out by an independent auditor using covert customers unknown to the owners and staff. The visits are unannounced and the owners have no knowledge of the date and time of the visit prior to and during the visit.</p>
	<p>The number of persons to be accommodated in the premises at any one time shall not exceed 100 persons.</p>	✓	
	<p>This licence must be visibly and prominently displayed inside the entrance to the premises.</p>	✓	



	This licence together with the standard conditions must be available at the premises at all times.	✓	A licensing manual containing all relevant documentation is maintained on the premises and is immediately available to authorised officers upon request.
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Signed: \_\_\_\_\_ A Bamber

Date : 11th May 2023

# NAGS HEAD

## Compliance visit

Covert Visit	✓	Overt Visit	
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Visit No: 31	Date of Visit:09/05/23	Time: 19.45-22.15
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(Conditions highlighted in blue are not checked during covert visits to the venue)

	SEV CONDITION	COMPLIANT	COMMENTS
	<b>General</b>	✓ X	
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.		Not tested in covert visit.
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.		Not tested in covert visit.
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.		Not tested in covert visit.
4	The Licensee must give written notice to the Council if s/he wishes to surrender the licence.		Not tested in covert visit.
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.	✓	On entering the premises, the customer was greeted by a door supervisor that was sat in the foyer to the venue.  Inside the venue there was a second member ion the security team seated near the entrance to the entertainers changing room  Both were dressed in black and clearly identifiable as security staff and they were displaying their accreditation.
6	The Licensee is to implement a suitable policy for the safety of the performers when they leave the Premises.		Not tested in covert visit.
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.		Not tested in covert visit.
	<b>Premises</b>		
8	The approved layout of the Premises shall not be altered without prior consent of the Council.	✓	The venue was exactly as set out in the plan. This customer has been to the venue on previous occasions and there had been no alterations to the venue.

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).	✓	The covert customer walked around the area and during the walkabout he was not touted, and he did not find any literature relating to the venue. There was nothing placed on the venue that depicted that there was nudity in the venue.  There was some abstract graffiti on the building that did not reflect the type of venue. The only visible sign was a large sign indicating that the venue is called The Nags Head.
10	Sexual entertainment shall take place only in the designated sexual entertainment areas.	✓	The entertainment was confined to the entertainment areas that are set aside and the stage at the end of the bar.
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.	✓	Customers remained in the bar and the dance areas. One member of the security staff was supervising the entry and exit of the dancers from the changing room.
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		Not commented on.
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.	✓	Only customers used the toilets, and no dancers were seen to enter or loiter by them.
15	The number of persons to be accommodated in the premises at any one time shall not exceed a 100 persons	✓	There were only 2 customers in the venue when the covert customer entered the venue. The venue remained quite quiet throughout the visit and there were around 10 customers when the visit ended.
16	The licence must be prominently and visibly displayed inside the entrance to the premises	✓	As the covert customer entered the venue he could see the licence, house conditions, age policy, and tariffs on the wall in the foyer. All of them were pointed out to him by the door supervisor and he was asked if he had visited the venue before. The payment for each stage dance was explained to him.
17	The licence together with the standard conditions must be available at the premises at all times	✓	The covert customer could see a copy of the licence and the standard conditions on the wall of the foyer as he had the conditions of entry explained to him by the door supervisor.
<b>Admission to the Premises</b>			
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.	✓	The notice was clearly displayed at the entrance.
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.	✓	Not tested as the customer was over 21.  There were no customers that appeared under the age of 18.
<b>House Rules</b>			
20	The Licensee shall prepare House Rules governing the conduct of customers.		The house rules were pointed out to the customer in the foyer of the venue by the door supervisor.

2 1	The House Rules shall be prominently and legibly displayed close to each entrance of the Premises.	✓	The notices are very clearly displayed at the entrance to the venue. There was a large notice on the main door. The rules were pointed out to the covert customer in the foyer.
2 2	The House Rules must be made known to customers prior to their admission to the Premises when sexual entertainment is provided	✓	The house rules were pointed out to the customer in the foyer, at the point of payment to enter the venue.
2 3	Signs must be displayed at appropriate locations advising that any customer attempting to make physical contact with a performer will be asked to leave.	✓	Notices were clearly displayed at the entrance to the venue and the no touching rule was drawn to his attention. As it was by the entertainers.
2 4	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.	✓	There were no incidents in the venue. The customers were well behaved
2 5	Customers may not be permitted to photograph, film or electronically record any performance.	✓	There was no use of cameras in the venue.
2 6	The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.	✓	The customer felt that the house rules were being implemented. Security staff were in place, a member of staff was recording the entertainment. The house rules were pointed out upon entry and the entertainers reinforced the no touching rule.
<b>Performers</b>			
2 7	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.	✓	The only entertainment was by the performers in the venue and no member of the audience participated.
2 8	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 Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015 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.		Not tested in covert visit.
2 9	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.		Not tested in covert visit.
<b>Tariffs</b>			
3 0	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.	✓	The drinks purchased by the customer for himself were as stated in the tariff displayed beside the bar.
3 1	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	✓	There was a tariff clearly displayed on the wall at the entrance to the venue and beside the bar. The charges applied to the entertainment were as advertised.
3 2	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.	✓	On both occasions that the customer was taken for a dance the entertainer passed a male standing at the end of the bar monitoring the entertainment area. He appeared to be recording the entertainment and payment.

Code of Conduct		
3 3	The Licensee shall prepare and implement a suitable Code of Conduct for performers.	Not checked during covert visit
3 4	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.	Not checked during covert visit.
3 5	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.	✓  There was no contact between the customer and the entertainer. Prior to the entertainment the customer was informed that no touching would be allowed.
3 6	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.	✓  There was no form of contact between the customer and the entertainer at the end of the entertainment.
3 7	The Licensee must not permit gratuities or any other items to be thrown at performers.	✓  Nothing was thrown towards any of the performers during any performance witnessed by the covert customer.
3 8	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.	✓  There were no dual performances seen in the venue. All stage performances consisted of one dancer.  There was no sexual stimulation or simulation during any of the entertainment.
3 9	Performers shall be provided with a changing room to which the public have no access.	✓  The changing rooms are provided, and they are secure on the first floor of the venue.
4 0	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].	✓  The entertainers were clothed while in the main areas of the venue.  There was no display of nudity in the public area apart from the stage where entertainers performed.
4 1	Performers must re-dress at the conclusion of a performance.	✓  All performers redressed at the conclusion of each performance.
Advertising		
4 2	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).	✓  There was absolutely no advertising of any sort on the building, on other buildings, or in the surrounding area.  There were no leaflets, cards, or flyers.  Before each visit there is an environmental audit around the immediate area and the customer did not find any form of advertisement. Nor was he touted.

4 3	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.	✓	The door security were smartly dressed and correctly displayed their accreditation.  They did not entice or encourage people to enter the venue. The customer stood opposite the venue for a period observing the conduct of the door supervisor and the door supervisor did not solicit custom.
4 4	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.		N/A

### Additional Conditions added by the Licensing Committee on the 17th October 2017

	An incident log shall be kept at the premises, and made available on request to authorised officers immediately. It must be completed within 3 hours of the incident and shall record the following;  (A) all crimes reported at the venue by a member of the public, a performer or a member of staff; (B) Any breach or alleged breach of either the house rules made by a member of the public of the code of conduct made by a performer, and the action taken by management; (C) Where a person is removed from the premises; (D) Any faults in the CCTV system; (E) Any visit by the relevant authority of emergency service.		Not tested during a covert visit.
	In the event that a performer alleges that they have been sexually assaulted the management will immediately ensure that;  (A) The police ( and where appropriate, the London Ambulance Service) are to be called without delay; (B) All measures that are reasonably practicable are taken to apprehend a suspect pending the arrival of the police; (C) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and (D) Such other measures are taken (as appropriate) to fully protect the safety of all persons present in the premises.		Not tested during a covert visit.
	In the event that during a performance the management or security either witness a member of the public making intentional physical contact with a performer (save as permitted by standard conditions 35 or 36) or a performer makes a similar allegation to management or security, that member of the public shall be removed from the premises without delay. The management or security may use their discretion to allow that member of the public a supervised 10 minute drink up time prior to being removed from the premises.		Not tested during a covert visit.
	Without prejudice to standard conditions 12 and 13, at all times the private performance areas and booths are occupied by performers and members of the public, trained staff shall regularly monitor the CCTVs which cover that area.		Not tested during a covert visit.

	<p>Independent Compliance Audit.</p> <p>(A) An independent compliance auditor, to be instructed and paid for by the licensees, must carry out a minimum of four (4) compliance audits per year of the private performance areas and booths when sexual entertainment is offered at the premises. The compliance audits must not be pre arranged with the licensees or any employee or agent of the licensees.</p> <p>(B) A copy of the compliance audit, signed and dated by the compliance auditor, must be kept at the premises (The Nags Head Public House, 17-19 Whitechapel Road, E1 1DU) and made available to authorised officer without delay.</p>	✓	<p>The licensees have been conducting unannounced covert visits to the venue since May 2017. These visits fully comply with this condition. They are carried out by an independent auditor using covert customers unknown to the owners and staff. The visits are unannounced, and the owners have no knowledge of the date and time of the visit prior to and during the visit.</p>
	<p>The number of persons to be accommodated in the premises at any one time shall not exceed 100 persons.</p>	✓	<p>There were about 10 customers at the height of the visit.</p>
	<p>This licence must be visibly and prominently displayed inside the entrance to the premises.</p>	✓	<p>The licence was prominently displayed at the entrance in the foyer.</p>
	<p>This licence together with the standard conditions must be available at the premises at all times.</p>	✓	<p>There is always a licensing manual containing all relevant documentation is maintained on the premises and is immediately available to authorised officers upon request.</p>

**Signed:** \_\_\_\_\_ **A Bamber** **11th May 2023.**

# Appendix 20



1st Statement of [REDACTED]

Made on behalf of SEV Licence Holder

Dated: 5 MAY 2023

Before Tower Hamlets Council's Licensing Committee

Sch. 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended)

Tower Hamlets Council (as a Licensing  
Authority)

Applicant

and

NH License Ltd

SEV Licence Holder

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Witness Statement of [REDACTED] (DANIELLA)  
(PERFORMER)

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1. My name is Tatiana [REDACTED]. I am 47 years old, and my date of birth is [REDACTED]
2. I am a dancer. I dance under the name Daniella.
3. I work at The Nags Head in Whitechapel.
4. I have worked at The Nags Head since 2010. For over 13 years I have danced there, and I cannot speak highly enough of the venue, the management, and the other girls I work with.
5. I don't think people or councils really understand dancers or give us enough credit. I think they think we are stupid, but we're not.
6. The Nags Head is the only venue that I work at. Nowadays I only work Thursdays and Fridays and even then, only when I want to. I am completely free to do what I want and I live in a little village near [REDACTED]. I travel a long way to work at The Nags Head and I think that shows how much I value it.
7. The Nags Head is a really safe and secure working environment, which is one of the reasons why I enjoy working there. We celebrated my 47<sup>th</sup> birthday yesterday with a cake and everyone sung happy birthday to me.

8. In all of the years that I have worked at The Nags Head I have never been put in a position where I felt compromised or unsafe. On the odd occasion that a customer has tried to touch me they have been stopped and reprimanded by staff or security. If they talk back, they're out. It is as simple as that.
9. The girls really look after one another. As far as a collection of dancers can be, we are a team and we look out for one another. The management look out for us too, as do the security.
10. The rules are what they are. We don't like them, but we stick to them because we know that we have to. We are told every single day what we can and can't do. The rules are up on the wall and we all have them by email and by WhatsApp.
11. The girls that have caused this situation have let us all down. They've put my livelihood in jeopardy as well as the livelihood of all of the other girls, staff etc. I am really annoyed at them for doing that.
12. Things have just started to get back to normal again after Covid and we are starting to see more customers through the door.
13. That meant new girls coming in and working. When you have worked there as long as me you know that it can take new girls a few months to adjust when they join. Perhaps the rules are different where they have worked previously. Perhaps it was a different environment – more of a club vibe.
14. Girls either work to the rules set for us by the council or they don't, and they are gone quite quickly.
15. I think Beatrice had only been at the club something like a month or so? I had only seen her two, maybe three times. I've never seen her against since and I know she was told not to come back. Good.
16. I don't like the council sending in undercover officers and asking them to try and touch us to see how we respond. That makes me feel cheap and like some kind of criminal. I don't see why the council need to do that anyway, surely, they can just come and look at the cameras. Everything is recorded. The only place I am off camera is on the toilet!
17. I know the council would probably prefer if we didn't exist but there is a market for us. Despite the availability of porn on the internet, Only Fans etc. people still come to the Nags Head to have a drink and a dance. Sometimes people come just to chat and that is fine too.
18. I cannot stress enough that I think it would be a real shame if the licence was taken away. Three girls caused problems. Three girls were asked never to come back and the kind of thing that happened to cause this just doesn't happen otherwise.

19. I will be really sad and disappointed if The Nags Head is closed down. I won't be the only one either.

**I believe that the facts stated in this witness statement are true to the best of my knowledge and belief.**

Signed:

A large black rectangular redaction box covering the signature area.

TATIANA  (DANIELLA)

Date: 05/05/23

For the attention of the Councillors

Re: Nags Head Stripclub

7 May 2023

Dear Councillors,

My name is Angie [REDACTED], and I am one of the dancers at The Nags Head in Whitechapel.

I have worked at The Nags Head since I was 19 years old. I have been there 18 years. I love it.

I started dancing to pay for university. I enjoyed it so much that I ended up making a career of it.

I only work at The Nags Head. It is the only place that I want to work. I get on well with everyone else and we, the other girls and me, feel like part of the family.

Over the years I have seen lots of girls come and go. Some have stayed for a long time and others not so long. The girls that have come and gone quickly have tended to leave because they have not been able to follow the rules. Perhaps The Nags Head is not like the other places they have worked and the rules are too strict.

You cannot dance at Nags Head and not know what the rules are. They are on the wall, you sign them, and they are told to you every single day that you go to work. I could probably recite the rules to you off the top of my head.

You might think that all of the power in a club is with the owner or with the customers. It doesn't. We, the dancers, are the ones with all the control. If a customer behaves in a way that I do not like, then I can call security and have him removed. We are monitored by the managers, by the bar staff and by camera.

I feel completely comfortable and safe in what I do. The Nags Head is a really nice place to work.

I know what happened with Bea, Polly, and Alena. They had not long joined and were eager to make as much money as possible. They thought the best way to do that was to misbehave, but it isn't. The bosses are really strict with us about touching customers or customers touching us. Sometimes it happens and we have to call security, but that is like once every 5 or 6 months for me anyway. For the most part I do my dances, make my money, and have a good time. I feel really safe at work.

I am really worried that if you close The Nags Head down, I will have to go and work somewhere else. I don't want that. I really like The Nags Head. They have supported me

through 18 years of my life, through good times and not so good times. I came back to the UK after Covid because I knew that I would be looked after.

It would be a huge mistake to ruin a business and my business because of some stupid girl's mistakes.

I can't come to the hearing, but if I was there, I would tell you all this in person.

Please don't take the licence away.

Yours,

A large black rectangular redaction box covering the signature area.

Angie 

Tower Hamlets Licensing  
Tower Hamlets Town Hall  
160 Whitechapel Road  
London E1 1BJ

Dear Licensing,

**The Nags Head – SEV Revocation**

My name is Tagiane [REDACTED]

I am 39 years old from Brazil and I am a dancer at Nags Head.

I perform as TATI!

I have been told that the council want to take away the club's licence. Why is that?

I have been working at Nags Head for over 6 years. I love it there.

I work with lots of girls who are my friends, and the manager supports me. I work every Thursday – Friday.

I have worked at other clubs and believe me Nags is a much safer environment for me and the other girls. We are really well looked after. Like princesses.

If a customer touches us, we stop the dance.

If a customer does it again, they get thrown out.

It is very difficult to dance for someone without touching them by accident.

I hear that some dancers go too far and allow customers touch, touch customers. Please don't let them spoil it for the rest of us.

Dancing is my livelihood. It is all I do. I know that if Nags goes, I will be able to work somewhere else, but I don't want to work somewhere else. I want to work at Nags!

Please do the right thing. Please.

Respectfully,

[REDACTED]

Tagiane [REDACTED]

TATI

# Appendix 21

## Corinne Holland

---

**From:** Mohshin Ali  
**Sent:** 09 May 2023 18:43  
**To:** Corinne Holland  
**Subject:** FW: [REDACTED]@john-gaunt.co.uk sent you NH License Ltd - The Nags Head - CCTV Clips via WeTransfer

FYI

Kind regards,

### Mohshin Ali

Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Tower Hamlets Town Hall  
160 Whitechapel Road  
London E1 1BJ

020 7364 5498 📞 020 7364 5008

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk) 📧 [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

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---

**From:** WeTransfer <noreply@wetransfer.com>  
**Sent:** 09 May 2023 13:36  
**To:** Mohshin Ali <Mohshin.Ali@towerhamlets.gov.uk>  
**Subject:** [REDACTED]@john-gaunt.co.uk sent you NH License Ltd - The Nags Head - CCTV Clips via WeTransfer

PIP



[REDACTED]@john-gaunt.co.uk  
sent you NH License Ltd - The Nags  
Head - CCTV Clips

4 items, 585 MB in total • Expires on 16 May, 2023

**NH License Ltd - The Nags Head - CCTV Clips** Dear Mohshin,



CCTV clips as referred to in my earlier email.

Thanks.

Luke Elford  
John Gaunt & Partners

Get your files

Download link

<https://wetransfer.com>

4 items

NH License Ltd - Nags Head - CCTV 18 08 22 2300 - 0000 CAM 3.mp4  
96.4 MB

NH License Ltd - Nags Head - CCTV 18 08 22 2300 - 0000 CAM2.mp4  
309 MB

NH License Ltd - Nags Head - CCTV 18 08 22 2300 - 0000 CAM4.mp4  
86.7 MB

NH License Ltd - Nags Head - CCTV 19 08 22 0000 - 0030 CAM1.mp4  
93 MB

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# Appendix 22



Lic No:  
148900

## LICENCE FOR A SEXUAL ENTERTAINMENT VENUE

**Licence Number: 148900**

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:**

NH License Ltd (No 12523134)

to use premises:

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

**The Nags Head**  
17-19 Whitechapel Road

**Post town**

London

**Post Code**

E1 1DU

**Telephone number**

020 7426 0830

as a Sexual Entertainment Venue.

This licence is in force up to: **31<sup>st</sup> May 2023** 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 hours permitted are:

- **Monday to Saturday from 11:00hrs to 03:00hrs (the following day)**
- **Sunday from 12:00hrs (midday) to 22:30hrs**

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

- **28<sup>th</sup> April 2022 - Ground Floor only with changing facilities on first floor**

**The named management responsible for this premises are**

Manpal Singh Clair and Shamsher Singh - Managers  
Bahadur Singh Binning - Relief Manager  
Alcir Orlandi - Relief Manager  
Daniel Haile Habte - Relief 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 23<sup>rd</sup> 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:  
(Conditions added by the Licensing Committee on the 17<sup>th</sup> October 2017):

42. Documents to prove compliance with the Licence pursuant to Standard Condition 3.
- An incident log shall be kept at the premises, and made available on request to authorised officers immediately. It must be completed within 3 hours of the incident and shall record the following:
- a. all crimes reported to the venue by a member of the public, a performer or member of staff;
  - b. any breach or alleged breach of either the House Rules made by a member of the public or the Code of Conduct made by a performer, and the action taken by the management;
  - c. when a person is removed from the premises;
  - d. any faults in the CCTV system;
  - e. any visit by a relevant authority or emergency service.
43. In the event that a performer alleges that they have been sexually assaulted the management will immediately ensure that
- a. the police (and, where appropriate, the London Ambulance Service) are called without delay;
  - b. all measures that are reasonably practicable are taken to apprehend a suspect pending the arrival of the police;
  - c. the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
  - d. such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

44. In the event that during a performance the management or security either witness a member of the public making intentional physical contact with a performer (save as permitted by Standard Conditions 35 or 36) or a performer makes a similar allegation to management or security, that member of the public shall be removed from the premises without delay. The management or security may use their discretion to allow that member of the public a supervised 10 minute drink up time prior to being removed from the premises.
45. Without prejudice to Standard Conditions 12 and 13, at all times the private performance areas and booths are occupied by performers and members of the public trained staff shall regularly monitor the CCTVs which cover that area.
46. Independent Compliance Audit
  - a. An independent compliance auditor, to be instructed and paid for by the Licensees, must carry out a minimum of four (4) compliance audits per year of the private performance areas and booths when sexual entertainment is offered at the premises. The compliance audits must not be pre-arranged with the Licensees or any employee or agent of the Licensees.
  - b. A copy of the compliance audit, signed and dated by the Compliance Auditor, must be kept at the premises (The Nags Head Public House, 17-19 Whitechapel Road E1 1DU) and made available to authorised officers without delay.
47. The number of persons to be accommodated in the Premises at any one time shall not exceed 100 persons.

Other requirements or restrictions:

48. This licence must be prominently and visibly displayed inside the entrance to the Premises.
49. 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: 27<sup>th</sup> June 2022**

# Appendix 23

**STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES**  
**(REVISED 23<sup>RD</sup> JUNE, 2015)**

**Definitions**

In this Licence,

‘approved layout’ means the layout of the Premises shown on the attached plan.

‘authorised officers’ means officers of the Borough Council or of the Police

‘drinks tariff’ means a tariff showing the price of all drinks

‘entertainment tariff’ means a tariff showing the price of all sexual entertainment performances, displays of nudity and services related to the sexual entertainment performance (including charges for admission to any part of the Premises; for hire of rooms, booths or reserved areas; or for the company of performers)

‘nudity’ , ‘display of nudity’ and ‘sexual entertainment’ are references to those terms as defined by section 27 of the Policing and Crime Act 2009.

‘performers’ means persons engaged by or through the Licensee who provide or participate in sexual entertainment

‘premises’ includes land, buildings, stalls, structures or erections, and all forms of vessels or vehicles (including for the avoidance of doubt bicycles, motor vehicles, boats and aircraft). It does not include any private dwelling to which the public is not admitted.

‘the Premises’ means the premises authorised in this Licence as a sexual entertainment venue and shown on the attached plan.

‘public area(s)’ means the area(s) outlined in blue on the attached plan, being the area within the Premises that the public are permitted to enter.

‘the public’ includes customers, guests and visitors to the premises, but excludes performers and those employees or agents of the Licensee lawfully engaged in managing or operating the Premises.

‘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**

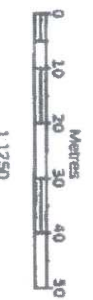
33. The Licensee shall prepare and implement a suitable Code of Conduct for performers.
34. The Licensee shall ensure that each performer signs the Code of Conduct in their proper name, acknowledging that they have read and understood and are prepared to abide by the Code of Conduct, and signed copies 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 24



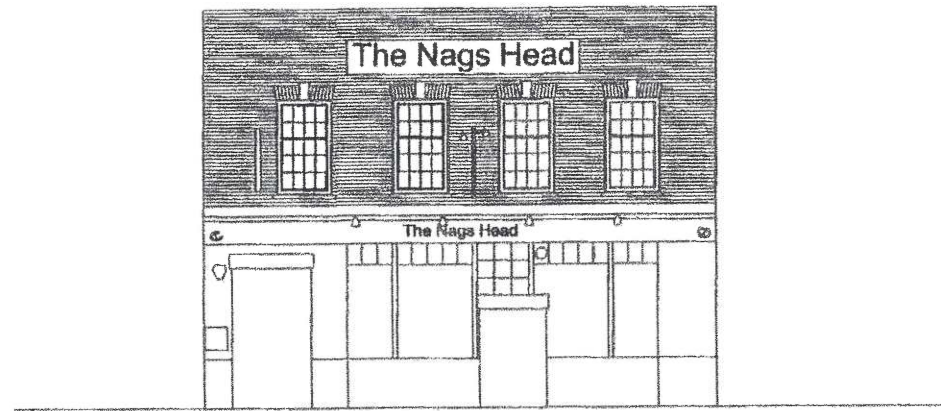
STANF RDS  
FOR BUSINESS



17-19, Whitechapel Rd, London  
E1 1DU

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Stanfords Ordnance Survey Partner  
Licence: 100035409  
Order Licence Reference: O1784656  
Centre coordinates: 534063 181510



notes  
 Do not scale dimensions off this drawing.  
 Check all dimensions and report any discrepancies  
 to the Architect before proceeding with the work.  
 Notify the Architect immediately if any  
 discrepancies between the drawings and other  
 contract documents.

① CCTV

100 P1 - APRIL 2014 Preliminary design  
 Tulce Manton Architects

20 Mount Place, London, WC1E 7AH  
 020 7597 8855 / 7 597 8858  
 tulcemanton.co.uk / tulcemanton.com

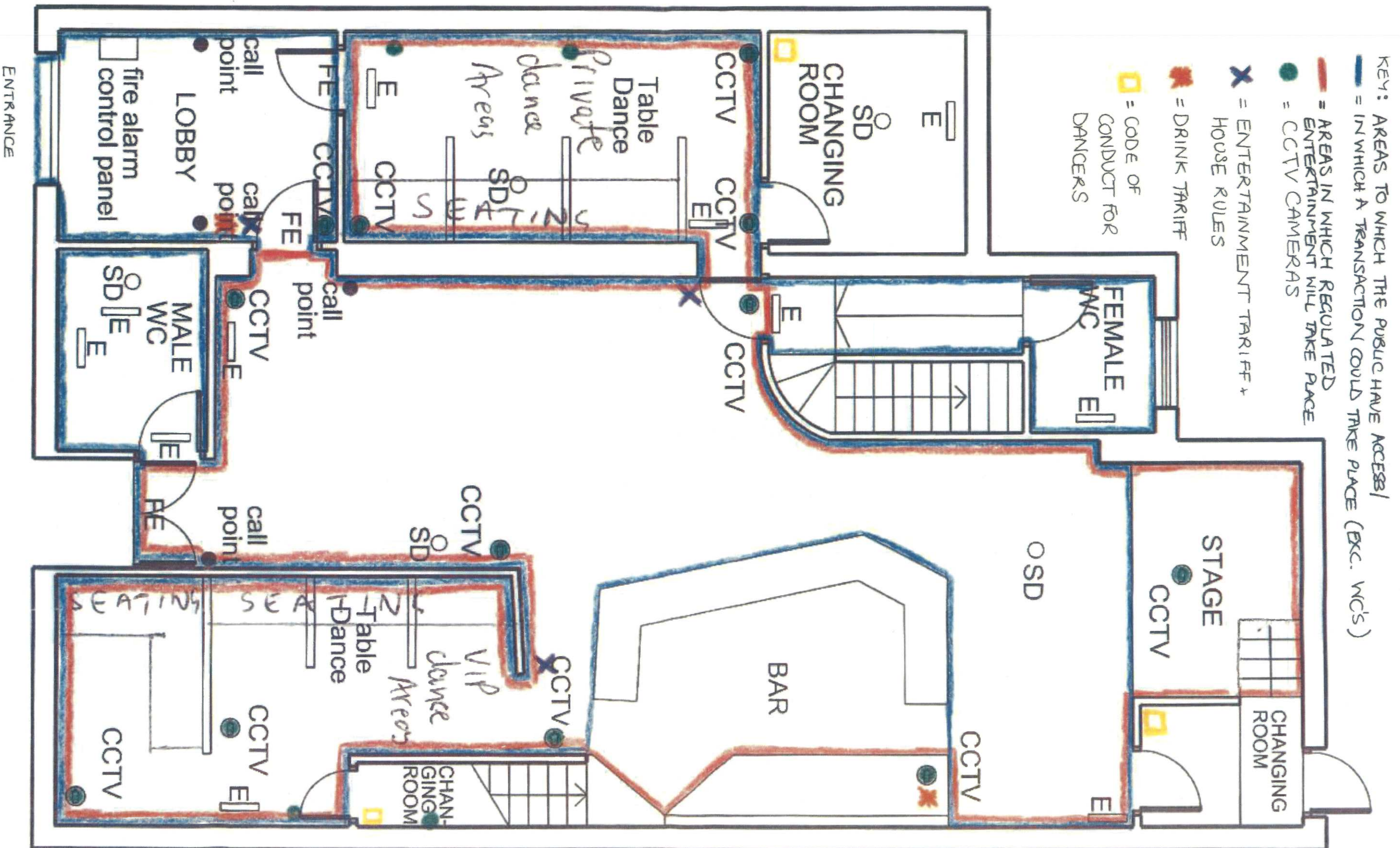
THE NAGS HEAD  
 17, 19 WHITECHAPEL ROAD,  
 LONDON, E1 1DU

09  
 EXISTING FRONT ELEVATION

NO	DATE	BY
1	09/11/14	DM
2	09/11/14	DM
3	09/11/14	DM



# THE NAGS HEAD GENTLEMAN'S VENUE



# Appendix 25



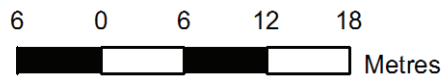


# 17-19 Whitechapel Road

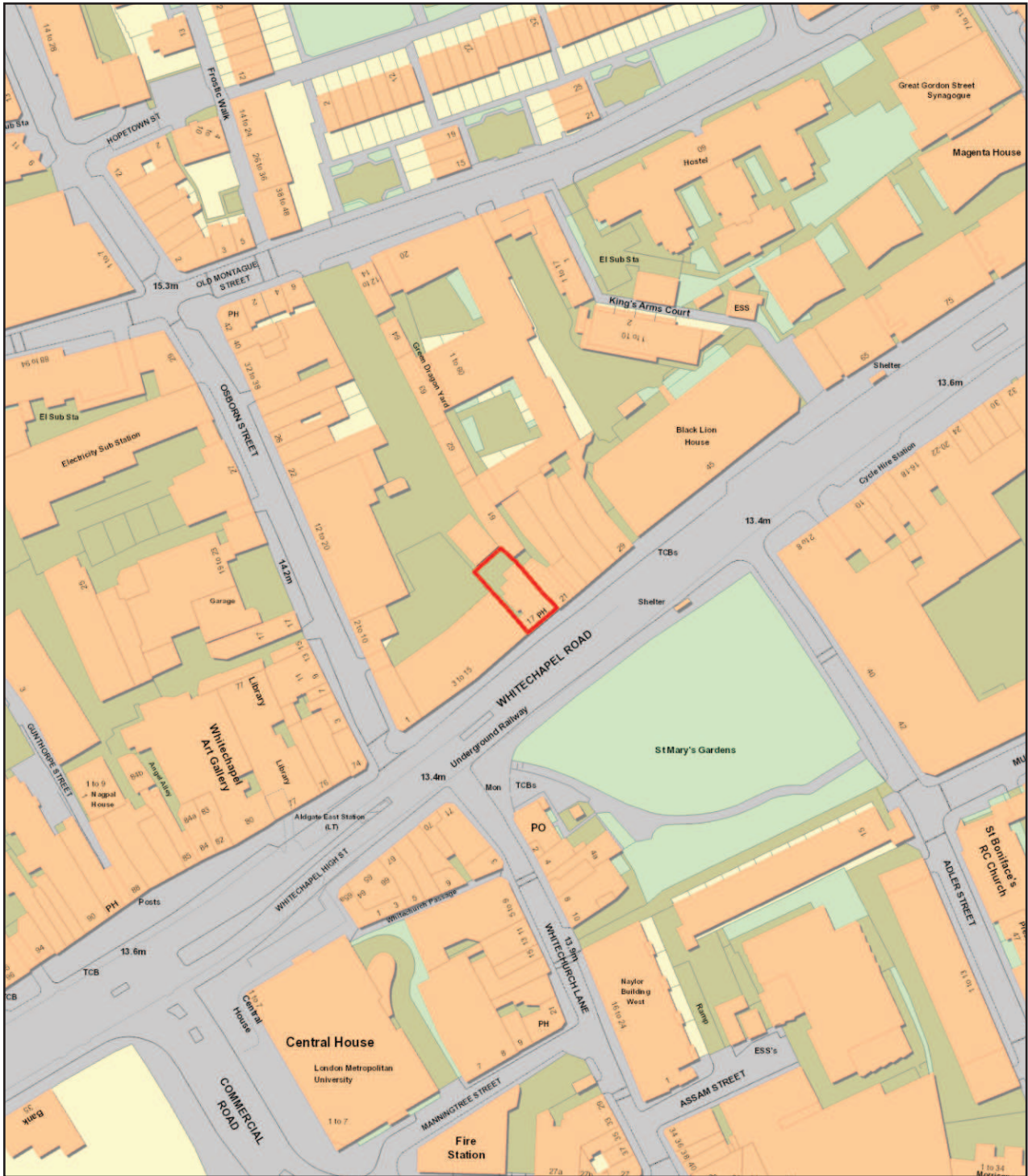
## Map 2



Scale 1:668



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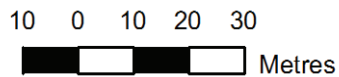


# 17-19 Whitechapel Road

## Map 3



Scale 1:1669



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# Appendix 26

**(The Nags Head Public House)  
17-19 Whitechapel Road  
London  
E1 1DU**

**Licensable Activities authorised by the licence**

Retail sale of alcohol  
Provision of Regulated Entertainment

**See the attached licence for the licence conditions**

**Signed by**                      **David Tolley**  **Head of Envi**  **rating Standards**

**Date: 7<sup>th</sup> October 2005**

**Amended Minor variation 11<sup>th</sup> November 2010**



TOWER HAMLETS

LICENSING ACT 2003

## Part A - Format of premises licence

Premises licence number

29631

### Part 1 - Premises details

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

(The Nags Head Public House)  
17-19 Whitechapel Road  
E1 1DU

#### Post town

London

#### Post code

E1 1DU

#### Telephone number

02074260830

#### Where the licence is time limited the dates

Not applicable

#### Licensable activities authorised by the licence

The sale by retail of alcohol

The provision of regulated entertainment consisting of recorded music, performance of dance, anything of similar nature.

Facilities for making music and dancing and similar nature.

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

Monday to Saturday 11 00 hrs to 03 00 hrs the following day  
Sunday 12 00 hrs to 22 30 hrs

**The opening hours of the premises**

From Monday to Saturday from 11 00 hrs until 03 30 hrs the following day  
Sunday 12 00 hrs to 23 00 hrs

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

On and off sales



**Part 2**

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

NH License Ltd  
Kemp House  
160 City Road  
London EC1V 2NX

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

**12523134**

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

Bahadur Singh Binning



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

**Personal License No:** P00977  
**Issuing Authority:** London Borough of Redbridge

## 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 —
 
$$P = D + (D \times V)$$
 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

### **Private Entertainment**

The premises may be used for the following purpose, that is to say, dancing, music, or other entertainment of the like kind which-

- a) is not a public entertainment but is promoted for private gain

### **Annex 2 - Conditions consistent with the operating Schedule**

#### **Regulated Entertainment**

Only recorded music, dance (performed by striptease artists), anything of a similar description

provision of facilities for making music, provision of facilities for dancing (performed by striptease artists), provision of facilities for entertainment of a similar description.

Provide a local taxi firm contact to drive customers home

#### **In relation to Striptease**

1. The total number of persons to be accommodated at the premises at any one time shall not exceed 100 persons.
2. The inward opening doors to Whitechapel Road, which provides emergency exit, shall be locked back in the open position when the premises are in use under this licence.
3. One leaf of the inward opening double doors which provide entry from Whitechapel Road shall be secured open at all times that the premises are occupied by the public.
4. All doors (apart from those specified in items 2 and 3) are to be kept closed during entertainment and satisfactory acoustic sealing should be applied to them.
5. There shall be no door provided to separate the "personal dance" area from the general bar area.
6. A registered door supervisor shall be positioned at the entry to the room providing the "personal dances" at all times that it is in use.
7. The number of performers that are performing within the "personal dance" area (excluding VIP area) at any one time shall not exceed three.
8. To the extent that striptease is permitted by law it shall be deemed in these conditions to apply to all forms of striptease or nudity by male or female performers.
9. Striptease shall only be permitted at premises which have a liquor licence.
10. The striptease entertainment shall be given only by paid performers/entertainers who are engaged exclusively for that purpose.

11. There shall be no physical participation by the audience.
12. Any performance will be restricted to dancing and the removal of clothes, here must not be any other form of sexual activity.
13. All striptease shall take place in an area which is not visible from the street or overlooking buildings.
14. The performance area shall be separated from the audience and consist of a stage, platform or similar construction or an area clearly identified as a performing area that meets with the approval of the Council.
15. The performer shall have direct access to a changing room without passing through the audience, or when direct access is not practical the performer shall be escorted from the stage by a steward or other employee of the licence holder.
16. The performer shall be provided with a changing room which must be separate and apart from public facilities.
17. There shall be no sexually explicit external advertising likely to cause offence as to the nature of the activity being held at the premises.
18. A notice shall be prominently displayed in a conspicuous position on the premises at least one hour before the start, advising customers when the performance is to commence.
19. Whilst striptease is taking place no person under the age of 18 shall be allowed on any part of the premises licensed for the sales of alcohol and a notice shall be displayed in clear terms at each entrance that :- NO PERSON UNDER 18 TO BE ADMITTED
20. The licensee shall ensure that gratuities are not thrown at the performer.
21. Where premises are within a radius of 100 metres of places of worship the entertainment shall not be held at such times as would cause offence to religious observers.
22. Where premises are within a radius of 100 metres of any school or educational establishment, striptease performances will not take place until after 8.30p.m. except on Saturday and Sunday.
23. There shall be no contact between the performer and any of the audience during performances
24. There shall be only one performer on the stage at any one time.

25. The layout of the premises must remain unaltered to that inspected and approved by the Council at the time of renewal or application; any alterations to the premises during the currency of the licence must be approved by the Council prior to the works commencing.
26. The number of performers that are performing within the VIP areas at any one time shall not exceed six.

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

Not Applicable

**Annex 4 - Plans**

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

19 October 2010 - Ground Floor only.



**Part B - Premises licence summary**

**Premises licence number**

29631

**Premises details**

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

(The Nags Head Public House)  
17-19 Whitechapel Road  
E1 1DU

**Post town**

London

**Post code**

E1 1DU

**Telephone number**

02074260830

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  
consisting of recorded music, performance of  
dance, anything of similar nature.  
Facilities for making music and dancing and  
similar nature.



The times the licence authorises the carrying out of licensable activities	Monday to Saturday 11 00 hrs to 03 00 hrs the following day Sunday 12 00 hrs to 22 30 hrs
The opening hours of the premises	From Monday to Saturday from 11 00 hrs until 03 30 hrs the following day Sunday 12 00 hrs to 23 00 hrs
Name, (registered) address of holder of premises licence	NH License Ltd Kemp House 160 City Road London EC1V 2NX
Where the licence authorises supplies of alcohol whether these are on and / or off supplies	On and off sales
Registered number of holder, for example company number, charity number (where applicable)	<b>12523134</b>
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	Bahadur Singh Binning
State whether access to the premises by children is restricted or prohibited	Yes

# Appendix 27

## 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 1<sup>st</sup> 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](http://www.towerhamlets.gov.uk))
- from the Licensing Team on 020 7364 5008
- by email to [licensing@towerhamlets .gov.uk](mailto: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](http://www.towerhamlets.gov.uk)
- Email to: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)
- Post to: Consumer and Business Regulations, Licensing Team, 6<sup>th</sup> 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 1<sup>st</sup> 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 (1<sup>st</sup> 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 (1<sup>st</sup> 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 1<sup>st</sup> 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  
6<sup>th</sup> Floor,  
Mulberry Place,  
5 Clove Crescent,  
E14 2BG.  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)  
020 7364 5008

# Agenda Item 3.2

Committee :	Date	Classification	Report No.	Agenda Item No.
<b>Licensing Committee</b>		<b>Unclassified</b>		

Report of : <b>David Tolley</b> <b>Head of Environmental Health &amp; Trading Standards</b>  Originating Officer: <b>Lavine Miller-Johnson</b> <b>Licensing Officer</b>	Title: <b>Local Government (Miscellaneous Provisions) Act 1982 (as amended)</b> <b>Application for a renewal of a Sexual Entertainment Venue Licence for the Nags Head, 17-19 Whitechapel Road, London E1 1DU</b>  Ward affected: <b>Spitalfields and Banglatown</b>
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## 1.0 Summary

Applicant: **NH License Ltd.**

Name and Address of Premises: **The Nags Head**  
**17-19 Whitechapel Road**  
**London**  
**E1 1DU**

Licence sought: **Sexual Entertainment Venue Licence under Local Government (Miscellaneous Provisions) Act 1982 (as amended)**  
**Application for a renewal of a Sexual Entertainment Venue Licence for the period from 1<sup>st</sup> June 2023-31<sup>st</sup> May 2024**

Objectors: **Licensing Authority & Metropolitan Police**

## 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

Lavine Miller-Johnson  
020 7364 2665

### 3.0 Background

3.1 This is an application made by NH License LTD for a renewal of the Sexual Entertainment Venue (SEV) licence issued by the Council under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and held in respect of The Nags Head, 17-19 Whitechapel Road, London, E1 1DU.

3.2 A licence from the Council is required for the use of any premises as a sex establishment. An SEV 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 premises have benefitted from an SEV licence since 1996. A copy of the licence is attached at **Appendix 1**.

3.4 The licence contains the Tower Hamlets Standard SEV Conditions as well as additional conditions that are specific to these premises.

3.5 The licence was issued for the period from 1st June 2022 to 31st May 2023. The effect of applying to renew the licence is that it is deemed to remain in force, notwithstanding its expiry, until the application is determined by the Committee or it is withdrawn by the applicant.

The hours permitted are:

- Monday to Saturday from 11:00hrs to 03:00hrs (the following day)
- Sunday from 12:00hrs (midday) to 22:30hrs

3.6 The named management responsible for the premises are:

- Manpal Clair Manager/owner
- Bahadur Singh Binning - Relief Manager
- Alcir Orlandi - Relief Manager
- Daniel Habte- Relief Manager

3.7 The 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 23<sup>rd</sup> June 2015).

2. The following additional conditions specific to these premises:
42. Documents to prove compliance with the Licence pursuant to Standard Condition 3.  
An incident log shall be kept at the premises, and made available on request to authorised officers immediately. It must be completed within 3 hours of the incident and shall record the following:
- a. all crimes reported to the venue by a member of the public, a performer or member of staff;
  - b. any breach or alleged breach of either the House Rules made by a member of the public or the Code of Conduct made by a performer, and the action taken by the management;
  - c. when a person is removed from the premises;
  - d. any faults in the CCTV system;
  - e. any visit by a relevant authority or emergency service.
43. In the event that a performer alleges that they have been sexually assaulted the management will immediately ensure that
- a. the police (and, where appropriate, the London Ambulance Service) are called without delay;
  - b. all measures that are reasonably practicable are taken to apprehend a suspect pending the arrival of the police;
  - c. the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
  - d. such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
44. In the event that during a performance the management or security either witness a member of the public making intentional physical contact with a performer (save as permitted by Standard Conditions 35 or 36) or a performer makes a similar allegation to management or security, that member of the public shall be removed from the premises without delay. The management or security may use their discretion to allow that member of the public a supervised 10 minute drink up time prior to being removed from the premises.
45. Without prejudice to Standard Conditions 12 and 13, at all times the private performance areas and booths are occupied by performers and members of the public trained staff shall regularly monitor the CCTVs which cover that area.

#### 46. Independent Compliance Audit

- a. An independent compliance auditor, to be instructed and paid for by the Licensees, must carry out a minimum of four (4) compliance audits per year of the private performance areas and booths when sexual entertainment is offered at the premises. The compliance audits must not be pre-arranged with the Licensees or any employee or agent of the Licensees.
- b. A copy of the compliance audit, signed and dated by the Compliance Auditor, must be kept at the premises (The Nags Head Public House, 17-19 Whitechapel Road E1 1DU) and made available to authorised officers without delay.

47. The number of persons to be accommodated in the Premises at any one time shall not exceed 100 persons.

#### **Other requirements or restrictions:**

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

#### **4.0 The Application**

- 4.1 The current renewal application is to permit the premises to operate as a sexual entertainment venue with opening hours as follows:
  - The hours permitted are: Monday to Saturday from 11:00hrs to 03:00hrs (the following day)
  - Sunday from 12:00hrs (midday) to 22:30hrs
- 4.2 A copy of the renewal application is enclosed as **Appendix 2**.
- 4.3 The applicant has submitted additional documents in support of their application. These documents have been made available to the objectors and will also be made available to Members.
- 4.4 The premises are also licensed under the Licensing Act 2003. A copy of the existing licence is enclosed for Members' information as **Appendix 3**. The licence was originally granted on 7<sup>th</sup> October 2005

The licence authorises the following licensable activities:

The sale by retail of alcohol (on and off sales) and the provision of regulated entertainment; consisting of recorded music, performance of dance (performed by striptease artists), anything of similar nature, the provision of facilities for making music and the provision of facilities for dancing (performed by striptease artists) and the provision of facilities for entertainment of a similar nature.

- Monday to Saturday from 11:00hrs to 03:00hrs (the following day)
- Sunday from 12:00hrs (midday) to 22:30hrs

The opening hours of the premises:

- Monday to Saturday from 11:00hrs to 03:30hrs (the following day)
- Sunday from 12:00hrs (midday) to 23:00hrs

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

4.6 Members should note that the two regimes run concurrently. Therefore the premises could operate under the premises licence granted under the Licensing Act 2003 without the SEV in operation, if the sale of alcohol or the provision of regulated entertainment only was taking place.

#### 5.0 **Layout of the Premises**

5.1 The layout plan of the premises is available in **Appendix 5**.

5.2 Photographs of the exterior of the premises are available in **Appendix 6**.

#### 6.0 **Adverts and Flyers**

6.1 No adverts or flyers used to promote the premises have been included in the application; however, the Licensing Authority has been informed in the application that advertising is done outside of Tower Hamlets, the same as previous years.

6.2 It has been noted that there are no adverts at the exterior of the premises. The premises has a website where anyone can access.

#### 7.0 **Standard Conditions**

7.1 The Council has adopted Standard Conditions and these apply as default conditions that are attached to all SEV licences. These can be seen in the licence in **Appendix 1**.

#### 8.0 **Codes of Conduct and Policies**

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

- Code of Conduct for Performers
- Code of Conduct of Customers (Customer House Rules)
- Performer Welfare Policy

## 9.0 Assessment and information for the vicinity

- 9.1 **Appendix 8** is a map of the Licensing Service's determination of the vicinity around the premises, set at 100 metres from the premises. It is noted that there have been no significant changes to the vicinity from the first SEV licence application in November 2014.
- 9.2 Determination of the "use" of other Premises in the "vicinity" – "vicinity" is likely to be a narrower and smaller area than the "relevant locality" and much will depend upon the physical location of the premises, its appearance and upon the nature and hours of its operation.

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

Residential accommodation	<p>There is no obvious residential accommodation above the Nags Head.</p> <p>The floors above the Whitechapel Road premises within the vicinity are primarily used for commercial purposes.</p> <p>There are residential developments accessed from Old Montague Street: Kings Arms Court, Green Dragon Yard and Black Lion House.</p> <p>Naylor Build Yard, residential accommodation next to Altab Ali Park, is on the edge of the vicinity.</p>
Schools	There are no schools within the vicinity.
Premises used by children and vulnerable persons	There is a medical centre (The Spitalfields Practice) in Old Montague Street.
Youth community and leisure centres	There are none in the vicinity.
Religious centres and public places of worship	There are none in the vicinity.
Access routes to and from premises listed above	<p>The premises sits on the north side of the A11, Whitechapel Road, one of London's busiest arterial roads.</p> <p>Whitechapel Road is busy 24 hours a day.</p>



	<p>There are a number of bus routes, as well as night buses.</p> <p>Aldgate East Tube Station is a 5 minute walk away.</p>
Existing licensed premises in the vicinity	<p><b><u>Whitechapel Road same side as applicant premises</u></b></p> <ul style="list-style-type: none"> <li>• <b>Restaurant:</b> (Efes), 1 Whitechapel Road, London E1 6TY</li> <li>• <b>Off Licence</b> Tesco Stores Ltd45 Whitechapel Road E1 1DU</li> <li>• <b>Hotel</b> Hyatt Place 45 Whitechapel Road E1 1DU</li> <li>•</li> </ul> <p><b><u>Whitechapel Road opposite side from applicant premises</u></b></p> <ul style="list-style-type: none"> <li>• <b>Fast Food:</b> (City Fried Chicken &amp; Grill), 14 Whitechapel Road, London E1 1EW</li> <li>• <b>Bar/night club:</b> (The Stable), Ground Floor, 16-18 Whitechapel Road, London E1 1EW</li> </ul> <p><b><u>Adler Street</u></b></p> <ul style="list-style-type: none"> <li>• <b>Hotel</b> The Corner London City, 42 Adler Street, E1 1EE</li> </ul> <p><b><u>Osborn Street</u></b></p> <ul style="list-style-type: none"> <li>• <b>Hotel &amp; Bar: Hampton by Hilton</b>, 12-20 Osborn Street, E1 6TE</li> <li>• <b>Bar</b> Apples and Pears, 26 Osborn Street, E1 6TD</li> <li>• <b>Fast Food:</b> Chico's, 28 Osborn Street E1 6TD</li> <li>• <b>Public House: The Buxton</b>, 42 Osborn Street, E1 6TD</li> </ul>

	<p><b><u>Whitechapel High Street</u></b></p> <ul style="list-style-type: none"> <li>• <b>Restaurant and function space</b> : Whitechapel Art Gallery, 80 Whitechapel High Street, E1 7QX</li> <li>• <b>Fast food Restaurant</b>, KFC Express, 84 Whitechapel High Street, E1 7QX</li> <li>• <b>Restaurant: Carnivale</b>, 2 White Church Lane, E1 7QR</li> <li>• <b>Public House: Bar Locks</b>, 21 White Church Lane, E1 7QR</li> <li>• <b>Restaurant</b>, Bari Bari, 24 Whitechurch Lane, E1 7QR</li> </ul>
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#### 10.0 **Assessment and information for the Locality**

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

10.2 In regards to the “relevant locality” :

- The relevant locality was assessed as being within a 100 metre radius centred on the premises, 17-19 Whitechapel Road
- The premises sits on the A11, one the capital’s busiest roads
- The vicinity is overwhelmingly commercial, with some residential premises.
- Opposite the premises is Altab Ali Park. The Council’s maps show the area as St Mary’s Gardens

10.3 The character of the locality:

- The area has been assessed to have a commercial character with about 11% of the Borough’s residents living within two of the Borough’s twenty wards: Spitalfields and Banglatown and Whitechapel.

- The premises are in Spitalfields and Banglatown ward, albeit on the boundary with Whitechapel ward
- The ward profiles downloaded from the council's website are appended

## 11.0 Other Sexual Entertainment Venues

11.1 The following premises hold SEV licences issued by the Council:

- **Metropolis** 234 Cambridge Heath Road, London, E2 9NN
- **Whites Gentleman's Club** 32-38 Leman Street, London, E1 8EW
- **White Swan** 556 Commercial Road, London, E14 7JD

## 12.0 Consultation

12.1 The application has been consulted on in accordance with the Local Government (Miscellaneous Provisions) Act 1982 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 copy of the notice is appended as **Appendix 10**.
- b) A press advert was placed in the Docklands and East London Advertiser on the Thursday 1<sup>st</sup> June 2023, by the applicant, which is appended as **Appendix 11**.

12.2 The following is a list of those also consulted with respect to the application:

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

### 13.0 Objections/Responses to the Consultation

13.1 The Licensing Authority and the Police have objected to the renewal application. The objections have already been made available to the licence holder's legal representatives and will also be made available to Members. The objections are due to the following reasons:

- Evidence gained from a Test Purchase visits on the 18<sup>th</sup> August 2022 This shows a number of alleged breaches of the Standard Conditions attached to the SEV licence.
- The Licensing Authority has already made a request for the Authority to consider revoking the SEV licence. This is on the basis that the licence holder is unsuitable to hold a licence for other reasons as detailed in the representation.
- Breaches have been found at a venue (Vanity) that held an SEV licence in Westminster, which was managed by this licence holder.

13.2 The Licensing Authority's representation evidence is as follows:

Representation Letter dated 21 <sup>st</sup> June 2023	<b>Appendix 12</b>
Request for Revocation letter dated 3 <sup>rd</sup> March 2023	<b>Appendix 13</b>
Witness Statement and notes – Officer A	<b>Appendix 14</b>
Witness Statement and notes – Officer B	<b>Appendix 15</b>
Witness statement Mohshin Ali (15 <sup>th</sup> May 2023)	<b>Appendix 16</b>
Exhibit MA/01: Witness Statement PC Morgan	<b>Appendix 17</b>
Witness Statement PC Guerra (2/1/23)	<b>Appendix 18</b>
PC Guerra – CCTV Transcript	<b>Appendix 19</b>
PC Guerra – CCTV Photo Evidence	<b>Appendix 20</b>
PC Guerra – Communication with Sols	<b>Appendix 21</b>
Exhibit MA/02: Companies House	<b>Appendix 22</b>
Table of Breaches CCTV 18 <sup>th</sup> August 2022	<b>Appendix 23</b>
Witness Statement Mohshin Ali (24 <sup>th</sup> August 2023)	<b>Appendix 24</b>
Exhibit MA/03: Westminster Committee Decision 25/5/2023	<b>Appendix 25</b>
Exhibit MA/04: LBTH Committee Decision 17/10/2017	<b>Appendix 26</b>

13.3 The Metropolitan Police have made a representation. Some of their evidence duplicates that submitted by the Licensing Authority and therefore the below only sets out their additional evidence:

Police Representation	<b>Appendix 27</b>
Witness Statement – PC Guerra (14/5/23)	<b>Appendix 28</b>
PC Guerra Exhibit RGG 0021-0031	<b>Appendix 29</b>

Witness Statement PC Muldoon (15/5/23)	<b>Appendix 30</b>
PC Muldoon Exhibits SM/1-18	<b>Appendix 31</b>

14.0 No representations were received from the other consultees.

14.1 The application received two supporting representations from customers of the venue of which they describe the venue as safe, well managed and a community asset. See **Appendix 32**

### 15.0 Summary of Premises and Licence History

15.1 A copy of the existing premises licence is available in **Appendix 1**.

15.2 The current licence holders are NH License Ltd .

15.3 The current Designated Premises Supervisor is Bahadur Singh Binning.

### 16.0 Complaints and Enforcement History

16.1 The Licensing Authority has received no complaints about the premises in the last 24 months.

16.2 The premises have been visited by or on behalf of Local Authority on the following occasions in the last 24 months:

Date	Authority (TS/Lic)	Nature of visit
18/08/2022	Licensing	Covert visit found breaches of conditions which lead to revocation application
13/09/2022	Licensing	Licensing Officer hand delivered letter for CCTV request for breaches found on 18/08/2022

16.3 The premises have been subject to the following enforcement actions in the last 12 months:

Date	Authority (TS/Lic)	Nature of Enforcement
18/08/2022	Licensing	Breach of conditions – review licence

### 17.0 Policy - Appropriate Number of Sexual Entertainment Venues

17.1 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.

17.2 The Council has adopted 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.

17.3 The Council will consider each application on its merits 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.

17.4 A copy of the Policy can be found in **Appendix 33**

## 18.0 **Licence Conditions**

18.1 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.

18.2 If the Council decides to grant a licence they are able to impose specific terms, conditions and restrictions on that licence. These are additional to any standard conditions taking effect by virtue of paragraph 13 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

18.3 Most sexual entertainment venues will require a licence under the Licensing Act 2003 as well as an SEV licence. Where this is the case, local authorities should avoid duplicating licence conditions and should ensure that conditions imposed on 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 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..

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. 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 premises licence from the third appointed day onwards (1<sup>st</sup> June 2015).

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 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 SEVs, or SEVs 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 an SEV 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.

19.2 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.

19.3 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, SEVs, or SEVs of a particular kind, it considers appropriate for that relevant locality.

19.4 Members should consider the relevant legislation, Home Office guidance; the Council's SEV Policy and Standard Conditions (see **Appendix 33** and **Appendix 1** respectively).

## 20.0 **Legal Comments**

20.1 On an application for the grant or renewal of an SEV licence the Committee may grant the licence for a period of not more than one year and may be shorter if the Committee thinks fit. The licence will take effect subject to any standard conditions that have been made by the Council under Paragraph 13 of Schedule 3 (unless expressly excluded or varied)

and subject to any specific conditions or restrictions that the Committee determines ought to be imposed on the licence.

20.0 Paragraph 11(1) provides that the licence is deemed to continue where an application to renew has been made before the expiry date of the licence.

20.3 The Committee can only refuse an application for the grant or renewal of a licence on one or more of the grounds specified in the Act. Paragraph 12(1) of Schedule 3 makes refusal mandatory if any of the following grounds apply. These are that the licence, if granted or renewed, would be:

- a) to a person under the age of 18;
- b) to a person who is for the time being disqualified under paragraph 17(3) (if the authority has revoked a sex establishment licence held by the applicant, the holder is disqualified from holding or obtaining a licence from that authority during the period of twelve months beginning with the date of revocation);
- c) to a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of six months immediately preceding the date when the application was made;
- d) to a body corporate which is not incorporated in an EEA state;
- e) to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

20.4 The discretionary grounds for refusal are set out in paragraph 12(3) of Schedule 3. These are:

- a) That 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) that the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
- 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 respect of which the application is made.

20.5 The Committee should only take into account comments within the objections or made orally at the hearing which are relevant to the



mandatory or discretionary grounds for refusal. The Committee should note also that late objections may be considered in the Committee's discretion, subject to the principles of natural justice and procedural fairness.

- 20.6 The Act provides limited grounds for appealing a decision of the Committee to the Magistrates' Court. Where the Committee refuses the application on the basis of suitability of the applicant (Para. 12(1)(a)) or on the basis that the business would be managed or carried on for the benefit of a person who would be refused a licence in their own right (Para. 12(1)(b)) the applicant may appeal to the Magistrates' Court within 21 days beginning with the date of the decision. There is a similar right of appeal if the Committee decides to impose a term, restriction or condition.
- 20.7 There is no right of appeal against any of the mandatory grounds unless the applicant seeks to show that the ground(s) did not apply to him or her. There is no right to appeal in respect of the discretionary grounds set out at Paragraph 12(3)(c) and (d). Any appeal against such a decision would be by way of an application for judicial review to the High Court.
- 20.8 Where a decision is appealed to the Magistrates' Court, there is a further right of appeal to the Crown Court. There is no further right of appeal from the Crown Court.
- 20.9 Where a licence has been revoked or an application for renewal has been refused, the licence is deemed to remain in force until the time limit for appealing has passed or, if an appeal has been made, when the appeal is finally determined or abandoned and, in the case of a successful appeal against a refusal to renew, when there is no further right of appeal and the authority renews the licence.

## 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

<b>Appendix 1</b>	A copy of the existing SEV Licence (including the LBTH Standard Conditions)
<b>Appendix 2</b>	A copy of the renewal application
<b>Appendix 3</b>	A copy of the existing Premises Licence
<b>Appendix 4</b>	Maps of the premises showing the site location

<b>Appendix 5</b>	layout plans of the premises
<b>Appendix 6</b>	Photographs of the premises
<b>Appendix 7</b>	Code of Conduct for Performers, Code of Conduct for Customers (House Rules) and Dancers Welfare Policy
<b>Appendix 8</b>	Vicinity Map
<b>Appendix 9</b>	Ward profile for Spitalfields and Banglatown and Whitechapel
<b>Appendix 10</b>	Copy of Site Notice
<b>Appendix 11</b>	Copy of Press Advert
<b>Appendix 12</b>	Representation from Licensing Authority
<b>Appendix 13</b>	Request for Revocation letter dated 3 <sup>rd</sup> March 2023
<b>Appendix 14</b>	Witness Statement and notes – Officer A
<b>Appendix 15</b>	Witness Statement and notes – Officer B
<b>Appendix 16</b>	Witness statement Mohshin Ali (15 <sup>th</sup> May 2023)
<b>Appendix 17</b>	Exhibit MA/01: Witness Statement PC Morgan (3/1/23) Sensitive Photos RESTRICTED DJM/1 to DJM/9
<b>Appendix 18</b>	Witness Statement PC Guerra (2/1/23)
<b>Appendix 19</b>	PC Guerra – CCTV Transcript (RGG/001/ RGG/002)
<b>Appendix 20</b>	PC Guerra – CCTV Photo Evidence (RGG/004-020) Sensitive Photos RESTRICTED
<b>Appendix 21</b>	PC Guerra – Communication with Sols (RGG/003)
<b>Appendix 22</b>	Exhibit MA/02: Companies House
<b>Appendix 23</b>	Table of Breaches CCTV 18 <sup>th</sup> August 2022
<b>Appendix 24</b>	Witness Statement Mohshin Ali (24 <sup>th</sup> August 2023)
<b>Appendix 25</b>	Exhibit MA/03: Westminster Committee Decision 25/5/2023
<b>Appendix 26</b>	Exhibit MA/04: LBTH Committee Decision 17/10/2017
<b>Appendix 27</b>	Police Representation
<b>Appendix 28</b>	Witness Statement – PC Guerra (14/5/23)

<b>Appendix 29</b>	PC Guerra Exhibit RGG 0021-0031 Sensitive Photos RESTRICTED
<b>Appendix 30</b>	Witness Statement PC Muldoon (15/5/23)
<b>Appendix 31</b>	PC Muldoon Exhibits SM/1-18 Sensitive Photos RESTRICTED
<b>Appendix 32</b>	Supporting representations
<b>Appendix 33</b>	SEV Policy

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# Appendix 1



Lic No:  
148900

**LICENCE FOR A SEXUAL ENTERTAINMENT VENUE**

**Licence Number: 148900**

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:**

NH License Ltd (No 12523134)

to use premises:

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
The Nags Head 17-19 Whitechapel Road	
<b>Post town</b> London	<b>Post Code</b> E1 1DU
<b>Tele hone number</b> [REDACTED]	

as a Sexual Entertainment Venue.

This licence is in force up to: **31<sup>st</sup> May 2023** 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 hours permitted are:

- **Monday to Saturday from 11:00hrs to 03:00hrs (the following day)**
- **Sunday from 12:00hrs (midday) to 22:30hrs**

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

- **28<sup>th</sup> April 2022 - Ground Floor only with changing facilities on first floor**

**The named management responsible for this premises are**

Manpal Singh Clair and Shamsheer Singh - Managers  
Bahadur Singh Binning - Relief Manager  
Alcir Orlandi - Relief Manager  
Daniel Haile Habte - Relief 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 23<sup>rd</sup> 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:

(Conditions added by the Licensing Committee on the 17<sup>th</sup> October 2017):

42. Documents to prove compliance with the Licence pursuant to Standard Condition 3.

An incident log shall be kept at the premises, and made available on request to authorised officers immediately. It must be completed within 3 hours of the incident and shall record the following:

- a. all crimes reported to the venue by a member of the public, a performer or member of staff;
- b. any breach or alleged breach of either the House Rules made by a member of the public or the Code of Conduct made by a performer, and the action taken by the management;
- c. when a person is removed from the premises;
- d. any faults in the CCTV system;
- e. any visit by a relevant authority or emergency service.

43. In the event that a performer alleges that they have been sexually assaulted the management will immediately ensure that

- a. the police (and, where appropriate, the London Ambulance Service) are called without delay;
- b. all measures that are reasonably practicable are taken to apprehend a suspect pending the arrival of the police;
- c. the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- d. such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

44. In the event that during a performance the management or security either witness a member of the public making intentional physical contact with a performer (save as permitted by Standard Conditions 35 or 36) or a performer makes a similar allegation to management or security, that member of the public shall be removed from the premises without delay. The management or security may use their discretion to allow that member of the public a supervised 10 minute drink up time prior to being removed from the premises.
45. Without prejudice to Standard Conditions 12 and 13, at all times the private performance areas and booths are occupied by performers and members of the public trained staff shall regularly monitor the CCTVs which cover that area.
46. Independent Compliance Audit
  - a. An independent compliance auditor, to be instructed and paid for by the Licensees, must carry out a minimum of four (4) compliance audits per year of the private performance areas and booths when sexual entertainment is offered at the premises. The compliance audits must not be pre-arranged with the Licensees or any employee or agent of the Licensees.
  - b. A copy of the compliance audit, signed and dated by the Compliance Auditor, must be kept at the premises (The Nags Head Public House, 17-19 Whitechapel Road E1 1DU) and made available to authorised officers without delay.
47. The number of persons to be accommodated in the Premises at any one time shall not exceed 100 persons.

Other requirements or restrictions:

48. This licence must be prominently and visibly displayed inside the entrance to the Premises.
49. 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: 27<sup>th</sup> June 2022**



**STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES**  
**(REVISED 23<sup>RD</sup> JUNE, 2015)**

**Definitions**

In this Licence,

‘approved layout’ means the layout of the Premises shown on the attached plan.

‘authorised officers’ means officers of the Borough Council or of the Police

‘drinks tariff’ means a tariff showing the price of all drinks

‘entertainment tariff’ means a tariff showing the price of all sexual entertainment performances, displays of nudity and services related to the sexual entertainment performance (including charges for admission to any part of the Premises; for hire of rooms, booths or reserved areas; or for the company of performers)

‘nudity’ , ‘display of nudity’ and ‘sexual entertainment’ are references to those terms as defined by section 27 of the Policing and Crime Act 2009.

‘performers’ means persons engaged by or through the Licensee who provide or participate in sexual entertainment

‘premises’ includes land, buildings, stalls, structures or erections, and all forms of vessels or vehicles (including for the avoidance of doubt bicycles, motor vehicles, boats and aircraft). It does not include any private dwelling to which the public is not admitted.

‘the Premises’ means the premises authorised in this Licence as a sexual entertainment venue and shown on the attached plan.

‘public area(s)’ means the area(s) outlined in blue on the attached plan, being the area within the Premises that the public are permitted to enter.

‘the public’ includes customers, guests and visitors to the premises, but excludes performers and those employees or agents of the Licensee lawfully engaged in managing or operating the Premises.

‘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



## 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):           137926          

**Section B: Premises to be licensed**

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

<b>Premises</b>	<b>Vehicle</b>	<b>Vessel</b>	<b>Stall</b>
-----------------	----------------	---------------	--------------

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: THE NAGS HEAD

Address: 17-19 WHITECHAPEL ROAD

Post Town	<u>LONDON</u>	Postcode	<u>E1 1DU</u>
-----------	---------------	----------	---------------

Premises E-mail address	Premises contact telephone number(s)
[REDACTED]	[REDACTED]

**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 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	NH LICENSE LTD		
Registered number	12523134		
Description of applicant	COMPANY		
Registered Address	128 CITY ROAD NOTE: CHANGE OF ADDRESS		
Post Town	LONDON	Postcode	EC1V 2NX



## 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

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)

---

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:

GROUND FLOOR

---

a) the use to which the remainder of the premises is put

BASEMENT = CELLAR + STORAGE / FIRST FLOOR =  
CHANGING ROOMS, OFFICES + BACK OF HOUSE

b) the name(s) of those who are responsible for the management of the remainder of the premises

MANPAL CLAIR

---

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



7. 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

NH LICENSE LTD

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

### 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

PREMISES LICENCE NUMBER-14598

LICENCE HOLDER-NH LICENSE LTD

DPS - BAHADUR SINGH BINNING (SAAB)



**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?

THE NAGS HEAD

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

Name

MANPAL CLAIR

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Use additional sheets to continue if necessary

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

Name	Percentage share
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Use additional sheets to continue if necessary



### Section G: Advertising Details

When considering types of advertising in this section, please refer to the Council's 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?

PLEASE REFER TO FRONT ELEVATION PHOTO

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

2x SWING BOARDS AS SEEN IN PHOTO  
LOBBY SIGN

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

FLYERS/BUSINESS CARDS DISTRIBUTED  
OUTSIDE LBTH BOUNDARIES



**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	11:00	03:00*
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday	12:00	22:30

\* the day following

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?

WINDONS (GF) BOARDED OVER  
ACCESS VIA INTERNAL LOBBY  
DOOR OPENED FOR ACCESS/EGRESS ONLY

3. 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:



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 DOCUMENTS SUBMITTED  
WITH APPLICATION





### 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: MANPAL CLAIR  
Role: MANAGER / OWNER

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.

RESPONSIBLE FOR DAY-TO-DAY  
MANAGEMENT. RELIEF MANAGER ON-SITE  
WHEN UNAVAILABLE

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: BAHADUR SINGH BINNING  
Role:

Name: ALCIR ORLANDI  
Role:

Name: DANIEL HABTE  
Role:

Name:  
Role:

Name:  
Role:

Name:  
Role:

Name:  
Role:

Name:  
Role:

RELIEF  
MANAGERS

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 application to renew the SEV licence at The Nag's Head.

The venue has provided relevant entertainment since the 1970s.

This will be the 8<sup>th</sup> renewal of the SEV licence under the LG(MP)A 1982.

Full accompanying information provided and additional details available upon request.

### 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 by a cheque made payable to the London Borough of Tower Hamlets (LBTH). You can also phone 020 7364 5008 or <a href="http://www.towerhamlets.gov.uk/pay">http://www.towerhamlets.gov.uk/pay</a>	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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A
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 DBS check for each person named in the application <b>TO FOLLOW</b>	Yes <input type="checkbox"/> No <input checked="" 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. <b>TO FOLLOW</b>	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	A premises plan (scale 1:100) of the premises, vehicle, vessel or stall in respect of which the licence is sought, showing: <ul style="list-style-type: none"> <li>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).</li> <li>b) Public areas and staff/private areas to be clearly defined</li> <li>c) Uses for different areas in the premises (e.g. performance areas, reception etc.)</li> <li>d) Any fixed structures or objects</li> <li>e) all means of ingress and egress from the premises</li> <li>f) Position of CCTV cameras</li> <li>g) The location and type of any fire safety and any other safety equipment</li> <li>h) The location of emergency exits</li> <li>i) The position of ramps, lifts or other facilities for the benefit of disabled people.</li> <li>j) Any parts of the premises that may be inaccessible to disabled people.</li> </ul> <i>Other standard metric scales may be acceptable if more practical for the size of the premises.</i>	Yes <input checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Evidence of public notice and service</b>		
12	Complete copy of the newspaper advert advertising the application <b>TO FOLLOW</b>	Yes <input type="checkbox"/> No <input checked="" 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). <b>TO FOLLOW</b>	Yes <input type="checkbox"/> No <input checked="" 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. <b>TO FOLLOW</b>	Yes <input type="checkbox"/> No <input checked="" 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: LUKE ELFORD  
Organisation: JOHN GAUNT + PARTNERS  
Postal Address: 180-186 KINGS CROSS ROAD, LONDON WC1X 9DF  
Telephone Number: [REDACTED]  
Email: [REDACTED]  
Position/role: [REDACTED]  
Solicitor/Agent for the Applicant: [REDACTED]

### 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.

all personal information


### Section N: Declaration and signature of applicant

The declaration must be signed in all cases :

- a) If the applicant is an individual, by that individual
- b) If the applicant is a partnership, by all individuals who are partners
- c) If the applicant is a company, by a director or the company secretary
- d) 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:	MANPAL CLAIR	Signature	
Position	DIRECTOR	Date	4 MAY 2023
Name:	/	Signature	/
Position	/	Date	/

# Appendix 3

**(The Nags Head Public House)  
17-19 Whitechapel Road  
London  
E1 1DU**

**Licensable Activities authorised by the licence**

Retail sale of alcohol  
Provision of Regulated Entertainment

**See the attached licence for the licence conditions**

**Signed by**

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

**Date: 7<sup>th</sup> October 2005**

**Amended Minor variation 11<sup>th</sup> November 2010**



**Part A - Format of premises licence**

Premises licence number

29631

**Part 1 - Premises details**

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

(The Nags Head Public House)  
17-19 Whitechapel Road  
E1 1DU

**Post town**

London

**Post code**

E1 1DU

**Telephone number**

[REDACTED]

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence**

The sale by retail of alcohol

The provision of regulated entertainment consisting of recorded music, performance of dance, anything of similar nature.

Facilities for making music and dancing and similar nature.

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

Monday to Saturday 11 00 hrs to 03 00 hrs the following day  
Sunday 12 00 hrs to 22 30 hrs

**The opening hours of the premises**

From Monday to Saturday from 11 00 hrs until 03 30 hrs the following day  
Sunday 12 00 hrs to 23 00 hrs

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

On and off sales



## **Part 2**

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

NH License Ltd  
Kemp House  
160 City Road  
London EC1V 2NX

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

12523134

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

Bahadur Singh Binning

[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**

**Personal License No:** P00977

**Issuing Authority:** London Borough of Redbridge

## 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

### **Private Entertainment**

The premises may be used for the following purpose, that is to say, dancing, music, or other entertainment of the like kind which-

- a) is not a public entertainment but is promoted for private gain

### **Annex 2 - Conditions consistent with the operating Schedule**

#### **Regulated Entertainment**

Only recorded music, dance (performed by striptease artists), anything of a similar description

provision of facilities for making music, provision of facilities for dancing (performed by striptease artists), provision of facilities for entertainment of a similar description.

Provide a local taxi firm contact to drive customers home

#### **In relation to Striptease**

1. The total number of persons to be accommodated at the premises at any one time shall not exceed 100 persons.
2. The inward opening doors to Whitechapel Road, which provides emergency exit, shall be locked back in the open position when the premises are in use under this licence.
3. One leaf of the inward opening double doors which provide entry from Whitechapel Road shall be secured open at all times that the premises are occupied by the public.
4. All doors (apart from those specified in items 2 and 3) are to be kept closed during entertainment and satisfactory acoustic sealing should be applied to them.
5. There shall be no door provided to separate the "personal dance" area from the general bar area.
6. A registered door supervisor shall be positioned at the entry to the room providing the "personal dances" at all times that it is in use.
7. The number of performers that are performing within the "personal dance" area (excluding VIP area) at any one time shall not exceed three.
8. To the extent that striptease is permitted by law it shall be deemed in these conditions to apply to all forms of striptease or nudity by male or female performers.
9. Striptease shall only be permitted at premises which have a liquor licence.
10. The striptease entertainment shall be given only by paid performers/entertainers who are engaged exclusively for that purpose.

11. There shall be no physical participation by the audience.
12. Any performance will be restricted to dancing and the removal of clothes, here must not be any other form of sexual activity.
13. All striptease shall take place in an area which is not visible from the street or overlooking buildings.
14. The performance area shall be separated from the audience and consist of a stage, platform or similar construction or an area clearly identified as a performing area that meets with the approval of the Council.
15. The performer shall have direct access to a changing room without passing through the audience, or when direct access is not practical the performer shall be escorted from the stage by a steward or other employee of the licence holder.
16. The performer shall be provided with a changing room which must be separate and apart from public facilities.
17. There shall be no sexually explicit external advertising likely to cause offence as to the nature of the activity being held at the premises.
18. A notice shall be prominently displayed in a conspicuous position on the premises at least one hour before the start, advising customers when the performance is to commence.
19. Whilst striptease is taking place no person under the age of 18 shall be allowed on any part of the premises licensed for the sales of alcohol and a notice shall be displayed in clear terms at each entrance that :- **NO PERSON UNDER 18 TO BE ADMITTED**
20. The licensee shall ensure that gratuities are not thrown at the performer.
21. Where premises are within a radius of 100 metres of places of worship the entertainment shall not be held at such times as would cause offence to religious observers.
22. Where premises are within a radius of 100 metres of any school or educational establishment, striptease performances will not take place until after 8.30p.m. except on Saturday and Sunday.
23. There shall be no contact between the performer and any of the audience during performances
24. There shall be only one performer on the stage at any one time.

25. The layout of the premises must remain unaltered to that inspected and approved by the Council at the time of renewal or application; any alterations to the premises during the currency of the licence must be approved by the Council prior to the works commencing.
26. The number of performers that are performing within the VIP areas at any one time shall not exceed six.

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

Not Applicable

**Annex 4 - Plans**

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

19 October 2010 - Ground Floor only.



*Licensing Act 2003*

**Part B - Premises licence summary**

**Premises licence number**

**29631**

**Premises details**

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

(The Nags Head Public House)  
17-19 Whitechapel Road  
E1 1DU

**Post town**  
London

**Post code**  
E1 1DU

**Tele hone number**

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  
consisting of recorded music, performance of  
dance, anything of similar nature.  
Facilities for making music and dancing and  
similar nature.



The times the licence authorises the carrying out of licensable activities

Monday to Saturday 11 00 hrs to 03 00 hrs the following day  
Sunday 12 00 hrs to 22 30 hrs

The opening hours of the premises

From Monday to Saturday from 11 00 hrs until 03 30 hrs the following day  
Sunday 12 00 hrs to 23 00 hrs

Name, (registered) address of holder of premises licence

NH License Ltd  
Kemp House  
160 City Road  
London EC1V 2NX

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

On and off sales

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

**12523134**

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

Bahadur Singh Binning

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

Yes

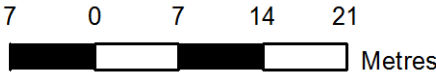
# Appendix 4



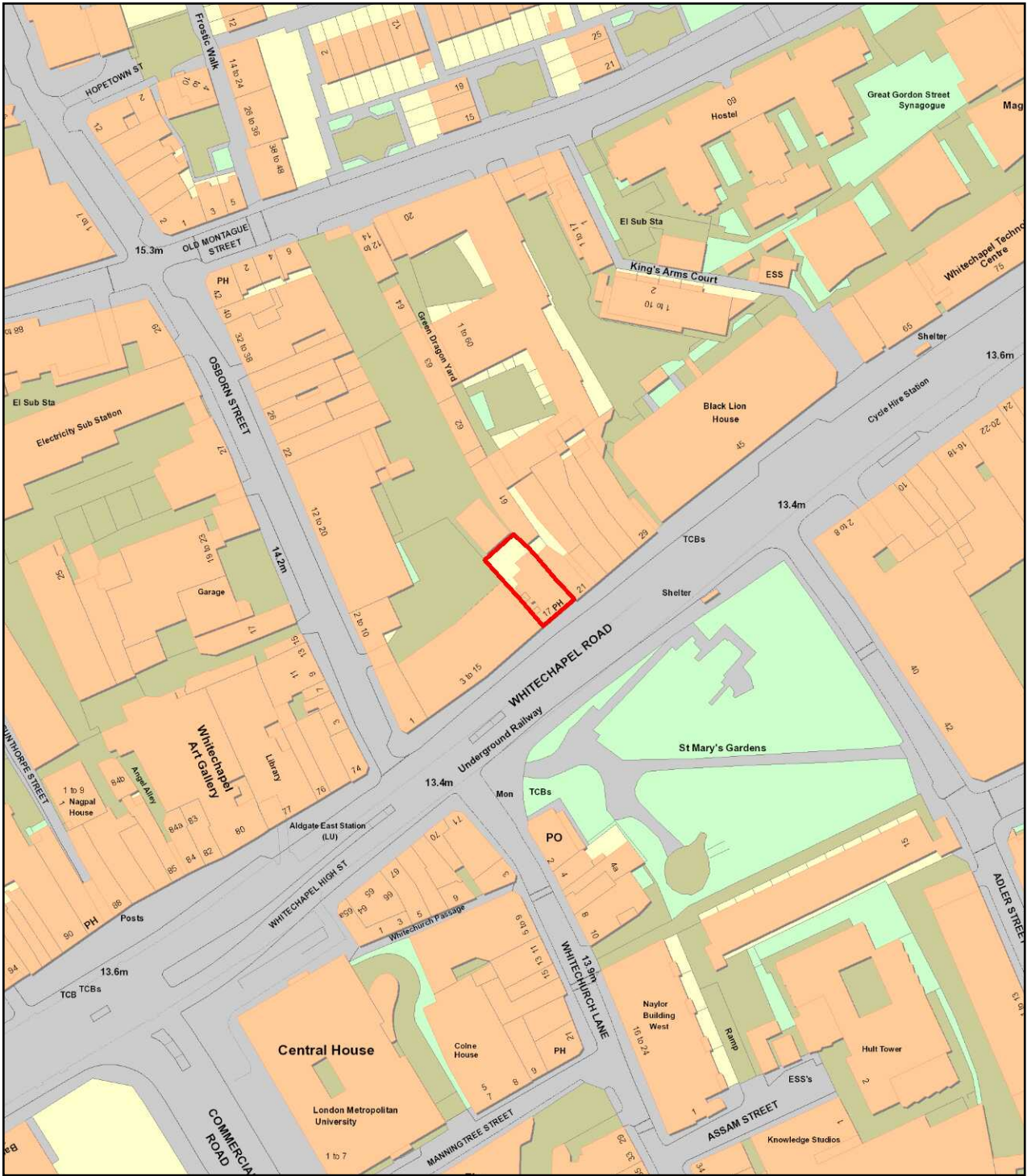
# Nags Head



Scale 1:769



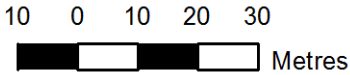
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# Nags Head

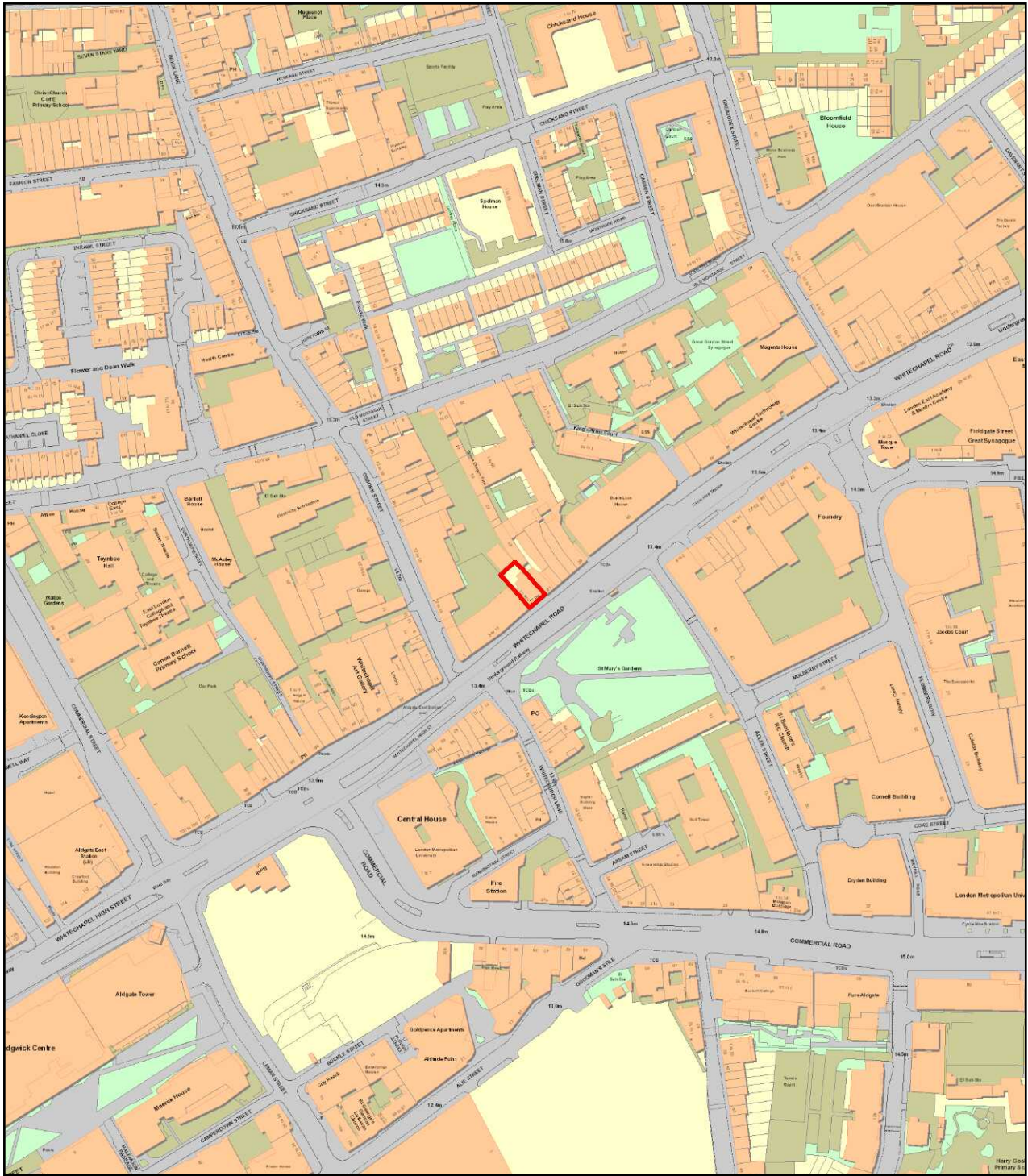


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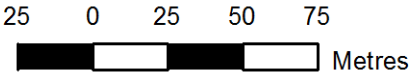




# Nags Head



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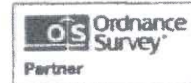
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# Appendix 5





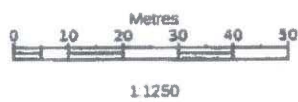
STANFORDS  
FOR BUSINESS



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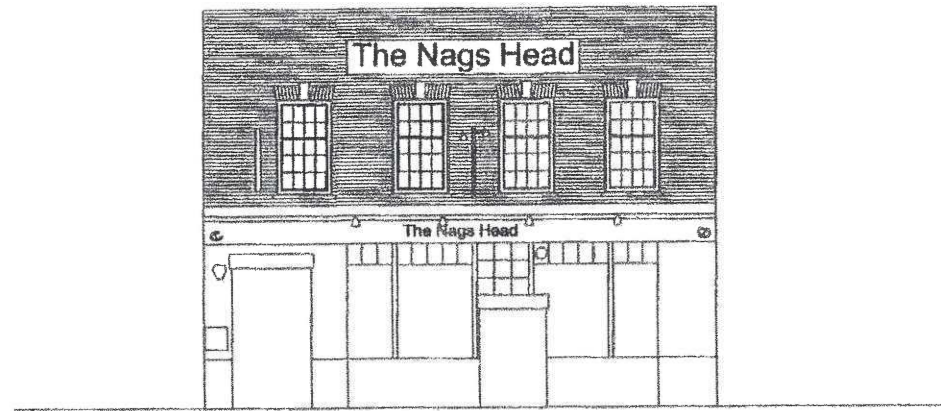
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The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary



17-19, Whitechapel Rd, London  
E1 1DU

Supplied by: Stanfords 19 Nov 2014  
Stanfords Ordnance Survey Partner  
Licence: 100035409  
Order Licence Reference: OI784696  
Centre coordinates: 534083 181510



notes  
 Do not scale dimensions off this drawing.  
 Check all dimensions and report any discrepancies  
 to the Architect before proceeding with the work.  
 Notify the Architect immediately if any  
 discrepancies between the drawings and other  
 contract documents.

① CCTV

100 P1 - APRIL 2014 Preliminary design  
 Tulce Manton Architects

20 Great Court, London, EC4A 3DF  
 020 7497 4000 / 7 499 9922 Fax  
 tulcemanton@aol.com / tulcemanton.co.uk

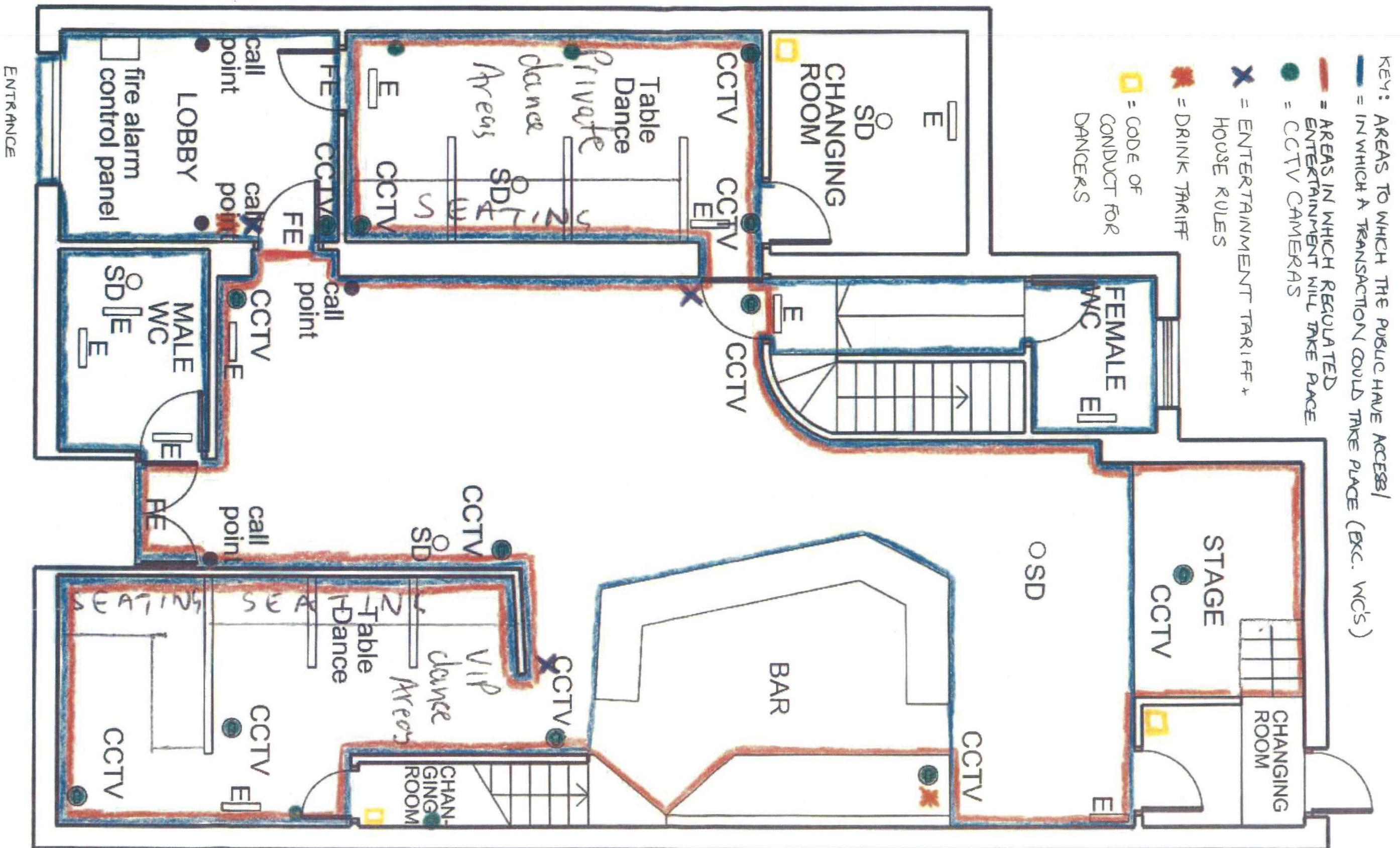
THE NAGS HEAD  
 17, 19 WHITECHAPEL ROAD,  
 LONDON, E1 1DU

09  
 EXISTING FRONT ELEVATION

DATE	APPROVED
2014	DM
1 2014 @ 10	DM
09 14	DM
04 14	DM



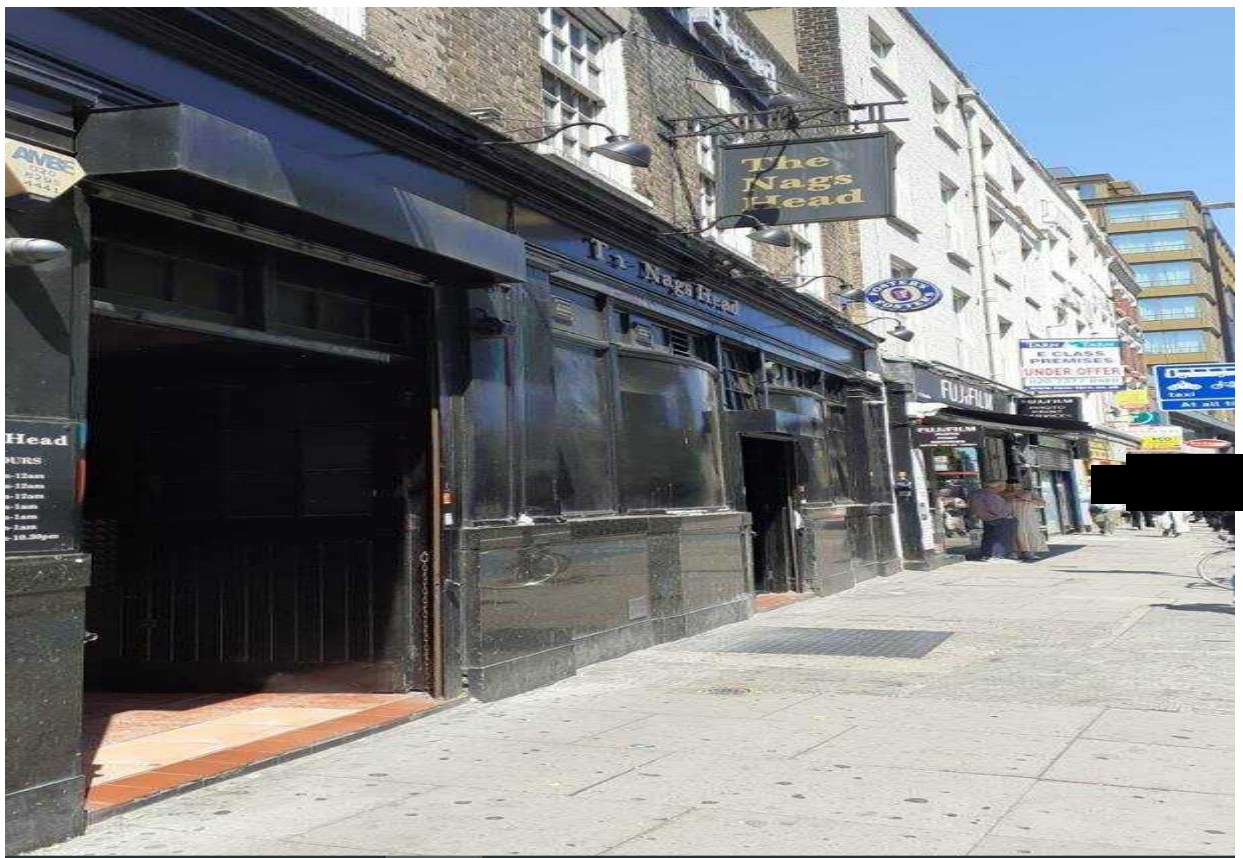
# THE NAGS HEAD GENTLEMAN'S VENUE



# Appendix 6



Nags Head 17-19 Whitechapel Road - Images of the premises



# Appendix 7

## **The Nags Head Performer Code of Conduct**

- During a performance there shall be no full bodied physical contact between the Performer and the Customer other than the transfer of money or token at the beginning, during or conclusion of the dance.
- During the performance of a private dance Customers must remain seated and are not permitted to dance or otherwise participate in the performance other than as a spectator.
- Customers must remain appropriately clothed at all times. Neither Customer nor Performer may remove any of the Customer's clothing during a performance.
- If a Customer attempts to touch, or speak to a Performer inappropriately, the Performer must immediately stop the performance and explain the House Rules. If the Customer persists in the inappropriate behaviour, the Performer shall stop the performance and ask for assistance from the Management, who will take appropriate action, which may include escorting the Customer from the Premises.
- During a performance there shall be no full bodied physical contact between Performers and they are not to touch each other's genitalia and/or breasts.
- Performers shall not engage in an act of prostitution (the receiving of gratuities or payments for any form of sexual favour).
- Performers shall not solicit for gratuities or payment in return for sexual favours.
- Performers must redress at the conclusion of the performance.
- Performers must remain fully dressed while on the premises, except while performing in areas approved by the Council for sexual entertainment and in the approved changing rooms.
- Performers may only perform in the areas of the club designated by management.
- Performers must not give out any personal information, including telephone numbers, or contact details away from the premises.
- Performers must never be in the company of a customer except in an area open to the public within the premises.

# **The Nags Head**

## **Customer House Rules**

**The following rules must be followed  
whilst any performer is dancing for you:**

- Before a dancer may perform, you must be seated with your back against the back of the seat and your hands by your side. You must remain seated for the duration of the dance.
- **You must not touch the performer during her performance.**
- You must not attempt to arrange to meet any performer privately or to give your telephone number or business card for that purpose.
- You should not ask the performer to perform any sexual favour or use any profane language.
- You must not perform any act of masturbation or indulge in other sexual behaviour.

- The venue operates a smart casual dress code to which you must conform (clearly stated in reception). You must be decently attired on arrival and departure from the premises.
- No person under the age of 18 will be admitted.
- We operate a challenge 21 policy. If you are lucky enough to look under 21 you will be required to produce a valid I.D (either a passport or driving licence).
- You are required to contribute a minimum of £1 for each and every stage dance
- You must remain fully clothed coming in and leaving the club premises.
- Photographs or video footage are not permitted to be taken with any equipment including mobile phones whilst on the premises. (Please keep your camera phone in your pocket).
- You should behave in an appropriate manner outside the premises so as not to cause disturbance to any local residents in the neighbourhood.
- Management reserves the right to refuse admission and to remove customers who fail to comply with the stated rules of the club including causing disturbance to any local residents in the neighbourhood.

**Failure to comply with this code may result in you being asked to leave the premises without refund of any monies paid**

## **The Nags Head Performer Welfare Policy**

- Each Performer will undergo a preliminary interview with Management and will provide two forms of identification, including a utility bill and photographic identification and, if appropriate, any proof of entitlement to work in the UK.
- During induction, the House Rules, Performer Welfare Policy and Performer Code of Conduct, together with a copy of any conditions on the Premises Licence and Sexual Entertainment Venue (SEV) Licence will be explained. The Performer will be required to sign and confirm their understanding of the above.
- Appropriate Health and Safety training will be provided in relation to the layout of the Premises and the procedures in case of emergency.
- Training will be provided in relation to working schedules, changing room etiquette, payments and charging, disciplinary procedures, customer relations and conflict management, incident reporting and arrival and exit procedures.
- Any Performer concerned about the behaviour of a Customer shall report the incident to Management or a Door Supervisor who will take immediate action to investigate and take appropriate action.
- Staff members must constantly supervise the behaviour of Customers at the Premises and shall intervene where any customer is breaching the "House Rules" or otherwise causing alarm or distress to a Performer.
- Performers shall be provided with free tap drinking water on request; there is no requirement for Performers to drink alcohol.
- Secure dressing room facilities are provided. Performers will use the dressing room facilities for changing before and after the performance period and for rest breaks as agreed with Management.
- There is a designated smoking area for Performers in the rear courtyard and whilst at the Premises, Performers may only smoke in this area.
- All areas of the premises to which the public have access will have adequate supervision via CCTV and/or a SIA registered door supervisor.
- For their safety, Performers will be required to stay until the end of the performance period and if required will be escorted by a Door Supervisor to their vehicle on departure from the Premises.
- Taxis can be provided for Performers on request in order to leave the Premises. There is no requirement for the Nags Head to pay the fare of such taxi.

### **Performer Declaration**

**I confirm that:**

- The Nags Head is not under any liability to make PAYE deductions on my behalf as I am not employed by the Nags Head.
- The onus is on me to make a return to HMRC and it is my obligation to pay any



taxes due, including VAT and Income Tax. It is also my responsibility to ensure that I am not claiming any inappropriate benefits or allowances whilst performing on a self-employed basis at The Nags Head.

- I will not hold The Nags Head or any of their employees or other persons working at the premises on a self-employed basis responsible for acts or omissions arising out of my negligence, and I will be responsible for taking out any insurance to cover sickness, damage and loss.
- I confirm that I have declared any convictions for drugs or prostitution or other convictions below, and if required I will obtain a disclosure of m<sup>y</sup> criminal record and show it to the manager.
- I have read, understood and agree to abide by the conditions of the Sexual Entertainment Venue Licence and Premises Licence.

**Disclosure of criminal convictions or if NONE please state "NONE"**

**Nature of Offence**

**Performer "Stage" Name:** .....

**Performer Full Name:** .....

**Home address:** .....  
.....

**Postcode:** .....

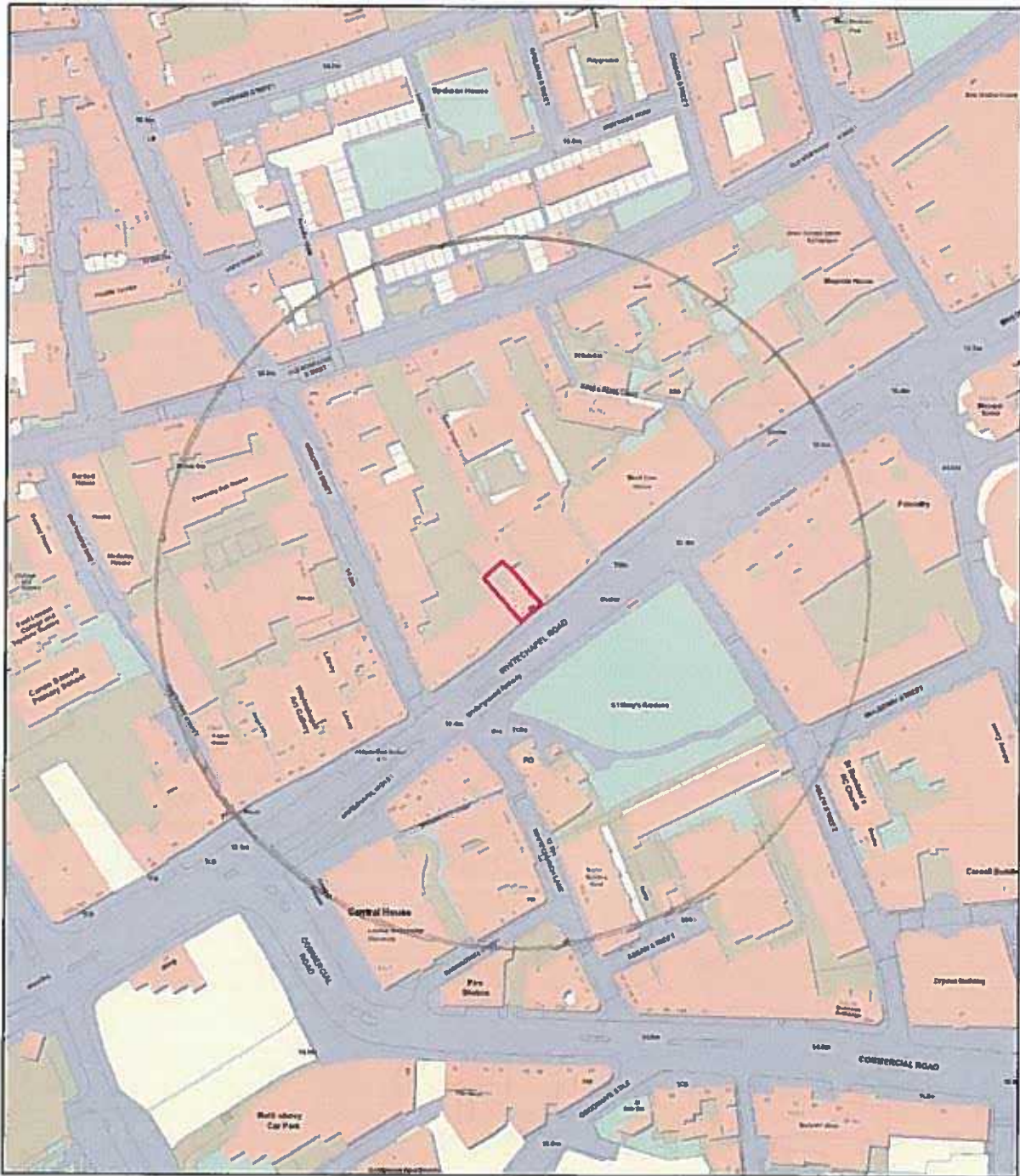
**Telephone number:** .....

**Date of birth:** .....

**Signature:** .....



# Appendix 8



## 17-19 Whitechapel Road



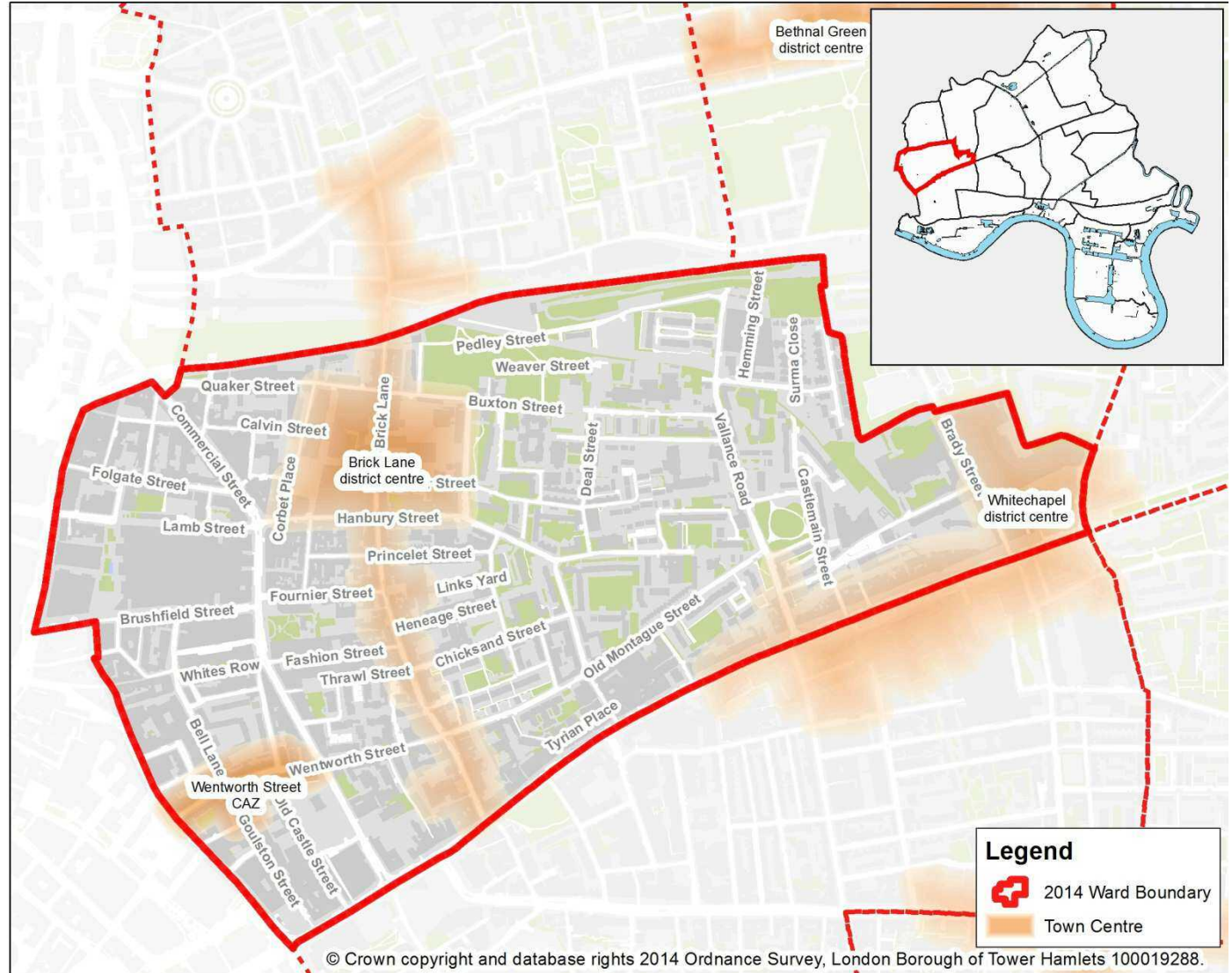
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# Appendix 9

# Spitalfields and Banglatown Ward Profile



## Contents

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## 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.

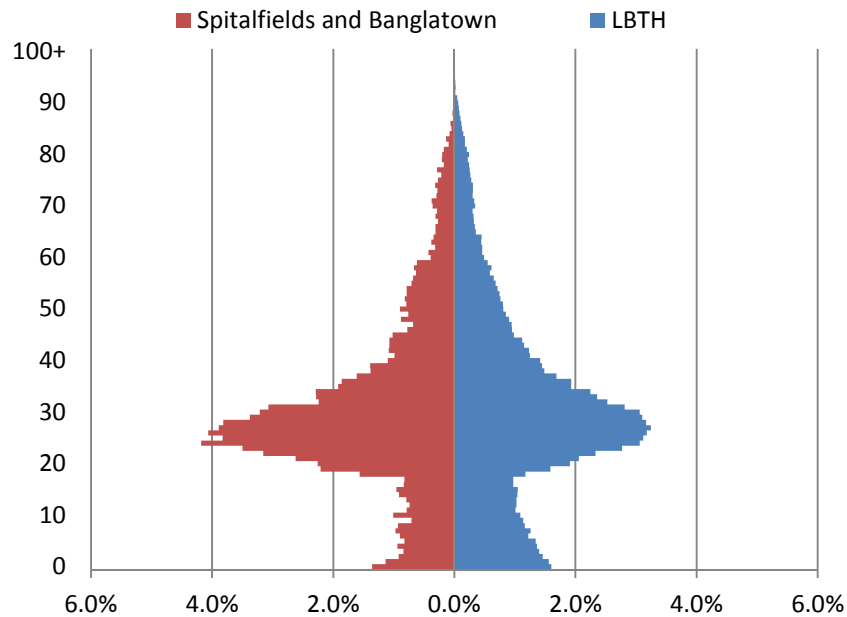
Data from the 2011 Census has been used throughout this ward profile as this still provides the single best source of statistics which are available at geography small enough to be aggregated up in to the new wards. While more recent estimates of the resident population are available for the borough 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

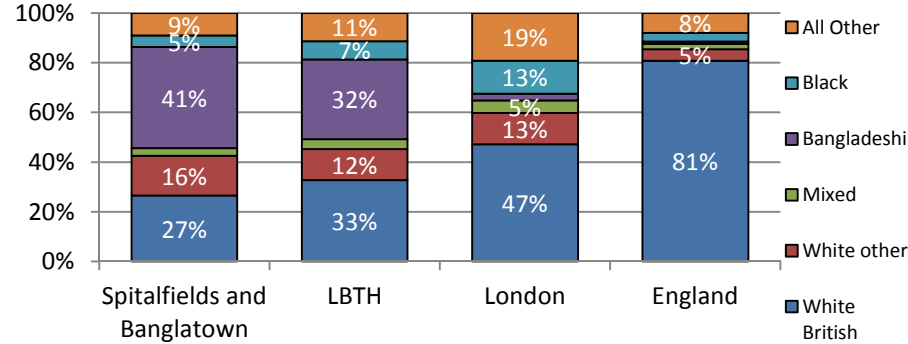
Residents by Age	0-15	16-64	65+	Total
<b>Spitalfields &amp; Banglatown</b>	1,853	10,073	652	12,578
<b>Spitalfields &amp; Banglatown %</b>	14.7%	80.1%	5.2%	100%
<b>Tower Hamlets %</b>	19.7%	74.1%	6.1%	100%

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

- At the time of the 2011 Census, the population for Spitalfields and Banglatown was 12,578 which accounted for almost 5 per cent of the total population of Tower Hamlets.
- The ward had 6,782 males and 5,796 females providing a gender split in the ward of 53.9 per cent male and 46.1 per cent female. This ward had almost a thousand more males than females.
- The population density in this ward was 145 people per hectare, higher than the borough average of 129 people per hectare.
- Just over 10,000 of the residents of Spitalfields and Banglatown ward were aged between 16-64 years old, accounting for 80.1 percent of the ward population. This proportion was the fourth highest in the borough. There were fewer than borough average residents aged 0-15 years old. The proportion was the third lowest compared to the rest of the borough.

## Ethnicity

Figure 2: Ethnicity

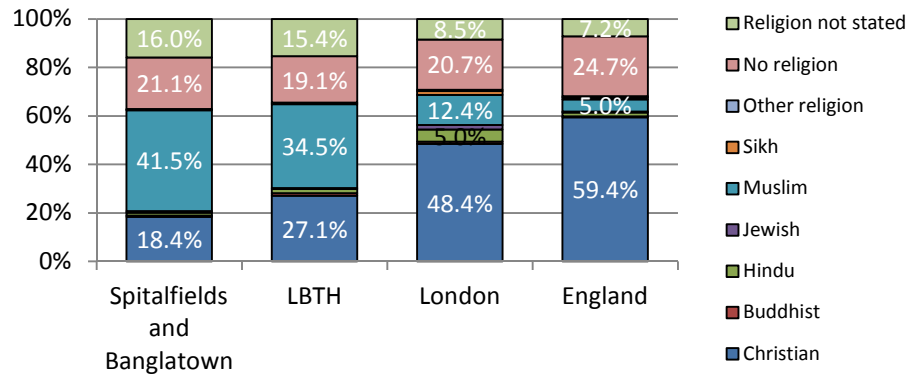


(Source: Census 2011 QS201EW - Ethnic group)

- At the time of the 2011 Census, 7,235 residents in the ward were BME (58 per cent). This proportion was higher than the borough average of 54 per cent.
- Residents of Bangladeshi origin accounted for 41 per cent of the population (5,121 residents), a higher than the borough average.
- There were 3,346 White British residents in the Spitalfields and Banglatown ward. There was a lower 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 83 per cent of all residents in this ward.

## Religion

Figure 3: Religion

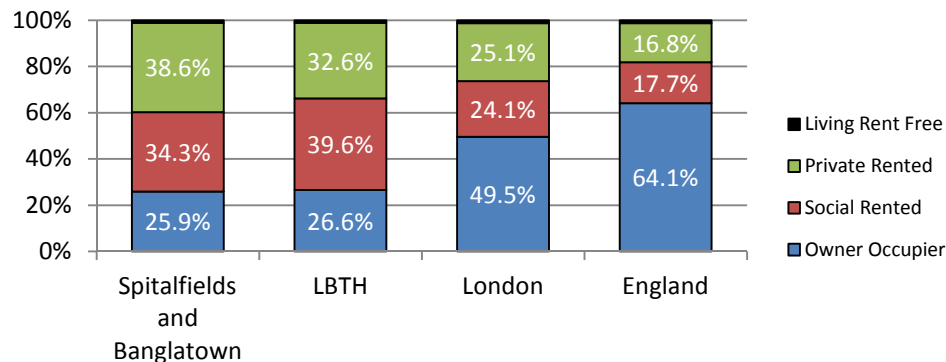


(Source: Census 2011 QS208EW – Religion)

- The proportion of residents who identified themselves as Christian was 18.4 per cent – lower than the borough average of 27.1 per cent. At 41.5 per cent of the population, the proportion of Muslim residents was higher than the borough average.
- 2,660 residents in the ward explicitly stated that they had no religion, this equated to 21.1 per cent of the ward population, compared to the borough average of 19.1 per cent.
- Tower Hamlets has 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. There were just over 2,000 residents in the ward who did not state their religion on the census form – accounting for 16 per cent of the ward's population, higher than the borough average.

## Housing Tenure<sup>1</sup>

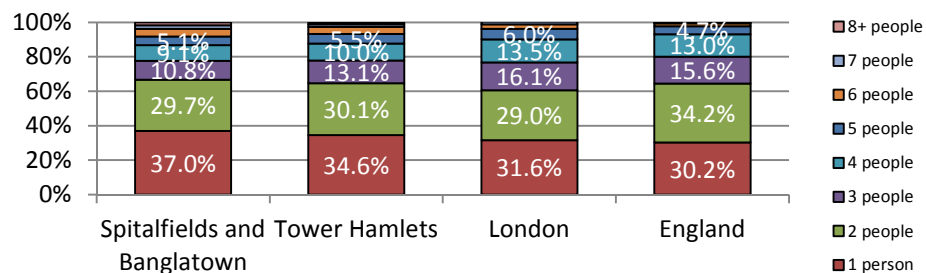
Figure 4: Tenure of households



(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 49.9 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 4,747 households in the Spitalfields and Banglatown ward. Compared to the other wards, the ward had a lower than average proportion of households – accounting for nearly 4.7 per cent of the whole.
- 25.9 per cent of households in the wards were owner-occupied, a rate lower than the borough average of 26.6 per cent.
- There were a lower than average proportion of socially rented properties in this ward and a higher than average proportion of private rented properties. Together the proportion of renters (72.9 per cent) was below the borough average (72.2 per cent).
- The proportion of households in this ward with three or more people accounted for 33.3 per cent of the total households in the ward. This proportion was lower than the borough average of 35 per cent.
- On Census day, 633 households were recorded as having five or more people living in them. This equates to 13.3 per cent of the households in the ward and was higher than the average for Tower Hamlets (12.3 per cent).
- The average household size in the ward was 2.65 compared to the borough average of 2.51.

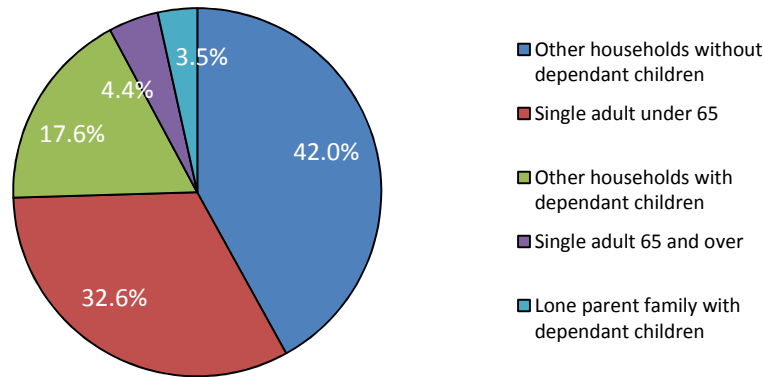
<sup>1</sup> Tenure provides information about whether a household rents or owns the accommodation that it occupies and, if rented, combines this with information about the type of landlord who owns or manages the accommodation.



**Household composition**

Page 519

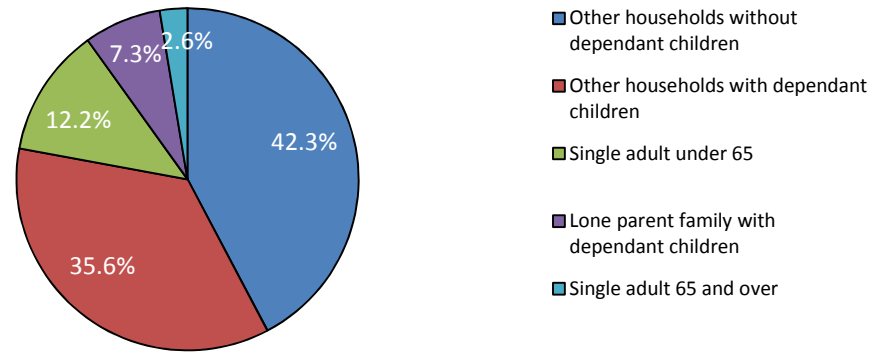
Figure 6: Household composition - percentage of households by type



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

- At the time of the Census, 42.9 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 21.1 percent of the households in the ward, lower than the borough average of 26.6 per cent.
- Single adult households accounted for 37 per cent of all households in the ward; however 14.8 per cent of the ward's residents lived in this type of household.
- Older people living alone (65+) accounted for 4.4 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. 19 per cent of households (883 households) in the ward were overcrowded – higher than the average for the borough (16 per cent).

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



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

Average residents per household	Spitalfields and Banglatown	Tower Hamlets	London	England
Households with dependent children	4.81	4.30	3.89	3.78
Households with non-dependent children	1.85	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)	
	Count	Percentage	Count	Percentage	Count	Percentage
Spitalfields & Banglatown	883	19%	2,526	53%	1,338	28%
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
Spitalfields & Banglatown	853	893	10,832
Spitalfields & Banglatown (%)	6.8%	7.1%	86.1%
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 853 residents (8.1 per cent) in Spitalfields and Banglatown had a long term health problem or disability *limiting the persons day to day activities a lot*, while 7.1 per cent (893 residents) had a long term health problem or disability *limiting the persons day to day activities a little*.
- In Spitalfields and Banglatown, the rate of people with a long term health problem or disability *limiting day to day activities a lot* was resembling the Tower Hamlets (6.8 per cent) and London rate (6.7 per cent) but was below the England rate.
- In comparison, the rate of people with a long term health problem or disability *limiting day to day activities a little* of 7.1 per cent was above the Tower Hamlets (6.7 per cent) but below the London and England average.

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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
Spitalfields & Banglatown	11,702	494	170	212
Spitalfields & Banglatown (%)	93.0%	3.9%	1.4%	1.7%
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 per cent of residents in Spitalfields and Banglatown provided unpaid care. The Spitalfields and Banglatown rate was below the Tower Hamlets (7.6 per cent), London (8.4 per cent) and England (10.2 per cent) rates.
- From 876 residents in Spitalfields and Banglatown who provided unpaid care, 170 residents provided care for 20 to 49 hours a week, while 212 residents provided care for 50 or more hours a week.
- The proportion of those providing unpaid care for 50 hours or more of 1.7 per cent in Spitalfields and Banglatown was below Tower Hamlets (1.9 per cent), London (1.8 per cent) and England (2.4 per cent) averages.

## 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
Spitalfields & Banglatown	5,660	780	639	446	1,323	642	489	485
Spitalfields & Banglatown (%)	54.1	7.5	6.1	4.3	12.6	6.1	4.7	4.6
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 Spitalfields and Banglatown and comparator areas.
- Spitalfields and Banglatown had a rate of 54.1 per cent of residents in employment, slightly below Tower Hamlets (57.6 per cent) and London (62.4 per cent) averages.

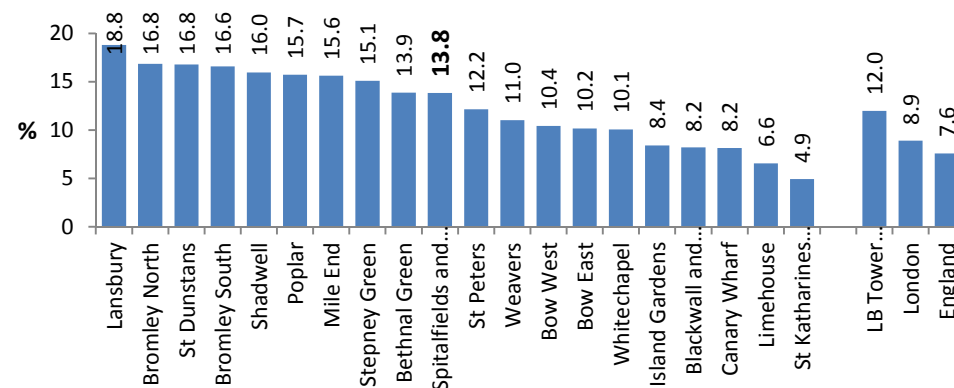
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- The proportion of economically inactive residents, including those looking after home & family (6.1 per cent) and the long term sick (4.7 per cent) was above the borough, London and England averages.
- A total of 780 residents were unemployed in Spitalfields and Banglatown. The rate of 7.5 per cent was above the Tower Hamlets (6.7 per cent), London (5.2 per cent) and England (4.4 per cent) averages. Interestingly, the proportion of students, both economically active students (6.1 per cent) and inactive students (12.6 per cent) was above the Tower Hamlets, London and England rates too.

### 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.
- Spitalfields and Banglatown had the 10<sup>th</sup> highest unemployment rate in the borough with 13.8 per cent, nearly 1.8 percentage points above the Tower Hamlets rate (12 per cent).
- 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.

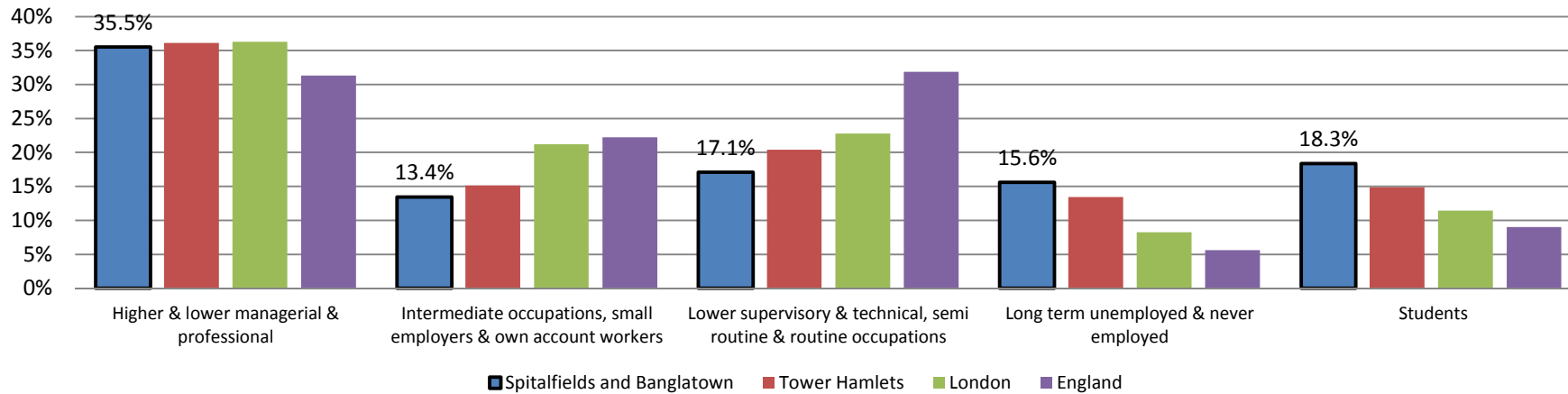
Figure 8: Unemployment rate of 16 to 64 – economic active population only



(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 a higher proportion of working aged residents working in managerial and professional occupations than any other sector. However at 35.5 per cent, the ward had a slightly lower proportion of residents in this category than the borough average (36.1 per cent).
- There was a higher than borough average proportion of residents in this ward who were classified as long term unemployed / never employed (15.6 per cent compared to 13.5 per cent). There were 1,632 ward residents in this category).
- The ward had a higher than average proportion of residents classified as students compared to the borough average of 14.9 per cent.

## Qualification levels

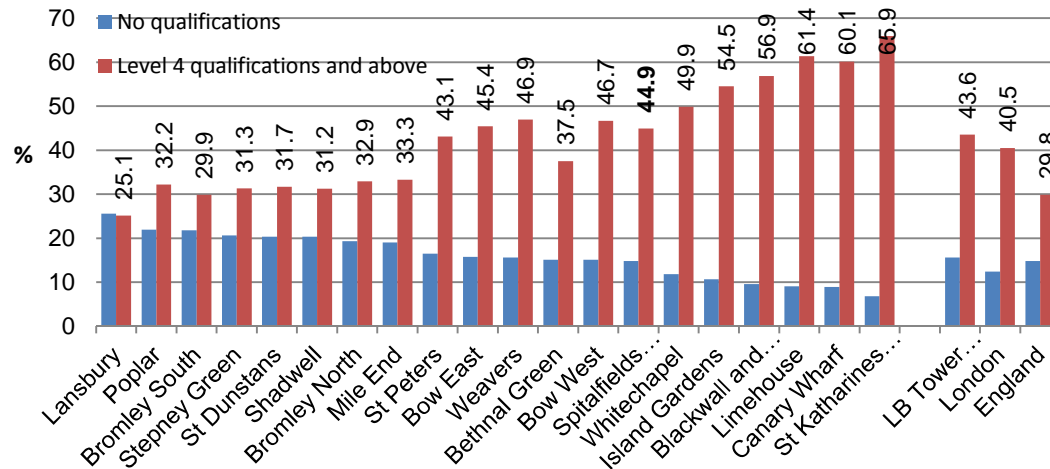
Table 7: Highest qualification of residents aged 16 to 64

Area	No qualification	Level 1	Level 2	Apprenticeship	Level 3	Level 4 And above	Other
Spitalfields & Banglatown	1,491	919	825	61	1,164	4,524	1,089
Spitalfields & Banglatown (%)	14.8	9.1	8.2	0.6	11.6	44.9	10.8
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 Spitalfields and Banglatown showed a qualification structure close to the Tower Hamlets average.
- The proportion of those with a level 4 qualification was just above the borough average with 44.9 per cent but was also above London (40.5 per cent) and England (29.8 per cent) rates.
- Around 1,491 residents (14.9 per cent) aged 16 to 64 did not hold a formal qualification. This rate was just below the Tower Hamlets average of 15.6 per cent.
- The lowest proportion of residents with no qualification was recorded in St Katharine'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 Spitalfields and Banglatown residents with a level 3 qualification was 11.6 per cent, a rate slightly above the Tower Hamlets figure (10.8 per cent).
- Level 1 and Level 2 qualification rates in Spitalfields and Banglatown were slightly lower than the borough rates.






## Spitalfields and Banglatown Statistical Area

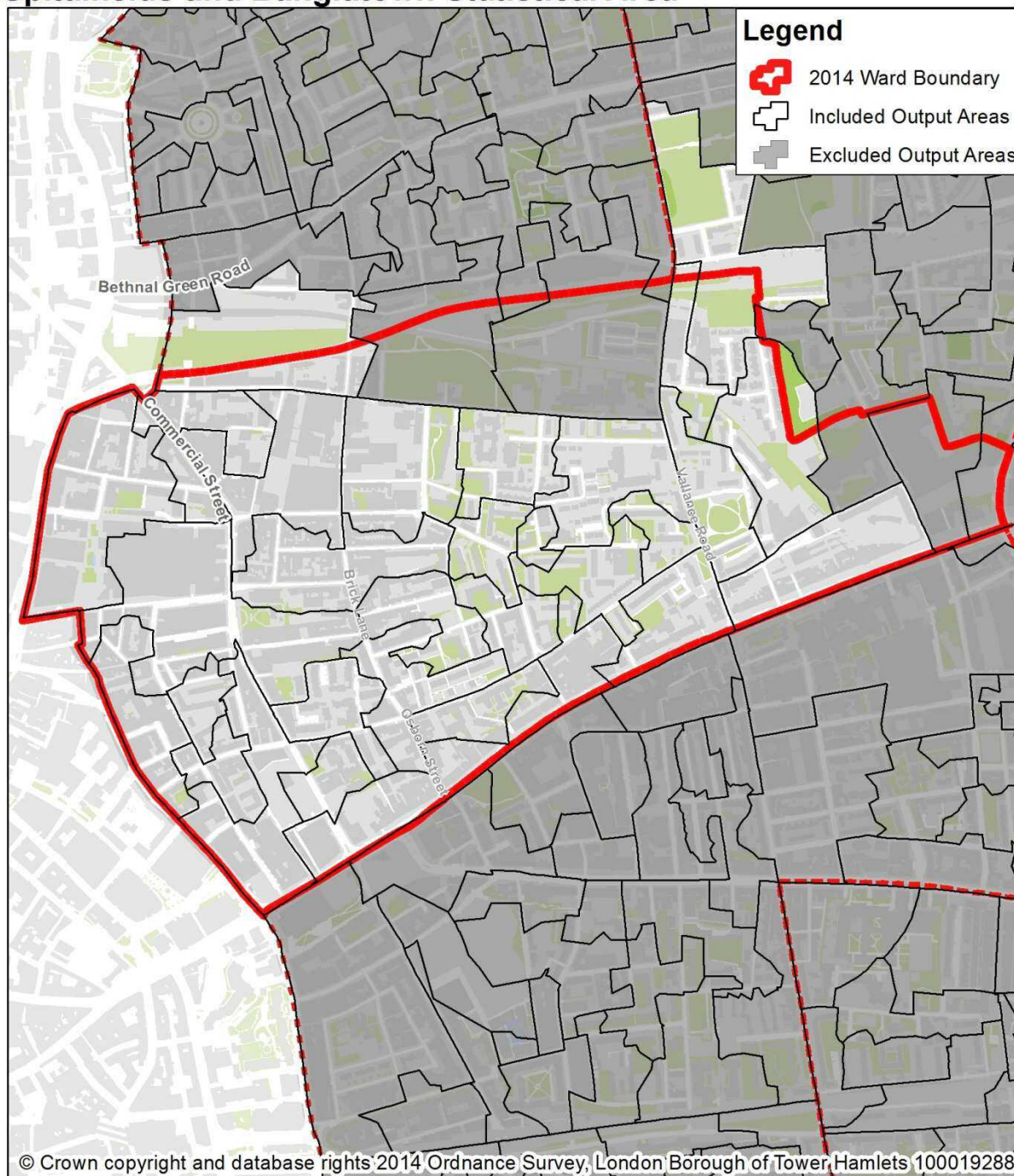
### Statistical Areas

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>

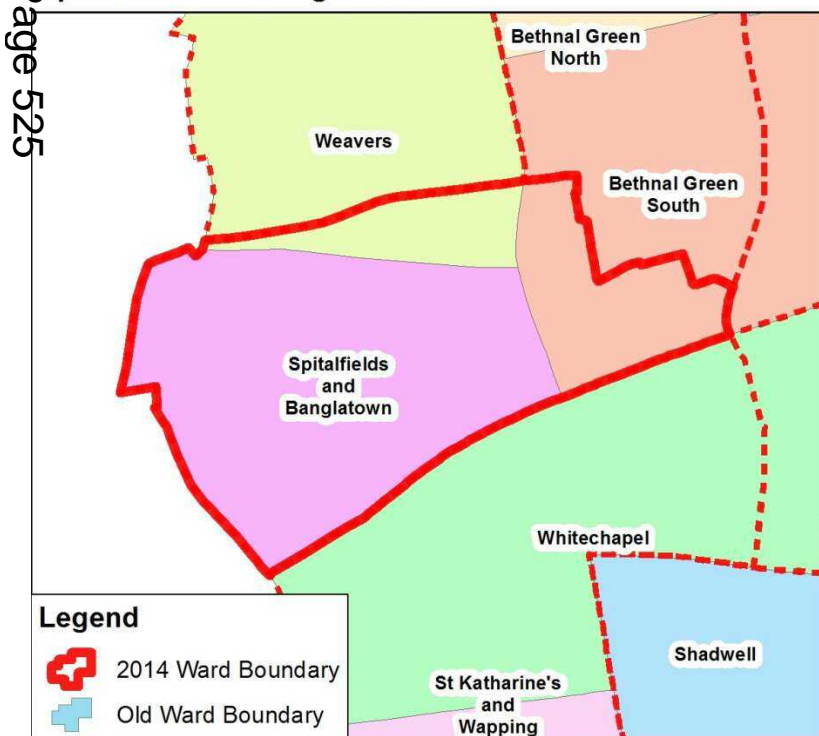
### Legend

-  2014 Ward Boundary
-  Included Output Areas
-  Excluded Output Areas




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### Spitalfields and Banglatown and the old wards



### Legend

-  2014 Ward Boundary
-  Old Ward Boundary

### **Further information**

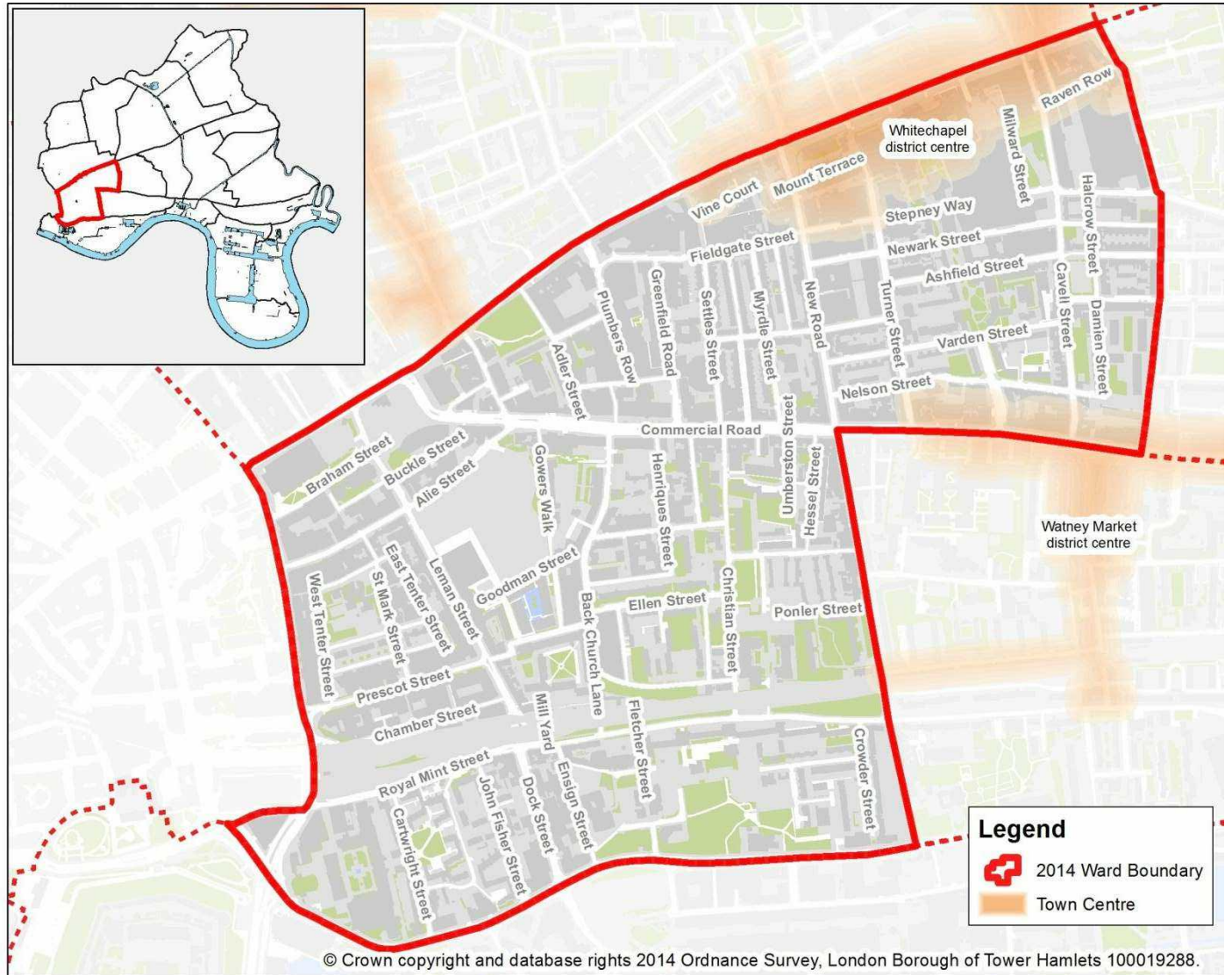
The data used in this document has been sourced from the Office for National Statistics Census 2011 and specific Census 2011 data tables are quoted in the document.

**Contact the Corporate Research Unit:** [cru@towerhamlets.gov.uk](mailto: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.



# Whitechapel Ward Profile



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## 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.

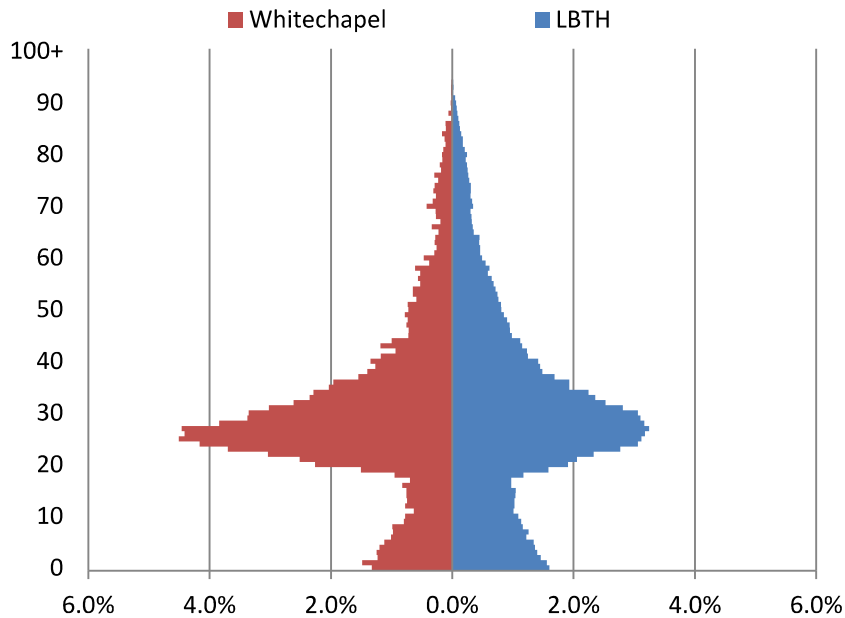
In May 2014, the number of wards increased from 17 to 20. The changes were made by the Local Government Boundary Commission for England, in order to ensure that every councillor in Tower Hamlets represented roughly the same number of residents. The changes mean that no ward will have a population variance 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

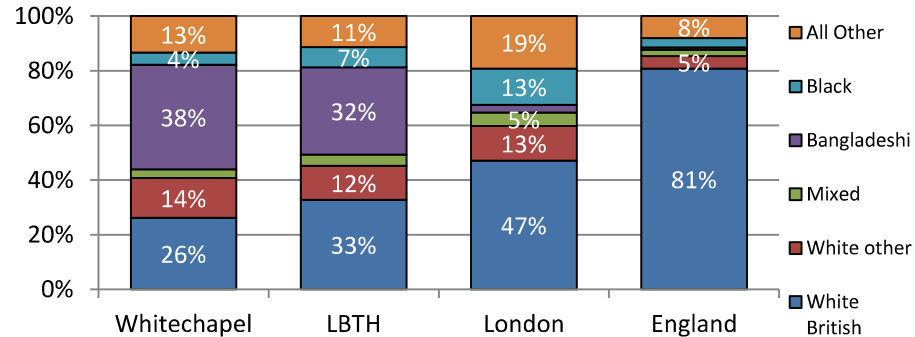
Residents by Age	0-15	16-64	65+	Total
<b>Whitechapel</b>	2,245	11,215	730	14,190
<b>Whitechapel %</b>	15.8%	79.0%	5.1%	100%
<b>Tower Hamlets %</b>	19.7%	74.1%	6.1%	100%

(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

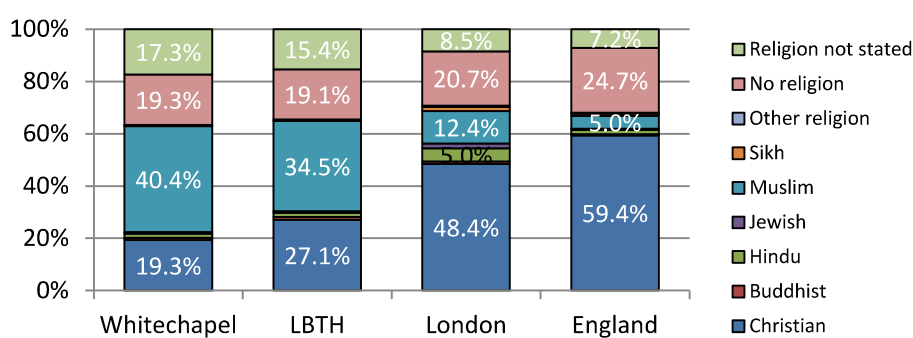


(Source: Census 2011 QS201EW - Ethnic group)

- 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

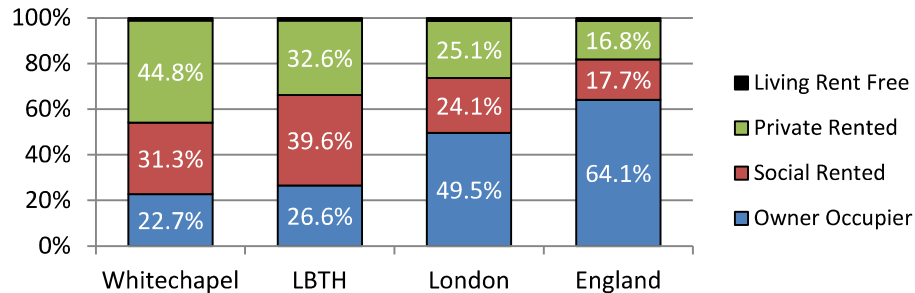


(Source: Census 2011 QS208EW - Religion)

- 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 Tenure<sup>1</sup>

Figure 4: Tenure of households

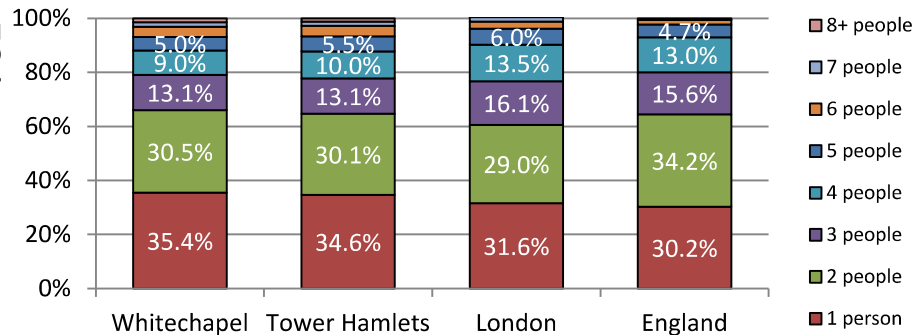


(Source: Census 2011 QS405EW - Tenure – Households)

- 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).

## Household size

Figure 5: Tenure of households



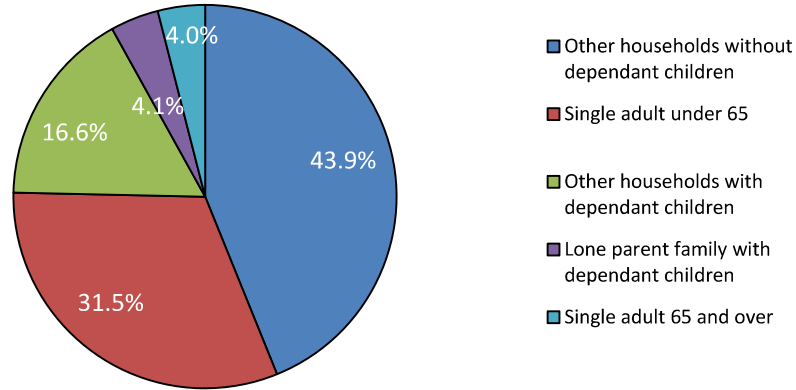
(Source: Census 2011 QS405EW - Tenure – Households)

- 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.

<sup>1</sup> 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

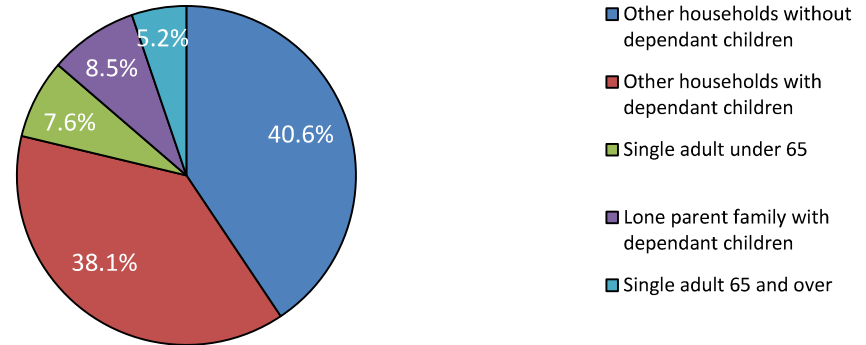
Figure 6: Household composition - percentage of households by type



(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

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

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
<b>Whitechapel</b>	13,073	680	209	228
<b>Whitechapel (%)</b>	92.1%	4.8%	1.5%	1.6%
<b>Tower Hamlets (%)</b>	92.4%	4.3%	1.4%	1.9%
<b>London (%)</b>	91.6%	5.3%	1.3%	1.8%
<b>England (%)</b>	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.

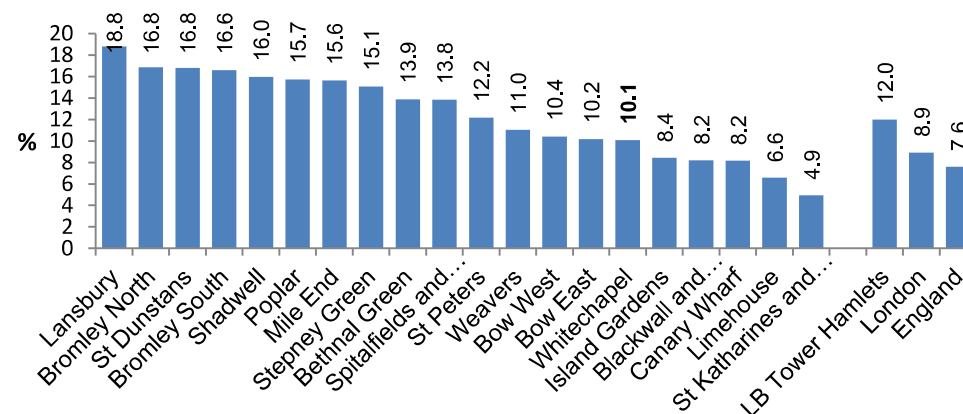
A total of 660 residents were unemployed in Whitechapel. While the rate of 5.7 per cent was below the Tower Hamlets (6.7 per cent) rate, it was above London (5.2 per cent) and England (4.4 per cent) averages.

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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 6<sup>th</sup> 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

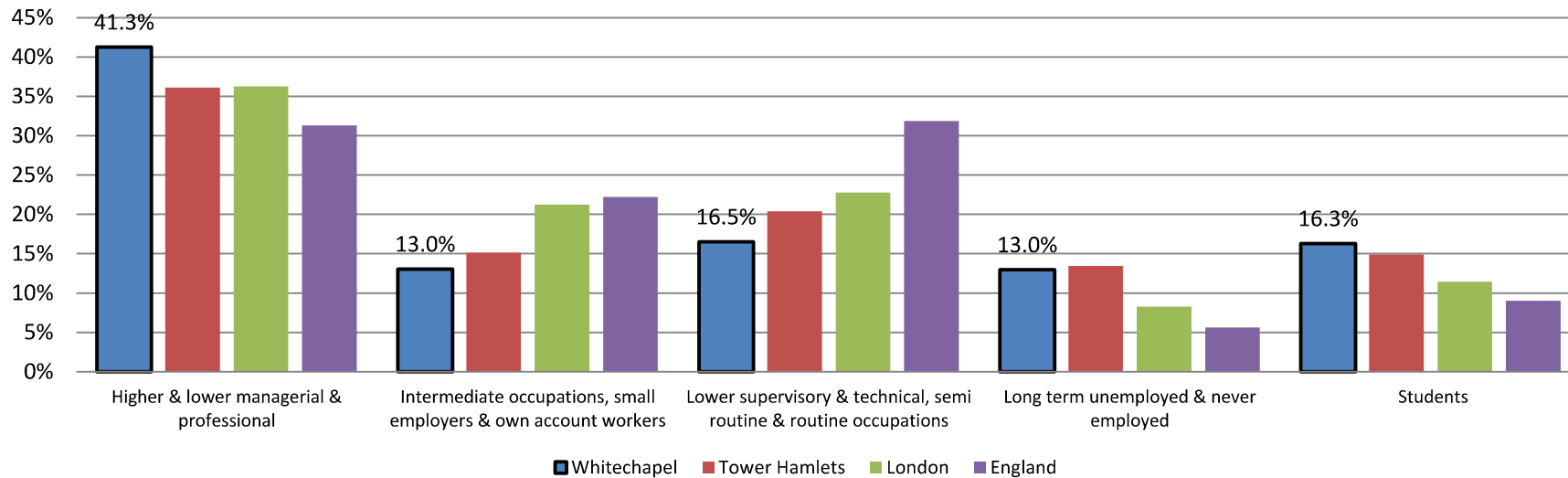


(Source: Census 2011: QS601EW - Economic activity)



## 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

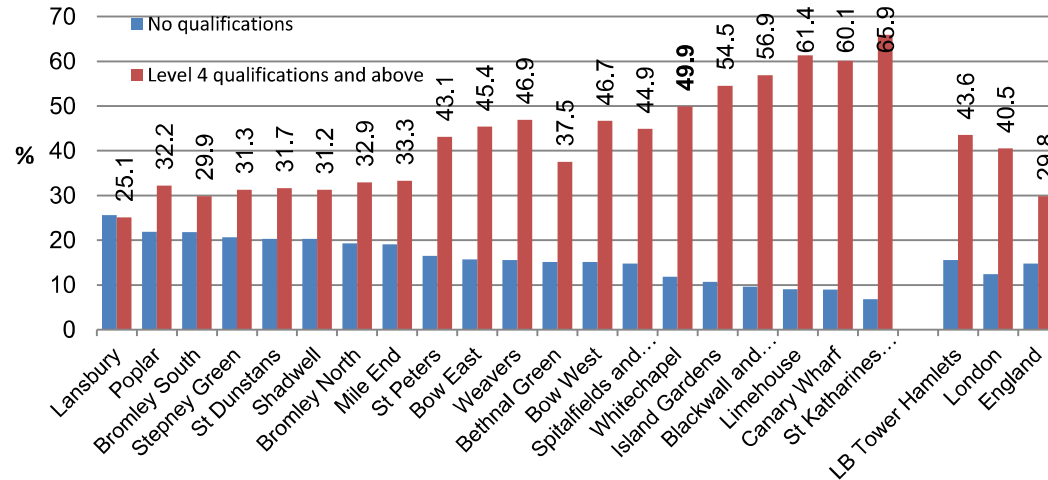
Table 7: Highest qualification of residents aged 16 to 64

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 6<sup>th</sup> 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.

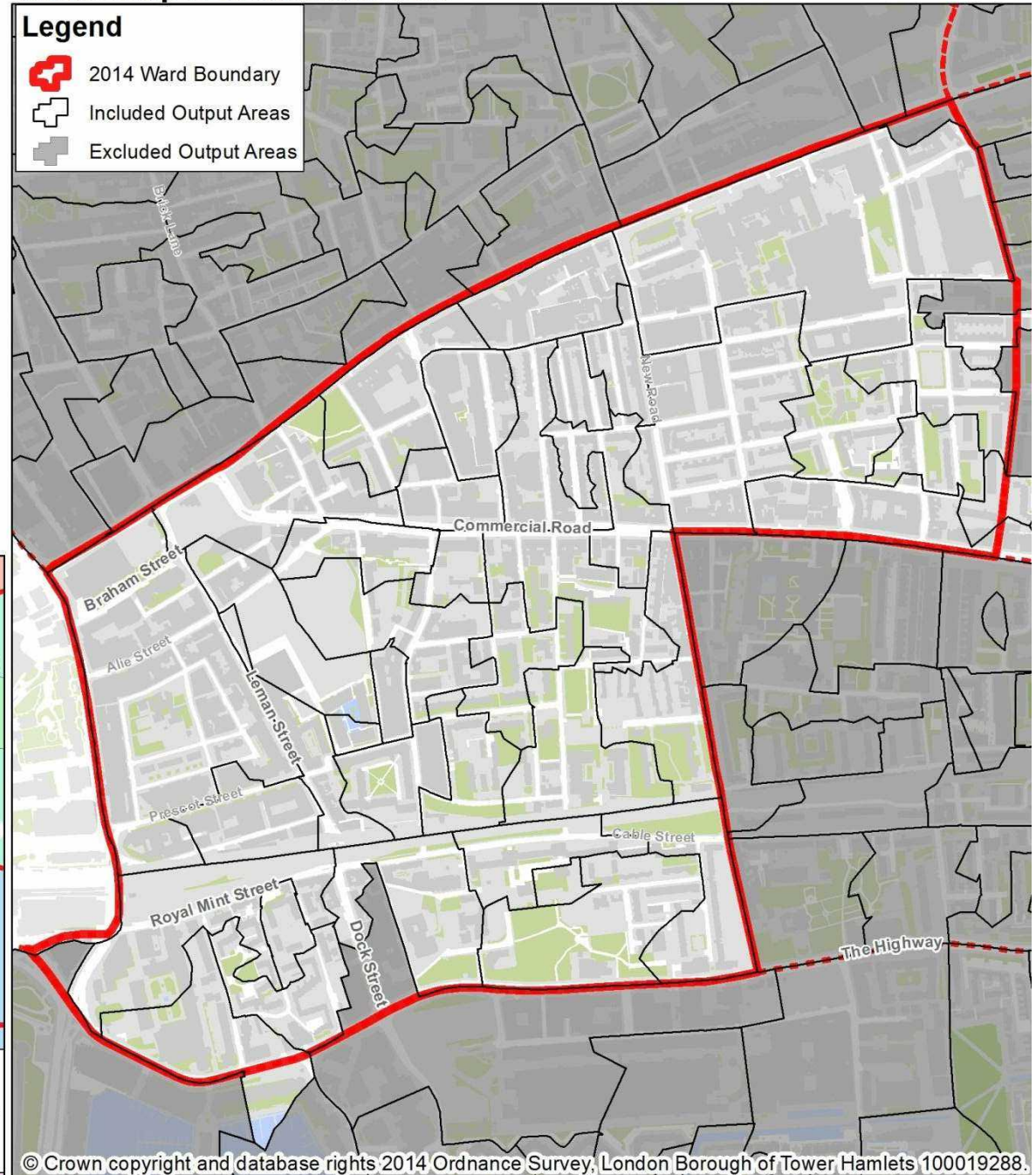
## Statistical Areas

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 Statistical Area

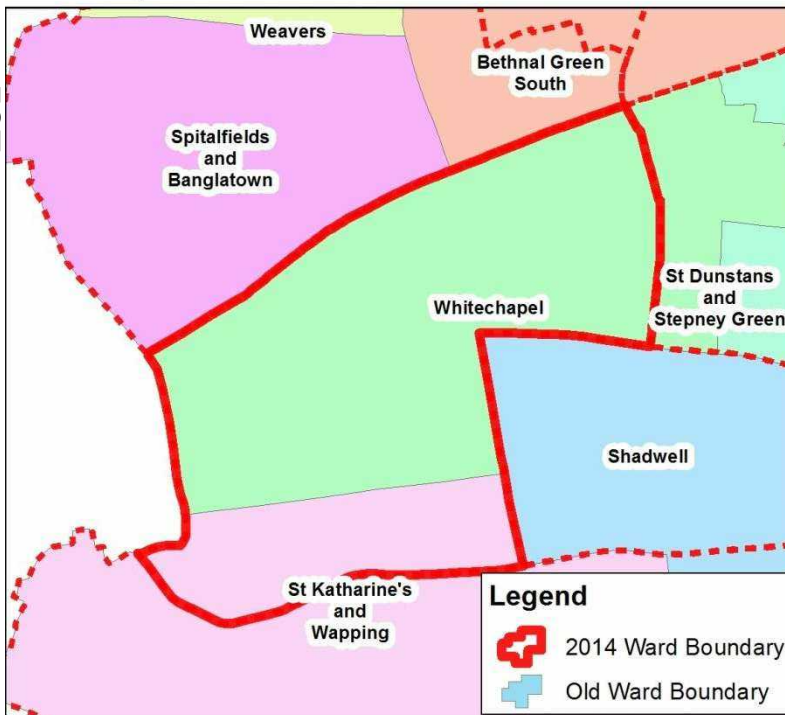
### Legend

-  2014 Ward Boundary
-  Included Output Areas
-  Excluded Output Areas





## Whitechapel and the old wards

Page 537



### Legend

-  2014 Ward Boundary
-  Old Ward Boundary

### **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](mailto:cru@towerhamlets.gov.uk)

For more information, see the [Borough Statistics](#) 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



Nags Head – application notice



**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**  
(as amended)

**Notice of Application for the Renewal of a Sexual Entertainment Venue Licence**

**TAKE NOTICE THAT ON:** 24<sup>th</sup> May 2023

**We:** NH License Ltd

**Of:** 128 City Road, London, EC1V 2NX

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

<b>Address of Premises:</b>	The Nags Head 17 – 19 Whitechapel Road London E1 1DU
<b>Description and detail of sexual entertainment to be provided including times of operation:</b>	FULLY NUDE STRIPTEASE 11:00 – 03:00 – MONDAY TO SATURDAY, AND 12:00 – 22:30 – SUNDAY <u>ALL AS CURRENTLY PERMITTED</u>

Any objections to this application shall be made not later than 21 / 06 / 23 which is **28 days** after the above date of the application. Objections must be made in writing, stating in general terms the grounds for objection to:

London Borough of Tower Hamlets, Licensing Team, Environmental Health & Trading Standards, Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BJ or [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk), Website: [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk), Tel: 020 7364 5008

Please note: Objections must be made in writing and shall contain the name and address of the objector. Such objections will be sent to the applicant and will become public documents, however, personal details such as name, address and telephone number will be removed.

# Appendix 11

# The Docklands & East London Advertiser

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June 1, 2023

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visitor**



Page  
2

# Free school meals for all secondary pupils

Council claiming to be first in the country to expand the initiative

Page  
4



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**LOCALiQ** [localiq.co.uk](http://localiq.co.uk)



\*Source: Deloitte



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## ALCOHOL & Licensing

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (as amended)

#### Notice of Application for the Renewal of a Sexual Entertainment Venue Licence

TAKE NOTICE THAT ON: 24th May 2023 We: NH License Ltd Of: 128 City Road, London, EC1V 2NX 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: The Nags Head, 17 - 19 Whitechapel Road, London, E1 1DU. Description and detail of sexual entertainment to be provided including times of operation: Fully Nude Striptease 11:00 - 03:00 - Monday to Saturday; and 12:00 - 22:30 - Sunday. ALL AS CURRENTLY PERMITTED. Any objections to this application shall be made not later than 21/06/23 which is 28 days after the above date of the application. Objections must be made in writing, stating in general terms the grounds for objection to: London Borough of Tower Hamlets, Licensing Team, Environmental Health & Trading Standards, Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BJ or [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk), Website: [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk), Tel: 020 7364 5008

Please note: Objections must be made in writing and shall contain the name and address of the objector. Such objections will be sent to the applicant and will become public documents, however, personal details such as name, address and telephone number will be removed.

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

Notice is hereby given that London Borough of Tower Hamlets has applied to London Borough of Tower Hamlets for the grant of a Premises Licence in respect of Premises to be known as Rocket Pop Up Bar, Canada Square Park, Canary Wharf, London, E14 5FW. The proposed licensable activities and their hours are: 1. To permit the sale of alcohol, on & off sales, Mondays to Sundays 11:00 to 23:00 hours (closing 23:30 hours). Any representations regarding the above-mentioned application must be received in writing by The Licensing Team, Environmental Health & Trading Standards, London Borough of Tower Hamlets, Tower Hamlets Town Hall, 160 Whitechapel Road, London, E1 1BJ or via email to [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk) no later than 20 June 2023 stating the grounds for representation. The register of London Borough of Tower Hamlets and the record of the application may be inspected at the address of the council, given above, Mondays to Fridays 10am to 4pm or on the council's website - [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

It is an offence knowingly or recklessly to make a false statement in connection with an application. A person is liable to an unlimited fine on conviction should such a false statement be made.

Poppleston Allen, 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS

### Local Government (Miscellaneous Provisions) Act 1982 (as amended)

#### Notice of Application for the Renewal of a Sexual Entertainment Venue

TAKE NOTICE THAT ON 25th May 2023 we Whites Venues Ltd of 32-38 Leman St, London, E1 8EW 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. Description and detail of sexual entertainment to be provided including times of operation: The premises will continue to offer lap dancing and other forms of live performance or live display of nudity. The hours of operation applied for will remain as currently operated at the premises: Monday to Saturday 19:30-04:00. Any objections to this application shall be made not later than 21st June 2023, which is 28 days after the above date of the application. Objections must be made in writing, stating in general terms the grounds for objection to: London Borough of Tower Hamlets, Licensing Team, Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BJ or [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk), Web: [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk), Tel: 020 7364 5008. Please note: Objections must be made in writing and shall contain the name and address of the objector. Such objections will be sent to the applicant and will become public documents, however, personal details such as name, address and telephone number will be removed.

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advisors.

t: 020 8478 4444

e: [sehub@localiq.co.uk](mailto:sehub@localiq.co.uk)

### LONDON BOROUGH OF TOWER HAMLETS LICENCES FOR SPECIAL TREATMENT NEWSPAPER PUBLIC NOTICE

NOTICE IS GIVEN THAT HONG BEAUTY LTD. Has applied to the London Borough of Tower Hamlet for LICENCE FOR MASSAGE Licence(s) for the premises 807 COMMERCIAL ROAD, LONDON, E14 7HG Anyone wishing to oppose the application must give notice in writing to David Tolley, Head of Environmental Health and Trading Standards, Environmental Health and Trading Standards, Place Directorate, 4th Floor Tower Hamlets Town Hall 160 Whitechapel Road London E1 1BJ WITHIN THREE WEEKS specifying the grounds of opposition. Persons objecting to the grant of a licence must be prepared to attend in person at a hearing before a Committee of the Council.

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## OTHER

### THE LONDON BOROUGH OF TOWER HAMLETS ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14 (1) TEMPORARY PROHIBITION OF TRAFFIC

**ANTILL ROAD - NOTICE IS HEREBY GIVEN**, that the Council of the London Borough of Tower Hamlets made an order which will prohibit vehicular traffic from entering, stopping, or proceeding, the following temporary prohibition: **Location:** Antill Road at its junction with Selwyn Road. **Reason:** For ducting works to be carried out on the public highway by CA Telecom UK Ltd. **Period:** Monday 5th June 2023 to Wednesday 7th June 2023. **Alternative Route:** For vehicular traffic will be via St Stephens Road, Roman Road, and Lyal Road.

Please refer any queries regarding the above traffic restrictions to Network Coordinator, David Pryce on 020 7364 3184 or via email [David.Pryce@towerhamlets.gov.uk](mailto:David.Pryce@towerhamlets.gov.uk);

**FAIRFIELD ROAD - NOTICE IS HEREBY GIVEN**, that the Council of the London Borough of Tower Hamlets made an order which will prohibit vehicular traffic from entering, stopping or proceeding, the following temporary prohibition: **Location:** Fairfield Road, north from its junction with Bow Road. The length of the closure is approximately 60 metres. **Reason:** For new water connection and reinstatement works to be carried out on the public highway by Agility on behalf of Thames Water. **Period:** Tuesday 30th May 2023 to Saturday 3rd June 2023. **Alternative Route:** For vehicular traffic will be via A11 Eastbound (Bow Road), A12 Northbound, Tedegar Road Westbound and Fairfield Road. **Exceptions:** The vehicular restrictions do not apply to Buses and cyclists. Buses and cyclists only signs will be erected out on site. Please refer any queries regarding the above traffic restrictions to Network Coordinator, Tricia Bruno on 020 7364 6671 or via email [Tricia.Bruno@towerhamlets.gov.uk](mailto:Tricia.Bruno@towerhamlets.gov.uk)

**LUKIN STREET - NOTICE IS HEREBY GIVEN**, that the Council of the London Borough of Tower Hamlets made an order which will prohibit vehicular traffic from entering, stopping or proceeding, the following temporary prohibition: **Location:** Directional Road closure on Lukin Street. **Reason:** For gas connection works to be carried out on the public highway by Cadent Gas. **Period:** Tuesday 30th May 2023 to Tuesday 13rd June 2023.

Please refer any queries regarding the above traffic restrictions to Network Coordinator, Jennifer Ogbotiti on 020 7364 3184 or via email [Jennifer.Ogbotiti@towerhamlets.gov.uk](mailto:Jennifer.Ogbotiti@towerhamlets.gov.uk);

**ROYAL MINT STREET & CARTWRIGHT STREET - NOTICE IS HEREBY GIVEN**, that the Council of the London Borough of Tower Hamlets made an order which will prohibit vehicular traffic from entering, stopping or proceeding, the following temporary prohibition:

- Location:** Royal Mint Street between its junction with Blue Mansell Street and John Fisher Street.
- Reason:** For new water connection works to be carried out on the public highway by Agility on behalf of Thames Water.
- Period:** Tuesday 30th May 2023 to Saturday 3rd June 2023.
- Alternative Route:** For vehicular traffic will be via Mansell Street, East Smithfield, and Dock Street. During the duration of the works, the current one-way traffic order on Cartwright Street will be made two-way.

Please refer any queries regarding the above traffic restrictions to Network Coordinator, Jennifer Ogbotiti on 020 7364 3184 or via email [Jennifer.Ogbotiti@towerhamlets.gov.uk](mailto:Jennifer.Ogbotiti@towerhamlets.gov.uk);

**WYKE ROAD - NOTICE IS HEREBY GIVEN**, that the Council of the London Borough of Tower Hamlets made an order which will prohibit vehicular traffic from entering, stopping, or proceeding, the following temporary prohibition: **Location:** Wyke Road at its junction with Smeed Road. **Reason:** For water connection works to be carried out on the public highway by Thames Water. **Period:** Monday 5th June 2023 to Wednesday 7th June 2023. **Alternative Route:** For vehicular traffic will be via Monier Road, Roach Road and Vice Versa.

Please refer any queries regarding the above traffic restrictions to Network Coordinator, David Pryce on 020 7364 3184 or via email [David.Pryce@towerhamlets.gov.uk](mailto:David.Pryce@towerhamlets.gov.uk);

**Dated:** 1st June 2023

**Wajid Majid Head of Highways & Transport** Tower Hamlets Council, Town Hall, 160 Whitechapel Road, London E1 1BJ

### SPECIAL TREATMENT LICENCES

Notice is given that Moda Donna has applied to the London Borough of Tower Hamlet for facials, electrical facials, massage, body treatments, IPL, Laser hair removal, micropigmentation, tattooing Licence(s) for the premises 21 Skylines Village, E14 9TS, London.

Anyone wishing to oppose the application must give notice in writing to David Tolley, Head of Environmental Health and Trading Standards, Environmental Health and Trading Standards, Place Directorate, 2nd Floor, Mulberry Place, 5 Clove Crescent, London, E14 2BG WITHIN THREE WEEKS specifying the grounds of opposition.

Persons objecting to the grant of a licence must be prepared to attend in person at a hearing before a Committee of the Council.

### LONDON BOROUGH OF TOWER HAMLETS SPECIAL TREATMENT LICENCES

NOTICE IS GIVEN THAT Charlotte Collins

Has applied to the London Borough of Tower Hamlet for Ear/Cosmetic piercing Licence(s) for the premises Astrid & Miyu 6 Market St, Spitalfields, London, E1 6DT

Anyone wishing to oppose the application must give notice in writing to David Tolley, Head of Environmental Health and Trading Standards, Environmental Health and Trading Standards, Place Directorate, 2nd Floor, Mulberry Place, 5 Clove Crescent, London, E14 2BG WITHIN THREE WEEKS specifying the grounds of opposition. Persons objecting to the grant of a licence must be prepared to attend in person at a hearing before a Committee of the Council.

## PLANNING

**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.**

**Flat 68, Cressy Houses, Hannibal Road, London, E1 3JF PA/23/00900** Replacement of existing wooden single glazed sash windows with new white wooden double glazed sash windows

**165 Bow Road, London, E3 2SG PA/23/00995** Change of use from sui generis (dry cleaning) to E(b) (coffee shop)

**28 Newark Street, London, E1 2AA PA/23/00963** Internal alterations to include: new doors, finishes, fittings, secondary glazing, underfloor heating and refurbishment of other elements.

**79 Wentworth Street, London, E1 7TD PA/23/00967** Formation of New Fire Exit Door

**The following are householder applications and in the event of an appeal against a refusal of planning permission, which is to be dealt with on the basis of representations in writing, any representations made about these applications will be sent to the secretary of state, and there will be no further opportunity to comment at appeal stage.**

**13 Strahan Road, London, E3 5DA PA/23/00903** Proposal to replace existing single glazed timber sash casement windows with like for like double glazed timber sash and casement windows. Replacement of existing timber doors with like for like timber.

**112 Newark Street, London, E1 2ES PA/23/00540** Ground floor rear/side extension and part 1st and 2nd floor rear extension

**168 Swaton Road, London, E3 4ER PA/23/00983** Proposed ground floor side infill extension and other minor associated work

**17 Alloway Road, London, E3 5AS PA/23/00977** Alteration of the existing rear outrigger and a new single-storey infill rear extension. Replacement of all sash windows.

**73 Antill Road, London, E3 5BT PA/23/00975** Ground floor rear infill extension with rooflights and first floor rear extension with rooflights.

**85 Cyprus Street, London, E2 0NW PA/23/00964** Erection of a single storey, ground floor, rear extension. re-roof existing with installation of new rooflights.

**31 Norman Grove, London, E3 5EG PA/23/00922** Proposed restoration of front elevation to include: Removal of existing paint to expose the brick work underneath, remove defective cement based pointing, flush repointing of brick façade using ratio of 2 washed sand to 1 natural lime mortar. Brick buffing and cleaning; New rendered plinth detail to bottom of façade; Removal of existing rendered cornice to parapet, new cornice installed to traditional design; Restoration of window and door surrounds to match original design as closely as possible.

Any person who wishes to make representations relating to any of these applications should do so, in writing, within a period of 21 days from the date of publication of this notice (unless stated above) by using the web link <https://development.towerhamlets.gov.uk>, by e-mail to [development.control@towerhamlets.gov.uk](mailto:development.control@towerhamlets.gov.uk) (please include your postal address) or in writing to Development Management, Planning and Building Control, Place Directorate, Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BJ.

**Dated:** 1st June 2023

**JENNIFER PETERS, Director, Planning and Building Control**

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# Appendix 12



The London Borough of Tower Hamlets  
Acting as an Appropriate Authority  
Tower Hamlets Town Hall  
160 Whitechapel Road  
London  
E1 1BJ

[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

21<sup>st</sup> June 2023

Your ref:  
Our ref: L1U:159915

**Place Directorate  
Public Realm**

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

Environmental Health & Trading  
Standards  
Licensing & Safety Team  
4<sup>th</sup> Floor, Tower Hamlets Town Hall  
160 Whitechapel Road  
London E1 1BJ

Tel: [REDACTED]  
Enquiries to: **Mohshin Ali**  
Email [REDACTED]

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Dear Appropriate Authority,

**Schedule 3 of the Local Governmental (Miscellaneous Provisions) Act 1982 as  
amended by the Policing and Crime Act 2009**  
SEV Renewal: The Nags Head, 17-19 Whitechapel Road, London E1 1DU

I write in the capacity of the Licensing Authority 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 the licence holder is unsuitable to hold a licence for other reasons as detailed below.

The Licensing Authority (RA) has already made a request for the Appropriate Authority to consider revoking the Sexual Entertainment Venue Licence and I attached a copy of the revocation request and additional evidence.

Unfortunately, the Committee was unable to hear the revocation request due to an adjournment in May. The Licensing Authority is still of the same opinion as we were when the revocation request was made which is why we are objecting to the granting of this renewal application.

The evidence to support the Licensing Authority's objection is contained within the revocation request application and also the additional submission. I have summarised this evidence below:

- Witness statements from test purchasers identifying intentional touching between performer and customer during the performance (dance) on the 18<sup>th</sup> August 2022.
- CCTV footage and chronology showing intentional touching between three different performers and three different customers.



- Additional conditions imposed by the Licensing Committee on the 17<sup>th</sup> October 2017 for breaches relating to intentional touching between performer and customer during performance.
- Mr. Manpal Singh Clair as per his statement submitted in response to the revocation request mentions other premises in relation to which he has been involved in their running. However, the existence of that club (Vanity), and the pending proceedings, were omitted from Mr Clare's statement.
- For clarity, Companies House records confirms the same Mr. Manpal Clair to be an officer of both the corporate licence holder in the present case Nags Head (NH License Ltd), and in the company (Vanity License Ltd) who operated 'Vanity' in Westminster.
- Vanity Bar and Nightclub, 4 Carlisle Street, London W1D 4BJ had its SEV renewal application refused by Westminster City Council on Thursday 25 May 2023. The evidence supporting the revocation highlights similar breaches namely touching between performer and customer during a performance which took place at Nags Head with the link being Mr Clair. I will produce the decision/minutes in due course ([Agenda for Licensing Sub-Committee \(6\) on Thursday 25th May, 2023, 10.00 am | Westminster City Council](#)).

<https://committees.westminster.gov.uk/ieListDocuments.aspx?CId=371&MId=6344&Ver=4>

The Licensing Authority is of the view that it is highly relevant that Mr. Clair has very recently lost a SEV licence elsewhere in London on the basis of his fitness to hold a licence; and in particular, the case there disclosed breaches of the licence conditions very similar to those admitted in this case.

Given the above issues this Licensing Authority acting as a Responsible Authority would ask the Licensing Committee to refuse the renewal of this Sexual Entertainment Licence due to the licence holder being unsuitable to hold a licence.

Yours sincerely,



**Mohshin Ali**  
**Senior Licensing Officer**  
**Licensing & Safety Team**  
**Environmental Health & Trading Standards**

# Appendix 13





The London Borough of Tower Hamlets  
Acting as an Appropriate Authority  
Tower Hamlets Town Hall  
160 Whitechapel Road  
London  
E1 1BJ

[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

3<sup>rd</sup> March 2023

Your ref:  
Our ref: PSU:010281

**Place Directorate  
Public Realm**

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

Environmental Health & Trading  
Standards  
Licensing & Safety Team  
4<sup>th</sup> Floor, Tower Hamlets Town Hall  
160 Whitechapel Road  
London E1 1BJ

Tel: [REDACTED]  
Enquiries to: **Mohshin Ali**  
Email: [REDACTED]

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Dear Appropriate Authority,

**Schedule 3 of the Local Governmental (Miscellaneous Provisions) Act 1982 as  
amended by the Policing and Crime Act 2009**  
RE: The Nags Head, 17-19 Whitechapel Road, London E1 1DU

I write in the capacity of the Licensing Authority, acting as a Responsible Authority to request the Appropriate Authority consider revoking the Sexual Entertainment Venue Licence for the above premises.

The reasons for this request is that test purchases carried out on the 18<sup>th</sup> August 2022 led to physical contact initiated by performers in relation to the individuals making the test purchases". This included pushing of the breast in face of the test purchasers, kissing of their neck and grinding into the groin areas. Please see attached witness statements from the Surveillance Operatives. Note, we have redacted the Officer's names and will be referring to them as Officer A and Officer B.

CCTV footage was requested on the 9<sup>th</sup> September 2022, which the Licensing Authority noted confirmed breaches of the below standard licence conditions, and supported the witness evidence mentioned. A chronology of breaches seen in the CCTV footage will be provided shortly.

The evidence shows of breaches of the following Standard Conditions attached to these premises' current Sexual Entertainment Venue Licence.

- 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.***

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.***

As the copy of the CCTV footage was requested from the licence holder, we understand that they have retained the original copy. We reserve the right to play the same footage at the hearing in a closed session.

The applicant's solicitor has responded to the Licensing Authority and stated the following:

*"concerns about the way in which performances were being delivered by those performers were flagged by staff to management and dip sampling of CCTV footage of performances was undertaken. The dip sampling revealed, inter alia, breaches of my client's Performer and Customer Codes of Conduct. This triggered my client's internal disciplinary procedures and the Performers involved were suspended".*

Given the above, the Licensing Authority acting as a Responsible Authority is requesting the revocation of this licence because the licence holder is unsuitable to hold the licence by reason of the breaches witnessed, with regard to paragraphs 17(1) and 12(3)(a) in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

It is also worth noting that a similar breaches of the SEV licence were found at the premises in 2017, which resulted to objection to the renewal of the licence. Details of the hearing for this renewal can be found in the link below. On this occasion the Licensing Committee granted the renewal with additional conditions.

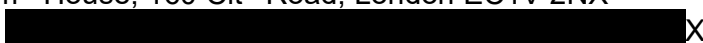
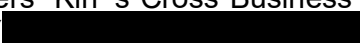
<http://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?CId=324&MId=8231&Ver=4>

This letter is being copied to the company as the licence holder and also to the director of the company (also copied to their solicitor).

Yours sincerely,

  
**Mohshin Ali**  
**Senior Licensing Officer**

**Cc:**

- NH License Ltd, Kem House, 160 Cit Road, London EC1V 2NX
- Manpal Singh Clair,  X
- Manpal Singh Clair, the Nags Head, 17-19 Whitechapel Road, London E1 1DU
- Luke Elford, John Gaunt & Partners Kin s Cross Business Centre, 180 - 186 King Cross Road, London WC1X 9DE ()

# Appendix 14



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]

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: 18/08/2022

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

**Statement**

1. I am [REDACTED] and I am employed by The Surveillance Group Ltd, of Unit 6, Teme House, Whittington Hall, Whittington Road, WR5 2RY.
2. I was instructed by The Surveillance Group Ltd to attend The Nags Head Gentlemens Club, 17-19 Whitechapel Road, London, E1 1DU, in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 22:45 hrs on the 18/08/2022 I arrived at The Nags Head Gentlemens Club, 17-19 Whitechapel Road, London, E1 1DU, in order to conduct a test purchase task.
4. Upon arrival at the premises the front entrance was covered by a single male sat at a table by the door. The entrance fee was £3.00. I was verbally told the rules and nothing was visible of the rules on show. The individual had some form of identification around his neck.
5. Inside the premises there were two further security staff members with ID cards around their necks. I walked up to the bar and ordered a drink then sat down at the seats directly by the stage where pole dancers performed. The venue had CCTV visible in multiple areas including the private and VIP areas. There were two members of staff working the bar area and an individual who appeared to be a manager at the end of the bar taking payments for dances. All staff were appropriately dressed in smart casual wear.
6. Inside the venue the stage was to the back with seating directly in front of the stage. The bar ran along the right-hand side where four private booths were also located. At the other end of the bar there were toilets in the far-right hand corner and three VIP booths on the left-hand side.

Name / Signature: [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. *There were more than ten dancers who walked around the establishment, asking for money before they went on stage. I was asked if I could buy a dancer a drink, which I obliged.*
8. *I conversed with an English girl named Mia and I bought her a drink and then we went for a private dance which cost £20 for five minutes. Myself and my colleague were in the same booth during this dance. The dancer rubbed herself against me but no touching was allowed. The security guard did come in from time to time to check but spent most of the time at the entrance, CCTV was visible in the booth areas.*
9. *After the dance had finished, I paid £240 for a 30-minute VIP dance and a drink. This dance was in a separate booth where CCTV was visible directly to the front. The dancer made quite a bit of contact with me whilst naked, thrusting herself against my groin whilst rubbing her breasts against my face and also kissing my neck. She told me that I was allowed to touch her but not the vagina area, I politely declined the offer.*
10. *During the dance we talked about her having a daughter and the other job she did in the day working in a shop. She said she enjoyed the dance work though because it pays really good money.*
11. *At no time during the visit was there any mention of any drug use.*
12. *There were no performer inside the gentleman's toilets and there was no physical contact between performers.*
13. *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 18/08/2022. I exhibit these as [REDACTED].001.*
14. *I believe the facts stated in this witness statement are true.*

Name / Signature: [REDACTED] .....

## **The Nags Head – E1 1DU**

**18/8/2022 – 19/8/2022**



**Entered the premises @ 22.45**

**When we arrived at the establishment we were not touted into the premises. The front entrance was covered by a single male sat at a table by the door. The entrance fee was £3. He verbally told us the rules but there was nothing visible of the rules on show. He did have some form of identification around his neck but unsure as to whether it was an SIA licence or not.**

**Once inside the venue it was noted that there were 2 further security staff again with id cards around their necks but unsure if they were SIA. We walked upto the bar and ordered ourselves some drinks before going to sit down at the seats directly by the stage where the pole dancers performed. CCTV was visible in multiple areas around the venue including the Private and VIP areas. There were 2 members of staff working the bar area with what looked like the manager at the end of the bar taking payments for the dances. All staff were appropriately dressed in smart casual wear and also fully covered.**

**As you walked into the venue, the stage was to the back of the venue, where there was seating directly in front. The bar ran along the right hand side where there also was the private dance booths, 4 in total. At the other end of the bar there was the toilets in the far right hand corner and on the left hand side of the venue was where the VIP dance booths were, 3 in total.**

**Inside, there were 10+ dancers that we could see who all walked around with either a jar or their purses open asking us for money before they went on stage. We were also asked if we could buy them a drink which we obliged. I got talking to an English girl called Mia where I bought her a drink and then we went for a private dance which cost £20 for 5 minutes. Myself and my colleague were both in the same booth whilst this was happening. The dancer did rub herself against me but no touching was allowed. The security guard did come in from time to time to check but spent most of the time at the entrance, CCTV was visible in the booth areas. After that had finished we paid £240 for a ½ an hour VIP dance and also a drink. It was separate booths this time where CCTV was visible directly to the front. The dancer made quite a bit of contact with me whilst naked, thrusting herself against my groin whilst rubbing her breasts against my face and also kissing my neck. She told me that I was allowed to touch her but not the virgina area, I politely declined the offer. During the dance we talked about her having a daughter and the other job she did in the day working in a shop. She said she enjoyed the dance work though because it pays really good money.**

**At no time whilst in there did we see or hear any mention of any drug use.**

**There were no performers inside the gents toilets and there was no sexual physical contact between the performers.**

# Appendix 15

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]

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: 18/08/2022

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

**Statement**

1. I am [REDACTED] and I am employed by The Surveillance Group Ltd, of Unit 6, Teme House, Whittington Hall, Whittington Road, WR5 2RY.
2. I was instructed by The Surveillance Group Ltd to attend The Nags Head Gentlemens Club, 17-19 Whitechapel Road, London, E1 1DU, in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 22:45 hrs on the 18/08/2022 I arrived at The Nags Head Gentlemens Club, 17-19 Whitechapel Road, London, E1 1DU, in order to conduct a test purchase task.
4. Upon arrival at the premises the front entrance had a male at the door. The entrance fee was £3 and the male verbally communicated the rules upon entering the venue. The male had an identification badge around his neck.
5. Upon entering Inside the premises there were two further security staff members with ID cards around their necks. I ordered a drink at the bar and then sat down directly in front of the stage where pole dancers performed. TV's were situated above the bar and also in the private and VIP areas. There appeared to be 2 people working at the bar, with a possible manager that was taking card payments for the dances. The staff were all appropriately dressed, smart casual and fully covered.
6. The layout as you walk into the venue, the stage is located at the very back, where one female would dance on the pole. To the middle, in front was the seating area. The bar ran along the right-hand side, before the bar to the right-hand side was the private booths dance area, that contained at least four private booths. To the far end of the bar was the toilets in the right-hand corner. And the left-hand side went into the VIP dance area, which had at least three open booths.

Name / Signature: [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. *There were approximately ten or more dancers and they walked around collecting money from individuals before they got up on to the stage, taking it in turns, on the occasion buying one a drink. I conversed with a Romanian dancer "Patricia" and I decided to go for a private dance, which I paid £20.*
8. *I had a double performance with my colleague in the same room with his dancer. The dancer made contact with me on my lap. The security did check on us through the beaded curtains but was outside of it most of the time.*
9. *I then had a VIP dance which was £240 and included a drink for us both. In the VIP booth no security was seen until the very end of the dance. There was CCTV directly in front of us and it was an open booth area. The dancers looked out for each other's bag and the dancer explained to me that someone had once ran off with one of their bags.*
10. *The dancer made a fair amount of contact with me, she pressed her breasts into my face, brushing against my neck and ear. She spent a lot of time on my lap with her underwear to the side and touching her vagina, she would also grind against my groin area. She did explain to me that I was allowed to touch her a little bit if I wanted, I declined politely. We spoke a bit about my tattoos and she told me how she wanted to get bum implants.*
11. *There was no mention at all about drug use within the premises, and no offers of further sexual service.*
12. *On visiting the gentleman's toilets there were no performers inside. There was no sexual physical contact between the dancers.*
13. *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 18/08/2022. I exhibit these as [REDACTED].001.*
14. *I believe the facts stated in this witness statement are true.*

Name / Signature: [REDACTED]

## Operative Notes

### **The Nags Head E1 1DU**

**18/8/22**



Entry approximately: 22:45.

Arriving at the Nags head venue we were not tought into the premises, the front entrance had a male sat by the door, entrance was £3, he verbally communicated the rules to us for when entering the venue. He had a badge attached around his neck, unable to see if it was SIA licence.

On entering inside the venue there was a further 2 security staff. Both of which also had the badges around their neck. We ordered our drinks at the bar and went and sat down directly infront of the stage where the pole was for the dancers. Cctv could be seen in multiple places over the stage, above the TV's, above the bar, also in the private and VIP dance areas. There appeared to be 2 people working at the bar, with a possible manager that was taking card payments for the dances. The staff were all appropriately dressed, smart casual and fully covered.

The layout as you walk into the venue, you have the stage at the very back, where one female would dance on the pole. To the middle infront was all the seating area. The bar ran along the right hand side, before the bar to the right hand side was the private booths dance area that contained atleast 4 private boothes. The far end of the bar was the toilets in the right hand corner. And the left hand side went into the VIP dance area, which again had atleast 3 open boothes. .

There was approximately 10+ dancers, they would walk around collecting money from individuals before they got up on to the stage, taking it in turns, on the occasion buying one a drink. I got talking to a Romanian dancer "Patricia", we decided to go for a private dance, which we paid £20, we ended up having a double performance with my colleague in the same room with his dancer. The dancer did make contact with me on my lap. The security did check on us through the beaded curtains but was outside of it most of the time. We then went for a VIP dance which was £240 and included a drink for us both. In the VIP no security was seen until the very end of the dance, but there was cctv directly infront of us, as it was quite an open booth area. The dancers would look out for each other's bag, as the dancer explained to me that someone had once ran off with one of their bags. The dancer made a fair amount of contact with me, she pressed her breasts into my face, brushing against my neck and ear. She spent a lot of time on my lap with her underwear to the side and touching her vagina, she would also grind against my groin area. She did explain to me that I was aloud to touch her a little bit if I wanted, I declined politely. We spoke a bit about my tattoos and she told me how she wanted to get bum implants.

There was no mention at all about drug use within the premises, and no offers of further sexual service. On visiting the gents toilets there were no performers inside. There was no sexual physical contact between the dancers.

# Appendix 16



**Witness Statement**

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

URN: 

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Statement of: Mohshin ALI

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

Occupation: Senior Licensing Officer

This statement (consisting of 2 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: 

Date: 15<sup>th</sup> May 2023

**Statement**

1. I am Mohshin ALI and I am employed by the London Borough of Tower Hamlets as a Senior Licensing Officer in the Licensing Section of Environmental Health & Trading Standards. I have been a Licensing Officer since July 2004 and I am duly authorised under the Licensing Act 2003. I am also aware of the systems used for issuing and storing records in relation to the above Act and I am authorised to access records in order to look at the history of premises.
2. I make this statement as an addition to previous evidence for the Licensing Authority, because of further evidence which came to my attention on Friday 12<sup>th</sup> May 2023.
3. On Friday 12<sup>th</sup> May 2023, the Licensing Authority received an email from Police Officer Steve Muldoon about other premises, 'Vanity' in Soho operated by Mr. Manpal Singh Clair, being subject to summary review. In particular, as part of those proceedings, it came to the police's attention that there had been multiple breaches of the condition on that SEV licence prohibiting contact between dancer and customer.
4. The police later emailed to the Licensing Authority copies of the evidence in that matter, which I now exhibit as **Exhibit MA/01**.
5. I note that in paragraph 10 of his statement, Mr. Clair mentions other premises in relation to

Name / Signature: 

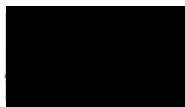
**Witness Statement**

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

which he has been involved in their running. I am surprised that he omits mention of 'Vanity'.

6. I produce **Exhibit MA/02** which are print offs from the Companies House website confirming the same Mr. Manpal Clair to be an officer (and sole Director) of both the corporate licence holder in the present case, and in the company who operated 'Vanity'."

Name / Signature:



Page 560

Date:

15th May 2023

# Appendix 17

I identify this exhibit as that referred  
to in the statement signed by me

Exhibit number: EXHIBIT MA/01

Date: 15 May 2023

Name: Mohshin Ali

Signed:



**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

**Statement of** David Morgan PC4242AW ..... URN: 

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Age if under 18 **Over 18** ..... (if over 18 insert 'over 18') Occupation: Police Officer .....

This statement (consisting of: ....**3**..... pages 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 anything in it which I know to be false, or do not believe to be true.

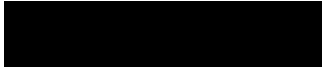
Signature:  ..... Date: 03/01/2023.....

I am the above named person and this statement is a continuation of the statement that I provided on Tuesday 3rd January 2023 with regards to viewing the CCTV for the Vanity bar, 4 Carlisle Street, W1D 3BJ.

Whilst viewing the CCTV for the initial drink spike crime report allegation, I noticed various unconnected incidents that took place within the venue that are contrary to the premises licence and Sexual Entertainment Venue (SEV) licence conditions.

PC Guerra has made reference to many of these conditions in his statement that he wrote on the 2<sup>nd</sup> January 2023 and my statement includes further incidents of breaches that I witnessed whilst watching the CCTV. Most of the breaches are connected with conditions 17 and 22 of the SEV licence (i.e. no physical contact between the performers and customers whilst relevant entertainment is being provided).

Whilst watching the CCTV, it has become clear that many of the female performers are allowing physical contact between themselves and the customers and there seems to be frequent contact of a sexual nature between both the customers and the performers. These range from kissing, to the touching of the performer's breasts, buttocks and vaginas. Some of the incidents that I have witnessed have already been documented in PC Guerra's statement, so I won't duplicate those. However, the additional incidents that I have noticed in addition to those PC Guerra has supplied for

Signature:  ..... Signature witnessed by: .....

Continuation of Statement of David Morgan PC 4242AW.....

the 24<sup>th</sup> November 2023 are as follows:

At **01:29:55 on Camera 3**, an IC1 male in a dark coloured jacket is seen talking to an IC1 female with shoulder length blonde hair. The female is talking to the male and is seen hugging him and talking in his ear. The male can be seen to take out some notes from his trouser pocket and starts to hand over some money to the female. She is seen to grab some money from his hand and starts to count it. The male seems to ask for some of the money back and she hands one of the notes back. The female then walks away followed by the male and they proceed to go upstairs where she provides him with a private dance. This incident is of note as during the interim committee hearing, it was stated that no money is taken from customers by the performers and that all transactions go through the DPS or other members of the management staff. This does not seem to be the case on this occasion. I have taken a screen shot of this incident and I exhibit it as DJM/1.

At **01:10:04 on Camera 14**, a female performer is giving a male customer a private dance in one of the booths. During the dance, the female is facing away from the male and the male can clearly be seen to be touching the performer’s buttocks afterwhich the female does not to stop him. I have taken a screen shot of this and exhibit it as DJM/2. A few seconds later, the female is facing straddling the male and the he is seen to touch her genitals. Again, the female make no attempts to stop him or does she call for a member of staff or security. This screen shot is exhibited as DJM/3. The dance continues and the male continues to touch the female’s breasts and buttocks numerous times.

At **02:13:52 on camera14**, a different female is performing a dance for a male customer and the male can be seen touching the females buttocks. I exhibit this screenshot as DJM/4. During this dance, the female removes her underwear and the male continues to touch her thighs and slaps her buttocks. This can be seen at 02:16:43 and 02:18:03, screenshots of which I exhibit as DJM/5 and DJM/6. Throughout, the dance, members of staff can be seen walking up and down the corridor, but

Signature: 

Signature witnessed by: .....

Continuation of Statement of David Morgan PC 4242AW.....

at no time does anyone intervene nor does the female performer ask the male to stop.

At **02:39:21 on camera 14**, again, another female performer is dancing for another male customer.

As the female is sat on the male facing away from him, he can be seen touching her buttocks and slapping them. I exhibit this screenshot as DJM/7. Again, at no point does the female resist, nor do any members of the management intervene. A minute or so later, the female turns to face the male and his right hand can be seen moving towards her genitals and it appears that his hand makes contact with her vagina as she sits on his lap. This screen shot is exhibited as DJM/8. The female continues to dance and the male continues to touch her and at one point kisses one of her buttocks.

At **02:43:46**, the female can be seen facing away from the male, and he is seen to place his finger directly between her legs touching her vagina. At this point, the female does turn around and moves his hand away, but the dance continues without the female calling for assistance from staff or security.

Throughout my viewing of the CCTV footage, it was clear that the DPS and members of management staff were constantly walking past the booths and were within sight of the performers and customers. However, at no point have I seen them intervene or ask the performers or customers not to make contact with each other. As such, I believe that the SEV conditions have been breached on numerous occasions and it is from this, that I believe that the venue is being managed in an irresponsible manner.



Signature:

Signature witnessed by: .....

**DJM/1 TO DJM/9**

**RESTRICTED CONTENT**



# Appendix 18

**WITNESS STATEMENT**

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

**Statement of**      **PC Reaz Guerra 1614CW**.....      URN:      

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Age if under 18      **Over 18**.....      (if over 18 insert 'over 18')      Occupation:      **Police Officer**.....

This statement (consisting of: ... 14.... pages 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 anything in it which I know to be false, or do not believe to be true.

Signature:      .....      Date:      2<sup>ND</sup> January 2023.....

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am the above-named person, currently employed in the Westminster Police Licensing Unit.

This is a further statement in addition to my previously statement dated 14<sup>th</sup> December 2022.

I submit the below information in relation to an application by the Westminster Police Licensing Unit, on behalf of the Commissioner of the Metropolitan Police, to review the premises licence for Vanity Bar And Nightclub Basement To First Floor 4 Carlisle Street London W1D 3BJ, 20/03227/LIPT. The premises is also licensed as a Sexual Entertainment Venue (SEV) ref 21/13871/LISEVR.

As previously detailed, PC Muldoon and myself attended the premises on the 9<sup>th</sup> December 2022 to make enquiries regarding crime reference 6573153/22, PC Muldoon requested CCTV to be downloaded at the time of the visit and was told by Lorraine Forman that it would be ready for Monday. There was a series of email exchanges between the premises and PC Muldoon in relation to the CCTV. The premises stated that the request CCTV was disproportionate and unnecessary. The interim step hearing was held on 15<sup>th</sup> December 2022, during which the Police highlighted the obstruction and delay by the premises in providing the CCTV.

Signature:      .....      Signature witnessed by:      .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

Following the interim steps hearing there were further emails exchanged with the premises, which in my view were an intentional to further delay providing the Police with CCTV.

It also became apparent that the date of the offence for Crime Reference 6573153/22 had been misread, initially thought that it had taken place on 24/25<sup>th</sup> Nov 2022, the offence actually took place on 23/24<sup>th</sup> November. when this was noticed PC Muldoon informed the premises, such that the CCTV for the correct time period could be provided, which was followed by a further exchange of obstructive emails from the premises.

At 10:50hrs on 21/12/22 I emailed the Solicitor acting for the premises (Luke Elford) with a letter detailing the necessity and requirement of the premises to provide the CCTV. (Exhibit RGG/003).

The premises solicitor the confirmed that the CCTV was now ready and could be collected. Given the delays already experience in obtaining the CCTV I arranged to collect the CCTV from their solicitor that afternoon, despite being on annual leave I attended an address in Whitechapel to collect the CCTV from the solicitor. I was on annual leave and had no option but to travel into London with my 5 year old daughter to collect the CCTV, as it would have been difficult, for both myself and other members of our team to make arrangements to collect it in the forthcoming days on the approach to Christmas.

I attended the address/location provided at approximately 1520 hours calling Luke Elford to inform him that I was outside, a few moments later he came outside and he handed my two white envelopes, with handwriting on the outside. I said "HELLO, SO WHAT IS IN THE ENVELOPES?"

Mr Elford replied "IT SAYS WHATS THERE ON THE ENVELOPES" his tone was somewhat dismissive, I read out the handwriting on the envelopes to confirm. I did not open the envelopes as I did not want to risk losing the contents. Mr Elford then said "REAZ I NEED YOU GIVE ME THE DETAILS OF THE SUPERINTENDENT AND THE OFFENCE DETAILS BY THE END OF THE DAY OTHERWISE I WILL MAKE A FORMAL COMPLAINT." his tone was aggressive and confrontational.

Signature:



Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

Conscious of the fact that I had my daughter with me I said "LUKE, I CANT REMEMBER THE SUPERINTENDENTS NAME, BUT CAN EMAIL IT TO YOU LATER, THE OTHER DETAILS WE ARE STILL WATING FOR BUT AS SOON AS WE GET THEM WE WILL PASS THEM ON."

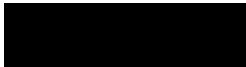
I then said "LUKE, I GOT MY DAUGHTRER WITH ME, AS ITS MY DAY OFF, PLEASE I WOULD RATHER NOT DISCUSS THIS RIGHT NOW AND I DON'T FEEL ITS APPROPRIATE FOR ME TO DISCUSS THIS NOW, BUT I'M HAPPY TO SPEAK TO YOU LATER ON THE PHONE OR BY EMAIL"

He replied "THAT'S NOT MY PROBLEM, I DIDN'T ASK YOU TO BRING HER."

I said "NO YOUR ABSOLUTELY RIGHT YOU DIDN'T BUT I HAD NO CHOICE, I WILL EMAIL YOU THE SUPERINTENDENT'S NAME LATER."

I thanked him for the CCTV and said goodbye, he returned inside the building a I left. I would describe the encounter as unnecessarily uncomfortable and unpleasant. Luke Elford then emailed me later that afternoon stating that I had refused to discuss the matter with him, this was not the case, I simply stated that it was inappropriate to discuss it in front of my daughter.

The CCTV provided contained footage from 21<sup>st</sup>-22<sup>nd</sup> November 2022 and 23<sup>rd</sup>-24<sup>th</sup> November, with footage from 19 different cameras. At the interim steps hearing the premise stated that there were 22 cameras. The following is a summary of the location/field of view of the cameras provided, this is from my knowledge of the areas I have seen within the venue and using the premises plans.

Signature:  ..... Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

<b>Camera No</b>	<b>Approximate location/coverage</b>
3	Ground floor by edge of bar pointing towards front of premises
4	Ground floor located by staircase, looking towards bar
5	Ground floor located behind bar, looking over bar and towards staircase
6	Ground floor located by staircase, looking towards bar.
7	1 <sup>st</sup> Floor, above/by entrance looking into room
9	1 <sup>st</sup> Floor, located on far wall looking back across room towards room.
10	Basement, lobby/landing area at bottom of stair, entrance to the booth is on the left, female toilet on the right.
11	Basement, Landing area between stairs/ female toilets and changing rooms.
12	Basement Changing Rooms
13	Basement, camera located in centre of walkway between booths looking at double entrance door from lobby into booths.
14	Basement booths, located above 1 <sup>st</sup> right hand booth as you enter room.
15	Basement booths, located in last booth on the right, entrance to booth area is top right of screen
16	Basement booths, located in last booth on the left, entrance to booth area is top left of screen, door on right leads to staff office and back of house area

Signature:



Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

17	Basement booths, located above 1 <sup>st</sup> left hand booth as you enter room.
18	Believed fire escape – exact location unknown
19	Storeroom – exact location unknown
20	Basement - office
21	Believed fire escape – exact location unknown
22	Ground floor – outside main entrance looking west along Carlisle street.

Notably cameras 1,2 and 8 were not included in the footage provided. I recalled from my visit on the 9<sup>th</sup> Dec 22 that Lorraine Forman insisted on showing us footage from the basement of her having to open the basement fire escape door which leads to a fire escape staircase to ground/street level, Lorraine Forman stated that she had to open the fire escape door and stand outside in order to use the PDQ card machine process payments. None of the cameras provided covered this area. It is unknown what cameras 1 and 2 would show. PC Muldoon contacted the venue to clarify this but to date no response was received. The CCTV Time stamp on the recorded footage is three (3) Minutes fast.

From the CCTV that I have viewed from 21<sup>st</sup>/22<sup>nd</sup> and 23<sup>rd</sup>/24<sup>th</sup> November 2022 I have produced a transcript, exhibits RGG/001 and RGG/002 refer.

Both the Premises licence and SEV Licence have conditions relating to CCTV :-

***Premises licence – Conditions 29 & 30***

***29. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times***

Signature:



Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

*when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.*

*30. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested*

**Sev Licence conditions 10 & 11**

*The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.*

*A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.*

On the ground floor, the camera outside the main entrance (Camera 22) does not adequately capture a facial image of all persons entering or exiting. an example of this is evidenced in the

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

CCTV on Camera 22, on 24/11/22 at 03:07:41, two people leave the premises and the footage is of insufficient quality to identify them. (screenshot produced as exhibit **RGG/004**)

The only other camera that covers the internal entrance in the main area of the ground floor is Camera 3 and again this does not provide sufficient quality footage, particularly of people leaving in all light conditions. There are no cameras in the lobby area between the main street entrance and the entrance to the ground floor.

**SEV - Condition 21**

**21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.**

On the 1<sup>st</sup> floor, the relevant entertainment takes place in a large room, there are approximately eight (8) armchairs located around the periphery of the room, where customers sit, there are three (3) movable concertina screens (approximately 1.8m high) which are positioned ad hoc to provide privacy.

The two cameras located on the ceiling at either end of this large room do not provide sufficient coverage, particularly as the seats located on the periphery of the room are often obscured by screens, also the seats at the far end of the room are out of view of the camera position at the far end of the room and in low light condition are not adequately covered by the only other camera.

In the Basement booth area, there are 6 booths three on each side with a walkway down the middle. As you enter this room, there is a seat/area just to the immediate left as you enter, where the PDQ machine is situated and staff often stand/sit. Within the booth area there are only four cameras to cover all six booths (cameras 14, 15, 16, 17). The booths have bead screens in-between them and this obscure the CCTV coverage, particularly of the middle booths. The

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

positioning of the seating within the booth allows customers to be seated out of view of the CCTV cameras, the dancers are also aware that the seats are out of camera view, this is evident on Camera 15 (21/11/22 23:06:15), when a male enters the booth and sits in the chair that is within the view of the camera, the dancer speaks to him, turns and points at the camera and the male gets up and sits in the seat out of the view of the camera – Screenshot Nov21 Cam15 230645 - Exhibit RGG/005).

I also produce screen shots of Camera 14, 16 and 17, showing the inadequate coverage of all the booths, in each of the screen shots all the booths are occupied by at least one customer and one dancer.

Exhibit RGG/006 – Nov 21 Cam 14 225919 – male out of view at bottom of screen, dancer/male in middle booth obscured by beaded screen

Exhibit RGG/005 - Nov 21 Cam 15 230645 - dancer/male in middle booth obscured by beaded screen

Exhibit RGG/007 - Nov 21 Cam 16 232708 - dancer/male in middle booth obscured by beaded screen

Exhibit RGG/008 - Nov 21 Cam 17 234542 - dancer/male in middle booth obscured by beaded screen.

The inadequate coverage breaches both the conditions on the SEV and premises licence, as the minimum expectation would be that all areas where relevant entertainment takes place should be adequately covered by CCTV as per the conditions on both licences.

Premises licence condition 24

***24. The sale of alcohol shall be ancillary to the use of the premises for either i) music and dancing and substantial refreshment or ii) Relevant Entertainment and substantial refreshment.***

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

The CCTV does not show and evidence of any substantial refreshment being provided, the only form of food being consumed are the lemon/limes being provided with what is assumed to be shots of tequila., whilst it is evident that regulated entertainment is being provided (recorded music), the premises was essentially operating as a Sexual Entertainment Venue on both 21/22<sup>nd</sup> and 23/24<sup>th</sup> November 2022, and therefore should be fully compliant their SEV Licence.

Numerous conditions have been breached on both dates and is evident on the CCTV.

**SEV Conditions breached:-**

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

**17. There shall be no physical contact between Performers whilst performing.**

**20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.**

**21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.**

**22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.**

**23. Performers must redress fully immediately after each performance.**

It is clearly evident from CCTV that there are many instances where customers and performers are permitted to touch each other, with physical contact frequently being made often of a sexual nature, whereby customers are permitted to touch the breasts, bottom and vaginas of the dancers; and dancers touch and rub the customers crotches. These incidents are not limited to a

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

single performer or customer but occur between numerous dancers and different customers. It appears to be commonplace and regular behaviour, the SIA security or management when positioned on each floor ignore and are not seen to actively challenge or prevent the touching/between performers and customers. Breaching conditions 16, 17, 21, 22 and 23.

These many incidents of touching have been detailed with the CCTV transcripts, Exhibits RGG/01 & RGG/02.

To highlight but just a few incidents on the 24<sup>th</sup> November: -

Male seated in chair, top left of screen. Dancer is lying on male facing him, her breasts in his face, male has his hands on her bottom. **Screenshot - Camera 7 02:59:21 – Exhibit RGG/009**

Male seated in chair, Dancer is stood in front of male, bent over with left knee on his thigh, male has right hand on her left breast **Screenshot -24Nov Cam7– 03:00:56 - Exhibit RGG/010.**

Male seated in chair, top left of screen. Dancer is kneeling down on floor in front of male and has her hand in male’s crotch **Screenshot -24Nov Cam7– 02:59:34 - Exhibit RGG/011**

Male seated in chair middle left of screen, dancer seated sideways on left leg of male, male has his right hand in dancers crotch. **Screenshot 24Nov – Cam 9 03:53: 29 - Exhibit RGG/012**

Male seated in chair middle left of screen, dancer is stood in front of male, bent over, male has right hand on her bottom. believed his left hand is also on dancers bottom but view is obscured by screen. - **Screenshot 24Nov – Cam 9 03:54: 52 - Exhibit RGG/013**

Male is seated out of camera view, dancer is stood up in front of male facing away, male places hands on her hips and the grabs/rubs her bottom. **Screenshot 24Nov – Cam 14 01:18: 48 - Exhibit RGG/014**

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

Male is seated out of camera view, Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. **Screenshot 24Nov – Cam 14 03:10:59 - Exhibit RGG/015**

Male is seated out of camera view; Dancer is stood up facing Male. Male has his hand in between dancer’s legs on her vagina, then hand moves in and out between dancers’ legs - **Screenshot 24Nov – Cam 14 03:11:38 - Exhibit RGG/016**

Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - **Screenshot 24Nov – Cam 14 03:24:06 - Exhibit RGG/017**

Dancer is facing seated male, male touches dancers’ breasts with both his hands **Screenshot 24Nov – Cam 16 02:41:42 - Exhibit RGG/018**

Male and dancer stood up embracing each other and kissing on lips - **Screenshot 24Nov – Cam 16 03:35:15 - Exhibit RGG/019**

Male and dancer stood up embracing each other and kissing on lips - **Screenshot 24Nov – Cam 16 03:41:22 - Exhibit RGG/020**

It is also evident that, many of the male customers are intoxicated and in their intoxicated state are being encouraged to purchase more dances/performances. two such examples being

22<sup>nd</sup> November 22 – 02:27 t0 03:00 – Intoxicated male attempts various different payments, by phone and bank cards, has 4 dancers with him in the booth, when the performance ends the male stands up and clearly unsteady on his feet.

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

24<sup>th</sup> November 22, 03:30 – Camera 16 - Male stands up, clearly unsteady on his feet, stumble as he gets up and has to use his right hand to hold on to wall to support himself, swaying from side to side and has to lean against wall. Dancer returns and male has his hand on her bottom, then grabs her bottom with both hands.

***35. There shall be at least one SIA registered door supervisor on duty on every floor where Relevant Entertainment is provided for the entire time the Relevant Entertainment is provided.***

On 24<sup>th</sup> November 2022, cameras 13 and 17 between 0300hours to 0440 hours the basement booths are supervised solely by a male member of staff, he is not wearing or displaying an SIA badge, it is believed that he is not an accredited SIA security person.

Another noteworthy incident is captured on camera 6 (ground floor bar) and camera 15 (basement booths) a male customer having entered the booth with a dancer at approximately 23:06 hours. Then at approximately 23:30 hours on camera 15, male is seated out of view a member of staff attempting to make a payment using his phone, Male makes payment on card machine, then staff screws up both copies of the printed receipt, staff the takes the customers mobile phone which is unlocked (bank card image visible on phone screen) up to the bar on the ground floor to complete the transaction (See Camera 6 - 23:31:55) Staff returns to booth, transaction appears declined, staff leave momentarily and returns with another PDQ machine, unclear if transaction made as out of camera view. It is questionable as to why the customer allowed the member of staff to use his phone for a payment with the customer not being present.

The premises is failing to uphold and fully promote the licensing objectives, their obstructive approach in providing CCTV, which clearly evidences many breaches of both their Premises Licence and SEV Licence and shows the premises is being managed and operated in an irresponsible manner.

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

**Summary of Exhibits**

Exhibit Number	Description of Exhibit
RGG/001	CCTV Transcript 21/22 Dec 2022
RGG/002	CCTV Transcript 23/24 Dec 2022
RGG/003	Email chain between Solicitor (Luke Elford) and PC Guerra
RGG/004	Screenshot showing male leaving premises, poor camera quality/position does not allow person to be identified. - CCTV on Camera 22, on 24/11/22 at 03:07:41
RGG/005	Screenshot Nov21 Cam15 230645 - Exhibit RGG/005) – dancer points at the camera and the male gets up and sits in the seat out of the view of the camera
RGG/006	Screenshot – Nov 21 Cam 14 225919 – male out of view at bottom of screen, dancer/male in middle booth obscured by beaded screen
RGG/007	Screenshot - Nov 21 Cam 16 232708 - dancer/male in middle booth obscured by beaded screen
RGG/008	Screenshot - Nov 21 Cam 17 234542 - dancer/male in middle booth obscured by beaded screen.
RGG/009	Screenshot - Camera 7 02:59:21 – Male seated in chair, top left of screen. Dancer is lying on male facing him, breasts in his face, male has his hands on her bottom.
RGG/010	Screenshot -24Nov Cam7– 03:00:56 - Dancer is stood in front of male, bent over with left knee on his thigh, male has right hand on her left breast
RGG/011	Male seated in chair, top left of screen. Dancer is kneeling down on floor in front of male has hand in male’s crotch Screenshot -24Nov Cam7– 02:59:34

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

RGG/012	Male seated in chair middle left of screen, dancer seated sideways on left leg of male, male has his right hand in dancers crotch. Screenshot 24Nov – Cam 9 03:53: 29
RGG/013	Male seated in chair middle left of screen, dancer is stood in front of male, bent over, male has right hand on her bottom. believed his left hand is also on dancers bottom but view is obscured by screen. - Screenshot 24Nov – Cam 9 03:54: 52 -
RGG/014	Male is seated out of camera view, dancer is stood up in front of male facing away, male places hands on her hips and the grabs/rubs her bottom. Screenshot 24Nov – Cam 14 01:18: 48
RGG/015	Male is seated out of camera view, Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. Screenshot 24Nov – Cam 14 03:10:59
RGG/016	Male is seated out of camera view, Dancer is stood up facing Male. Male has his hand in between dancer’s legs on her vagina, then hand moves in and out between dancers legs - Screenshot 24Nov – Cam 14 03:11:38
RGG/017	Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - Screenshot 24Nov – Cam 14 03:24:06
RGG/018	Dancer is facing seated male, male touches dancers’ breasts with both his hands Screenshot 24Nov – Cam 16 02:41:42
RGG/019	Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:35:15
RGG/020	Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:41:22

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# Appendix 19



**Exhibit RGG/01 – CCTV Transcript 21/22 Dec 2022**

Camera	Date	Time	Description of Footage
03	21/22/22	23:56:27	Drunk male (A) with shirt on backwards open/untied
03	22/11/22	00:15:23	Male (B) enters with friend, greeted by female and taken to bar.
03	22/11/22	00:12:22	Male (C) enters and greeted by 2 females.
03	21/11/22	23:56:27	Drunk male (A) with shirt on backwards open/untied - unsteady on feet
03	21/11/22	22:34:22	Male (A) swings around pole, take off t-shirt. Shane walks past him and looks at him. Barman approaches and talks to him; male doesn't put his shirt back on but swings it around over his head.
03	21/11/22	23:21:09	Male (A) dances on pole again, the rips his t-shirt, the spoken to by Lorraine.
04	22/11/22	00:15:26	Male (B) taken to bar by dancer, she rubs finger down his face, rubs his chest with her left hand, then unzips his coat, puts hands on his head, then runs hand down his stomach, she takes his coat to the cloak room. Dancer returns a few seconds later, male has right hand around her waist at the top of her bottom. Male then buys more drinks and pays to go upstairs.
04	22/11/22	01:34:30	Male (E) at bar with two dancers. one dancer is stroking his face, Male appears to say the word ' "Coke" male places his right hand by his nose, intimating that he is sniffing something. Both dancers then nod their heads and point downstairs. (Screenshot 22Nov Cam 04 – 013456 – Exhibit RGG03) Male makes payment to bar staff, then makes another payment. Remains at bar with two dancers, hugs one of them. then goes to go upstairs, called back by bar staff, further conversation with dancer who points to her nose with her right index finger. Male then leaves premises believed to smoke then re-enters.
05	22/11/22	01:37:20	Male (D) taken upstairs.
05	22/11/22	00:16:30	Male (D) orders two more beers and pays by phone
05	22/11/22	00:28:31	Male (D) orders 4 more shots and, struggles to find his phone, pays by phone.
05	22/11/22	00:30:05	Dancer places arm around his neck and speaks into his ear, continues to talk to him, strokes his head, then shakes him. Male (D) makes further payment
05	22/11/22	00:30:50	Male (E) makes a payment by phone, barman gives thumbs up, then Males (D) & (E) are taken upstairs.
05	22/11/22	01:35:45	Male (E) has faced makes another payment

05	22/11/22	01:56:04	Male (F) at bar, pays by contactless
05	22/11/22	01:59:30	Male (F) has his nipple pinched through his shirt.
05	22/11/22	02:00:10	Male (F) pays by pin, the gets his phone out and has to check his phone.
05	22/11/22	02:02:41	Male (F) buys another beer.
06	21/11/22	23:31:55	Staff comes upstairs from basement to bar, with customers phone which is unlocked, speaks with bar staff and uses phone to complete transaction using PDQ machine at bar, customer not present. Staff then goes back down to basement (See camera 15)
06	22/11/22	00:31:00	Male (E) Makes payment for something then goes upstairs with Male (D) and two dancers.
06	22/11/22	00:40:50	Male (D) is back at bar, orders another beer and two more shots. then joined by male (E) and dancer.
06	22/11/22	00:44:25	Male (E) make further payment by phone and then goes downstairs with dancer.
06	21/11/22	23:29:50	Staff making written record of transactions
06	21/11/22	23:31:58	Staff comes up from downstairs with customers phone to use phone on PDQ machine (customer remains downstairs) bar staff shakes his head and staff member goes back downstairs.
07	22/11/22	00:30:00	Male (D) & (E) upstairs seated separately.
07	22/11/22	00:33:04	Male (e) rubs right hand on dancers left leg.
07	22/11/22	00:35:42	Male (E) places right hand on dancers bottom and strokes it.
07	22/11/22	00:36:10	Male (E) continues to rub dancers' legs with both hands
07	22/11/22	00:37:21	Dancer places her left high heel onto right thigh of Male (E)
07	22/11/22	00:37:34	Dancers has her back to Male (E) her bottom at his head height, her left hand reaches behind her and rubs his crotch. Male then pulls her toward him, and her knees are in his crotch.
07	22/11/22	00:38:32	Male (E) runs his hand along dancer's body touching her breasts. she the runs her hand down his chest
07	22/11/22	00:39:25	Dancer continues to rub her hands over Male (E) chest.
10	22/11/22	00:45:10	Male (E) comes downstairs into booths
10	22/11/22	01:18:20	Male (E) comes out of booths, hugs and kisses dancer.
10	22/11/22	01:19:00	Male (E) hugs and kisses dancer and stroking her bottom with his right hand.
10	22/11/22	02:04:01	Male (F) enters booths followed by black male.
13	21/11/22	23:42:50	Lorraine brings in champagne
14	22/11/22	02:27:46	Male (D) enters booth with one dancer,

14	22/11/22		Shane comes in with PDQ machine to take payment, dancer stroking his hair., male (E) makes payment by phone.
14	22/11/22	02:34:35	Dancer seated male (D) lap, grinding her bottom against him.
14	22/11/22	02:34:50	Second dancer joins them
14	22/11/22	02:34:59	Third dancer joins them
14	22/11/22	02:35:08	Fourth dancer joins them
14	22/11/22	02:35:24	One dancer leaves the booth.
14	22/11/22	02:35:30	Dancers take in in turn to sit on his lap and grind against him.
14	22/11/22	02:37:30	Dancer rubs this inside of his right leg/ Crotch with her right hand
14	22/11/22	02:39:45	Male (D) holding breasts of dancer.
14	22/11/22	02:40:00	Dancer rubbing inside of his thigh.
14	22/11/22	02:42:29	Lorraine come in to take further payment, Male (D) stands up, unsteady whilst he is searching through his pockets to find his bank card, dancer hugs him from behind whilst payment is being taken.
14	22/11/22	02:43:27	Lorraine gestures to dancers to dance and move about. unclear if payment is authorised, dancers continue to talk to him and he then takes out his mobile phone, dancers then flick through his phone whilst he is holding it.
14	22/11/22	02:46:00	Lorraine returns to take a payment, which is authorised, and dancers continue to dance.
14	22/11/22	02:47:00	Dancer continues to sit on his lap, grinding against him.
14	22/11/22	02:49:47	Dancer is standing between male's legs facing him, he puts his hand between dancers legs and touches her vagina.
14	22/11/22	02:50:37	Dance is stood between male's legs facing away from him, he slaps her bottom twice with his right hand.
14	22/11/22	02:54:30	Lorraine enters booth and has discussion with dancers.
14	22/11/22	03:01:50	Dance ends, dancers put their underwear back on. Male (D) stands up, unsteady on his feet.
15	21/11/22	23:06:02	Dancer and male enter booth, male sits down in armchair that is within the view of the CCTV camera, dancer then points at and looks at CCTV camera and male the moves to a seat outside of the camera view. (Screen shot Nov21 Cam15 – 230645 - Exhibit RGG/000)
15	21/11/22	23:30:00	Male makes payment on card machine, then staff screw up both copies of the printed receipt, staff the takes the customers mobile phone which is unlocked up to the bar on

			the ground floor to complete the transaction (See Camera 6 - 23:31:55)
	21/11/22	23:32:42	Staff returns to booth, transaction appears declined, staff leave momentarily and returns with another PDQ machine, unclear if transaction made at out of camera view.
15	22/11/22	02:04:37	Male (F) enters booth with dancer, get seated in chair out of camera view.
15	22/11/22	02:04:49	Dancer takes males bottle of beer, drinks from it then pouts some down her breasts.
15	22/11/22	02:07:28	Dancer has male (F) credit card and is rubbing over her body.
15	22/11/22	02:08:48	Dancer rubs credit card against her vagina the drops it onto the other armchair within camera view.
15	22/11/22	02:14:11	Lorraine brings in tray of drinks and credit card machine, dancer picks up bank card from chair and hands it to Lorraine who takes a payment,
15	22/11/22	02:15:42	Male in middle booth with dance who is rubbing her breasts in his face, he is rubbing her lower back and bottom with his right hand.
15	22/11/22	02:21:20	Male (F) stands up, belt and zip on trousers undone
15	22/11/22	02:21:32	Dancers stroke male (F) on his chest while he does his belt up.
15	22/11/22	02:22:09	Dancer kisses Male (F)
15	22/11/22	02:25:30	Male (F) stands up and kisses dancer, Lorraine come in to take payment
15	22/11/22	02:26:53	Lorraine gestures to her waistband.
15	22/11/22	02:27:01	Lorraine appears to say "Pull Your Trousers Up"
15	22/11/22	02:27:16	Lorraine gestures and appears to say "Keep your trousers up."
15	22/11/22	02:29:43	Dancer pours beer on herself.
15	22/11/22	02:30:40	SIA security enters booth, points to the floor where the beer has spilled and asks Male to get up.
15	22/11/22	02:31:50	Shane comes into booth, Male drinks approx. 1/3 remaining bottle of beer.
15	22/11/22	02:33:20	Male (F) leave the booth, dancer remain and is seen drying her body with paper towel before getting dressed.
16	22/11/22	00:45:21	Male (E) and dancer enter booth, male takes of coat and unbuttons outer shirt, hugs dancer, Lorraine come in and takes payment, male stands up and get phone out of his coat to make payment, long discussion with Lorraine and male.

16	22/11/22	00:49:15	Dancer wraps male's arms around her and starts dancing with him, dancer bends over in front of male and he starts to thrust his groin into her bottom.
16	22/11/22	00:49:54	Male sit down and dancer is facing him, e rubs his hand up her legs to her bottom.
16	22/11/22	00:51:10	Males stroke dancers bottom
16	22/11/22	00:51:55	Dancer removes her knickers and male continues to stroke and rub her bottom with both his hands.
16	22/11/22	00:52:30	Dancer is in front of seated male, she bends over and her continues to rub her bottom.
16	22/11/22	01:10:50	Dance ends and dancers starts to get dressed.
16	22/11/22	01:14:34	Male and dancer stood up in booth engaged in conversation, dancer places her left hand on male's bottom, and he continues to rub his hands up and down her body.
16	22/11/22	01:18:05	Dancer and male leave the booth.
17	22/11/22	00:10:10	Dancer removes her knickers and grinds her bottom against the male crotch.
17	22/11/22	00:10:57	Male places hand between the dancer legs and rubs the inside of her bottom
17	22/11/22	00:11:30	Dancer the straddles male and sits on his legs, rubbing his chest with er left hand. Male has his hands on the dancer's bottom
17	22/11/22	00:11:50	Dancer is position in front of male facing him straddled over his left leg, with her breast level with his face, male can be seen rubbing dancers bottom with his right hand.
17	22/11/22	00:12:00	Male has is holding dancers' breasts with his hand
17	22/11/22	00:12:18	Dancer positions herself sideways across male who is seated, male has his hand on dancer's bottom.
17	22/11/22	00:12:24	Dancer is position with her back to the male, rubbing her bottom against his crotch, male has right hand on her abdomen and move it down to her vagina.
17	22/11/22	00:12:33	Dancer continues to grind her bottom in male's crotch, whilst he rubs her breasts, dancer has her hands on his whilst he rubs her breast.
17	22/11/22	00:15:18	Dance is lying on her back on male, left hand reaches over and touches her vagina, the move up and touches her left breast.
17	22/11/22	00:15:48	Dancer stands up and put her knickers back on.
17	22/11/22	00:16:05	Dancer is standing up facing away from male who is still seated, male prods her bottom with his right index finger and then pats her bottom with his right palm

17	22/11/22	00:17:00	Dancer puts on her coat and they both leave the booth.
17	22/11/22	02:33:55	Male is seated, dancer is positioned in front of him with left leg raised and resting on back of the seat to the left of the male's head, other foot on the floor, male is stroking left with his left hand.
17	22/11/22	02:34:06	Dancer bends over further and rubs her vagina with her right hand
17	22/11/22	02:34:22	Male touches her vagina with his right hand.
17	22/11/22	02:24:34	Male leans forward and runs his right hand up dancer's left leg up to her bottom.
17	22/11/22	02:38:00	Dancer is positioned standing in front of seated male, facing away from him, male places both his hands on her bottom
17	22/11/22	02:38:30	Male continues to rub dancer's bottom with his right hand.
17	22/11/22	02:39:34	Dancer is facing male, he runs his hands up from her bottom up her back.
17	22/11/22	02:39:58	Dancer standing in front of seated male, he then slaps her bottom with his right hand, dancer bends over and he continues to rub her bottom with both hands. SIA is standing next to the booth.
17	22/11/22	02:52:49	Dancer is seated on male's lap, grinding her bottom against his crotch, whilst he has his hands on her hips.
17	22/11/22	02:53:31	Dancer is stood in front of male, right leg raised, male runs his right hand up and down her left leg.

**Exhibit RGG/02 – CCTV Transcript 23/24 Dec 2022**

<b>File Name</b>	<b>Camera</b>	<b>Date</b>	<b>Time</b>	<b>Description of Footage</b>
	03	24/12/22	03:26:10	Male (G) victims friend looks outside main door then returns inside the premises
	07	24/11/22	02:24:05	White male is brought upstairs with black female dancer, seated in chair.
	07	24/11/22	02:25:27	Dancer is seated in his lap grinding against his crotch.
	07	24/11/22	02:26:05	Dancer she straddles male and she slides down onto floor.
	07	24/11/22	02:27:26	Dancer rubs her left knee into his crotch, she sits on his lap with her back to him, grinding against his crotch.
	07	24/11/22	02:28:34	Dancer turns around, facing male, lying against him and slides her body down the front of his.
	07	24/11/22	02:50:53	Two males brought upstairs with two dancers, one male seated corner and other male seated right corner, dancer pushes male on left into his seated., rubbing his face and chest with her left hand.
	07	24/11/22	02:51:49	Male on left, dancer is sitting in his lap grinding her bottom in his crotch.
	07	24/11/22	02:51:55	Dancer lies back on top of male; his hands briefly touch her breasts.
	07	24/11/22	02:52:08	Dancer turns around and her breasts are at his head height, and she is rubbing her knees up and down his crotch, she runs her hands down his stomach to his crotch
	07	24/11/22	02:52:24	Other male is stood up pouring champagne into glass for the dancers, and dancer in the right hands the male on the left a glass of champagne, other dancer takes the glass from the male and drinks from it, goes to place back on the table but then offers the male the glass he take a sip and she places back on the table.
	07	24/11/22	02:53:45	Dancer is lying on her back on top of seated male, his right hand holding her right breast.
	07	24/11/22	02:54:00	Dancer stands up and turns to face male, left knee resting on his right thigh, the males hands are resting on either side of the chair, the dancers right hand reaches down between her legs and touches his crotch. Dancer then slides her body down his and then rubs both her hands down his chest, to the inside of his thighs, left hand then runs from the inside of his right thigh into his crotch and up to his chest resting on his face
	07	24/11/22	02:54:28	Male is seen rubbing his crotch with his right hand.

	07	24/11/22	02:54:49	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	07	24/11/22	02:55:10	Dancer places her left foot (high heel shoes) on the chair between his crotch, dancer then turn around and seated on male facing away from him grinding her bottom into his crotch.
	07	24/11/22	02:56:05	Dancer strokes males face with her hands, whilst rubbing her knees into his crotch, males' legs can be seen moving from contact with the dancer.
	07	24/11/22	02:56:21	Dancer runs both her hands down the male's chest into his crotch.
	07	24/11/22	02:56:51	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	07	24/11/22	02:57:01	Dancer is lying on her back on top of male, his right hand is holding her right breast.
	07	24/11/22	02:57:16	Male hand right hand resting on her right hip and moves it towards her stomach.
	07	24/11/22	02:57:32	Dancer is stood in front of male, bends over toward him, and reaches down and place her left hand in his crotch.
	07	24/11/22	02:57:44	Dancer is stood in front of male, bends over toward him and rubs her right knee into his crotch.
	07	24/11/22	02:57:58	Dancer straddles male placing her knees on his thighs, his right hand is moving up and down the back of her left thigh
	07	24/11/22	02:58:15	Dancer still straddling male, he places both his hand on her bottom.
	07	24/11/22	02:58:26	Dancer runs her hands down his chest to his crotch, and the places her head into his crotch.
	07	24/11/22	02:58:54	Dancer is stood in front of male, bent over ,male has hand on her bottom.
	07	24/11/22	02:59:11	Dancer is stood in front of male, bends over toward him, he is rubbing his left hand along her right leg.
	07	24/11/22	02:59:21	Dancer is lying on male facing him, breasts in his face, male has his hands on her bottom. <b>Screenshot -24Nov Cam7 – 02:59:21 - Exhibit RGG/000)</b>
	07	24/11/22	02:59:34	Dancer is kneeling down on floor in front of male has hand in male's crotch <b>Screenshot -24Nov Cam7– 02:59:34 - Exhibit RGG/000)</b>
	07	24/11/22	03:00:56	Dancer is stood in front of male, bent over with left knee on his thigh, ,male has right hand on her left breast <b>Screenshot -24Nov Cam7– 03:00:56 - Exhibit RGG/000</b>
	07	24/11/22	03:04:22	Dancer is lying on her back on top of male, his right hand is holding her right breast.



	09	24/11/22	03:46:00	Male seated on chair, middle right of screen. Dancer stood in front of him, male has hands on her bottom, and move hands up her back., dancer rubbing her left knee into his crotch.
	09	24/11/22	03:46:59	Dancer lying on her back on top of male, male has his left hand on her left breast.
	09	24/11/22	03:47:45	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	09	24/11/22	03:50:13	Dancer continues grinding her bottom into his crotch.
	09	24/11/22	03:50:18	Dancer lies back on top of males, he rubs her right breast through her top with his right hand.
	09	24/11/22	03:53:29	Dancer seated sideways on left leg of male, male has his right hand in dancers crotch. <b>Screenshot 24Nov – Cam 9 03:53: 29 - Exhibit RGG/000</b>
	09	24/11/22	03:54:42	Lorraine comes into room and speaks with SIA
	09	24/11/22	03:54:54	Dancer is stood in front of male, bent over, male has right hand on her bottom. <b>Screenshot 24Nov – Cam 9 03:54: 52 - Exhibit RGG/000</b>
	09	24/11/22	03:56:11	Male moves his hands from dancers bottom up to her breasts and the back down to her bottom
	09	24/11/22	03:59:49	Dancer has her breasts in his face, male holding her left breast with his right hand.
	09	24/11/22	04:00:37	Dancer lying on her back on top of male, male has his left hand on her exposed left breast.
	09	24/11/22	04:02:05	Lorraine leaves the room
	09	24/11/22	04:02:51	Dancer is stood in front of male, bent over, male has right hand on her bottom.
	14	24/11/22	00:59:22	Dancer and male enter booth, male removes two outer coats and sits down on chair out of camera view, dancer straddles male
	14	24/11/22	01:03:00	Dancer removes her bra
	14	24/11/22	01:04:30	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	14	24/11/22	01:04:50	Dancer lies back on male and his right hand can be seen on the inside of her right thigh. dancer then throws her spectacles onto the table and stands up. leans through into the next booth and reaches over to male in other booth, then turns around and puts her spectacles back on
	14	24/11/22	01:05:13	Dancer is stood in front of male he places both his hand on the front of her waist and starts to undo the zip/fastening on her knickers. Dancers partially undoes the zip she rubs her vagina.

	14	24/11/22	01:08:25	Dancers removes her knickers., stands up and faces male, then rubs her vagina with her right hand
	14	24/11/22	01:10:05	Dancer is stood in front of male facing away, male rubs bot hands on her bottom
	14	24/11/22	01:10:22	Dancer turns and faces male, dancer then rubs and taps her vagina with her right hand
	14	24/11/22	01:10:27	Male touches her vagina with his right thumb, and dancer gyrates in front of him and leans into him
	14	24/11/22	01:11:11	Dance is facing male sat on his left leg, males' right hand can been seen groping and squeezing dancers left breast.
	14	24/11/22	01:14:17	Dancer is stood up leaning against wall, rubbing her vagina with her right hand, the move towards male and leans over , males hands the move onto her hips/waist
	14	24/11/22	01:18:00	Dancers is straddled across male, facing him, he is rubbing both her breasts with his hands.
	14	24/11/22	01:18:45	Dancer is stood up in front of male facing away, male places hands on he hips and the grabs/rubs her bottom. <b>Screenshot 24Nov – Cam 14 01:18: 48 - Exhibit RGG/000</b>
	14	24/11/22	01:18:50	Males slaps dancers bottom with both his hands several times, the pulls her down onto his lap.
	14	24/11/22	01:19:36	Dancer is seated on male's lap, facing away from him, male runs his hand up her back.
	14	24/11/22	01:19:42	Male rubs his finger nails up and down dancers back.
	14	24/11/22	01:25:52	Male and dancer leave the booth
	14	24/11/22	01:39:33	Different male along with two dancers in booth, male is seated
	14	24/11/22	01:43:45	Lorraine brings in tray with three shots and male pays using hi phone. – time on phone is shown as 0140hrs, (CCTV Timed at 01:43:59)
	14	24/11/22	01:44:13	Dancer seated to right of male, picks up saltshaker and sprinkles salt on her left breast/nipple, male then appears to lick it off.
	14	24/11/22	01:44:51	Male appears to stop sucking on dancers breast when she hands him the shot glass, they all down a shot.
	14	24/11/22	01:46:48	Dancer is seated on male facing away from him grinding her bottom into his crotch.
	14	24/11/22	01:51:37	Shane comes into take a payment, first transaction attempt out of camera view, but believed payment being made using phone, Shane shakes his head, believed transaction is declined, male takes out his wallet and takes

				out a bank card, card doesn't appear to work, male hands another card to Shane, unclear if transaction is processed, Shane leaves the booth. Dancer holds male by his hair with two hands and pulls him close to her she wraps arms around his neck.
	14	24/11/22	01:56:34	Shane returns with PDQ machine, male attempts to pay by using phone, payment appears to be decline, Shane tears of receipt and throws it on the table, male shakes his head. then takes a bank card out of his wallet, places in PDQ machine then removes card, Shane stands up and walk out of booth with
	14	24/11/22	01:58:39	Shane returns, male puts card back in PDQ machine, male places another card in PDQ machine, transaction appears to be decline. Shane uses his phone to on PDQ machine, then male uses phone to make payment twice, both appear declined. all leave booth and move toward the fire escape and the end of the booths.
	14	24/11/22	02:08:04	Male and same two dancers return to the booth, dancers collect their bags and leave the booth
	14	24/11/22	03:05:01	Male and dancer enter booth, male sit down out of camera view
	14	24/11/22	03:06:07	Dancer sits on male's lap.
	14	24/11/22	03:08:30	Dancer is seated on male facing away from him grinding her bottom into his crotch
	14	24/11/22	03:08:51	Male runs his right-hand fingernails down the dancers naked back.
	14	24/11/22	03:10:40	Male has right hand on dancers left breast.
	14	24/11/22	03:10:58	Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. <b>Screenshot 24Nov – Cam 14 03:10:59 - Exhibit RGG/000</b>
	14	24/11/22	03:11:26	Male has his hand in between dancer's legs on her vagina, then hand moves in and out between dancers legs
	14	24/11/22	03:11:37	Dancer turns and faces male, she has her right hand on her vagina, male has his right hand below hers rubbing in between her legs , male then moves his hands onto her hips. - <b>Screenshot 24Nov – Cam 14 03:11:38 - Exhibit RGG/000</b>
	14	24/11/22	03:11:51	Male has right hand on dancers left breast
	14	24/11/22	03:21:10	Male is stroking dancer's bottom.
	14	24/11/22	30:22:36	Male kisses dancers bottom, and dancer turns and looks at male

	14	24/11/22	03:23:30	Dancer gets dressed
	14	24/11/22	03:24:06	Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - <b>Screenshot 24Nov – Cam 14 03:24:06 - Exhibit RGG/000</b>
	14	24/11/22	03:24:56	Male leaves the booth.
	16	24/11/22	02:21:45	Male and Dancer stood up in booth, awaiting to make payment, Dancer and male kiss on the lips., dancer hugging male and rubbing her right hand over his chest, the strokes his face, male appears unsteady on his feet swaying from side to side.
	16	24/11/22	02:22:45	Dancer and male kiss again, male is rubbing her bottom with his left hand.
	16	24/11/22	02:24:46	Male and dancer stood up facing each other, male is flicking dancer right nipple with his left have
	16	24/11/22	02:27:46	Dancer cuddles/hugs mage
	16	24/11/22	02:41:40	Dancer is facing seated male, male touches dancers' breasts with both his hands <b>Screenshot 24Nov – Cam 16 02:41:042 - Exhibit RGG/000</b>
	16	24/11/22	02:43:30	Shane brings in more drinks and takes payment.
	16	24/11/22	02:48:08	In Middle booth dancer takes males hands and places them on her hips, male then touches her breasts.
	16	24/11/22	03:28:47	Middle booth dancer and male hugging each other.
	16	24/11/22	03:29:47	Dancer leave booth without getting dressed
	16	24/11/22	03:30:00	Male stands up, clearly unsteady on his feet, stumble as het get up and has to use his right hand to hold on to wall to support himself, swaying from side to side and has to lean against wall. Dancer returns and male has his hand on her bottom, then grabs her bottom with both hand
	16	24/11/22	03:35:15	Male and dancer kiss on lips again <b>Screenshot 24Nov – Cam 16 03:35:15 - Exhibit RGG/000</b>
	16	24/11/22	03:40:45	Male and dancer kiss on lips again
	16	24/11/22	03:41:22	Male and dancer kiss on lips again <b>Screenshot 24Nov – Cam 16 03:41:22 - Exhibit RGG/000</b>
	16	24/11/22	03:50:53	Male puts on coat and leave the booth
	16	24/11/22	04:09:10	Middle Booth – Male grinding against dancers bottom whilst stood up
	17	24/11/22	02:26:25	Male enters booth with two dancers., dancer sits on him and grinds her bottom in his crotch., then straddles him

				and he touches her bottom., the other dancer faces away from him and puts her bottom on his right hand.
	17	24/11/22	02:25:57	Lorraine walks past the booth
	17	24/11/22	02:28:41	Dancer rubs males crotch with her right foot, the rubs crotch with both feet, other dancer rubs his crotch with her right hand.
	17	24/11/22	02:28:57	Dancer places her head in his crotch, the rubs his crotch with her right hand and then remove her top.
	17	24/11/22	02:29:57	Dancer is kneeling on floor leaning in toward male, her touches her left breast with his right hand.
	17	24/11/22	02:37:33	Male is lying back in chair dancer approaches and put her right hand into the top of his trousers
	17	24/11/22	02:40:15	Male has his right hand in dancer's crotch
	17	24/11/22	02:43:35	Dancer rubs her breasts into his crotch, whilst rubbing his chest with her right hand, then rubs her feet in his crotch
	17	24/11/22	02:45:15	Shane come in to check on the booth
	17	24/11/22	02:45:40	Shane is stood outside the booth; dancer is touching the males leg.
	17	24/11/22	02:45:51	Male touches dancer breasts with two hands
	17	24/11/22	02:52:30	Lorraine comes into booth to take payment.
	17	24/11/22	03:06:00	Lorraine brings in champagne, whilst male struggles to open the bottle the dancer lies on her back between his legs and continues to rub his crotch
	17	24/11/22	03:17:55	Dancer is lying on her back on top of male, his left hand can be seen rubbing dancer's vagina, dancer sits up and continues to grind against his crotch.
	17	24/11/22	03:18:57	Lorraine takes further payment
	17	24/11/22	03:21:10	Dancer rubs his chest continuously and kisses his chest, rubs breasts into his groin
	17	24/11/22	03:23:29	Male is seen using his mobile phone
	17	24/11/22	03:32:15	Lorraine takes another payment
	17	24/11/22	03:36:39	Male is hugging dancer his hands on her bottom

# Appendix 20

**RGG/004 TO RGG/020**

**RESTRICTED CONTENT**

# Appendix 21



## **Exhibit RGG/003 - Email chain between Solicitor (Luke Elford) and PC Guerra**

Reaz,

To confirm:

I have just handed to you two envelopes containing 4 x USB sticks containing the CCTV requested for 21/22 November and 23/24 November.

You could not remember the name of the acting superintendent who signed the certificate authorising the summary review, but you are going to send this to me by the end of the day.

You have stated that you do not have any of the details I have requested for the 21/22 November allegation but that as soon as these are obtained they will be provided. It is my suggestion that they **must be obtained as a matter of urgency** and provided to us immediately. If the details are either not provided to us or provided at a late stage (when the police, as a whole, have been aware of the allegation since the date the CRIS was created – 10:46am on 24/11/22) then we reserve the right to raise that matter subsequently. As I have said, those are enquiries that could and should have been made before the triggering of the review with the police placing great reliance on these allegations. It is reasonable to expect the police to have conducted basic evidence gathering.

You refused to discuss the case any further as you had your daughter with you. You explained that you were on your day off. I said that neither of those matters was my or my client's fault.

By the end of today please confirm:

- **Name of acting superintendent who signed summary review certificate and contact details**
- **When we can expect a description of the complainant and supporting details for 21/22 November**
- **When we can expect the totality of the police evidence**

I would remind you that this review was triggered on 13 December 2022 with the trigger incident being cited as taking place on 25/26 November 2022 (as referenced in **both** the application for summary review and the certificate). It was only after the interim steps hearing on 15 December, and indeed, not until nearly 8pm that day, that the police disclosed that they had in fact got the date completely wrong inadvertently misleading and misdirecting the applicant and the licensing sub-committee and wasting a great deal of everyone's time and effort. I further remind you that at the time the review was triggered the police (you) were in already possession of the CRIS report (6573153/22) which **clearly** explains that the date of the allegation was 24 November. Did neither you, PC Muldoon, or Acting Superintendent (name tbc) read that CRIS report prior to submitting the review/signing the certificate?

Thanks.

**Kind Regards**

**Luke Elford**

Partner



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Partners: Tim Shield (569713) | Michelle Hazlewood (569714)  
Christopher Grunert | Jon Wallsgrave | Patrick Robson | Luke Elford  
Practice Manager: Jonathan Pupius

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\*\*\*\*\*

**From:** [Reaz.Guerra](#) [redacted] <[Reaz.Guerra](#) [redacted]>  
**Sent:** Wednesday, December 21, 2022 1:24:13 PM  
**To:** Luke Elford [redacted]  
**Cc:** [Steve.Muldoon](#) [redacted]; [gerald.gouriet](#) [redacted] <[gerald.gouriet](#) [redacted]>  
**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Dear Luke

I will aim to be there at 3pm.

Kind Regards  
Reaz

**From:** Luke Elford [redacted]  
**Sent:** 21 December 2022 12:55  
**To:** Guerra Reaz - AW-CU [redacted]; Muldoon Steve - AW-CU <[Steve.Muldoon](#) [redacted]>  
**Cc:** [Gary.Grant](#) [redacted]; [gerald.gouriet](#) [redacted]  
**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Reaz,

Is there a particular reason why you are not answering the questions I have asked or providing the information I have asked for?

My address is [REDACTED]. If you call me on arrival, I will come down.

I have a telephone appointment between 2 and 3 so please avoid arriving during that period.

**Kind Regards**  
**Luke Elford**

Partner

[REDACTED]



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**From:** [Reaz.Guerra](#) [REDACTED]

**Sent:** 21 December 2022 12:50

**To:** Luke Elford [REDACTED] >; [Steve.Muldoon](#) [REDACTED]

**Cc:** [Gary.Grant](#) [REDACTED]; [gerald.gouriet](#) [REDACTED]

**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Luke,

Thanks, could you confirm the address/location in Whitechapel?

Kind Regards

Reaz

**From:** Luke Elford [REDACTED] >

**Sent:** 21 December 2022 11:52

**To:** Guerra Reaz - AW-CU [REDACTED] >; Muldoon Steve - AW-CU [REDACTED]

**Cc:** [Gary.Grant](#) [REDACTED]; [gerald.gour](#) [REDACTED]

**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

See below.

Please respond to the questions I have asked.

**Kind Regards**  
**Luke Elford**

Partner

[REDACTED]

[REDACTED]

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**From:** [Reaz.Guerra](#) <[Reaz.Guerra](#)>

**Sent:** 21 December 2022 11:41

**To:** Luke Elford >

**Cc:** [Gary.Grant](#); [gerald.gouriet](#)

[Ben.J.J.Chadwick](#)

**Subject:** RE: Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Luke,

Please find attached forms. – Still inadequate, but they will have to do. If the ICO come knocking we will refer them on to the you/the Met.

In terms of collecting the CCTV today, where would it need to be collected from? – Whitechapel

Could you also confirm what format the footage is in (e.g. .avi, .mp4) and/or if it requires specific app/software to be viewed? - .mp4 – the player software has been uploaded onto the USBs for you.

Kind Regards

Reaz

**From:** Luke Elford

**Sent:** 21 December 2022 11:25

**To:** Muldoon Steve - AW-CU; Guerra Reaz - AW-CU  
<>

**Cc:** Gary Grant <>

**Subject:** Vanity License Ltd - Vanity Bar, 4 Carlisle Street - Police CCTV Request

Dear PCs Muldoon and Guerra,

I write further to previous correspondence regarding the above.

You have requested CCTV footage from all cameras at Vanity Bar, 4 Carlisle Street, London W1D 4BJ for the following dates:

1. 21/22 November 2022; and
2. 23/24 November 2022 (incorrectly requested and particularised in review documents and certificate as 25/26 November 2022) – Please may I have the name and contact details for the acting superintendent who signed the review certificate. We may need to contact them in due course.

We remain of the view that your request is neither necessary nor proportionate for the prevention or investigation of the allegations as set out in CRIS references 6573153/22 (23/24 November) and 6572076/22 (21/22 November) and that the request, if complied with, places our client in breach of its obligations as a data controller.

We note that you are yet to provide us with any sort of description of the complainant **in relation to 21/22 November including transaction amounts, card details, and transaction times** despite our requesting these from you several times. All of these details could and should have been secured prior to the submission of the review and it is noted that all of the CRIS reports were in your possession prior to the interim steps hearing on 15 December 2022. **Please provide these today.**

It is further noted that the CRIS report for the trigger incident which you particularised as taking place on 25/26 November 2022 was printed and accessible to you prior to the review application being served and **clearly contains** the correct offence dates.

In spite of this, and in order to comply with condition 30 of the venue's premises licence, the footage has now been downloaded and will be made available for collection.

Before we arrange exchange of the footage, **please may I request, again, that you properly complete the venue's CCTV request form.** So far you have been unable or unwilling to complete it to a satisfactory standard.

I have taken the step of converting the document into Word format for you so that you can type directly into the document. It is reasonable to ask you to complete the form properly.

In terms of collection of the footage, I am working from home today. I will at my offices in Kings Cross both tomorrow and Friday, but I have meetings during the following periods:

- Thursday 22/12 – 9am to 11am and 3pm to 4pm
- Friday 23/12 – 9am to 10:30am and 3:30pm – 5pm

You are welcome to come and collect the footage today, or we can fix a time tomorrow or Friday.

Turning now to the unsigned, undated, letter that you sent to me by email (timed 10:50) the content of which is noted/refuted. I wish to highlight the following paragraph for you:

**The police require footage from all cameras at all times on the days in question in order to undertake a comprehensive and effective in enquiry into the allegations made. It is not possible for the police to limit its enquiries to specific cameras and/or specific times within those days. The police's investigations will concern what may and may not have taken place on those days. What is precisely relevant will only crystallise as investigations are undertaken (both of the footage and of other evidential sources) and the results of those investigation are analysed.**

It is **absolutely possible** and in fact, very simple, for the Police to limit their enquiries to specific cameras and/or specific times.

For example, in relation to the 24 November allegation (CRIS 6573153/22) the male enters the venue at 01:34 rendering any footage from any camera prior to 01:34 irrelevant to that investigation. It might be reasonable, for example, to request

footage from 01:20 to show a short passage of time leading up to the male's entry to the premises, but instead you have asked for footage from 21:00 hours on 23 November onwards.

In a similar vein, you have requested footage from all cameras at the venue. This would include cameras in back of house areas such as the office and female changing rooms. Being that we can show the complainant's entire evening in the venue from entry to exit, save perhaps any trips to the bathroom, how can it be necessary and proportionate for you to have access to hours and hours of footage, including sensitive personal data, for areas that have no relevance whatsoever to your investigation.

In summary:

- **Please properly complete the venue cctv release form and return to me (email is fine)**
- **Please let me know how/when you would like to collect the CCTV footage**

I would remind you that the CCTV footage is being provided to you for the express purpose of investigating the allegations within CRIS numbers 65731153/22 and 6572076/22 and for no other purpose. The footage is to be kept securely by the Metropolitan Police and is not to be further shared with any person without the express consent of the data controller.

Best wishes.

**Kind Regards**  
**Luke Elford**

Partner



**John Gaunt & Partners** | Kings Cross Business Centre | 180 - 186 King Cross Road, London | WC1X 9DE

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# Appendix 22

## Find and update company information

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(<http://resources.companieshouse.gov.uk/serviceInformation.shtml#compInfo>)

[Advanced company search \(/advanced-search\)](/advanced-search)

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NH LICENSE LTD

Exhibit number: EXHIBIT MA/02

Company number **12523134**

Date: 15 May 2023

Name: Mohshin Ali

Signed: 

Follow this company

File for this company

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— [Overview \(https://beta.companieshouse.gov.uk/company/12523134\)](https://beta.companieshouse.gov.uk/company/12523134)

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— [People \(https://beta.companieshouse.gov.uk/company/12523134/officers\)](https://beta.companieshouse.gov.uk/company/12523134/officers)

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- [Officers](#)
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### Filter officers

Current officers

Apply filter

## 1 officer / 0 resignations

### CLAIR, Manpal Singh

Correspondence address **128 City Road, London, United Kingdom, EC1V 2NX**

Role Active **Director**

Date of birth **February 1983**

Appointed on **18 March 2020**

Nationality **British**

Country of residence **England**



Occupation **Businessman**

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## Find and update company information

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VANITY LICENSE LTD

Company number **12523049**

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- [Overview \(https://beta.companieshouse.gov.uk/company/12523049\)](https://beta.companieshouse.gov.uk/company/12523049)
  - [Filing history \(https://beta.companieshouse.gov.uk/company/12523049/filing-history\)](https://beta.companieshouse.gov.uk/company/12523049/filing-history)
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### Filter officers

<input type="checkbox"/> Current officers
--

**1 officer / 0 resignations**

---

#### **CLAIR, Manpal Singh**

Correspondence address **128 City Road, London, United Kingdom, EC1V 2NX**

Role Active **Director**

Date of birth **February 1983**

Appointed on **18 March 2020**

Nationality **British**

Country of residence **England**

Occupation **Businessman**

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# Appendix 23

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

**Table of Breaches from CCTV for 18<sup>th</sup> August 2022**

Standard Conditions attached to these premises' current Sexual Entertainment Venue Licence:

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.***
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.***

Officer A - Surveillance Operative (MN)  
Performer A - "Maya" (referred to Mia in statement)

Officer B - Surveillance Operative (RS)  
Performer B: "Patricia"

Customer C - unidentified customer at the end of video  
Performer C - "Elena"

Breaches can be observed throughout the CCTV footage as described in the table.

Room Name/ Camera number	Date/ Time as shown on screen	Subjects seen: Officer (A, B)*	Description of Activity	Breach of condition (Condition(s) listed)
-----------------------------	---	---	-------------------------	--

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

		<b>Performers (A, B)*</b>		
Camera 01 (VIP Room)	18/08/20 22 23:10:38	Performer A  Officer A	Performer A straddled onto Officer A's lap and touched Officer A's body, including his groin intermittently.  Officer A is touched by Performer A.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:10:39	Performer A  Officer A	Performer A straddled onto Officer A's lap, taking Office A's left hand and put it on her leg.  Officer A invited to touch Performer A's leg.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:11:21	Performer A  Officer A	Performer A invited Officer A to touch Performers A's waist.  Officer A invited to touch performer A's waist.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:11:28	Performer A  Officer A	Performer A sat of Officers A's lap taking Officer A's hands and put it on her breasts.  Officer A invited to touch Performer A's breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:11:45	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's legs.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

Camera 01 (VIP Room)	18/08/20 22 23:12:11	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's legs.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:12:27	Performer A  Officer A	Performer A sat on Officer A's lap and touched Officers A's face.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:12:30	Performer A  Officer A	Performer A sat on Officer A's lap and covered her genitals to deter Officer A's advances of hands.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:12:51	Performer A  Officer A	Performer A touched Officer A's body and head intermittently.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:14:08	Performer B  Officer B	Performer B touched Officers B's face and possibly kissed Officers B's neck.  Officer B is touched and possibly kissed by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:14:30	Performer A  Officer A	Performer A sat on Officers A's lap and stroked Officers A's body.  Officer A is touched by Performer A.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

Camera 01 (VIP Room)	18/08/2022 23:15:11	Performer A Officer A	Performer A high fived Officer A. Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:15:30	Performer A Officer A	Performer A touched Officers A's body and groin. Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:15:44	Performer A Officer A	Performer A invited Officer A to touch Performers A's bottom and body. Officer A invited to touch performer A's bottom and body.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:16:37	Performer A Officer A	Performer A invited Officer A to touch Performers A's legs. Officer A invited to touch performer A's legs.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:17:15	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands. Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:17:26	Performer A Officer A	Performer A touched Officers A's body. Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/2022	Performer A	Performer A accepted uninvited touch of Officers A's hands intermittently.	Cond 35



**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

	23:17:27	Officer A	Officer A touched Performers A's body.	
Camera 01 (VIP Room)	18/08/2022 23:17:54	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:18:06	Performer B Officer B	Performer B touched Officer B's left arm.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:18:26	Performer B Officer B	Performer B touched Officer B's body.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:18:33	Performer A Officer A	Performer A strokes Officers A's groin and body intermittently.  Officer A is touched by Performer A.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/2022 23:20:59	Performer A Officer A	Performer A straddled Officer A and invited Officer A to touch Performers A's body. Performer A touched Officer A's body.  Officer A invited to touch performer A's body and is touched by Performer A.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

Camera 01 (VIP Room)	18/08/20 22 23:22:33	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:22:42	Performer A  Officer A	Performer A invited Officer A to touch Performers A's breasts.  Officer A invited to touch performer A's breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:23:23	Performer A  Officer A	Performer A sat on Officer A's lap and accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:23:43	Performer A  Officer A	Performer A touched Officers A's groin and body intermittently. Performer A possibly kissed Officer A's neck.  Officer A is touched by Performer A.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:24:38	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:26:13	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

			Officer A touched Performers A's body.	
Camera 01 (VIP Room)	18/08/20 22 23:26:53	Performer B  Officer B	Performer B touched Officer B's face.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:27:21	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands intermittently.  Officer A touched Performers A's body including breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:28:28	Performer A  Officer A	Performer A invited Officer A to hug and touched Officer A's body intermittently.  Officer A invited to touch performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:28:55	Performer B  Officer B	Performer B touched Officer B's face intermittently.  Officer B is touched by Performer B.  Missing footage from 23:29:14 – 23:29:23*	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:30:18	Performer A  Officer A	Performer A touched Officers A's body intermittently.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22	Performer A	Performer A invited Officers A's to touch Performer A's body.	Cond 35 & 38

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

	23:30:33	Officer A	Officer A touched Performers A's body, including breast.	
Camera 01 (VIP Room)	18/08/20 22 23:31:11	Performer A  Officer A	Performer A touched Officers A's face and body.  Officer A is touched by Performer A.  Missing footage from 23:31:24 – 23:31:32*	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:31:41	Performer B  Officer B	Performer B touched Officer B's chest.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:32:32	Performer A  Officer A	Performer A touched Officers A's face and body.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:32:48	Performer A  Officer A	Performer A touched Officers A's hand.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:33:19	Performer A  Officer A	Performer A accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's body.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

Camera 01 (VIP Room)	18/08/2022 23:33:35	Performer A Officer A	Performer A touched Officers A's shoulder.  Officer A is touched by Performer A.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:33:41	Performer A Officer A	Performer A accepted uninvited touch of Officers A's hands.  Officer A touched Performers A's body.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:34:30	Performer A Officer A	Performer A invited Officer A to a kiss on the cheek and a hug.  Officer A invited to touch performer A's waist.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:34:30	Performer A Officer A	Performer A touched Officer A's shoulder.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:34:34	Performer B Officer B	Performer B kisses Officer B's cheeks.  Officer B is touched by Performer B.	Cond 35
Camera 01 (VIP Room)	18/08/2022 23:46:48	Performer C Customer C	Performer C accepted uninvited touch of Customer C's hands.  Customer C touched Performer C's body, including breasts.	Cond 35 & 38

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

Camera 01 (VIP Room)	18/08/20 22 23:47:10	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands.  Customer C touched Performer C's body and breasts. Customer C removes part of Performer C's clothing.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:47:56	Performer C  Customer C	Performer C straddled Customer C's lap and accepted uninvited touch of Customer C's hands.  Customer C touched Performer C's body and breasts. Customer C removes part of Performer C's clothing.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:47:58	Performer C  Customer C	Performer C touched Customer C's body.  Customer C is touched by Performer C.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:49:18	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.  Customer C touched Performer C's body including her genitals and breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:50:54	Performer C  Customer C	Performer C touched Customer C's groin.  Customer C is touched by Performer C.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:51:05	Performer C  Customer C	Performer C stands on sofa and puts genitals in Customer C's face.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

			Missing footage from 23:51:14 – 23:51:21*	
Camera 01 (VIP Room)	18/08/20 22 23:51:32	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.  Customer C touched Performer C's body and breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:51:34	Performer C  Customer C	Performer C straddled Customer C and touched Customer C's chest.  Customer C is touched by Performer C.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:53:12	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently. Customer C then licked/kissed Performer C's back.  Performer C stops dancing and talks to Customer C once licked/kissed. Performer C departs room.  Customer C touched Performer C's body and breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:54:24	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands and face intermittently.  Customer C touched Performer C's body and genitals.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22	Performer C	Performer C touched Customer C's groin.	Cond 35

**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

	23:54:25	Customer C	Customer C is touched by Performer C.	
Camera 01 (VIP Room)	18/08/20 22 23:54:54	Performer C  Customer C	Performer C deters Customer C from touching her genitals.	Cond 35
Camera 01 (VIP Room)	18/08/20 22 23:55:41	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands.  Customer C touched Performer C's body and breasts.  Missing footage from 23:56:14 – 23:56:26*	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:56:12	Performer C  Customer C	Customer C kissed/licked Performer C's breast. Performer C deters Customer C kissing her breasts.  Customer C touched Performers C's breasts.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:56:41	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.  Customer C touched Performer C's body including breasts, and her genitals.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:58:13	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.	Cond 35 & 38



**Nags Head, "Nags Head Public House", 17-19 Whitechapel Road, London E1 1DU**

			Customer C touched Performer C's body including breasts, licked her breast, and kissed Performer C on face.	
Camera 01 (VIP Room)	18/08/20 22 23:58:20	Performer C  Customer C	Performer C touched Customer C's chest, stands on sofa and puts genitals in Customer C's face.	Cond 35 & 38
Camera 01 (VIP Room)	18/08/20 22 23:59:27	Performer C  Customer C	Performer C accepted uninvited touch of Customer C's hands intermittently.  Customer C touched Performer C's body including breasts.	Cond 35 & 38

# Appendix 24

**Witness Statement**

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

URN: 

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Statement of: Mohshin ALI

Age if under 18 (if over insert "over 18"): Over 18                      Occupation: Senior Licensing Officer

This statement (consisting of 2 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: 

Date: 24<sup>th</sup> August 2023

**Statement**

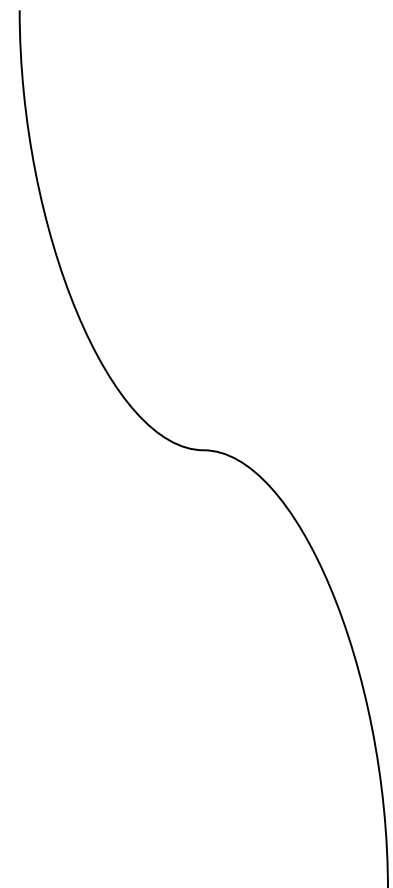
1. I am Mohshin ALI and I am employed by the London Borough of Tower Hamlets as a Senior Licensing Officer in the Licensing Section of Environmental Health & Trading Standards. I have been a Licensing Officer since July 2004 and I am duly authorised under the Licensing Act 2003. I am also aware of the systems used for issuing and storing records in relation to the above Act and I am authorised to access records in order to look at the history of premises.
2. I make this statement as an addition to my previous statement of 15<sup>th</sup> May 2023.
3. Vanity Bar and Nightclub, 4 Carlisle Street, London W1D 4BJ had its SEV renewal application refused by Westminster City Council on Thursday 25 May 2023. The evidence supporting the revocation highlights similar breaches namely touching between performer and customer during a performance which took place at Nags Head with the link being Mr Clair. I produce **Exhibit MA/03** which is the formal decision of Westminster City Council's Licensing Sub-Committee.
4. Mr. Manpal Singh Clair as per his statement submitted in response to the revocation request mentions other premises in relation to which he has been involved in their running. However, the existence of that club (Vanity Bar and Nightclub), and the pending proceedings, were omitted from Mr Clare's statement.

Name / Signature: 

**Witness Statement**

Criminal Justice Act 1967, s.9; Magistrates Court Act 1980, ss.5A and 5B; Criminal Procedure Rules 2015, r 16.2

5. The Licensing Committee for the revocation request was originally due to be heard on 16<sup>th</sup> May 2023. The Licensing Authority received evidence late in the day and we did our best to disclose it as soon as we were able to. Although we did not resist the request for an adjournment, we remain of the view that it is highly relevant that Mr Clair has very recently lost a SEV licence elsewhere in London on the basis of his fitness to hold a licence; and in particular, the case there disclosed breaches of the licence conditions very similar to those admitted in this case.
  
6. I produce **Exhibit MA/04** which is the formal decision of Tower Hamlets' Licensing Committee hearing of 17<sup>th</sup> October 2017 where additional conditions were imposed.



# Appendix 25

I identify this exhibit as that referred  
to in the statement signed by me

Exhibit number: EXHIBIT MA/03

Date: 24 August 2023

Name: Mohshin Ali

Signed:



**WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 6**  
**("The Committee")**

**Thursday 25 May 2023 – Item 3**

Membership: Councillor Robert Eagleton (Chair),  
Councillor Concia Albert and Councillor Jim Glen

Officer Support:	Legal Adviser:	Vivienne Walker
	Policy Officer:	Daisy Gadd
	Committee Officer:	Sarah Craddock
	Presenting Officer:	Emanuela Meloyan

Other Parties: Mr Gary Grant (Counsel for the Applicant), Mr Luke Elford and Heidi Lawrence (John Gaunt and Partners), Mr Manpal Clair (Director of the Applicant Company), Mr Andrew Bamber (Compliance Consultant to the Applicant Company), Dr Philip Hadfield (Consultant), Stephen Pantling (Proposed General Manager), Mr James Rankin (Counsel for the Metropolitan Police Force), PC Steve Muldoon and PC Reaz Guerra, Mr Richard Brown (Solicitor, Westminster's Citizens Advice representing the 4 objectors), Objector 1, 2 witnesses on behalf of objector 1 and Objector 3 and Objector 4.

**Application for a Renewal of a Sex Establishment Licence in respect of Vanity Bar and Nightclub 4 Carlisle Street London W1D 3BJ 22/11772/LISEVR**

**FULL DECISION**

**Premises:**

Vanity Bar and Nightclub  
4 Carlisle Street  
London W1D 3BJ

**Applicant**

Vanity License Limited

**Ward**

West End

**Summary of Application**

This is an application for the renewal of a Sex Establishment Licence (Sexual Entertainment Venue) under Schedule 3 of the Local Government Miscellaneous Provisions Act 1982 as amended (LG(MP)A1982) for the Premises known as Vanity Bar and Nightclub, 4 Carlisle Street, London W1D 3BJ. The Basement to First Floor of the Premises has operated as a sex establishment

(Sexual Entertainment Venue) since 2012. The Premises are located in Westminster core CAZ North.

There is a resident count of 135.

There was a transfer of the Licence in 2020 which was renewed on 30 November 2021 and was granted under delegated authority. This Licence reference 21/13871/LISEVR expired on 15 December 2022. The Premises also have the benefit of a Premises Licence. Reference 20/03227/LIPT.

On 8 December 2022, Vanity License Limited submitted an application to renew the Sex Establishment Licence to continue to operate the Premises as a Sexual Entertainment Venue. The Licence permits relevant entertainment Monday to Saturday from 09:00 to 03:00 hours and Sunday from 09:00 to 23:00 hours.

### **Representations Received**

- Metropolitan Police Service (PC Reaz Guerra)
- Five Interested Parties.

### **Issues raised by Objectors**

- It is believed that there have been numerous breaches of the conditions on both SEV Licence and Premises Licence.
- The nature and severity of the alleged breaches raises serious concerns with the Police regarding the licence holder's ability to operate the premises in line with the conditions attached to the SEV Licence.
- The conduct of staff and customers, the disruption and noise plus the safety concerns have steadily got worse over the years and is now intolerable.
- The noise continues every night until 4 a.m. as pedicabs and the last customers who hang around and staff leave.
- The amount of violent or abusive incidents that occur on a regular basis is worrying.
- I am aware of a steady deterioration of the quality of life in Carlisle Street.
- The noise generated immediately in front of the building which the residents have itemised and reported in Licensing hearings since 1989 has never abated.

### **Policy Position**

#### **Suitability of Applicant – SU1**

The Applicant has stated that no relevant offences have been committed.

#### **SEV carried on for the benefit of another person – SU2**

The Applicant has confirmed that they will not be carrying out the functions of regulated entertainment at this premises for the benefit of another person.



### **Appropriate number of SEV in a locality – NO1**

The appropriate number of sexual entertainment venues in the relevant localities is 25 in the Westminster core CAZ north. As the premises are currently licensed this application, if granted, will not exceed 25.

### **Character of the relevant locality – LO1**

Carlisle Street is a small cul-de-sac with not through traffic.

### **Use of premises in the vicinity – LO2**

The main use of the premises in the immediate vicinity is residential with a few licensed premises (under the Licensing Act 2003). Within a 100-metre radius of the premises, there is a resident count of 135. There are no other SEV premises or schools within 100 metres of the premises. There is one place of worship within 100 metres of the premises.

### **Layout, character or condition of the venue – LO3**

The premises have its main entrance on Carlisle Street. The basement, ground and first floors are included within the licensable areas for Relevant Entertainment purposes.

## **SUBMISSIONS AND REASONS**

Ms Emanuela Meloyan, Senior Licensing Officer, outlined the application to the Committee. She advised that representations had been received from the Metropolitan Police Service and five Interested Parties. She advised that the Premises are located within the West End Ward and the Westminster core CAZ North. She confirmed that the additional submissions from the Applicant, the Metropolitan Police Service and the Interested Parties had been circulated to the Committee.

Mr Gary Grant, Counsel on behalf of the Applicant outlined the application for the annual renewal of the Sex Establishment Licence for Vanity before the Committee. He stated that Vanity was now compliant with all 14 reopening conditions imposed on its Premises Licence at the Summary Review and that the Responsibility Authorities had met with the new Designated Premises Supervisor (DPS) who would also be the General Manager of Vanity. Mr Grant confirmed that the Applicant had decided not to reopen Vanity until all the new processes, policies and management team were in place with a verifiable compliance regime overseeing the operation.

Mr Grant outlined that sexual entertainment was not to everyone's liking however in a liberal democracy this was not enough to refuse the renewal of this SEV licence. He advised the Committee of the history of the Premises and stated that the Applicant had taken over the Premises in 2014, reopened it after refurbishment in 2015 and that the SEV licence had been successfully renewed without objection in 2016, 2017 2018 and most recently in 2021 and 2022. He emphasised that this was an established business and that although the type of business was not too everyone's taste that in itself was not enough to prohibit it. He added that over

20,000 people visited Vanity annually and it offered a legitimate and lawful source of entertainment for many people (male and female) of all ages and sexual orientation. He advised that although breaches of the SEV licence had taken place there had been no outright prostitution or sexual intercourse or forced labour occurring within the Premises and therefore the breaches were not at the top end of seriousness of breaches. He emphasised that the Applicant had been horrified to learn of the breaches at Vanity and had worked with purpose to resolve matters.

Mr Grant referred to the suitability of the locality for the Premises and stated that Soho had been (and still is to some extent) famously known for its adult entertainment since the 1930s and that this Premises had been operating as a sexual entertainment venue for the past 40 years. He explained that the renewal of the SEV licence had been mainly unopposed however on the occasions the annual renewal of the SEV licence had been opposed there had been residential objections made regarding Public Nuisance. He advised that all the locality submissions made by residents that this was not an appropriate place for this venue had been previously raised on each and every contested renewal application since 2014, and each time the Committee had considered these representations in detail and had decided that the locality point was not a good reason to refuse the renewal of this SEV licence. He added that nothing had now changed to rule that a lap dancing venue was inappropriate in Soho. He outlined that there were two other SEV licences operating within a three minute walk from Vanity and that Vanity was located right in the middle of the West End CAZ North area deemed a suitable location for such venues as stated in the Council's Sexual Entertainment Venues Statement of Licensing Policy.

Mr Grant advised that the Council had already determined through its own SEV Policy that the West End CAZ North was the appropriate place for up to 25 SEV licences. He added that there was nowhere near that number of SEV licences currently operating in this locality. He stated that the Environmental Health Service and the Licensing Authority had not objected to the renewal of the SEV licence as one would expect if it was an inappropriate location, so on policy grounds the Council's own experts in particular the Licensing Authority did not object to the locality of Vanity. He advised that the Public Nuisance issues raised by the objectors were similar to the ones raised during the Summary Review in January 2023 and that the 14 additional conditions attached to the Premises Licence at that hearing had dealt with the Public Nuisance issues. He referred the Committee to page 143 of the Agenda Pack where Mr Watson, Environmental Health Service (EHS) advised that the noise limiter had been signed off by the EHS and he confirmed that they had not objected to the renewal of the SEV licence as there had not been any substantial complaints against the Premises since 11 November 2021, when there had been fighting on the street which did not involve customers from Vanity. He stated that Public Nuisance was not an objective in the renewal of a sex establishment licence.

Mr Grant explained that the Premises use to operate as a full on nightclub and that the Premises Licence permitted the venue to open until 03:30 hours Monday to Saturday and its conditions specifically envisages the venue operating as a 'discotheque'. He advised that the Applicant wished to continue operating this venue as a sex establishment venue, however if he was not permitted to do so he would be forced to revert to operating it as a nightclub. He added that the Applicant had already had several inquiries from nightclub operators offering to purchase the venue and that evidence from both the Council's Responsible Authorities and Mr

Andrew Bamber (Compliance Consultant to the Applicant Company) and Dr Philip Hadfield (Consultant) indicated that the impact on residents from SEV establishments were much less than on vertical drinking nightclubs or late night bars. He further added that the SEV licence restricted the capacity of the Premises to 89 patrons whereas the Premises licence alone would allow for a capacity of 175 patrons.

Mr Grant advised that the Applicant had accepted that the pedicabs were a real concern for residents and had demonstrated this by agreeing to the 14 additional conditions being added to the Premises Licence after the Summary Review hearing. He explained that the Applicant was very much in favour that these 14 additional conditions on the Premises Licence be added to the SEV licence to alleviate resident's concerns. Mr Grant highlighted that pedicabs were a problem for the whole of the West End and that although the Council had lobbied central Government on this issue there was still no legislative powers to deal with them. He stated that removing the SEV licence would not resolve the issue of pedicabs and that pedicabs would still operate in the immediate vicinity.

Mr Grant referred to Dr Philip Hadfield's (Consultant) findings contained in the Agenda Pack. He advised that Dr Hadfield had visited the area on a Friday and Saturday night in late January 2023 and the photograph contained at page 329 of the pack clearly indicated pedicabs going into Carlisle Street even when Vanity was closed. Mr Grant also referred the Committee to a photograph that showed a sign located outside of Vanity clearly informing patrons not to engage with pedicabs and warning them that they were a source of crime and disorder. He advised that there was now a SIA door supervisor employed solely to deter pedicabs from the area because it was not something that the Applicant wanted associated with the Premises.

Mr Grant referred to pages 212 to 227 of the Agenda Pack which contained the following updated policies and procedures: Codes of conduct for dancers and performers, Drug Policy, Noise Management, Welfare and Safeguarding and Pedicabs. He advised that there would also be a dispersal policy, SIA monitoring of the outside area in the future and vehicles would be encouraged to move away from the Premises. He advised that the suggestion of noise outbreak from the Premises was somewhat historical because the Applicant had undertaken a full refurbishment which included extensive noise dampening and the fitting of a noise limiter which has now been recalibrated and checked by EHS on 22 May 2023. He strongly emphasised that the Applicant would arrange regular engagement with residents and that a condition had been imposed on the Premises Licence to have quarterly residential meetings. He added that an invitation had been sent out a week ago for the first meeting and all those who had sent in representations for the Summary Review had been invited via emails/letter.

Mr Grant referred to Dr Hadfield report contained at pages 279 to 338 of the Agenda Pack. Mr Grant requested that the Committee pay particular attention to paragraph 40 of the report (the executive summary). He advised that Dr Hadfield was a leading reliable expert in gaining evidence regarding cumulative impact in licensing policy matters and he had been instructed to consider all the locality points raised by the residents. Dr Hadfield advised the Committee that he had found that although Carlisle Street was a cu de sac many people mitigated that way out of Soho to Oxford Street because of the one way traffic system and that it had been bustling with noisy activity in the early hours of the morning even whilst Vanity

was not operating. He advised that it was his belief that Soho was the correct location for SEV licences, and that the Council's Policy had worked in that it had prevented a proliferation of SEV licences throughout Westminster. Dr Hadfield advised that there were certain public safety advantages for Vanity to operate as this part of the street was particularly dark so having an open venue would ensure there were 'eyes on the street'. He added that at the moment there was no natural surveillance and people were walking through dark streets. Mr Grant then emphasised that the Premises were right in the heart of precisely the area where the Council's Policy sets out was appropriate for SEVs.

Mr Grant referred to the CCTV installed in Vanity in 2015. He advised that all the cameras were in the exact positions as they were at the time Westminster Licensing Police Officers had approved them. He outlined that the Applicant and the management of Vanity had assisted the Police with their CCTV request and in no way had obstructed the handover of the CCTV footage. He advised that for seven years the Premises had operated without incident or complaint and that footage was only requested because of the allegations made at the Summary Review. He confirmed that two of the CCTV cameras had not been working due to a water leakage in the first floor flat. He explained that it was absolutely right that there had been correspondence between Mr Elford, the instructing solicitor, requesting a more targeted and proportionate request for CCTV by the Police and that the Applicant had been unfairly treated because asking for 500+ hours of footage downloaded onto memory sticks was not an easy or quick job. He confirmed that all the CCTV footage was handed over voluntarily once the Applicant had received the proper paperwork and clearly demonstrated breaches to the conditions on the SEV licence. Mr Grant emphasised that the Applicant was not trying to hide the breaches he simply did not know the breaches were occurring in Vanity. Mr Grant advised that PC Muldoon had met with the new DPS and had confirmed that the CCTV was now fully compliant, and the training records were completed and are up to date.

Mr Grant set out the suitability of the Applicant to hold a SEV licence. He referred to the Decision Notice of the Summary Review which stated that Mr Clair was suitable to hold an alcohol and regulated entertainment Premises Licence and promote the licensing objectives including the Prevention of Crime and Disorder because if they had concluded otherwise the Premises Licence would have been revoked which was the Police's request. Mr Grant advised instead the Committee accepted the suggestion of the suspension for three months and imposed a number of conditions on the Premises Licence as well as the removal of the management of Vanity. Mr Grant emphasised that the Licensing Committee on the 9 January 2023 had deemed Mr Clair a perfectly fit and proper person to hold an alcohol and entertainment Premises Licence.

Mr Grant explained that Mr Clair was a 40 year old man who had not been convicted of an offence except for one driving incident. He was a man of good character with no convictions and no cautions against him. He was a reputable businessman, and his family has been involved in this industry since he was a boy. He strongly advised that merely because there have been breaches in Vanity did not mean he was an unsuitable person to manage the Premises. He advised that it was the conclusion at the Summary Review that the spiking of drinks was not occurring at Vanity but at a secondary place after the customers had left the Premises and that it was independent players acting alone. He advised that the Premises would now employ a Welfare Officer to be on duty at all times and that drunkenness was an issue for every licenced Premises within Soho.

Mr Grant advised that the Applicant had been outraged to see the breaches of the conditions of the SEV licence on the CCTV footage and had dismissed the Vanity management team immediately. He outlined that the Applicant manages several venues and due to personal reasons he took his 'eye off the ball' when his baby was born and had left the day to day management to his managers who were experienced and trusted, however, this trust had been misplaced. Mr Grant explained that the Applicant had previously employed a professional compliance team to monitor the activities in the venue but had stopped using the company due to the high cost of it and because the business was in debt because of being closed over covid. Mr Grant highlighted to the Committee that Mr Bamber's report stated that there was not one SEV licence where a dancer had not stepped over the line in order to make more money and these breaches were not unique to Vanity. He outlined that when a dancer did breach the house rules they were immediately dismissed. He emphasised that when there was a compliance regime in place there was no repeated breaches of conditions and that the Applicant had suggested that going forward Mr Bamber's team would make 15 covert visits in the first year to ensure compliance with the conditions of the SEV licence.

Mr Grant called Mr Andrew Bamber (Compliance Consultant to the Applicant Company) to address the Committee. Mr Bamber advised that he met the Applicant in 2017, when he had approached him to develop a compliance system for the Premises. He advised that he had carried out a standard risk assessment which had identified gaps and stress areas in the business and had then supported the Applicant in covert and overt visits. He stated that checks included inspecting signage, checking employment records and for breaches of the house rules.

Mr Grant set out the breaches that had occurred in the Applicant's Premises called the Nags Head located in Tower Hamlets. He advised that the Applicant had authorised an investigation as soon as he had been informed of the breaches that had been spotted on the CCTV and the dancers in question had been immediately dismissed. Mr Grant advised that the Applicant had then asked for dip sampling of CCTV footage of dancers over a month period from 20 August to 24 September 2022, which had shown no further breaches of the conditions of the SEV licence. He emphasised that this indicated that the Applicant proactively dealt with the breaches before the Authorities even notified him of any problems and this incident gave the Licensing Committee at Tower Hamlets the confidence that the Applicant could deal with incidences swiftly.

Mr Grant advised of the new DPS that the Applicant had employed and who had provided a witness statement at page 268 of the Agenda Pack. He outlined that the new DPS had previously operated an SEV licence for 14 years and was enormously experienced in operating a Premises Licence. Mr Grant confirmed that the Applicant is now aware of the problems of the past, and so there was every reason to believe that he would run a tight ship from now on. He confirmed that the Applicant had undertaken all the necessary training. He further advised that the Applicant had employed a new dance manager (house mother) who was previously a former performer at the venue. He outlined how she was married and relied on the income from the Premises. He strongly emphasised that the dancers did not feel that they were exploited and that they resented the patronising attitude that sometimes comes to bear on what they had chosen to do as adults for a living.

Mr Grant emphasised that systems, policies and procedures had now been put in place to ensure there would be no further breaches to the house rules. He outlined there would also be compliance visits to ensure standards were maintained. He emphasised again that the Applicant wished to duplicate the 14 new conditions proposed on the Premises Licence to the SEV licence and there would be quarterly meetings with the residents. He then outlined the additional conditions that the Applicant had agreed to be attached to the current SEV licence upon its renewal which were contained at pages 44 and 45 of the Additional Pack.

The Committee commented that it appeared there had been a widespread culture of disregard for the conditions on the SEV licence because the photographs of the CCTV footage indicated brazen breaches from multiple dancers not individuals in full view of security and management staff with no action being taken. The Committee also considered that the Applicant should have engaged with the residents during the five months that Vanity had been closed to work, in order to alleviate their concerns before the Premises are open to the public.

In response to questions from the Committee, Mr Grant advised that going forward the Applicant would definitely be more involved in all his businesses. He highlighted how CCTV could now be monitored from the Applicant's mobile phone and how the covert visits would ensure standards would be maintained. He advised of the challenges regarding the pedicabs but emphasised that the Applicant should not be punished for something that was out of his control. He emphasised that the breaches were not as serious as say as the venue operating as a brothel. He advised of the experience of the new DPS and General Manager and that the Premises had operated without complaint for seven years. He advised that the Applicant accepted responsibility for everything that has happened under his SEV licence, and he was now putting things right. He advised that the Applicant had made the mistake of trusting others when he had personal issues to deal with and he would not make the same mistake twice. Mr Elford outlined what qualities the Applicant had looked for in the new house mother and that a customer would be immediately asked to leave the Premises if he started touching a dancer. He outlined that there would be a new security team, policies and procedures so the venue would have a completely new culture.

Mr James Rankin, Counsel for the Metropolitan Police Service confirmed that the Police were against the renewal of the SEV licence even though they have had sighting of the CCTV. He outlined that the Police had taken on board that the Applicant had a whole new raft of policies, however, there had been numerous and continuous failings of the conditions of the SEV licence and this behaviour could not be allowed to continue with the Applicant simply coming back to the Licensing Committee with new policies/management and security. He stated that the Police accepted that in some respects their evidence on the 9 January 2023, at the Summary Review had been lacking however what was determined then did not predetermine the decision today.

Mr Rankin referred the Licensing Committee to the Decision Notice of the 9 January 2023, and advised that Mr Grant had cherry picked a line from the decision. He requested that the Committee refer to paragraph 29 of the Decision Notice where it was noted by the Committee that there had been breaches of the condition of the Premises Licence and SEV Licence and although this hearing was conducted under the Licensing Act 2003, the breaches of the SEV licence conditions was good evidence of poor management of the Premises. He advised that Mr Grant had not

gone on to paragraph 30 where it had been noted that the breaches of the SEV licence would be dealt with under different legislation and that the findings of this Sub Committee in relation to the Review of the Premises Licence was not to be binding on any other Licensing Sub Committee. It stated instead that this decision should not be used to sway the decision of any other Licensing Sub Committee dealing with the renewal of the SEV licence. He advised that the Committee deliberately avoided making any findings in relation to the breaches of the conditions on the SEV licence save to use them as evidence of poor management. He then referred to the third paragraph under paragraph 21 which stated that this decision was in no way intended to sway or influence any future decision. Mr Rankin advised the Committee that this was entirely the correct approach as the two licences needed to be dealt with under different legislation.

Mr Rankin advised why he had introduced the evidence in relation to the London Borough of Tower Hamlets and the Nags Head and that it had not been to booster the Police's case but because Mr Grant had advised that the Committee had been given the 'full picture' of Mr Clair at the Licensing Committee on the 9 January 2023, and this was not the case. Mr Rankin referred the Committee to page 274, paragraph 54 of the Agenda Pack and read it out to members. He stated that what the paragraph did not mention was that the Applicant had faced an awkward renewal of his SEV licence for the Nags Head in 2017 and that he just narrowly squeaked by and got his SEV licence. He added that the Police considered that the Committee should be aware of this and the incident(s) on the 18 August 2022.

Mr Rankin then referred the Committee to page 232 of the Agenda Pack and reminded Members that Mr Grant had stated that it had just been one dancer that had been touched however this was not what the Licensing Sub Committee at Tower Hamlets had concluded. He advised that they had found a serious breach of standard condition 12 and that there had been intentional sexual contact between the performances and covert Police Officers. He then outlined that the two Police Officers acting on behalf of the Licencing Authority carried out covert test purchases which confirmed that dancers were making repeated intentional sexual contact with customers. He advised that the Committee did however grant the renewal of the SEV licence as Mr Clair had committed to enforce the standard conditions and cooperate with licencing officers in the future and in particular not to obstruct the viewing of CCTV footage, including the viewing of CCTV in the course of random checks by the Licensing Officers. He emphasised that Mr Grant omitted to inform the Committee sitting on the 9 January 2023, of this and how Mr Clair now faces an application to revoke this SEV licence for precisely what happened on the 18 August 2022.

Mr Rankin set out that the Applicant had decided to do CCTV dip sampling to determine whether the performers had been breaching the no touching conditions in a fairly substantial way. He advised that this could just be good management or concern for the dancers, or it could be that the Police Officers that did the regulatory check on the 18 August 2022, had been clocked by the management of the Nags Heads. The Applicant then as a result of this contacted Mr Bamber so they were able to come before the Committee and say that they had discovered the breaches themselves before the regulatory or enforcement proceedings by the London Borough of Tower Hamlets. Mr Rankin emphasised that the Police believe the opposite and referred the Committee to the Police's statements contained at pages 158,159 and 161 of the Agenda Pack. He advised that he did not know how Mr Bamber could say these two Police Officers were drunk because the hearing to

consider the renewal application had been adjourned so this was untested evidence.

Mr Rankin advised that if the Applicant had discovered the breaches himself and it is to be believed that he was concerned about them (maybe he had already dismissed Mr Bamber by then) why had he not carried out dip sampling at Vanity because if he had, he would have discovered that in embedded in Vanity was a culture of breaches of touching that went way beyond just casual contact which the CCTV footage would clearly demonstrate to the Committee. Mr Rankin advised that after Mr Bamber was dismissed, within that six month period, standards slipped and when they viewed the evidence it would indicate that it was not just on one occasion it was actually embedded in every single one of the girls because every single girl that appeared on the CCTV was indulging in behaviour that went way beyond casual touching.

Mr Rankin emphasised that there was seven minutes of CCTV footage to show the Committee which needed to be played in closed session. The TEAMS Live EVENT was switched off and the Press and Public were asked to leave the gallery.

The seven minutes of CCTV footage was then played to the Licensing Committee and all parties present at the hearing. Mr Rankin highlighted to the Committee the breaches of the conditions that had taken place in Vanity whilst the CCTV footage was being played to all parties.

Mr Rankin advised that at some stage the cameras had been moved or their angles tilted so that all areas of the club were not covered by CCTV. Mr Rankin then outlined the conditions of the SEV licence that he believed had been breached:

- Condition 10 (CCTV had been removed or titled and did not cover the whole of the Premises)
- Condition 16 (relevant entertainment should be given only by performers and the audience should not be permitted to participate in the relevant entertainment)
- Condition 17 (there shall be no physical contact between performers performing)
- Condition 20 (customers must remain fully clothed)
- Condition 21 (booths shall be constantly monitored by CCTV)
- Condition 22 (there shall be no physical contact between the performer and customers except for the exchange of money or tokens)
- Condition 35 (there shall be at least one SIA on duty on every floor where relevant entertainment is provided for the entire time the relevant entertainment is provided)

Mr Rankin referred the Committee to PC Muldoon's statement on page 6, Mr Guerra's statement on page 63 and David Morgan's statement on page 170 of the Agenda Pack. He advised that the CCTV footage was obtained but not without difficulty and he added that he did not want Mr Grant to champion this as something that the Applicant should be rewarded for doing. He emphasised that it had been a struggle to get hold of the CCTV footage and that eventually the Applicant had no option but to give the Police the footage. He added that this was not the behaviour expected of a SEV Licence Holder.



Mr Rankin referred to the newly appointed DPS and General Manager of Vanity Mr Pantling. He advised that Mr Pantling had been graded for the Committee's consideration as a man with considerable experience, however, he had last operated a SEV licence 10 years ago in Hillingdon where he had a pub called the Old Norwood that did strip tease. Mr Rankin advised that Mr Pantling was 68 years old and that operating Vanity was a young man's game because the General Manager needed up to date experience of administering all the policies and procedures. Mr Rankin then referred to the possibility of the Premises turning into a night club if the renewal of the SEV was not made, however, the view of the Commissioner was 'do it and let us see what happens' and if the Applicant manages the Premises badly it would be subject to another Review Hearing.

Mr Rankin concluded by confirming that the Police had no faith in the Applicant even with the introduction of the new policies, procedures, management team and the offering of additional conditions on the SEV licence.

In response to questions from the Committee, Mr Rankin outlined why the Police had decided not to prosecute the Applicant but had instead made representations to revoke his SEV licence. He advised that the Police would have viewed the circumstances differently if the breaches had occurred by one rogue performer and not multiply performances. He emphasised that the Applicant had already been given the space to improve the operation of his Premises, however, it appeared that he was not genuinely committed to doing this and complying with the conditions of his licences. He confirmed that the Police were requesting the refusal of the renewal of the licence based on the breaches that had occurred within the Premises and not regarding it being an unsuitable locality for a sexual entertainment venue. PC Muldoon confirmed that there were residents living across and down the street from the Premises however the Council's Policy did deem it as a suitable place for such a venue.

Mr Rankin continued and advised that it was perfectly possible to operate a nightclub without complaint and that the Police would wait to see what the Applicant did with the Premises if his SEV licence was not renewed today. He outlined the difficulty the Police had in obtaining the CCTV footage and advised that the Police eventually collected it on the 21 December 2022, by hand which left them very little time to view and gather further evidence for the Summary Review hearing held early in January 2023. He further outlined that the Police had difficulty pinpointing exactly what they needed which was why they had requested over 500+ hours of CCTV footage from the venue. He commented that the new DPS needed to be strong and up to date with all the new policies and procedures as operating a SEV licence in Soho was particularly tricky. He referred to the Premises Plans on page 49 of the Agenda Pack and indicated the areas where the CCTV cameras were either not working/or had been tilted the other way or where screens had obstructed the view of the cameras.

Ms Daisy Gadd, Policy Officer, advised that she believed that she had seen a further breach during the showing of the CCTV footage in that sexual entertainment had been taken place after 03:00 hours. The parties then discussed this further breach and the legal advisor advised she would seek clarification.

Mr Richard Brown, Solicitor from Westminster's Citizens Advice representing the 4 objectors advised that it was arguable that if a Premises were granted a TENS that it would be entitled to the 11 exceptions if it already had a SEV licence. Mr Grant

advised that there had been no objections from the Police or the Environmental Health Service regarding the use of the TENS for Regulated Entertainment.

Mr Brown advised that Carlisle Street was a cul de sac which had very little traffic late at night and that since the closure of Vanity on the 22 December 2022, the street had been increasingly quieter. He advised that there were other Licensed Premises operating in the street, however it had become clear to residents the negative impact that Vanity had on the area during its closure over the last five months. He advised that the locality for the purpose of the SEV policy was Westminster CAZ north. He added that circumstances could change and even if they had not changed the Act gives the Committee the discretion on this application to make a different decision to the one set in the Council's policy as long as the decision could be justified. Mr Brown emphasised that the residents believed that the circumstances had changed for one important reason which was the source of nuisance that was specifically linked to these Premises. He advised that the findings from the Summary Review highlighted the nuisance caused by the pedicabs waiting outside the Premises for customers who had consumed too much alcohol and were unable to make informed decision which was the direct reason pedicabs were in Carlisle Street. Mr Brown referred to the photograph provided by Dr Hatfield on page 329 of the Agenda Pack and advised that the residents were aware that pedicabs would always pass through Carlisle Street, however, since Vanity had closed, they had stopped congregating in Carlisle Street. This had made a huge difference to the noise levels and Public Nuisance in the street, and this was the crucial point to residents.

Mr Brown advised that Dr Hatfield evidence was based on visiting the area twice compared to residents who have lived in the vicinity for over 30 years. He advised that the residents accepted that pedicabs would come into the street as they were part of the West End however it was not until Vanity closed could the residents prove that the pedicabs specifically congregated in Carlisle Street because of Vanity. He advised that the street had improved immensely since the closure of Vanity and until now residents were unable to demonstrate the pedicabs were attracted specifically to the street because of the SEV licence.

Mr Brown advised that in terms of the breaches to the SEV licence it was clear from the CCTV footage that repeated and frequent breaches had occurred by multiple performances and customers. He echoed what the Committee had implied that the behaviour was more of a cultural thing which was more difficult to change. He added that on the 24 November 2022, when Temporary Events Notices (TENS) were granted. There was an extension of alcohol until 05:00 hours however there was no mechanism under the Licensing Act 2003 to extend relevant entertainment so therefore every instance after 03:00 hours was a breach of the conditions of the TENS.

Mr Brown advised that the Licensing Committee on the 9 January 2023, found significant comfort in the fact that the Applicant had committed to employ an experienced DPS and it was for this Committee to decide whether the person that had been chosen was experienced enough to operate this sort of Premises. He advised that operating in Westminster was a particular challenge especially within the West End Cumulative Impact Area. He added that there would soon be a 24-hour hostel operating near the site of Vanity and therefore the surveillance of the street that Dr Hatfield had mentioned in his report would be achieved then.

Mr Brown explained that the absence of complaints regarding a Premises did not mean there were no operating problems. He advised that the residents had informed him that making complaints was futile and time consuming which was why they had decided to concentrate their efforts on making representation on the renewal applications. He advised that the threat to operate a late-night bar was something that the residents had discussed at length and considered that they would prefer to a SEV licence because they could always apply to Review the Premises Licence.

Objector 1 stated that she could not always face complaining and objecting to applications as it took a lot of time and energy. She outlined how literally life changing the closing of Vanity had been on the resident's lives and how she could now have an uninterrupted night's sleep for the first time in years. She explained that there was no longer pedicabs congregating in the street or SIAs or customers or dancers talking and laughing into the early hours of the morning. She advised of the negative impact of pedicabs and how the drivers hung around the streets shouting, arguing and chatting to the SIAs who did nothing to control their noise. She outlined how the noise from the street reverberated into her flat. She advised that she did not dispute that Soho was a busy place however she would still like to emphasise the locality point because she considered that the building was not fit to operate an SEV licence as the noise within the building travels in odd ways.

Objector 1 advised that the Applicant had had eight years to sort out the issues and alleviate the concerns of residents. She set out how the previous manager had discussed concerns with her however the relationship had eventually deteriorated. She explained how she had undertaken mediation in 2017 through the Council but it had not improved the situation. She advised that the Applicant had written lots of policies and procedures that sounded impressive however they did not mean anything as they do not respect the residents because dancers and customers were allowed out on the street causing Public Nuisance.

Witness 1 gave a background to the use of the Premises over the years and advised that Paul Raymond had sold him the building as he had decided that Carlisle Street was no longer an appropriate place to operate a sexual entertainment venue. He advised that when the Premises were operated as a striptease and nude Premises without alcohol (which was the crucial different to Vanity) there had been no issues. He advised that he had been accosted on several occasions by working girls seeking to bring his custom into the Premises which he had refused. He considered that the Applicant's case was weak because he had not been able to operate a tight ship. He strongly considered that the SEV licence should be revoked. The Committee noted that the previous DPS had seemed quite diligent from the resident's perspective and had tried to deter the pedicabs from the venue, however her strategy had only worked for a couple of weeks.

Witness 2 advised that he had been on friendly terms with the previous manager who had been dismissed. He stated that she had been open to discuss issues with him and on one occasion she had helped him when his bike was stolen. He advised that vibrations transmitted through the structure of building so the Premises were not suitable to be a nightclub. He set out how he had seen one of the dancers canoodling with a customer at the bottom of the stairs of the front door where there was obviously no CCTV. He advised that it was impossible for one person to view 20 CCTV cameras and that the CCTV footage indicated that there was not much dancing going on at the Premises. He emphasised that he considered that it was a

completely inappropriate place for a sexual entertainment Premises and/or a nightclub and such venues had moved out to industrial spaces where they did not bother anyone. He wondered if these breaches occurred before midnight or afterwards because it seemed the more intoxicated the customers got the more the house rules were broken. He requested that if the Committee were not minded to revoke the SEV licence that they consider reducing the opening hours to midnight to alleviate the resident's concerns.

Objector 2 advised that the Soho Society and people living in Soho recognise that the place was originally the heart of the sex industry and therefore did not often make representations against such application/Premises. She advised of the mixture of sexual entertainment venues such as cabaret, striptease and gentlemen's clubs and stated that she could not remember the last time the Soho Society had called for a Review of such an establishment. She advised that it was crucial for the Soho Society that all Premises maintain and do not breach the conditions on their licences, especially SEVs and that the Applicant had demonstrated that he was unable to comply with the conditions on his SEV licence. She set out that the Soho Society believed that Vanity had a culture of acceptance for this type of behaviour which seemed to have occurred on a regular basis late into the night. She advised that the other Premises in Carlisle Street either closed around 11pm or midnight and after that the street was fairly quiet. She advised that it was obvious from the Decision Notice from the Summary Review that pedicabs were picking up intoxicated people from the club and taking them off somewhere and robbing them and therefore the opening of Vanity would increase the crime and disorder in the area.

Objector 3 echoed everything that the other objectors and witnesses had shared with the Committee. She advised that the pedicabs pick up people and take them to places as well as pick them up and bring them to Vanity for a tip from the Premises. She considered that the Police would never get to the bottom of the spiking allegations however what could be determined was that they all occurred after customers had attended Vanity.

During his summing up, Mr Rankin advised that having a SEV licence brings with it great responsibility and therefore how many times could the Applicant be allowed to get away with breaching the conditions on his licences by simply turning up and imposing further conditions on his licences and employing a different management team. He stated that the Applicant took 'his eye of the ball' for more than several months and that if one delegates to someone that operates their business badly it was ultimately still their responsibility. He concluded by advising the Committee that the Police, on the balance of probabilities, considered that Mr Clair was not a fit and proper person to hold a SEV licence.

During his summing up, Mr Grant referred to the suitability of the locality and the Applicant. He requested that the Committee turn to page 46 of the Agenda Pack where he referred to paragraph 8.4 of the Officers' report which sets out the statutory test for the suitability of the locality. He advised that the Council's SEV Policy clearly stated that Westminster CAZ North was an appropriate location for such Premises and indeed 25 of such Premises. He advised that Public Nuisance was a specific licensing objective under the Licensing Act when dealing with Premises Licence and this was raised in the Summary Review and 14 additional conditions had been attached to the Premises Licence to alleviate residential concerns. He emphasised that this had been the appropriate forum to deal with

such matters and not under the SEV legislation. He confirmed that the layout of the Premises did not make it unsuitable to be either a SEV establishment or a nightclub and that a place for smokers had not been realised on the 1<sup>st</sup> floor because of residential complaints. Mr Grant emphasised that it was not fair to blame the Premises for a much wider problem of pedicabs and that by revoking the SEV licence did not simply cure the pedicab problem in the West End.

Mr Grant concluded by reminding the Committee of the suitability of the Applicant. He advised that the Premises had operated for seven years without complaint and reminded Members of all the new policies and procedures that had been put in place to ensure the conditions on the SEV licence were not breached again. He emphasised the compliance regime that would be operating throughout the Premises by Mr Bamber, a highly respected businessman and that the new DPS and General Manager was more than qualified to operate the Premises. He advised that the Applicant had been punished enough by having to close for five months and this would be enough of a deterrent to ensure that no breaches ever occurred again. He concluded by advising that the Committee ultimately look at this renewal proportionality and ask themselves whether the only sanction was to refuse the renewal application or consider that the culture could change at this venue with all the new policies and procedure and new management in place.

### **Conclusion**

1. The Committee noted that it has a duty to consider each application on its individual merits and did so when determining the application.
2. The Committee has determined an application for a renewal of a Sexual Entertainment Venue Premises Licence made by Vanity License Limited to operate the Premises as a Sexual Entertainment Venue between the of Monday to Saturday 09:00 to 03:00 hours Sunday 09:00 to 23:00 hours.
3. The Committee noted that the Applicant had made a very detailed application which included experts' reports but was not convinced, having heard all the evidence from the Metropolitan Police Service and local residents, that the Applicant was a fit and proper person to hold a SEV Licence.
4. The Committee noted that the Applicant had put in place new policies and procedures but despite that, there have been numerous and continued breaches of the conditions of the SEV Licence.
5. The Committee considered that they did not have confidence that the Applicant would operate the Premises responsibly because of his failures to comply with all relevant conditions of the SEV Licence.
6. Serious breaches at Vanity came to light from the Police examining the CCTV footage submitted by the Premises after the allegations of serious criminal behaviour in the Premises including fraud and drink spiking. No charges were brought in relation to those allegations, however serious breaches of Condition 17 were observed being committed by most of the dancers employed at the premises, not just one or two rogue performers.

6. The Committee felt that a pattern of behaviour and breaches of the SEV Licence conditions over several years and across the Applicant's venues had been demonstrated by the Metropolitan Police Service and local residents.
7. The Committee noted that the Applicant had previously offered extra conditions which were added to the Licence at the previous Committee hearing. These have not been found to be effective in solving the issues. The Applicant failed to comply with those conditions.

Having carefully considered the committee papers, the additional material and the submissions made by all parties, both orally and in writing, the Committee has decided to Refuse the application for the above reasons and in particular, pursuant to Paragraph 12(3)(a) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.

In all the individual circumstances of the case the application is **Refused**.

**This is the Full Decision of the Committee which takes effect forthwith.**

**The Licensing Sub-Committee**

**25 May 2023**

# Appendix 26

I identify this exhibit as that referred  
to in the statement signed by me

Exhibit number: EXHIBIT MA/04

Date: 24 August 2023

Name: Mohshin Ali

Signed:





**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE LICENSING COMMITTEE**

**HELD AT 10.00 A.M. ON TUESDAY, 17 OCTOBER 2017**

**THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5  
CLOVE CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Rajib Ahmed (Chair)  
Councillor Khales Uddin Ahmed  
Councillor Shah Alam  
Councillor Dave Chesterton  
Councillor Candida Ronald  
Councillor Shiria Khatun

**Other Councillors Present:**

**Apologies**

Councillor Peter Golds  
Councillor Suluk Ahmed  
Councillor Andrew Cregan  
Councillor Md. Maium Miah  
Councillor Joshua Peck  
Councillor Rachael Saunders

**Others Present:**

Philip Kolvin QC	– (Counsel for Nags Head)
Juilan Skeens	– (Legal Representative for The Nags Head)
Luke Elford	– (Legal Representative for The Nags Head)
Andy Bamber	– (Compliance Consultant)
Manpal Singh	– (Applicant)
Ms A	– (Performer (and potential witness to the assault on 4 <sup>th</sup> May 2017))
PC Mark Perry	– (Metropolitan Police)
Officer P	– (Covert Police Officer)

**Officers Present:**

Mohshin Ali	– (Senior Licensing Officer)
Victoria Fowler	– (Legal Services)
Tom Lewis	– (Team Leader - Licensing Services)

Simon O'Toole  
Simmi Yesmin

– (Counsel)  
– (Senior Committee Officer,  
Democratic Services)

## **1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

Councillor Shiria Khatun and Councillor Rajib Ahmed declared a person interest on item 3.1, Application for a renewal of a Sexual Entertainment Venue for the Nags Head, 17-19 Whitechapel Road, London E1 1DU on the basis that they had worked with Mr Andy Bamber, Compliance Consultant, in his previous capacity as an ex-employee of the Council.

## **2. RULES OF PROCEDURE - LICENCES FOR SEXUAL ENTERTAINMENT VENUES**

The rules of procedure were noted.

## **3. ITEMS FOR CONSIDERATION**

### **3.1 Application for a Renewal of a Sexual Entertainment Venue Licence for the Nags Head, 17-19 Whitechapel Road, London E1 1DU**

The Chair exercised his power to exclude the press and public from the meeting.

It was agreed that;

“Pursuant to Public Bodies (Admission to Meetings) Act 1960, and the Local Government Act 1972 the members decided that exceptionally a Licensing Committee hearing on Tuesday October 17th at 10 o'clock should be closed to the public because it was likely that exempt information would be disclosed in the course of a full hearing to determine the application for a renewal of a sexual entertainment venue licence. The exempt information related to action taken or to be taken in connection with the investigation or prosecution of a serious sexual assault at the licensed premises on May 4th 2017, and that there was also a risk that information would have been disclosed which identified the victim or witnesses which may have prejudiced the investigation or prosecution of the offence.

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a renewal of the Sexual Entertainment Venue licence for The Nags Head, 17- 19 Whitechapel Road, London E1 1DU. It was noted that the licence consists of the basic licence, plus additional conditions relevant to the premises only. In addition, the Tower Hamlets standard SEV conditions also apply and form part of the licence. It was noted that the Licensing Authority had objected to the application and this had been supported by the Police.

At the request of the Chair, Mr Philip Kolvin QC, acting on behalf of the Applicants, gave apologies on behalf of Mr Adrian Studd, Licensing Consultant, and Mr Saab Binning, Manager, and asked that there evidence is accepted as hearsay.

Mr Kolvin explained that the premises had been run by the Singh family for the past 30 years, and that it was their third year for applying for a SEV licence, it was noted that there had been no objections from local residents, local businesses or objections based on the environment or character of the area. Mr Kolvin explained that he would address the two issues that had been referred to in the objection, the first one was of the reported assault on 4<sup>th</sup> May 2017 and the second one was the conduct of dancers on 11<sup>th</sup> May 2017.

Mr Kolvin explained that there had been a rigorous process and effort to ensure compliance measures were in place to improve procedures. It was noted that as a result of these incidents a number of compliance visits had been conducted and all had shown that the venue was fully compliant.

Mr Kolvin stated that since the adjournment at the previous meeting on 2<sup>nd</sup> October 2017, Mr Singh now accepted that touching had occurred on 11<sup>th</sup> May 2017 this was detailed on page 6 of the Supplemental Agenda 2. Mr Singh unreservedly expressed his apologies for this incident and wanted to highlight that this was not an example of how the venue was run. It was noted that measures were now in place to prevent this from ever happening again.

He then went on to explain that the Singh family had no history of bankruptcy, had no convictions and had other venues in London that were compliant and licensed venues. He referred Members to page 232 of the Supplemental Agenda 1, the Entertainer's Daily Briefing which was explained to the performers on a daily basis. Customer house rules were on page 230 and it was confirmed this was displayed all around the venue.

It was noted that Mr Andy Bamber, Compliance Consultant had been appointed by the Singh Family to help with compliance, measures and controls. Mr Andy Bamber, gave a brief introduction and a summary of his experience to date. He confirmed that his appointment was independent and had started work with the venue from Feb/Mar 2017. It was noted that Mr Bamber had arranged a number of covert/compliance visits and reported his findings to management after each visit.

It was further noted that Mr Bamber had arranged nine compliance visits and all nine visits found the venue to be compliant. A dip sampling process had also been introduced, where random samplings of CCTV footage would be checked, so a three layer check was now in place, overt, covert and dip sampling. Mr Bamber confirmed that he visited the venue on a regular basis and confirmed to his best knowledge that there wasn't another venue as compliant as the Nags Head in London.

Mr Kolvin then highlighted the sequence of events leading up to alleged assault on 4<sup>th</sup> May 2017. **(Restricted)**

Members then heard about the incidents on 11<sup>th</sup> May 2017, where covert officers undertook test purchases and found significant breaches of the conditions on the licence. When a further visit was made on 15 June 2017 the premises was found to be fully compliant. It was noted that Mr Singh was not informed of these allegations on 11<sup>th</sup> May until 50 days after the incident, if this had been within 31 days (according to the conditions) then this could have been verified by the CCTV footage that is kept for 31 days. Management and performers had initially denied that this took place, however it was clear from Members that they wanted to hear from the Covert Police Officers who carried out the test purchases, and with no CCTV footage as evidence, Mr Singh accepted what the Police had said in terms of the number of breaches that were made on 11<sup>th</sup> May and would give the dancers involved final written warnings as there was clear misconduct and instructions were not adhered to.

Members were referred to pages 49 & 62 where further compliance visits were made and the venue was found to be compliant. Mr Kolvin then went on to detail the conditions that had been drafted between Licensing Services, Police and the Applicants. He believed that these conditions were sufficient to prevent these incidents from happening again and was satisfied that these conditions would be adhered to.

Mr Kolvin concluded by referring to the discretionary grounds for refusal and highlighted that the standard of fitness was obviously met, with high standard of management, there had been no objections on vicinity, no changes to demographics and the layout of the venue was small, neat and tidy.

Mr O'Toole, through the Chair asked questions on the layout of the premises, the availability of incident log and questioned whether the Licensing Officers would be able to access CCTV footage. It was confirmed that Licensing Officers and Police Officers would be able to view CCTV footage, even on a random check, but not be able to download and take it away unless there was a criminal investigation or breach of conditions as the Applicant said this would infringe guidance from the Information Commission Office and the Data Protection Act.

The Chair adjourned the meeting at 11.55am for a short comfort break and reconvened at 12.10pm.

At the request of the Chair Mr Tom Lewis, Licensing Team Leader briefly explained the two main issues which were of concern i.e. the assault on 4<sup>th</sup> May 2017 and the conduct of the dancers and the breach of conditions on 11<sup>th</sup> May 2017. Mr Lewis then detailed the incidents in full. Mr Lewis informed Members that one of the officers who conducted the covert visit was present at the meeting and available to answer any questions and asked that his identity remain anonymous and be referred to as Officer P.

It was noted that a meeting (without prejudice) was arranged and all interested parties met and agreed on a draft set of proposed conditions, which were robust and better enforceable. Mr Lewis confirmed that his objection was supported by the Police.

Members then heard from PC Mark Perry, Metropolitan Police who explained that SEV licences required a greater amount of monitoring and he was concerned about the inappropriate behaviour of dancers at the venue. PC Perry then referred Members to page 28 of the supplemental agenda 1 and explained the series of events which took place in relation to the assault on 4<sup>th</sup> May 2017.

PC Perry (**Restricted**) the incidents on 11 May did support the culture of inappropriate touching at the venue. He also believed that the additional conditions proposed would help alleviate concerns.

PC Perry welcomed the efforts made on behalf of the Applicant and was pleased and reassured that information would be available on request. He explained that the Police had the power to seize evidence if required. PC Perry concluded that he welcomed the fact that the applicants had accepted that the incidents on 11<sup>th</sup> May had occurred and had offered conditions and were working with officers.

Following a detailed discussion, Members asked a number of questions to which the following was noted;

- That the incident on 4<sup>th</sup> May (**Restricted**)
- That there was a financial contract between the performers and the owners of the venue as they had to pay to work at the venue.
- It was the applicant's view that management acted accordingly and in line with procedures and did what was right based on the information given.
- Concerns were raised as to blame culture on women (dancers)
- That the Entertainer's Daily Briefing was read out and explained to all performers before the venue opened each day.
- The customer conduct was displayed all around the venue.
- That there had been eleven compliance visits in total over the last six months, and all were found the venue to be compliant.
- It was noted that the victim on the 4<sup>th</sup> May (**Restricted**).
- Witness statements from other performers state that if sexually assaulted then the dance is immediately stopped and the customer is asked to leave the venue.
- (**Restricted**)
- That the CCTV footage taken on 4<sup>th</sup> May also showed that there was a breach of condition where a performer was seen to be hugging a customer.

At 1pm the Chair closed the meeting.

The second meeting started at 2pm.

The Chair welcomed everyone.

In response to further questions from Members the following was noted;

- Authorised Officers referred to in the proposed draft conditions included Police Officers and Licensing Officers.
- The Applicant maintained that officers would be able to view CCTV footage but would not be allowed to download footage or be handed over footage unless it was associated to criminal proceedings or to investigate a breach of conditions.
- That the Entertainers Daily Briefing and Customer Rules had been rewritten in order to make the rules more robust and enforceable and clear that you must not touch the dancer.
- SIA door staff also explained the rules to customers when they come into the venue.
- That there were 12 dancers performing on 11<sup>th</sup> May
- That during the 30 years of trading, there had only been one complaint of sexual assault.
- That there was a further need to educate customers and dancers.
- That dip sampling meant that 4-5 CCTV footage slots would be randomly picked and checked to see that everything was compliant.
- That there was no sign outside the venue, no advertising, and there were no staff outside touting, that SIA door staff stand inside the entrance.

At this stage the Chair formally asked that Police Officer P who was present at the meeting could be released as there were no questions to ask of him.

Cllr Shiria Khatun asked if questions could be asked of one of the performers who was in attendance at the meeting but was not a witness.

The Chair adjourned the meeting at 3.20pm to seek legal advice and reconvened at 3.27pm.

The Chair announced that they would not ask Mr Kolvin to call the performer.

Mr Kolvin then asked the Chair if he could voluntarily call the performer as his witness and asked her questions despite the fact she had not made a witness statement. The Chair sought legal advice and consulted the Committee (without adjourning) and then said that exceptionally the Committee would agree to the performer being called to give evidence at this stage. The performer confirmed the following;

- That her name was **(Restricted)** (Ms A) and that she had worked at the Nags Head for 12 years.
- That she was part of the East London Strippers Union Collective
- That Nags Head was the safest place to work in where dancers felt protected.
- That she had a good relationship with managers and staff
- That she had never been sexually assaulted at the premises.
- That dancers do not permit any sexual contact and can easily protect themselves if they were being assaulted
- That she had been working on the night of 4<sup>th</sup> May, **(Restricted)**.

- That she was also working on 11<sup>th</sup> May and she did not engage or see anything that was described by Police Officers
- That dancers were given a daily briefing.
- That she did not see everything that goes on in the venue.

The Chair invited all parties to make final submissions.

Mr Kolvin concluded by saying that no touching is allowed, dancers are protected. That policy and procedures had been scrutinised and revised with great care. He highlighted that the venue was a good family run business, with a dedicated Compliance Manager. The applicants expressed their apologies for the breaches in May. Mr Kolvin said that they accept the conditions and felt that the imposing of the conditions would be a proportionate response as the venue was a compliant business. He highlighted that there was a total of 80 staff working at the venue, the venue had been trading for decades, there was a commitment to work with the responsible authorities and that there had been 11 compliance visits within the last 6 months and all had been found to be fully compliant.

Members then heard from Mr Lewis and PC Perry who stated that they were happy with the conditions and if agreed by Members then this would help alleviate the concerns they had. They were also pleased that the police evidence on 11<sup>th</sup> May had been accepted by the applicants.

Mr O'Toole for clarity confirmed that the Applicant expressly agreed that authorised officers could review CCTV footage although not ask for a copy unless investigating a breach of conditions or criminal offence.

Members adjourned the meeting at 3.40pm for deliberations and reconvened at 4.50pm.

Accordingly, the Sub Committee unanimously

### **RESOLVED**

That the application for a renewal of a Sexual Entertainment Venue Licence for The Nags Head, 17-19 Whitechapel Road, London E1 1DU be **GRANTED an identical licence with additional conditions.**

At a hearing of the London Borough of Tower Hamlets Licensing Committee on Tuesday October 17<sup>th</sup> 2017 the Committee unanimously resolved to grant the renewal of a Sexual Entertainment Venue Licence to the Nags Head at 17-19 Whitechapel Road, London E1 1DU subject to the Standard Conditions, and additional conditions set out below.

The Committee imposed additional conditions after determining that the Licensees had committed serious breaches of the Standard Conditions, and that in May and June 2017 the management did not have the ability to adhere to the Standard Conditions for sex establishments.

The SEV Licence will expire on 31<sup>st</sup> May 2018.

In reaching its decision the Licensing Committee had regard to the Act, Tower Hamlets' Sex Establishment Licensing Policy made pursuant to Schedule 3 of the Act (the Policy), the information contained in the Agenda (white papers), Supplemental Agenda 1 and Supplemental Agenda 2 (pink restricted papers). Over the course of two meetings the Committee heard submissions on behalf of the Applicant and the Licensing Authority as Objector, and evidence from Mr Bamber and Ms A (a performer at the premises) on behalf of the Objector. The Applicant and Objector agreed that all the other witness statements on behalf of both parties could be admitted as hearsay statements.

The Committee decided to conduct a full hearing review into the application for renewal of the SEV Licence because the Licensing Authority had objected on the basis that the Licensees were unsuitable to hold a licence pursuant to paragraph 12(3) of Schedule 3 of the Act, ie that they were unsuitable "for any other reason".

The events which gave rise to the full hearing review occurred on May 4th and May 11th 2017.

The Committee accepted PC Mark Perry's unchallenged evidence that by May 2017 there had, in all probability, developed among some of the performers at the premises a culture of consensual inappropriate touching which was in breach of the Standard Conditions. One such incident ("the hug") was recorded on CCTV on May 4th between a performer and member of the public. PC Perry went on to say that this culture was not safe and it was "a slippery slope because if you say it is ok to hug they [the members of the public] may then take it further especially if they had had something to drink." Mr Colvin QC on behalf of the Applicant conceded that the May incidents were not acceptable and that they "exposed a fault line" about how the premises were managed

#### Alleged sexual assault

On May 4th 2017 a performer at the premises, referred to as Ms Y, was allegedly assaulted by a member of the public (referred to as Mr X) during a private dance. **(Restricted)**

The Committee accepted all the hearsay evidence regarding how performers responded if touched during a private dance and carefully analysed the agreed CCTV recording timeline of the incident on May 4th. **(Restricted)**

**(Restricted)**

**(Restricted)**, the Committee found that the management failed to take the matter sufficiently seriously, or properly investigate it. The management also failed to protect Ms Y on May 4th, and had failed to provide appropriate support to Ms Y at the time of the alleged sexual assault or afterwards.



The position was aggravated by what the Committee considered was the Licensees' generally dismissive approach to the matter, especially when it knew beyond doubt that the allegation was that of a serious sexual assault. It was compounded by the Licensees' subsequent obstruction of, and failure to cooperate with the licensing officers in the investigation of the incident. The Committee did not accept the Licensees' reasons for refusing to provide a copy of the CCTV of the incident to the licensing officer (redacted as necessary) and this was a serious breach of Standard Condition 12. The Committee found that the Licensees' failure to cooperate promptly with the licensing officers request for a copy of the incident book was inconsistent with the high standard of management stipulated by the Policy.

#### Intentional sexual contact between performers and covert police officers

On May 11th 2017 two police officers, acting on behalf of the Licensing Authority, carried out covert test purchases. These purchases confirmed that performers were making repeated intentional sexual contact with customers. The nature of the sexual contact is summarised below.

- Grinding of buttocks onto officers groin, this occurred on several occasions with all performers, and on one occasion one performer was grinding their vagina on officer's groin.
- Placing of the breast into the officers faces. This was mostly only light contact (slight brushing across the face). However on one occasion one of the performers in putting their breast in the officer's face made contact with the officer's closed mouth with their nipple.
- Squeezing of officer's penis, this occurred on two occasions by one performer who reached behind her with one hand and squeezed the officer's penis through their clothing.
- Rubbing of forehead on penis, this occurred with one performer where they knelt between the legs of the officer and rubbed their forehead back and forth on the officer's penis through their clothing.
- Breast being in open hands of the officers whilst seated, which occurred once with one performer.
- One performer asked one of the Officers to put their hand on the performer's buttocks, which they did.
- One performer placed one of the Officer's hand on her exposed pubic area.
- During one of the private dances one of the performers kissed one of the Officers with a closed mouth.

Officers describe in their statements that there were a number of occasions performers touched their vagina's and parting the lips of their vagina's. Furthermore on one occasion a performer simulated acts of personal stimulation by parting their vagina with her fingers exposing their labia and with their other hand rubbed their inner vagina from the base up to the clitoris.

The Licensees admitted that two of its performers had committed the above intentional sexual behaviour.

The Committee found that the above intentional sexual behaviour of two performers was a serious and persistent breach of Standard Condition 26 (implementation and enforcement of House Rules), Conditions 35 and 36 (no intentional physical contact - save for specified exceptions) and Condition 38 (no other form of sexual activity, including but not limited to acts or the simulation of acts of personal stimulation).

The Committee found that the lack of effective enforcement of the Standard Conditions and compliance with the House Rules was likely to be directly affecting the safety of performers as evidenced by the alleged sexual assault on May 4th.

The Committee decided that in May and June 2017 the Licensees' clearly did not have a high standard of management. The management structure was such that it lacked the capacity to operate the venue, or the ability to ensure adherence to the Standard Conditions for sex establishments. As such, it was arguable that, at that time, the Licenses were unsuitable "for any other reason" to hold a SEV Licence.

After careful consideration the Committee decided to grant the renewal of the SEV Licence after taking full account of the following matters.

- 1 The admissions by the Licensee, their apology for the breaches, their positive track record, and their full commitment in the future to enforce the Standard Conditions, and strict adherence to, and compliance with the House Rules and Code of Conduct, and any other conditions the Committee might impose.
- 2 The Committee accepted the Licensees' promise to fully cooperate with licensing officers in the future and in particular not to obstruct the viewing of CCTV footage (including the viewing of CCTV in the course of random checks by the licensing officers).
- 3 That PC Mark Perry, and Mr Tom Lewis (Team Leader, Licensing and Safety Team Environmental Health and Trading Standards) considered that the imposition of additional stringent conditions would mitigate the risks of similar problems occurring at the premises in the future.
- 4 The significant efforts already made by the Licensees to ensure that the premises operated in a way which was fully compliant with the Standard Conditions, and the additional conditions that the Committee were going to impose.

The Committee imposed the following additional conditions.

- 42 Documents to prove compliance with the Licence pursuant to Standard Condition 3.

An incident log shall be kept at the premises, and made available on request to authorised officers immediately. It must be completed within 3 hours of the incident and shall record the following

- (a) all crimes reported to the venue by a member of the public, a performer or member of staff;
- (b) any breach or alleged breach of either the House Rules made by a member of the public or the Code of Conduct made by a performer, and the action taken by the management;
- (c) when a person is removed from the premises;
- (d) any faults in the CCTV system;
- (e) any visit by a relevant authority or emergency service.

- 43 In the event that a performer alleges that they have been sexually assaulted the management will immediately ensure that

- (a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) all measures that are reasonably practicable are taken to apprehend a suspect pending the arrival of the police;
- (c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

- 44 In the event that during a performance the management or security either witness a member of the public making intentional physical contact with a performer (save as permitted by Standard Conditions 35 or 36) or a performer makes a similar allegation to management or security, that member of the public shall be removed from the premises without delay. The management or security may use their discretion to allow that member of the public a supervised 10 minute drink up time prior to being removed from the premises.

- 45 Without prejudice to Standard Conditions 12 and 13, at all times the private performance areas and booths are occupied by performers and members of the public trained staff shall regularly monitor the CCTVs which cover that area.

## 46 Independent Compliance Audit

- (a) An independent compliance auditor, to be instructed and paid for by the Licensees, must carry out a minimum of four (4) compliance audits per year of the private performance areas and booths when sexual entertainment is offered at the premises. The compliance audits must not be pre-arranged with the Licensees or any employee or agent of the Licensees.
- (b) A copy of the compliance audit, signed and dated by the Compliance Auditor, must be kept at the premises (The Nags Head Public House, 17-19 Whitechapel Road E1 1DU) and made available to authorised officers without delay.

The meeting ended at 4.50 p.m.

Chair, Councillor Rajib Ahmed  
Licensing Committee

# Appendix 27

## Kathy Driver

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**From:** MARK.J.Perry [REDACTED]  
**Sent:** 20 June 2023 20:28  
**To:** Licensin  
**Cc:** [REDACTED]  
**Subject:** Objection Nags Head Renewal  
**Attachments:** PC Guerra Exhibit RGG-001 - 21-22 CCTV Transcript (SEV).pdf; PC Guerra Exhibit RGG-004 - RGG-031 Screenshot Exhibits (SEV).pdf; MG 11 PC Guerra Vanity Soho (SEV).pdf; PC Guerra Exhibit RGG-004 - RGG-031 Screenshot Exhibits SEV-Redacted.pdf; mg11cctv exhibiting statement SEV Breaches.pdf; Exhibited Vanity CCTV screenshots.pdf; PC Guerra Exhibit RGG-004 - RGG-020 Screenshot Exhibits - Redacted.pdf; PC Guerra Exhibit RGG-004 - RGG-020 Screenshot Exhibits.pdf; PC Guerra Exhibit RGG-001 - 21-22 CCTV Transcript.pdf; PC Guerra Exhibit RGG-003 - 23-24 CCTV Transcript.pdf; MG11 - Pc Muldoon SEV.doc; REDACTED Vanity Screenshots - Sm-1 - Sm-18\_Redacted.pdf; Nags Head SEV Renewal Objection.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear all,

Please see Central East Police Licensing's objection to the renewal of the SEV for Nags Head, 17 – 19 Whitechapel Road, London, E1 1DU and supporting documents.

Kind Regards

Mark



PC Mark Perry  
Central East Licensing Unit  
Metropolitan Police Service (MPS)  
07823 896 559  
Email [mark.j.perry@met.police.uk](mailto:mark.j.perry@met.police.uk)  
A: Licensing Office, 1<sup>st</sup> Floor Stoke Newington Police Station



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Central East Police Licensing formally object to the application for the renewal of the Sexual Entertainment Venue License for The Nags Head 17 – 19 Whitechapel Road, London E1 1DU. The Police's objection is on the grounds of preventing Crime and Disorder.

Tower Hamlets Councils test purchase operation carried out in August 2022 where the performers of the Nags Head touched the customers. The conditions in the License state:

*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.*

*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*

In his statement operative one states that the performer was *"thrusting herself against my groin whilst rubbing her breasts against my face and also kissing my neck"*. Indeed the performer said to the operative *"She told me that I was allowed to touch her but not the vagina area"*

The second operative states that *"The dancer made a fair amount of contact with me, she pressed her breasts into my face, brushing against my neck and ear. She spent a lot of time on my lap with her underwear to the side and touching her vagina, she would also grind against my groin area"*.

The above evidence shows that this is not one rogue performer, this is two performers engaging in appropriate touching with customers. Indeed according to the evidence from the venue owner Mr Manpal Clair in his statement says that the dip sampling of three performers had found other breaches that *“had been repeated and were serious”* (point 34 P11). This shows that it is not an isolated incident, but a more deep rooted problem at the venue.

It is concerning that the venue management had not picked up on the breaches of the no touching rules from three of their performers earlier, especially given that the duty manager Mr Binning states that *“I regularly conduct dip sampling of our CCTV system as well as watching performances live in to check compliance”* (point 29 P80).

Indeed, condition 45 states *“At all times the private performance areas and booths are occupied by performers and members of the public trained staff shall regularly monitor the CCTVs which cover that area”*. This is to ensure the safety of the performers and that the license conditions are being complied with.

If the venue had been complying this condition then why were *the “repeated and were serious”* breaches not observed as they happened and action taken. We would of expected that new performers to the venue would have been under even closer scrutiny to ensure that they were compliant.

Yet this did not happen, it leads to the conclusion that either the venue management were incompetent in not monitoring the performances and detecting the breaches and taking appropriate action, or it was accepted behaviour.

Sadly this is not the first time the venue has come to notice for allowing its performers to break the no touching rules. On May 11th 2017 two police officers, acting on behalf



of the Licensing Authority, carried out covert test purchases. These purchases confirmed that performers were making repeated intentional sexual contact with customers. The nature of the sexual contact is summarised below.

- Grinding of buttocks onto officers groin, this occurred on several occasions with all performers, and on one occasion one performer was grinding their vagina on officer's groin.
- Placing of the breast into the officers faces. This was mostly only light contact (slight brushing across the face). However on one occasion one of the performers in putting their breast in the officer's face made contact with the officer's closed mouth with their nipple.
- Squeezing of officer's penis, this occurred on two occasions by one performer who reached behind her with one hand and squeezed the officer's penis through their clothing.
- Rubbing of forehead on penis, this occurred with one performer where they knelt between the legs of the officer and rubbed their forehead back and forth on the officer's penis through their clothing.
- Breast being in open hands of the officers whilst seated, which occurred once with one performer.
- One performer asked one of the Officers to put their hand on the performer's buttocks, which they did.
- One performer placed one of the Officer's hand on her exposed pubic area.

- During one of the private dances one of the performers kissed one of the Officers with a closed mouth.

Officers describe in their statements that there were a number of occasions performers touched their vagina's and parting the lips of their vagina's. Furthermore on one occasion a performer simulated acts of personal stimulation by parting their vagina with her fingers exposing their labia and with their other hand rubbed their inner vagina from the base up to the clitoris.

The Licensee admitted that two of its performers had committed the above intentional sexual behaviour.

A link to that committees report is here:

<https://democracy.towerhamlets.gov.uk/documents/b45027/3.1%20Supplemntary%20evidence%20from%20the%20Nags%20Head%2017-19%20Whitechapel%20Road%20London%20E1%201DU%2016th-May-2023%201.pdf?T=9>

As the committee can see the nature of the offenses in both 2017 and 2022 are very similar in nature, and it is of great concern that such similar offenses are happening at the venue after the previous failings.

Mr Clair owns another sexual entertainment venue called Vanity in Westminster, the licence is in the name of VANITY LICENSE LTD, sole director is Manpal Singh CLAIR Company Correspondence address is 128 City Road, London, United Kingdom, EC1V 2NX

The Licence Holder of the Nags Head is NH LICENSE LTD, the sole director is, Manpal Singh CLAIR, Company Correspondence address: 128 City Road, London, United Kingdom, EC1V 2NX

It is clear that Mr Clair owns both premises.

Vanity in Westminster recently had an application for renewal of a Sexual Entertainment Venue (SEV) Licence refused by Westminster City Council, following an objection to the application by Met Police Licensing. This came about as the result of Police investigating a drink spiking allegation at the venue. While checking CCTV of the venue they observed numerous examples of performers touching their customers, and allowing themselves to be touched.

The details of the breaches including photographs and statements have been attached for the committee to examine. They are detailed, explicit, shocking, and show a venue with no regard for the rules of no contact between performers and customers. It also shows a venue demonstrating a lack of care for its staff as performers with repeated touching of performers intimate areas by customers.

These images are taken from the 21 – 22 and the 23 – 24 November 2022, and are clearly not an isolated incident. The performers and customers can be seen touching each other while in the public bar area, and no action is taken. In one of the screen shots prior to a private dance a performer can be seen pointing to a CCTV camera in the room, and getting the customer to move to a seat on the other side of the room that was out of camera shot.

This is clearly a deliberate attempt to avoid detection, and if this was one rogue dancer it would be explainable as that, but as this is several performers over 2 days this should have been picked up by the venue. Having spoken to the officers concerned who watched the CCTV this was every performer they observed engaging in inappropriate touching over the two dates.

In the CCTV evidence both staff, and security can be seen entering the rooms while this behaviour was taking place. Yet no action was taken, no customers ejected or performers disciplined. The only reasonable conclusion that can be drawn from the evidence is that the unlawful touching is either ignored or encouraged by venue management. It is simply not credible to say that venue management were not aware of it.

A link to Westminster's committee report for the SEV Licence and renewal of Vanity is here:

<https://westminster.moderngov.co.uk/ieListDocuments.aspx?CId=371&MID=6344#AI18787>

This is the same behaviour and breaches that were observed by the test purchasers employed by Tower Hamlets Council when they conducted a Test Purchase at the Nags Head in August 2022, it is the same behaviour and breaches that were admitted by Mr Clair following evidence found during a previous Test Purchase operation at the Nags Head in 2017.

There is a clear pattern here of Sexual Entertainment venues owned and operated by Mr Clair consistently breaching the conditions of their license, of allowing inappropriate touching, and putting their performers at risk in allowing such behaviour.

This venue, its management and staff have demonstrated that they are not fit to operate a Sexual Entertainment Venue and we urge the committee not to renew the license.

# Appendix 28

**WITNESS STATEMENT**

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

Statement of **PC Reaz Guerra 1614CW**..... URN: 

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

This statement (consisting of: ... 15... pages 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 anything in it which I know to be false, or do not believe to be true.

Signature: ..... Date: 14th May 2023.....

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am the above-named person, currently employed in the Westminster Police Licensing Unit.

I am the above-named person, currently employed in the Westminster Police Licensing Unit. I joined the Metropolitan Police Service in 2002 and was posted to the Borough of Westminster in 2003, working in numerous operational roles. I moved to the Westminster Police Licensing Unit in April 2011. Since my appointment in the Licensing Unit I have dealt with a wide range of licensing matters including applications for new premises licences, variations to existing premises licenses, licensing committee hearings, licensing reviews and a large number of licensing visits to licensed premises within the City of Westminster. I am also a specially trained search officer, licensed by the Home Office, with over 17 years experience performing this role.

I submit the below information in relation to an application by the Westminster Police Licensing Unit, on behalf of the Commissioner of the Metropolitan Police, to revoke the Sexual Entertainment Venue licence for Vanity Bar And Nightclub Basement to First Floor 4 Carlisle Street London W1D 3BJ, The premises is also licensed, Premises Licence number 20/03227/LIPT.

The premises which is located within the West End Cumulative impact area as defined by Westminster City Councils statement of licensing policy.

Signature: ..... Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

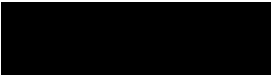
Vanity Bar & Nightclub is located on the north footway of Carlisle Street approximately ten (10) metres west of the junction with Dean Street. The main entrance is a large single door on Carlisle Street. As you enter the premises into a small lobby there is a small storage room to the left and another single door into the main ground floor area. The bar is located on the righthand side, opposite the bar there is a staircase which leads up to the first floor and also down to the basement level. In the basement the, from the areas I have seen there is a room with approximately 6 booths and there is a door leading to an office.

In December 2022, the police made an application for a summary review of the premises licence for Vanity Soho (ref 22/11860/LIREVX), as part of this application the Police requested CCTV to be downloaded which is detailed in my statement in relation to the review application 22/11860/LIREVX.

The CCTV provided contained footage from 21<sup>st</sup>-22<sup>nd</sup> November 2022 and 23<sup>rd</sup>-24<sup>th</sup> November, with footage from 19 different cameras. The following is a summary of the location/field of view of the cameras provided, this is from my knowledge of the areas I have seen within the venue and using the premises plans.

<b>Camera No</b>	<b>Approximate location/coverage</b>
3	Ground floor by edge of bar pointing towards front of premises
4	Ground floor located by staircase, looking towards bar
5	Ground floor located behind bar, looking over bar and towards staircase
6	Ground floor located by staircase, looking towards bar.
7	1 <sup>st</sup> Floor, above/by entrance looking into room

Signature:



Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

9	1 <sup>st</sup> Floor, located on far wall looking back across room towards room.
10	Basement, lobby/landing area at bottom of stair, entrance to the booth is on the left, female toilet on the right.
11	Basement, Landing area between stairs/ female toilets and changing rooms.
12	Basement Changing Rooms
13	Basement, camera located in centre of walkway between booths looking at double entrance door from lobby into booths.
14	Basement booths, located above 1 <sup>st</sup> right hand booth as you enter room.
15	Basement booths, located in last booth on the right, entrance to booth area is top right of screen
16	Basement booths, located in last booth on the left, entrance to booth area is top left of screen, door on right leads to staff office and back of house area
17	Basement booths, located above 1 <sup>st</sup> left hand booth as you enter room.
18	Believed fire escape – exact location unknown
19	Storeroom – exact location unknown
20	Basement - office
21	Believed fire escape – exact location unknown

Signature:



Signature witnessed by:

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

22	Ground floor – outside main entrance looking west along Carlisle street.
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Notably cameras 1,2 and 8 were not included in the footage provided. The CCTV Time stamp on the recorded footage is three (3) Minutes fast.

From the CCTV that I have viewed from 21<sup>st</sup>/22<sup>nd</sup> and 23<sup>rd</sup>/24<sup>th</sup> November 2022 I have produced a transcript, exhibits RGG/001 and RGG/002 refer.

Both the Premises licence and SEV Licence have conditions relating to CCTV :-

**Premises licence – Conditions 29 & 30**

**29. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.**

**30. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested**

**Sev Licence conditions 10 & 11**

**The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that**

Signature:



Signature witnessed by:

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

*ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.*

*A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.*

On the ground floor, the camera outside the main entrance (Camera 22) does not adequately capture a facial image of all persons entering or exiting. an example of this is evidenced in the CCTV on Camera 22, on 24/11/22 at 03:07:41, two people leave the premises and the footage is of insufficient quality to identify them. (screenshot produced as exhibit **RGG/004**)

The only other camera that covers the internal entrance in the main area of the ground floor is Camera 3 and again this does not provide sufficient quality footage, particularly of people leaving in all light conditions. There are no cameras in the lobby area between the main street entrance and the entrance to the ground floor.

**SEV - Condition 21**

**21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.**

Signature:



Signature witnessed by:

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

On the 1<sup>st</sup> floor, the relevant entertainment takes place in a large room, there are approximately eight (8) armchairs located around the periphery of the room, where customers sit, there are three (3) movable concertina screens (approximately 1.8m high) which are positioned ad hoc to provide privacy.

The two cameras located on the ceiling at either end of this large room do not provide sufficient coverage, particularly as the seats located on the periphery of the room are often obscured by screens, also the seats at the far end of the room are out of view of the camera position at the far end of the room and in low light condition are not adequately covered by the only other camera.

In the Basement booth area, there are 6 booths three on each side with a walkway down the middle. As you enter this room, there is a seat/area just to the immediate left as you enter, where the PDQ machine is situated and staff often stand/sit. Within the booth area there are only four cameras to cover all six booths (cameras 14, 15, 16, 17). The booths have bead screens in-between them and this obscure the CCTV coverage, particularly of the middle booths. The positioning of the seating within the booth allows customers to be seated out of view of the CCTV cameras, the dancers are also aware that the seats are out of camera view, this is evident on Camera 15 (21/11/22 23:06:15), when a male enters the booth and sits in the chair that is within the view of the camera, the dancer the speaks to him, turns and points at the camera and the male gets up and sits in the seat out of the view of the camera – Screenshot Nov21 Cam15 230645 - Exhibit RGG/005).

I also produce screen shots of Camera 14, 16 and 17, showing the inadequate coverage of all the booths, in each of the screen shots all the booths are occupied by at least one customer and one dancer.

Exhibit RGG/006 – Nov 21 Cam 14 225919 – male out of view at bottom of screen, dancer/male in middle booth obscured by beaded screen

Exhibit RGG/005 - Nov 21 Cam 15 230645 - dancer/male in middle booth obscured by beaded screen

Signature:



Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

Exhibit RGG/007 - Nov 21 Cam 16 232708 - dancer/male in middle booth obscured by beaded screen

Exhibit RGG/008 - Nov 21 Cam 17 234542 - dancer/male in middle booth obscured by beaded screen.

The inadequate coverage breaches both the conditions on the SEV and premises licence, as the minimum expectation would be that all areas where relevant entertainment takes place should be adequately covered by CCTV as per the conditions on both licences.

Premises licence condition 24

***24. The sale of alcohol shall be ancillary to the use of the premises for either i) music and dancing and substantial refreshment or ii) Relevant Entertainment and substantial refreshment.***

The CCTV does not show and evidence of any substantial refreshment being provided, the only form of food being consumed are the lemon/limes being provided with what is assumed to be shots of tequila., whilst it is evident that regulated entertainment is being provided (recorded music), the premises was essentially operating as a Sexual Entertainment Venue on both 21/22<sup>nd</sup> and 23/24<sup>th</sup> November 2022, and therefore should be fully compliant their SEV Licence.

Numerous conditions have been breached on both dates and is evident on the CCTV.

**SEV Conditions breached:-**

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

**17. There shall be no physical contact between Performers whilst performing.**

**20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.**

Signature:



Signature witnessed by:

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

**21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.**

**22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.**

**23. Performers must redress fully immediately after each performance.**

It is clearly evident from CCTV that there are many instances where customers and performers are permitted to touch each other, with physical contact frequently being made often of a sexual nature, whereby customers are permitted to touch the breasts, bottom and vaginas of the dancers; and dancers touch and rub the customers crotches. Touching takes place from the moment customers walk in to the premises, with the dancers often hugging customers as they enter the bar, dancers can be seen with arms around customers, stroking the chests, touching their bottoms. Customers are also seen with their hands on dancers bottoms without being challenged, deeming this acceptable and permitted behaviour.

These incidents are not limited to a single performer or customer but occur between numerous dancers and different customers. It appears to be commonplace and regular behaviour, the SIA security or management when positioned on each floor ignore and are not seen to actively challenge or prevent the touching/between performers and customers. Breaching conditions 16, 17, 21, 22 and 23.

These many incidents of touching have been detailed with the CCTV transcripts, Exhibits RGG/01 & RGG/02.

Signature:



Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

To highlight but just a few incidents on the 24<sup>th</sup> November: -

Male seated in chair, top left of screen. Dancer is lying on male facing him, her breasts in his face, male has his hands on her bottom. **Screenshot - Camera 7 02:59:21 – Exhibit RGG/009**

Male seated in chair, Dancer is stood in front of male, bent over with left knee on his thigh, male has right hand on her left breast **Screenshot -24Nov Cam7– 03:00:56 - Exhibit RGG/010.**

Male seated in chair, top left of screen. Dancer is kneeling down on floor in front of male and has her hand in male’s crotch **Screenshot -24Nov Cam7– 02:59:34 - Exhibit RGG/011**

Male seated in chair middle left of screen, dancer seated sideways on left leg of male, male has his right hand in dancers crotch. **Screenshot 24Nov – Cam 9 03:53: 29 - Exhibit RGG/012**

Male seated in chair middle left of screen, dancer is stood in front of male, bent over, male has right hand on her bottom. believed his left hand is also on dancers bottom but view is obscured by screen. - **Screenshot 24Nov – Cam 9 03:54: 52 - Exhibit RGG/013**

Male is seated out of camera view, dancer is stood up in front of male facing away, male places hands on her hips and the grabs/rubs her bottom. **Screenshot 24Nov – Cam 14 01:18: 48 - Exhibit RGG/014**

Male is seated out of camera view, Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. **Screenshot 24Nov – Cam 14 03:10:59 - Exhibit RGG/015**

Signature:



Signature witnessed by:

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Continuation of Statement of **PC Reaz Guerra 1614CW** .....

Male is seated out of camera view; Dancer is stood up facing Male. Male has his hand in between dancer's legs on her vagina, then hand moves in and out between dancers' legs - **Screenshot 24Nov – Cam 14 03:11:38 - Exhibit RGG/016**

Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - **Screenshot 24Nov – Cam 14 03:24:06 - Exhibit RGG/017**

Dancer is facing seated male, male touches dancers' breasts with both his hands **Screenshot 24Nov – Cam 16 02:41:42 - Exhibit RGG/018**

Male and dancer stood up embracing each other and kissing on lips - **Screenshot 24Nov – Cam 16 03:35:15 - Exhibit RGG/019**

Male and dancer stood up embracing each other and kissing on lips - **Screenshot 24Nov – Cam 16 03:41:22 - Exhibit RGG/020**

Female with her hand on males bottom. - **Screenshot 21Nov – Cam 04 22:45:23 - Exhibit RGG/0021**

Male holding hands with female, hands on the females bottom. - **Screenshot 21Nov – Cam 04 22:53:41 - Exhibit RGG/022**

Two Females hugging male - **Screenshot 21Nov – Cam 04 23:05:32 - Exhibit RGG/023**

Male with hand on females bottom - **Screenshot 21Nov – Cam 04 22:55:47 - Exhibit RGG/024**

Male with hand on females bottom - **Screenshot 21Nov – Cam 04 22:56:15 - Exhibit RGG/025**

Male with hand on females bottom - **Screenshot 22Nov – Cam 04 00:20:53 - Exhibit RGG/026**

Dancer with breasts in males face - **Screenshot 21Nov – Cam 07 23:57:04 - Exhibit RGG/027**

Signature: 

Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

**Dancer lying down on male with her hand on her vagina - Screenshot 21Nov – Cam 07 23:59:04 - Exhibit RGG/028**

**Male has his right hand on her vagina. - Screenshot 22Nov – Cam 07 00:00:59 - Exhibit RGG/029 -**

**Exhibit RGG/030 - Male with face in dancers bottom. - Screenshot 22Nov – Cam 04 00:04:49**

**Dancer with money (notes) from given to her by the male customer. - Screenshot 21Nov – Cam 17 23:32:34 - Exhibit RGG/031**

It is also evident that, many of the male customers are intoxicated and in their intoxicated state are being encouraged to purchase more dances/performances. two such examples being

22<sup>nd</sup> November 22 – 02:27 to 03:00 – Intoxicated male attempts various different payments, by phone and bank cards, has 4 dancers with him in the booth, when the performance ends the male stands up and clearly unsteady on his feet.

24<sup>th</sup> November 22, 03:30 – Camera 16 - Male stands up, clearly unsteady on his feet, stumble as he gets up and has to use his right hand to hold on to wall to support himself, swaying from side to side and has to lean against wall. Dancer returns and male has his hand on her bottom, then grabs her bottom with both hands.

***35. There shall be at least one SIA registered door supervisor on duty on every floor where Relevant Entertainment is provided for the entire time the Relevant Entertainment is provided.***

Signature:



Signature witnessed by:

.....



Continuation of Statement of **PC Reaz Guerra 1614CW** .....

On 24<sup>th</sup> November 2022, cameras 13 and 17 between 0300hours to 0440 hours the basement booths are supervised solely by a male member of staff, he is not wearing or displaying an SIA badge, it is believed that he is not an accredited SIA security person.

Another noteworthy incident is captured on camera 6 (ground floor bar) and camera 15 (basement booths) a male customer having entered the booth with a dancer at approximately 23:06 hours. Then at approximately 23:30 hours on camera 15, male is seated out of view a member of staff attempting to make a payment using his phone, Male makes payment on card machine, then staff screws up both copies of the printed receipt, staff the takes the customers mobile phone which is unlocked (bank card image visible on phone screen) up to the bar on the ground floor to complete the transaction (See Camera 6 - 23:31:55) Staff returns to booth, transaction appears declined, staff leave momentarily and returns with another PDQ machine, unclear if transaction made as out of camera view. It is questionable as to why the customer allowed the member of staff to use his phone for a payment with the customer not being present.

The premises is failing to uphold and fully promote the licensing objectives, their obstructive approach in providing CCTV, which clearly evidences many breaches of both their Premises Licence and SEV Licence and shows the premises is being managed and operated in an irresponsible manner.

**Summary of Exhibits**

Exhibit Number	Description of Exhibit
RGG/001	CCTV Transcript 21/22 Dec 2022
RGG/002	CCTV Transcript 23/24 Dec 2022
RGG/003	Email chain between Solicitor (Luke Elford) and PC Guerra
RGG/004	Screenshot showing male leaving premises, poor camera quality/position does not allow person to be identified. - CCTV on


Signature:



Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

	Camera 22, on 24/11/22 at 03:07:41
RGG/005	Screenshot Nov21 Cam15 230645 - Exhibit RGG/005) – dancer points at the camera and the male gets up and sits in the seat out of the view of the camera
RGG/006	Screenshot – Nov 21 Cam 14 225919 – male out of view at bottom of screen, dancer/male in middle booth obscured by beaded screen
RGG/007	Screenshot - Nov 21 Cam 16 232708 - dancer/male in middle booth obscured by beaded screen
RGG/008	Screenshot - Nov 21 Cam 17 234542 - dancer/male in middle booth obscured by beaded screen.
RGG/009	Screenshot - Camera 7 02:59:21 – Male seated in chair, top left of screen. Dancer is lying on male facing him, breasts in his face, male has his hands on her bottom.
RGG/010	Screenshot -24Nov Cam7– 03:00:56 - Dancer is stood in front of male, bent over with left knee on his thigh, male has right hand on her left breast
RGG/011	Male seated in chair, top left of screen. Dancer is kneeling down on floor in front of male has hand in male’s crotch Screenshot -24Nov Cam7– 02:59:34
RGG/012	Male seated in chair middle left of screen, dancer seated sideways on left leg of male, male has his right hand in dancers crotch. Screenshot 24Nov – Cam 9 03:53: 29
RGG/013	Male seated in chair middle left of screen, dancer is stood in front of male, bent over, male has right hand on her bottom. believed his left hand is also on dancers bottom but view is obscured by screen. - Screenshot 24Nov – Cam 9 03:54: 52 -

Signature:  ..... Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

RGG/014	Male is seated out of camera view, dancer is stood up in front of male facing away, male places hands on her hips and the grabs/rubs her bottom. Screenshot 24Nov – Cam 14 01:18: 48
RGG/015	Male is seated out of camera view, Dancer is stood up facing away from Male, he places his right hand into dancers bottom onto her vagina. Screenshot 24Nov – Cam 14 03:10:59
RGG/016	Male is seated out of camera view, Dancer is stood up facing Male. Male has his hand in between dancer’s legs on her vagina, then hand moves in and out between dancers legs - Screenshot 24Nov – Cam 14 03:11:38
RGG/017	Male and dancer stood up facing each other, male then runs his right index finger up the front of the dancer knickers. - Screenshot 24Nov – Cam 14 03:24:06
RGG/018	Dancer is facing seated male, male touches dancers’ breasts with both his hands Screenshot 24Nov – Cam 16 02:41:42
RGG/019	Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:35:15
RGG/020	Male and dancer stood up embracing each other and kissing on lips - Screenshot 24Nov – Cam 16 03:41:22
RGG/021	Female with her hand on males bottom. - Screenshot 21Nov – Cam 04 22:45:23
RGG/022	Male holding hands with female, hands on the females bottom. - Screenshot 21Nov – Cam 04 22:53:41
RGG/023	Two Females hugging male. - Screenshot 21Nov – Cam 04 23:05:32
RGG/024	Male with hand on females bottom. - Screenshot 21Nov – Cam 04 22:55:47
RGG/025	Male with hand on females bottom. - Screenshot 21Nov – Cam 04

Signature:



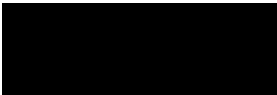
Signature witnessed by: .....

Continuation of Statement of **PC Reaz Guerra 1614CW** .....

	22:56:15
RGG/026	RGG/026 - Male with hand on females bottom. - Screenshot 22Nov – Cam 04 00:20:53
RGG/027	Dancer with breasts in males face -. - Screenshot 21Nov – Cam 07 23:57:04
RGG/028	Dancer lying down on male with her hand on her vagina-. - Screenshot 21Nov – Cam 07 23:59:04
RGG/029	Male has his right hand on her vagina. - Screenshot 22Nov – Cam 07 00:00:59
RGG/030	Male with face in dancers bottom. - Screenshot 22Nov – Cam 04 00:04:49
RGG/031	Dancer with money (notes) from given to her by the male customer -. - Screenshot 21Nov – Cam 17 23:32:34



Signature:



Signature witnessed by:

.....

**Witness contact details**

Home address: .....  
..... Postcode: .....  
Home telephone number ..... Work telephone number .....  
Mobile/pager number ..... Email address: .....  
Preferred means of contact: .....  
Male / Female (delete as applicable) Date and place of birth: .....  
Former name: ..... Ethnicity Code (16+1): ..... Religion/belief: .....

**Dates of witness non-availability** .....

**Witness care**

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

**Witness Consent (for witness completion)**

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes  No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: ..... Print name: .....  
Signature of parent/guardian/appropriate adult: ..... Print name: .....  
Address and telephone number if different from above: .....

Statement taken by (print name): **PC1614CW P207028 PC GUERRA**..... Station: **City Hall Westminster**.....

Time and place statement taken: .....

# Appendix 29

**RGG/021 TO RGG/031**

**RESTRICTED CONTENT**

# Appendix 30



**STATEMENT OF WITNESS***(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

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Statement of: Constable Stephen Muldoon

Age if under 18: Over 18

Occupation: Police officer

This statement 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.

Signature:



Date: 15 May 2023

I am the above named person and am currently employed by the Metropolitan Police Service to work as a police constable in the London borough of Westminster. My current role is to work as a licensing officer, part of this role is to deal with applications for new/varied licences and to look at incidents that are alleged to have taken place within licensed premises.

This statement is being submitted to support the objection from the Metropolitan Police for the renewal of a Sexual entertainment venue (SEV) licence for Vanity Ltd, 4 Carlisle St, W1. Vanity has a current premises licence - 20/03227/LIPT.

I was in possession of CCTV from inside the venue for the night of the 23rd November into the early hours of the 24th November 2022. I came into possession of this from Pc GUERRA as we were investigating various allegations from various customers.

Whilst viewing the CCTV for the alleged incidents it became apparent that there was countless breaches of the SEV licence. As part of the SEV licence there were two specific conditions that were breached.

- 16. Relevant entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
- 17. There shall be no physical contact between Performers whilst performing
- 22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.

Watching the footage it was quite clear that the majority if not all of the performers would deliberately touch the customers whilst performing, this varied degrees to sitting on customers to lying fully naked on top of customers and using what I would describe as a grinding motion. These acts would regularly take place in front of the security or the then manager.

I can produce in evidence the following screenshots as exhibits:

SM/1 – Female dancer (a) in one booth sitting on top of a male customer (obscured by seating), female dancer (b) sitting on male customer. Both dancers are topless (01:19 - 24th Nov, Camera 14)

SM/2 – Female dancers in both booths sitting on male customers, both dancers appear naked (02:16 - 24th Nov, Camera 14)

Signature:



Signature Witnessed by:

Continuation of Statement of: Constable Stephen Muldoon

SM/3- Male customer and female dancer obscured from view whilst 2 female dancers are in view with one dancer bent over and the other holding her bum (23:34 - 23rd Nov, Camera 15)  
SM/4 – Male customer touching a female's breast. (03:11, 24th November, Camera 14)  
SM/5 – 2 females dancing for a male customer. The customer is on a booth with another dancer out of view. (23:35 - 23rd November, Camera 15)  
SM/6 – 2 females dancing together, appearing to kiss each-other. (23:38 - 23rd November, Camera 15)  
SM/7 – Female dancer with her arms round a male customer. (01:23 - 24th November, Camera 16)  
SM/8 – Naked female dancer sitting with/on a male customer. Another customer hidden in booth by a blind spot (01:21, 24th November)  
SM/9 – Female dancer on top of a male customer. Appear hidden by the hanging beads. (02:27, 24th November Camera17)  
SM/10 – Naked female rubbing up and down male customer. Security present sitting on the couch at the bottom right. (00:15, 24th November, Camera 7)  
SM/11 – Naked female dancer sitting on a male customer whilst opening and closing her legs. (00:34, 24th November, Camera 7)  
SM/12 – Female dancer on her knees at a male customers crotch area. (00:05, 24th November)  
SM/13 – Female dancer sitting on male customer. (02:51, 24th November, Camera 7)  
SM/14 – Female dancer sitting on male customer. (02:27, 24th November, Camera 7)  
SM/15 – Male customer appearing to kiss the naked body of the female dancer. (00:06, 24th November, Camera 9)  
SM/16 – Male customer and female dancer on the left in close to each-other. Male has his hands on the dancer. The male customer is also being sat on by the dancer on the top right. Security are sitting on the sofa on the bottom right of the screen. (03:30, 24th November, Camera 7)  
SM/17 – Naked female dance rubbing her body from behind on a male dancer (00:07, 24th November, Camera 9)  
SM/18 – Naked female dancer laying on her front on a male customer. The male customer has his hand on her bum. (00:07, 24th November, Camera 9)

The above is just a selection of screenshots however the breaches were constant by the dancers, ignored by all the staff and appeared expected by the customers. This was clear this was just not one slip up and this was a regular and I would suggest normal occurrence for the venue and how they operate.

I can also produce in evidence the following:

Exhibit SM/19 - Tower Hamlets licensing committee agenda and papers for Tuesday 16th May 2023.  
Exhibit SM/20 - Minutes/agenda from an extraordinary committee report for Tower Hamlets for Tuesday 17th October 2017  
Exhibit SM/21 - Companies house page for Vanity Licence Ltd  
Exhibit SM/22 - Companies House page for Nags Head Ltd

I received notification that Tower Hamlets council were to be reviewing the SEV licence of The Nags Head on Tuesday 16th May 2023, I was aware that the licence holder for the Nags Head is Nags Head Ltd, a check on companies house shows the sole director of Nags Head Ltd being Manpal Claire Singh. (Shown in Exhibit SM/22). Manpal Clair Singh is also the sole director of Vanity Licence Ltd (as shown is Exhibit SM/21).

I read through and attached the committee papers in SM/19. This shows that the act of touching customers is not alone to Vanity and this also takes place at the Nags Head. I also identified from the papers that there have been numerous previous incidents of breaches of SEV identified at the Nags Head both in 2016 and 2017. (Exhibit SM/20) shows the committee minutes for a hearing that documents these breaches.

During a summary review hearing Manpal Singh proportioned blame on to the then DPS and her son. Whilst i do not doubt they had no control over the premises it is clear and evident that for years both of Manpal Singh's venues where he is the SEV licence holder have operated with constant breaches.

Witness Signature: 

Signature Witnessed by:

Continuation of Statement of: Constable Stephen Muldoon

Having reviewed the countless breaches that I have witnessed on CCTV at Vanity, the committee papers from both 2023 and 2017 from Tower Hamlets it is clear that Vanity is being run and operated extremely poorly. The licence holder has no control as to what goes on at the venues and the only apparent consistent thing is the apology he gives when breaches are found. It the opinion of the Metropolitan police service that Manpal Singh should not be granted an SEV licence and is not a suitable person to operate one.

Witness Signature:



Signature Witnessed by:

# Appendix 31

**SM/1 TO SM/18**

**RESTRICTED CONTENT**

# Appendix 32

## Lavine Miller-Johnson

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**From:** Licensing  
**Sent:** 21 June 2023 11:10  
**To:** Lavine Miller-Johnson  
**Subject:** FW: Nags Head - Letter of support.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Stephen [REDACTED]  
**Sent:** Wednesday, June 21, 2023 9:24 AM  
**To:** Licensing <Licensing@towerhamlets.gov.uk>; [REDACTED]  
**Subject:** Nags Head - Letter of support.

Dear Licensing,

The Nags Head, 17-19 Whitechapel Road, London E1 1DU - **Letter of Support.**

My name is Stephen [REDACTED], [REDACTED]

I write in support of The Nags Head.

I have been a customer at The Nags Head for 15 years.

It is one of my favorite places to go, I always feel welcome and safe whenever I go in whether it is the afternoon or the evening, the doormen are very welcoming and courteous. I know the owners of the Nags Head and know it is a family business that has been passed down from father to son.

The Nags Head is impeccably well-run. The management are friendly but will not tolerate bad behavior. By bad behavior I mean people who are drunk or people who misbehave and try and touch the dancers. The rules are well known to everyone who comes into the Nags Head. You cannot miss them. They are on the wall as you enter and they are explained to you by the security guard, particularly if it is your first visit. People who look like they might cause trouble don't even get through the door.

I have never seen trouble in the Nags Head and is one of the reasons why I like it. The atmosphere is very relaxed atmosphere and you do not feel pressurised to spend money, buy girls drinks or have dances like other venues. They know the rules too and they know what is and what is not ok.

I think it would be a real shame if the Nags Head was not to get another license and was forced to close down. For one I think it would put at least 20 people out of work and that means they would have to find another job in these difficult times. The venue would likely become yet another pub and probably would have more trouble over the course of time. The Nags Head controls any sign off trouble more than if it was just a pub.

I genuinely think the council should look past any obvious dislike for these type of venues, or any moral or religious objections. The simple fact is if there wasn't a market for lapdancing venues then they wouldn't exist I believe the Nags Head although not everyone's cup of tea they have the right to exist.


The council need to consider if these adult entertainment venues close down as The Nags Head has to comply to all sorts of rules to continue to be able to do what it does, closing down these venues will driving lapdancing underground and into the waiting hands of criminals. If the council are concerned about the performers being exploited, touched, or used for sex then this is precisely what will happen if lapdancing clubs are forced to close down.

The Nags Head has been in Whitechapel for over 20 years, I have been visiting for 15 years and have made many friends there including the staff they are all hard working decent people.

I hope the Nags Head stays open and has my full support for many years to come.

**Please ensure that my personal details are not made public or published on the councils website/in any agenda papers. Please use this email address only for any contact.**

Yours Faithfully

Stephen 



## Lavine Miller-Johnson

---

**From:** Licensing  
**Sent:** 23 June 2023 11:57  
**To:** Lavine Miller-Johnson  
**Subject:** FW: Licensing of the Nags head, Whitechapel

---

**From:** adam [REDACTED] <[REDACTED]>  
**Sent:** Thursday, June 22, 2023 8:58 PM  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Subject:** Licensing of the Nags head, Whitechapel



To whom it may concern,

I can confirm that I am in support of the licence for the Nags Head, 17-19 Whitechapel Road, London, E1 1DU.

I have frequented the Nags Head for many years and it is one of the only places that I will go for a drink whilst in the area. I travel from Devon with work and have visited every time that I'm in London. It is of my opinion that the licence should be granted and that this important community asset should remain.

It provides a safe and calm environment to enjoy socialising. I would choose the Nags Head before anywhere else as it is always calm, safe and there's never any trouble. The Nags head creates many jobs and has a big impact on bringing affluent businessmen into the area. This in turn is financially beneficial to the surrounding businesses

It is managed and monitored rigorously to ensure that the girls are safe and respected. It is made very clear that contact with the girls is unacceptable in any form and that any such behaviour would result in being removed and banned from the establishment.

Regards  
Adam

Whilst my I accept my statement is free for public viewing I would please request that my address is hidden from any publication.

Sent from [Outlook for iOS](#)

# Appendix 33

## 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 1<sup>st</sup> 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](http://www.towerhamlets.gov.uk))
- from the Licensing Team on 020 7364 5008
- by email to [licensing@towerhamlets.gov.uk](mailto: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](http://www.towerhamlets.gov.uk)
- Email to: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)
- Post to: Consumer and Business Regulations, Licensing Team, 6<sup>th</sup> 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 1<sup>st</sup> 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 (1<sup>st</sup> 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 (1<sup>st</sup> 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 1<sup>st</sup> 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  
6<sup>th</sup> Floor,  
Mulberry Place,  
5 Clove Crescent,  
E14 2BG.  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)  
020 7364 5008