

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 6.30 P.M. ON MONDAY, 2 OCTOBER 2017

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

Members Present:

Councillor Rajib Ahmed (Chair)
Councillor Dave Chesterton
Councillor Candida Ronald
Councillor Shiria Khatun

Other Councillors Present:

Apologies

Councillor Peter Golds
Councillor Khaled Uddin Ahmed
Councillor Suluk Ahmed
Councillor Shah Alam
Councillor Andrew Cregan
Councillor Md. Maium Miah
Councillor Joshua Peck
Councillor Rachael Saunders

Others Present:

PC Mark Perry	– Police Licensing
Sgt Danny Dixon	– Police
Philip Kolvin QC	– Legal Representative
Julian Skeens	– Legal Representative
Luke Elford	– Legal Representative
Adrien Studd	– Compliance Consultant
Andrew Bamber	– Compliance Consultant
Manpal Singh	– Applicant
Bahadur Saab Singh	– Manager
Magdalena Kielar 'Magda'	– Performer
Tatiana Ferreira Silva Lima 'Daniella'	– Performer
Erika Franco Machado 'Pamela'	– Performer

Officers Present:

Mohshin Ali	– (Senior Licensing Officer)
Victoria Fowler	– (Legal Services)
Corinne Holland	– (Licensing Services)

Tom Lewis – (Team Leader - Licensing Services)
Simon O'Toole – (Counsel to the Committee)
Simmi Yesmin – (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 Andrew 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

Councillor Rajib Ahmed, Chair of the Licensing Committee, in agreement with the Committee Members adjourned the meeting to seek further legal advice in relation to item 3.1 of the agenda.

The meeting was adjourned at 6.50pm and reconvened at 7.25pm.

The Chair asked Mr Simon O'Toole, Counsel for the Committee to make a brief statement on behalf of the Licensing Committee. Mr O'Toole reminded all parties that this was a meeting of the Full Licensing Committee. It was noted that Members had been made aware that a 'without prejudice' meeting had taken place with the Police, Licensing Authority and the Applicant's Representatives. However, Members were not aware of the contents of that meeting. It was further noted that Members accept that these meetings do occur and encourage that these meetings do take place in order to mediate, consult and resolve matters.

Due to the seriousness of the witness statements and the allegations Members were not happy to endorse any conditions that may have been agreed between the parties and in the absence of Police witnesses.

Members invited the Applicant's Legal Representative to present a brief submission as to you why the hearing should be heard today. Subject to and conditional upon the fact that any submission must not prejudice, the composition of the membership, for any future/subsequent hearing.

Mr Philip Kolvin QC, Legal Representative acting on behalf of the Applicant confirmed that his submission would not compromise the committee membership for a subsequent meeting if it were required.

At the request of the Chair, Mr Kolvin referred Members to page 21 of the confidential Supplemental Agenda, the objection letter from Mr Tom Lewis, Team Leader Licensing and Safety Team where 5 robust conditions were set out for good practice, which were also endorsed by PC Mark Perry, Metropolitan Police on pages 30-31.

Mr Kolvin explained that his clients had been operating for 37 years, they were of good character and displayed good management and successfully run four other licensed venues. It was noted that since the alleged incident the Applicants had appointed Mr Andrew Bamber as a compliance consultant to form a compliance regime for the premises. It was noted that since May 2017 they have had seven compliance visits and each visit has resulted in the premise being compliant.

Therefore there was a meeting with all parties and as a result 4 $\frac{3}{4}$ of the conditions had been agreed to. Mr Kolvin highlighted that this was a way forward and urged Members to consider the application today and consider the conditions that had been agreed.

Members adjourned the meeting at 7.43pm to consider whether the application was to be considered. The meeting was reconvened at 7.55pm.

The Chair stated that Members had carefully listened to the submissions made by Mr Kolvin but given the serious nature of the allegations, Members had **agreed** to adjourn the meeting in order for the Covert Police Officers to attend the meeting as the Committee wanted to hear from the Police and the Applicant.

RESOLVED

Therefore it was agreed that the meeting be **ADJOURNED** and a meeting is to be arranged within the next two months to consider the application for a renewal of a sexual entertainment venue licence for the Nags Head, 17-19 Whitechapel Road, London E1 1DU.

The Chair asked that the Applicants and their representatives give their dates to avoid to the Democratic Services Officer within 5 working days.

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

The consideration for this item was deferred.

The meeting ended at 8.20 p.m.

Chair, Councillor Rajib Ahmed

