

**LONDON BOROUGH OF TOWER HAMLETS**  
**MINUTES OF THE LICENSING SUB COMMITTEE**  
**HELD AT 6.20 P.M. ON TUESDAY, 23 JUNE 2020**

**ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)**

**Members Present:**

Councillor Ehtasham Haque (Chair)  
 Councillor Faroque Ahmed  
 Councillor Mohammed Pappu

**Officers Present:**

|                    |                                  |
|--------------------|----------------------------------|
| Nicola Cadzow      | – (Environmental Health Officer) |
| Kathy Driver       | – (Principal Licensing Officer)  |
| Corinne Holland    | – (Licensing Officer)            |
| Venky Ramakrishnan | – (Principal Enforcement Lawyer) |
| Farhana Zia        | – Senior Committee Officer       |

| <b>Representing applicants</b> | <b>Item Number</b> | <b>Role</b>                 |
|--------------------------------|--------------------|-----------------------------|
| Mike Nickson                   | 3.1                | Applicant's Licensing Agent |
| Edward Stratton                | 3.1                | Applicant                   |
| Leo Charalambides              | 3.2                | Applicant's Counsel         |
| Nicola Romanini                | 3.2                | Applicant                   |
| Hannah Blackman                | 3.2                | Applicant's Supporter       |
| Peter Hetherington             | 3.2                | Applicant's Supporter       |
| James Wani                     | 3.2                | Applicant's Supporter       |
| Bryony Beynon                  | 3.2                | Applicant's Supporter       |
| Alison Gilliard                | 3.2                | Applicant's Supporter       |
| Amy Oldham                     | 3.2                | Applicant's Supporter       |

| <b>Representing objectors</b> | <b>Item Number</b> | <b>Role</b>          |
|-------------------------------|--------------------|----------------------|
| Nicola Cadzow                 | 3.1                | Environmental Health |
| Lavine Miller-Johnson         | 3.1                | Licensing Authority  |
| Nicola Cadzow                 | 3.2                | Environmental Health |
| Kathy Driver                  | 3.2                | Licensing Authority  |
| Wyn Davis                     | 3.2                | Resident             |

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

There were no declarations of interests made.

**2. RULES OF PROCEDURE**

The rules of procedure were noted.

**3. ITEMS FOR CONSIDERATION****3.1 Licensing Act 2003 Application for variation of a Premises Licence for Retreat East Farm Shop, 20 - 22 Toynbee Street, London E1 7NE**

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application the variation of the premises licence for Retreat East Farm Shop, 20-22 Toynbee Street, London E1 7NE. It was noted that objections had been received on behalf of the Licensing Authority, Environmental Health and local residents.

Mr Mike Nickson, Licensing Agent on behalf of the Applicant, confirmed the core element of the business would remain as a café, delicatessen and organic farm shop however the business was looking to extend its operating hours and was applying to vary the premises licence to allow for the sale of alcohol. Mr Nickson said the business intended to hold cheese and wine tasting events to invited guests in the evening. Mr Nickson said local residents had been written to and efforts had been made to explain the purpose of the variation of the licence. He said the main concerns were from the Responsible Authorities in relation to the premises being in the Cumulative Impact Zone (CIZ).

Mr Nixon explained the conditions that the Applicant had offered following a review of the Responsible Authorities' objections. He noted that the premises would not be alcohol led and would operate within the Council's framework hours. He said the application had been amended to state there would be no 'off sales' of alcohol after 18:00 hours on any day and said the business would not negatively impact the area or add to the issues already experienced in the cumulative impact zone.

Members then heard from Ms Lavine Miller-Johnson, who explained she was obliged to make an objection as the premises is located in the CIZ and believed the extra footfall in the area would add to the existing levels of public nuisance experienced in the area and that this would negatively impact the cumulative impact zone. She raised concerns regarding the 'on sales' of alcohol which would continue until 11:00 p.m. weekdays and 10:00 p.m. on Sunday. The amendment to Sunday timings having been made by Mr Nickson at the meeting. She said it was not clear what would happen to half-drunk bottles of alcohol from the 'on sale' purchases and how these would be disposed of.

Members also heard from Ms Nicola Cadzow, Environmental Health Officer, who echoed the concerns raised by the Licensing Authority and expressed concern about the impact increased timings and the sale of alcohol would have on public nuisance and noise pollution. Ms Cadzow said she was pleased that some of the suggested conditions had been accepted and said that if the Sub-Committee were minded to grant the application then the four points raised in her email at page 9 of the supplement agenda should be considered.

In response to questions the following was noted:

- The Applicant was willing to limit off sales of alcohol from the application to 18:00 hours on any day and reduce the timings for the sale of 'on sales' of alcohol on Sunday to 22:00 hours.
- The Applicant's agent clarified the premises was not a wine bar. The purpose of the sale of alcohol was to allow for private, invitation-only wine and cheese tasting events.
- The possible spillage of patrons onto the street and noise pollution, was not an issue as the premises as a seating capacity of 30 and the events would be by invitation only. Staff are trained to adhere to the licensing policy and are aware of maximum capacity.
- Mr Nickson confirmed his client would be willing to accept the proposed conditions put forward by Environmental Health, should the application be granted.

Both parties made closing remarks.

The Chair advised all parties that a decision would be made by the Sub-Committee once this meeting was over and a decision notice, including the reasons for the decision, would be sent out to all parties within five working days.

### **The Licensing Objectives**

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licencing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm.

### **Consideration**

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before them and heard oral representations at the meeting made by the Applicant,

the Applicant's Representative and the Officers representing the Responsible Authorities objecting to the application, with particular regard to the four Licensing Objectives.

The Sub-Committee noted that the premises are in a cumulative impact zone (CIZ), and so, the effect of a premises subject to a licensing application being in a CIZ is that there is a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons objecting to the application, the application will be refused.

The Sub-Committee noted that under the Council's Statement of Licensing Policy, the Applicant can rebut the above presumption if they can demonstrate that their application for a premises licence would not undermine any of the four licensing objectives by not adding to the cumulative impact of licensed premises already in the CIZ.

The Sub-Committee considered that the onus lay upon the applicant to show through their operating schedule, with appropriate supporting evidence that the variation of the premises licence, would not add to the cumulative impact already being experienced.

The Sub-Committee noted the applicant's representation that the impact of the variation of the premises licence if granted, would be mitigated by the proposed conditions put forward and would not add to the further saturation of the area as this was an existing business looking to expand its offer of cheese and wine tasting, at privately held events to invited guests in the evening.

The Sub-Committee noted the representations from the Licensing Authority, and Environmental Health regarding the impact of the premises on the Brick Lane Cumulative Impact Zone (CIZ) and concerns relating to noise nuisance and the dispersal of customers at the end of events and close of business.

The Sub-Committee therefore considered that it had not heard enough evidence that rebutted the presumption against granting the variation of the premises licence within the CIZ. For instance, the Sub-Committee were concerned that the applicant had insufficiently addressed how there would be no addition to the cumulative impact in the particular area in relation to the prevention of crime and disorder and public nuisance objective, especially given the extended times in which the premises would be operating in and the serving of alcohol to patrons and the general public.

The Sub-Committee was not satisfied that the operating schedule as presented at the Sub-Committee meeting rebutted the above presumption given the effect the premises would have on the local community and deemed there may be a significant impact on the environmental health and neighbouring residents. This is especially so given the effect the noise, smoking and other related incidents of nuisance may have during the extended alcohol operating hours.

The Sub-Committee were therefore not satisfied that there were exceptional circumstances to justify a grant of the application, and were of the view that the applicant had failed to rebut the presumption against granting a variation of the premises licence for a premises situated in a cumulative impact zone, in that the applicant failed to demonstrate how they would not undermine any of the four licensing objectives by adding to the cumulative impact in the area.

Accordingly, the Sub-Committee unanimously;

### **RESOLVED**

That the application for the variation of the Premises Licence for Retreat East Farm Shop, 20-22 Toynbee Street, London E1 7NE be **REFUSED**.

### **3.2 Licensing Act 2003 Application for a Premises Licence for (Klub Verboten) 11 West India Dock Road, London E14 8EZ**

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application a new premises licence for Klub Verboten, 11 West India Dock Road, London E14 8EZ. It was noted that objections had been received on behalf of the Licensing Authority, Environmental Health and a local resident.

Mr Leo Charalambides, Counsel on behalf of the Applicant, stated the application was seeking a premises licence for a community hub, which provided cultural and social events and entertainment for the kink, fetish and BDSM communities. He said the sale of alcohol, refreshment and entertainment would be ancillary to the community function the premises would be providing to its patrons. Mr Charalambides said the granting of the licence would be in the 'public good' as it would provide a space for the marginalised groups of communities representing different genders, sexualities, sexual orientation and races, who had come together and were now seeking a permanent home, in the London Borough of Tower Hamlets.

Mr Charalambides stated the Applicant's experience and professionalism had been highly praised for providing a safe space to its patrons and this was evident in the number of supporters who had written to support the application. Mr Charalambides said the Applicant had worked with the Responsible Authorities to address their concerns, in particular with the Police, and had incorporated changes to their Operational Handbook and Safeguarding Manual. Mr Charalambides said that due to the partnership approach that had been taken, concerns around the crime and disorder objective could be parked as this application was being made on behalf of the Applicant and the police.

Mr Charalambides addressed the concerns raised by the Licensing Authority, clarifying that the membership is regulated with conditions, and bookings are made via an online platform, with pre-registered guests or pre-paid ticket holders attending the events. Mr Charalambides said tickets usually sold-out 24 hours prior to the events and individuals were vetted with strict controls on

the number of attendees. He said events organised by Klub Verboden were not 'destination venues' and would only attract those within the aforementioned communities.

Mr Charalambides continued stating that premises plan shown on page 156 of the agenda, was a rectangle space, with CCTV covering the entire floor. The space was designed to be flexible depending on the nature of activities taking place. For example, a lecture or art show during the day to equipment and lighting for the 'adult play' activities in the evening. The bar was mobile as the drinking of alcohol was ancillary to the activity.

It was noted the capacity of the venue was 280 persons plus 15 members of staff. Mr Charalambides said that due to the nature of the community, there should be no concern about public nuisance, because the events were ticketed. He said that whilst the timings applied for seemed long, they were not, as no one would be allowed in after 2:30 a.m. and most attendees would get to the venue early as tickets were incentivised to be cheaper if purchased for the earlier times. With regard to the dispersal of patrons after the events, patrons would be escorted to designated areas by SIA security guards and 'guardians', in order to ensure they left the area quietly and respectfully without causing public nuisance to residents.

Mr Charalambides said the conditions as per the operating schedule were carefully thought out, with a half hour wind up and drinking time, before events ended. He said the weekend would be the busiest days, however the application had been put together in partnership and demonstrated through the presale of tickets, the timed entry and last entry, as well as the dispersal policy that the club would have little impact on the wider community and residents.

Members then heard from Ms Nicola Cadzow, Environmental Health Officer who stated her main concern related to the potential impact on the public nuisance objective, given the times the Applicant had applied for. She said the timings of the venue were extensive and were outside the framework hours of the Council. She said whilst she appreciated the efforts the Applicant had made in outlining their dispersal policy and had agreed to the proposed conditions as per her email on page 173 of the agenda, the hours were long and anyone leaving at the time sensitive time of 5:00 or 6:00 a.m. in small groups would make enough noise to disturb the neighbours, especially as the premises is located in a residential area. Ms Cadzow asked members to refuse the application on this basis.

Members then heard from Ms Kathy Driver, Licensing Officer who explained whilst discussions had taken place with the Applicant, the Licensing Authority remained concerned with respect to the location of the premises which was in a residential area. Ms Driver stated there were residential blocks on either side of the premises and opposite, and therefore she was gravely concerned about the impact public nuisance would have on residents. In addition, Ms Driver said the hours applied for were long, and with no public transport

available at those times, the DLR finished at midnight, this would give rise to further public nuisance. She said the logistics involved in dispersing crowds remained a concern. Patrons waiting for their taxis or Uber's, would make noise whilst waiting for their ride, even if talking quietly.

Ms Driver explained there was a bus stop directly outside the venue, however, as this was on a busy red route, there were road markings saying, 'no stopping'. As such, this would mean taxis could not stop directly outside the venue. Taxis would need to stop outside the residential blocks and cannot u-turn, so would need to reroute into further residential streets to leave the area. Ms Driver continued saying although she appreciated the dispersal plan put forward by the Applicant, it was difficult to see how the Applicant could successfully manage the dispersal of patrons to designated areas, as this would still involve locations in residential street. It was unclear where the designated areas would be plus involved patrons walking past residential properties to these 'designated' areas.

Ms Driver said she appreciated the comments of the Legal Representative regarding the licence area plan, at page 156 of the agenda pack, and how this space would be used however, the Licensing Authority were not convinced by this. She said the likelihood of the space be used for vertical drinking and as a club all of the time, was a concern, especially if patrons were involved in heavy drinking when arriving or leaving the venue, as this would give further rise of noise disturbance to the residents.

Ms Driver said she appreciated the proposed conditions put forward by the Applicant such as the smoking area being limited to 10 persons after 9:00 p.m., but despite the considerable conditions being offered and the measures stated in the Applicant's handbook, concern remained as to the location of the venue. Ms Driver asked Members to carefully consider the hours applied for, which she believed were excessive. She reminded Members this was a new premises licence being applied for, in a new building located predominately in a residential area, with limited public transport options for patrons arriving and leaving the venue.

After hearing the representations of the Responsible Authorities, the Sub-Committee heard from Mr Wyn Davis, a resident of Poplar ward. Mr Davis said he wanted to address the comment made by Mr Leo Charalambides, that this was a joint application on behalf of the Applicant and the Police. Mr Davis said he objected to the assertion that this was so, because it was wrong to usurp the police. No authority had been given by the police. He said the Police had decided not to object to the application which did not mean they agreed or supported the application.

Mr Davis continued stating there were approximately sixty-bedroom windows in direct line of sight, of the smoking area. Residents living in the area were professional working people, who's lives would be greatly affected by the continuous noise disturbance from the club, making them less productive for work the next day. Mr Davis said the drinking and the late hours of the club were an issue. He said whilst he appreciated the premises would be used for

many things such as a hub for the aforementioned communities, it was essentially a sex club. The application made was for a premises licence, with the sale of alcohol licence however, this should be considered under the Sexual Entertainment Venue legislation.

Mr Davis expressed his concern that the application for a new premises licence had been made during the coronavirus pandemic lockdown. He said neighbours were unaware an application of this nature had been made because they were sheltering at home. He said the lockdown had prohibited by law, the ability to talk to neighbours about the application or for them to view the information therein.

Mr Davis said he objected to the assertion that the residents of the London Borough of Tower Hamlets endorsed the application because as a resident for over 10 years, the neighbourhood was increasingly and substantially a residential area and the club would not fit in the locality. Mr Davis stated 47% of the population of Tower Hamlets was Muslim and whilst not trying to speak on behalf of the Muslim community, the vast majority would not be supportive of welcoming a sex club in the area. Mr Davis asked Sub-Committee members to reject the application and said it was clear from Klub Verboten's website they had been pushed out of other locations, as the club was not morally or socially acceptable to communities which reside in those localities. Mr Davis said it would be better for the club to be based in Soho or on an industrial site.

Members heard from the Supporters of the application.

Ms Hannah Blackman confirmed she was a member of Klub Verboten and a resident of Tower Hamlets. Ms Blackman said she had been a member since the beginning of Klub Verboten's inception. She said it was important for her to support the application in that the club gave her a safe space to express herself. She said Klub Verboten were professional and completely unrivalled in their diligence to protect their community and the wider community. She said Klub Verboten ensured measures were in place, with discretion, safety and selection being at the forefront of their care. She said it was important for club members to have the freedom to express themselves, and their marginalised community should not be silenced or pushed away. She said it would be nice for the club to have a permanent home.

Mr Peter Hetherington confirmed he was a member of Klub Verboten and a resident of Tower Hamlets. Mr Hetherington said he had helped with the training of the 'guardian team' given his previous experience of working for the police force. He said he had assisted in creating safe places for the club to operate in the last 10 years and from his observation Klub Verboten puts in double the effort with regards to safety than other operators. Mr Hetherington said the club was not a sex club. He said sex and alcohol were secondary to BDSM because being drunk would mean members could not participate. He said the guardian team ensured there was no rowdy behaviour in the smoking areas and members of the club knew how to leave quietly and be respectful of

the neighbours. Mr Hetherington said this was the only membership club in London and he hoped it could establish a permanent home in the borough.

Mr James Wani, supporter of Klub Verboten addressed the Sub-Committee stating that he had been a member of the club for just over a year and travelled from Heathrow to events being held in east London. He said he had attended approximately 60% of events organised by Klub Verboten as this was an opportunity to meet with friends and likeminded people. He said he had never seen anyone so drunk that they had to be expelled from the club or indeed seen or heard of any fights breaking out. He said it was a private members club and there was a familiarity in terms of the people attending. Mr Wani expressed his support for a permanent abode for Klub Verboten.

Ms Bryony Beynon, supporter of Klub Verboten addressed the Sub-Committee stating she was the Managing Director of the 'Good Night Out Campaign' working with several London Boroughs in the interest of a safer nightlife. She said she had provided specialist training to Klub Verboten and was impressed by their high standards and desire to provide a safe space for consenting adults of the BDSM and LGBTQ+ communities. Ms Beynon said it was important for these marginalised communities to be represented as they were also part of the wider community. She believed Klub Verboten to be very professional, who would comply with every possible condition placed on the licence. She said has a gender-based specialist, she endorsed the club's approach which went above and beyond other clubs and pubs that she had worked with. Ms Beynon said that this was one of the reasons why her organisation had allowed them to use their logo and material as Klub Verboten were fully compliant and ethical in their approach.

Lastly, the Sub-Committee heard from Ms Alison Gilliard, a supporter of Klub Verboten. Ms Gilliard had been a member of the club since November 2018 but was not a resident of the borough. She emphasised the public safety aspect of the club and said she felt safe travelling on public transport or taxi, as a lone woman to events organised by Klub Verboten. She said she had never incurred any problems with unwanted touching at events organised by Klub Verboten or witnessed rowdy behaviour. Ms Gilliard said it was a great place, a diverse community with patrons from all over the world.

It was acknowledged that the Chair of the Sub-Committee had been fair in his conduct of the meeting and had allowed opposing sides to express their views fairly and equitably. Mr Leo Charalambides, Counsel for the Applicant said the meeting had been conducive and fair and everyone, who had wanted to speak, had had the opportunity to do so.

In response to questions the following was noted:

- It was clarified 'Adult play' referred to consenting adults, who adhered to the strict dress code as outlined on page 449 of the agenda, who participated in dressing in "latex, rubber, PVC, Leather, Metal, Nylon, Lace, Studs etc" and which includes nudity. Adult play also included sexual interaction, sex, restraint, and bondage, which is regulated by

the code of conduct and procedures outlined in the Applicant's handbook.

- Mr Charalambides gave examples of other venues within the Borough which allowed for sexual intercourse to take place on their premises, that were not classified as sex clubs and said Klub Verboten was no different. Mr Charalambides said sex would take place on the premises, which would be self-regulated by the Applicant.
- Mr Charalambides argued the premises fell within the remit of the Licensing Act 2003 and the four licensing objectives. He said the application made it clear the premises would be used for adult entertainment, sexual entertainment, sexual contact, fetish, kink and BDSM but was not part of the SEV policy. He said explicit conditions were required on the licence and the Applicant had demonstrated this in the proposed operating schedule.
- In response to what distinguishes this premises from the SEV policy, Mr Charalambides said the Council's adopted SEV policy mainly concentrated on lap-dancing clubs; the application and the standard conditions were all to do with lap-dancing however the Applicant's application made clear it is not a lap-dancing club and does not agree to objectifying women for monetary gain.
- In reference to the smoking area, photographs on page 160 were referred to. It was clarified this was situated in the disused coal alley on either side of the front entrance of the premises. Discussions had taken place to the number of smokers and this had been limited to 10 persons. A health and safety risk assessment had not been undertaken however research showed an acoustic canvass screen could be placed above the railings which met with health and safety standards. The screen was designed to bounce noise down rather than ricochet and amplify. Reassurances were given the 'guardians,' would oversee the smoking area and patrons of the club would be made to suitably cover themselves before existing into the smoking area. The Applicant would work with the Licensing Officers to find a workable solution.
- With respect to transport links, patrons of the club would be encouraged to arrive early, using public transport and be suitably dressed so not to offend neighbours. 'Spotters' would enforce the dress code, when patrons are leaving. Taxis and Uber's would be called to designated areas, with the SIA guards and guardians escorting patrons to these areas. On the weekend the DLR starts at 5:30 a.m. and as such many will be leaving using public transport.
- The Licensing Officer confirmed the lockdown had not affected the licensing process and the correct procedures had been followed in terms of the receipt of the application and notification of the application to residents.
- The membership of the club consisted of professional people, from various backgrounds.
- In response to how the club would minimise noise, given the capacity of the club is approximately 300 people, reassurances were given that the staggered entry to the club and the pre-paid tickets would ensure

patrons did not all arrive in one go. On the weekend, events would finish at 2:30 a.m. with the gradual dispersal of patrons, because not everyone would stay until the end. The club nights were the main money-making events however the club's code of conduct and dispersal policy would ensure the safety of the neighbours and patrons alike.

- It was clarified the club would be situated in the basement area of the premises. The remaining parts of building was owned by the same landlord and consisted of artist studio's which were occupied in the daytime.

Both parties made closing remarks.

The Chair advised all parties that a decision would be made by the Sub-Committee once this meeting was over and a decision notice, including the reasons for the decision, would be sent out to all parties within five working days.

### **The Licensing Objectives**

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licencing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm.

### **Consideration**

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before them and heard oral representations at the meeting made by the Applicant's Legal Representative, Supporters of the Applicant, Officers representing the Responsible Authorities and resident objecting to the application, with particular regard to the four Licensing Objectives.

The Sub-Committee noted the representation from the Applicant's legal representative that the application was for a new premises licence; for the premises to be used has a hub for the provision of community, cultural and social events and entertainment space for the kink, fetish and BDSM communities. The Sub-Committee noted the club would be holding ticket only events in the basement area of the building, to allow members of the community to express their sexuality and engage in acts of an adult nature and to participate in events relevant to the kink, fetish and BDSM community.

The Sub-Committee heard from the Supporters of the club, who expressed their praise for Klub Verboten's skill at organising events for their community, their consideration for health and safety and their support for a permanent home, for their community.

The Sub-Committee noted the representations from the Licensing Authority and Environmental Health regarding the impact of the premises would have on the crime and disorder and public nuisance objective and heard further from the resident objector who expressed concern in respect to the location of the premises being in a residential area. The Sub-Committee noted the concern relating to the smoking area, the dispersal of patrons after events had finished and the transport links in the area, given the opening times applied for by the Applicant.

Upon considering the evidence, the Sub-Committee were not satisfied the Applicant through the operating schedule had demonstrated how it would satisfactorily contain the rise of crime, disorder and anti-social behaviour given the extended times in which the premises would be operating in and the serving of alcohol to its patrons.

The Sub-committee considered the effect the establishment would have on the local community and deemed there may be a significant impact on the environmental health and neighbouring residents. This is especially so given the effect the noise, smoking and other related incidents of nuisance may have during the operating hours at night and the early hours of the morning the venue would be operating.

The Sub-Committee had concerns with regard to transport links during the late hours of operating and deemed these to be insufficient, especially in the early hours, so as to negate the effect of public nuisance, especially when the patrons are leaving to go home or elsewhere. The Sub-Committee deems there to be a significant risk of public nuisance. The Sub-Committee considers this would have an effect on the public safety of others in the locality and the wider general public, including road users.

The Sub-Committee were not convinced with the proposed measures for the entry and dispersal of patrons given the number of people attending the venue is estimated as 250 people. The Sub-Committee had concerns as to the effect of the public safety for attendees at the venue and outside. It was noted that there would be proposed 'guardians' situated in the venue and SIA approved security guards and that there had been consultation with relevant responsible authorities. However, given that there will be incidents of 'adult play' and confirmation that some people will be engaging in 'sexual intercourse', the Sub-Committee finds this concerning given the type of licence being applied for. The Sub-Committee considers that this may pose a risk of sexual violence notwithstanding the measures implemented in terms of the venue's code of conduct.

The Sub-Committee noted that this is a new application and considers that the activities taking place in the venue would not be directly beneficial to the majority of the residents residing in the local area and surrounding

community, as many of the attendees will be coming from elsewhere to engage in BDSM/Fetish/Sexual activities.

The application also requests extended licensing hours for which the Sub-Committee does not find acceptable for a new venue being operated within Tower Hamlets, especially given that it would be in a residential area in which there is a risk of public disorder, crime and nuisance to the local residents and community.

Accordingly, the Sub Committee unanimously;

**RESOLVED**

That the application for a new Premises Licence for Klub Verboten, 11 West India Dock Road, London E14 8EZ be **REFUSED**.

**4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003**

There were no decision deadlines to extend.

The meeting ended at 9.02 p.m.

Chair, Councillor Ehtasham Haque  
Licensing Sub Committee

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