

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE EXTRAORDINARY LICENSING COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 17 MARCH 2015

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

Members Present:

Councillor Andrew Cregan (Chair)

Councillor Suluk Ahmed
Councillor Mahbub Alam
Councillor Muhammad Ansar Mustaqim

Other Councillors Present:

None

Apologies

Councillor Khaled Uddin Ahmed
Councillor Rajib Ahmed
Councillor Shah Alam
Councillor Amina Ali
Councillor Rachel Blake
Councillor Amy Whitelock Gibbs
Councillor Peter Golds
Councillor Md. Maium Miah
Councillor Mohammed Mufti Miah
Councillor Candida Ronald

Others Present:

Julian Skeens	– (Legal Representative)
Luke Elford	– (Legal Representative)
Manpal Singh	– (Owner/Applicant)
Tattian Ferreria Silva Lima	– (Performer)
Angie Ribeiro Boccato	– (Performer)

Officers Present:

Mohshin Ali	– (Senior Licensing Officer)
Leo Charalambides	– (Legal Advisor)
Andrew Heron	– (Licensing Officer, Licensing Department)
John McCrohan	– (Trading Standards & Licensing Manager)

Simmi Yesmin

– (Senior Committee Officer,
Democratic Services)

In the absence of the Chair and Vice-Chair, Ms Simmi Yesmin, Democratic Services welcomed everyone to the meeting and sought nominations for Election of Chair for the meeting.

Councillor Mahbub Alam nominated Councillor Andrew Cregan for Chair of the Extraordinary Licensing Committee.

Councillor Muhammed Ansar Mustaquim and Councillor Suluk Ahmed seconded the nomination.

RESOLVED

Councillor Andrew Cregan be elected Chair for this meeting of the Extraordinary Licensing Committee.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interests made.

2. RULES OF PROCEDURE

The Chair announced the procedure of the meeting, which was noted by the Committee.

3. ITEMS FOR CONSIDERATION

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

At the request of the Chair, Mr Mohshin Ali, Licensing Officer introduced the report which detailed an application for a Sexual Entertainment Venue Licence under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by reg 47 (4), Provisions of Services Regulations 2009 'the service regulations') and the Policing and Crime Act 2009 for The Nags Head, 17-19 Whitechapel Road, London, E1 1DU.

Mr Ali referred to the appendices in the report and stated where the relevant documents were contained in the agenda. It was also noted that the report author and the Officer who undertook the inspection of the premises was present at the meeting and was available to answer any questions.

At the request of the Chair, Mr Julian Skeens, Applicant's Legal Representative explained that he would go through sections of the report and address the concerns raised.

He explained that para 3.3 of the report made reference to the existing licence being granted in 2005, he pointed out that this was incorrect and that the Applicant's father had originally acquired the premises in 1983 and the premises has had a licence for Public Entertainment since 1986, which confirmed the fact that the Applicant was an experienced operator. Mr Skeens asked Members to note the photographs of the premises which were contained in the supplemental agenda pack.

In relation to para 4.1 of the report, Mr Skeens explained that under the existing licence there was no requirement for a CCTV camera system, however the Applicant still operated CCTV cameras on the premises. He further explained that during a visit by the Licensing Officer, concerns were raised in terms of the number of CCTV cameras at the premises, within two days of the visit the Applicant had additional digital cameras installed. It was noted that the CCTV images could also be viewed and monitored via the Applicant's mobile phone which insured an extra level of supervision at all times. Mr Skeen then referred to page 145 of the agenda which detailed a map of the premises and the points where the additional CCTV cameras were located.

It was agreed that the Applicant was happy for the Licensing Officer to revisit the premises to check that the CCTV camera system met all the Council requirements.

Mr Skeens then referred to para 6.0 of the report and it was agreed that the Licensing Officer and the Applicant's Legal Representative would consult and decide upon the wordings of the conditions. It was also noted that Members of the Licensing Committee had the discretion to modify conditions or add appropriate conditions.

It was also noted that a comprehensive dance tariff and drinks price list had been supplied and copies of the poster would be displayed in all dedicated areas of the premises. These were also included in the supporting documents.

Mr Skeens then went through the assessment and information for the vicinity, highlighting the fact there were no schools in close proximity and the area had predominately commercial licensed properties. Mr Skeen reemphasised the fact that the premises had been trading since 1986 without having any complaints or reported incidents.

It was noted that the consultation process was undertaken and every premise in a 50 meters radius, all responsible authorities and Ward Councillors were given notice of the application. There had been no objections from responsible authorities or residents except for the one.

Mr Skeens referred to the resident's objection and explained that there had been no representation from the Police or environmental health and therefore unable to link crime and disorder and noise nuisance to the premises. He concluded that that there were no problems at the premises and management have never received any complaints.

Mr Skeens, referred to the witness statements of Mr Manpal Singh, Applicant, Ms Angie Riberio Boccato, Performer, and Ms Tattiana Ferreria Silva Lima, Performer on pages 21-24 of the supplemental agenda. Upon questioning, all three, accepted the witness statements were a correct record.

It was noted that the objector was not present at the meeting but Members would considered and note the objections raised.

In response to questions from Members the following was noted;

- That allegations about women being approached by customers inappropriately were not correct, Mr Skeens said that there had been no complaints from anyone and had never been raised before and therefore did not accept this. However, if this was to ever happen the customer would not be allowed entry to the premises.
- That all premises in a 50 meter radius were notified of the application.
- That there was no residential accommodation above the premises or on the main road as they were primarily used for commercial purposes. However, there were residential developments accessed from Old Montague Street and Green Dragon Yard.
- That there had only been one incident 2 years ago when police were called to the premises when a customer was not allowed entry.
- Concerns were raised as to the close proximity of the premises to the East London Mosque, Synagogue and the Whitechapel Art Gallery, Officers informed Members that these places of worship and culture were over 100 meters away from the premises.
- Concerns were raised in relation to the growth in youth population in the area and risks of exportation and women trafficking, Mr Skeen explained that this would not be a problem as the Police often prefer this type of premises as customers arrive and leave the premises and area discreetly.
- That anti-social behaviour prevention methods included; CCTV cameras, staff monitoring and restricting entry to the premises.
- That item 1, of the Performers Welfare Policy could be included as a condition on the licence to address any concerns of women trafficking.
- Allegations of school children being insulted was disputed as this had never been raised, there had been no complaints and not witnessed.
- That the premises operated zero tolerance to drugs policy, there had been no incidents, no complaints and the Applicant gets along with all the neighbours.
- That the Authority had been regulating this style of premises since 1986 without any objection.
- That the presence of the premises did not impact on the community as the front of the premises was a blank façade, with just the signage on

the top of the premises displaying 'The Nags Head' and there were no notices outside the premises enticing customers.

- Posters and tariffs were inside the premises and not visible from outside, a customer would have to enter the premises to see posters etc. and if they were not interested they could leave without going further into the premises.
- That there was a door man outside the premises and passers-by often felt safe walking past as there was a presence of safety.
- That the premise was monitored via CCTV cameras and there were Council CCTV camera right outside the premises too.
- That there were no objections from responsible authorities or ward councillors.
- That the report categorised the area as predominately commercial.
- That no moral objection were valid
- That the style of entertainment was lawful and licensable.
- That the Applicant was a good operator and had a lot of experience in running this type of venue hence the lack of objections received.
- That the Applicant did not accept that the premise was on a faith based route as it was more commercial. The Licensing Officer also confirmed that the route was predominantly commercial.

In summation Mr Skeens stated that all issues raised had been explained in detail, and that Tower Hamlets had been issuing the licence for the premises since 1986 without any objections. It was noted that there were conditions on the licence and the Applicant was happy to accept the standard conditions proposed by the Licensing Officer. Mr Skeens concluded by stating that the operator was very experienced and was respectable to all faith cultures.

The Chair thanked everyone for attending and contributions to the meetings and informed everyone that the decision will be notified to the Applicant once all the applications in this first round have been considered.

The meeting ended at 8.30 p.m.

Chair, Councillor Andrew Cregan
Licensing Committee