

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 6.35 P.M. ON TUESDAY, 28 APRIL 2015

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

Members Present:

Councillor Peter Golds (Chair)

Councillor Suluk Ahmed
Councillor Shah Alam
Councillor Andrew Cregan
Councillor Muhammad Ansar Mustaqim

Apologies

Councillor Khaled Uddin Ahmed
Councillor Mahbub Alam
Councillor Amina Ali
Councillor Rachel Blake
Councillor Gulam Kibria Choudhury
Councillor Mohammed Mufti Miah
Councillor Candida Ronald

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Officers Present:

Agnes Adrien	– (Team Leader, Enforcement & Litigation, Legal Services)
Leo Charalambides	– (Legal Advisor)
Kathy Driver	– (Principal Licensing Officer)
David Graham	– (Legal Advisor)
Andrew Heron	– (Licensing Officer, Licensing Department)
John McCrohan	– (Trading Standards & Licensing Manager)
Gurwinder Olive	– (Senior Lawyer, Legal Services)
Simmi Yesmin	– (Senior Committee Officer, Democratic Services)

The Chair welcomed everyone to the meeting and announced the procedure of the meeting, which was noted by the Committee.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest made.

2. ITEMS FOR CONSIDERATION

2.1 Sexual Entertainment Venues

At the request of the Chair, Ms Gurwinder Olive, Senior Lawyer introduced the report which set out the terms of reference of the Licensing Committee and the process for the determination of Sexual Entertainment Venues (SEVs) transitional applications by existing operators under the statutory scheme.

It was noted that the function for determining SEV applications was reserved to the Licensing Committee by the Council when the legislation for licensing of SEVs was adopted on 26 March 2014.

Ms Olive explained that the Tower Hamlets Sex Establishment Licensing Policy proposes 'nil' as the appropriate number. The Policy provides that the Council will not apply this limitation when considering applications from existing operators 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 SEVs

It was noted that applications had been received from four existing operators and the Licensing Committee Hearings for these applications had been listed separately to allow Members sufficient time to consider the separate applications.

A Licensing Committee Hearing took place on 17 March 2015 in respect of Nag's Head and a further Licensing Committee Hearing took place on 14 April 2015 in respect of White's Gentleman's Club. It was noted that the Committee did not make a decision on either of the above dates. The meeting on each occasion was concluded with applicants being advised that matters would be determined after consideration of all applications.

It was further noted that the applications for White Swan and Metropolis would be considered by the Licensing Committee at this meeting, as these applications are to be considered on paper in the first instance, as there were no objections or history of complaints.

Ms Olive concluded by stating that further legal comments were contained in the reports for each application.

At the request of the Chair, Ms Kathy Driver, Licensing Officer introduced each application in detail making reference to the report and appendices contained in the agenda packs.

Ms Driver highlighted each application as follows;

White Swan

- That the transfer of the licence took place in 2013
- That they had has a licence historically
- That the venue was split in two parts, one part was designated for SEV activity and one part was for the bar area.
- That there was one licence for the whole venue
- The pub was mainly for the Gay community.
- That the consultation and advertisement processes were complied with.
- That there were no objections against the application
- That the hours applied for were in line with current hours.
- That the CCTV camera system was now of a better quality,
- That residents within 50 meters of the premises were written to
- That the determination of the vicinity around the premises was set at 100 meters from the premises.

Metropolis

- That the licensee was in place since 2005
- Current licence was under the old regime
- That the current premises licence was for the ground floor, 1st floor and 2nd floor.
- That there were no objections against the application
- That all requirements for advertisement were complied with.
- That complaints were minimal
- That the area was majority a commercial area.

Concerns were raised by Members that they have often seen a mobile vehicle advertising the premise with sexually images.

Nags Head

- That the hearing for the application was heard by Members on 17th March 2015
- That there had been no objections from Responsible Authorities except for one local resident.
- That there had been support from the staff at the premises.
- That minutes of the meeting was included in the agenda
- That the applicants were happy to accept standard conditions and had also agreed to further conditions specific to their premises which had been agreed with Licensing Services and Trading Standards and were included in the supplemental agenda.

Whites Gentleman's Club

- That the hearing for the application was heard by Members on 14th April 2015
- At the hearing the Applicant had amended the hours to 18:30 hour to 04:00 hours to help address the concerns raised by parents of the children who attended the School which was in close proximity to the premises.
- That all requirements for advertisement were complied with.
- That after a site visit from Officers, a plan of the premises detailing CCTV camera locations was produced.
- That further conditions had been offered by the Applicant ie. Introduction of agreement forms for the hire of VIP rooms, the removal of the word 'Gentleman's and the sillouate of a female image from the signage at the front of the premises, no advertising in the borough or outside the borough.
- That in addition they would devise a policy for the welfare of the performers, and add additional CCTV cameras in the lobby area and would operate a challenge 25 policy instead of the current challenge 21 policy.

It was noted that the residents' concerns were mainly in relation to the premises being in close proximity to the school, changes to the area, the development of residential homes and allegations of prostitution in the area however there had been no evidence to substantiate that.

In response to a question it was noted that the school was not part of the consultation process as it was not in the 50 meter radius.

With no further questions the Chair adjourned the meeting at 7.12pm to deliberate on each application. The Chair reconvened the meeting at 8.40pm.

The Chair announced that Legal Officers would contact the Applicants/or their Legal Representatives for each premises and ask a few questions which would then help Members determine a decision for each application.

The Chair thanked everyone for attending and for all their contributions to the meeting. He informed everyone that the decision will be notified to the Applicants once correspondence is received from the Applicants.

The meeting ended at 8.50 p.m.

Chair, Councillor Peter Golds
Licensing Committee