

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 16th or 17th 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 19th 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 18th 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 20th 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 26th 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:

A black rectangular redaction box covering the signature of the witness.

Bahadur Singh (Saab) Binning

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Exhibit List – Bahadur Singh (Saab) Binning

Exhibit	Document
SB1	Performer induction pack "Maya"
SB2	Performer induction pack "Patricia"
SB3	Daily briefing log August 2022
SB4	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.

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.

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

Dancer stage name

MAYA

Dancer's signature

Date Signed

02-08-2022

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.
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.

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Dancer printed birth name _____

Dancer stage name _____

Dancer's signature _____

Date Signed 02-08-2022

THE NAG'S HEAD

Mobile



Date of Birth



Signed



Date

02/08/2022

Pataicia

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Dancer's signature _____

Date Signed _____

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Dancer printed birth name _____

Dancer stage name _____

Patricia

Dancer's signature _____

Date Signed *03.08.2022*

THE NAG'S HEAD

Mobile

Date of Birth

Signed

Date 03-08-2029

August 1/2022

DAY	BRIEFING TIME SHIFT 1	SIGNED	BRIEFING TIME SHIFT 2	SIGNED	COMMENTS
1	13:05	Orlando	17:44	Orlando	
2	13:09	Daniel	17:26	Orlando	
3	13:04	Daniel	17:45	Orlando	
4	13:06	Daniel	17:17	Daniel	
5	13:04	Daniel	17:25	Orlando	
6	13:09	Orlando	17:07	Orlando	
7	closed	—	—	—	
8	13:07	Orlando	17:12	Daniel	
9	13:04	Daniel	17:27	Orlando	
10	13:09	Orlando	17:37	Orlando	
11	13:21	Orlando	17:26	Orlando	
12	13:09	Orlando	17:39	Orlando	
13	13:03	Orlando	17:47	Orlando	
14	closed	—	—	—	
15	13:17		C 17:21	Daniel	
16	13:14	Daniel	17:32	Orlando	
17	13:07	Orlando	17:46	Orlando	
18	13:20	Orlando	17:38	Orlando	
19	13:36	Orlando	17:01	Orlando	
20	13:11	Orlando	17:16	Orlando	
21	closed	—	—	—	
22	13:09	Orlando	17:27	Orlando	
23	13:12	Orlando	17:47	Orlando	
24	13:06	Orlando	17:53	Orlando	
25	13:10	Orlando	17:28	Orlando	
26	13:24	Orlando	17:31	Orlando	
27	13:16	Orlando	17:35	Orlando	
28	closed	—	—	—	
29	closed	—	—	—	
30	13:26	Orlando	17:57	Orlando	
31	13:09	Orlando	17:47	Orlando	



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	[REDACTED]	19/08/22