

# NAGS HEAD

## Compliance visit

Covert Visit	<input type="checkbox"/>	Overt Visit	<input type="checkbox"/>
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Visit No: 31	Date of Visit: 09/05/23	Time: 19.45-22.15
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(Conditions highlighted in blue are not checked during covert visits to the venue)

	SEV CONDITION	COMPLIANT	COMMENTS
	<b>General</b>	<input type="checkbox"/> X	
1	The Licensee must remain in personal control of the premises at all times that it is trading or nominate in writing an individual over the age of 18 with the authority to direct activities within the Premises.		Not tested in covert visit.
2	The Licensee shall notify the Council, in writing, of any change in directors, trustees, partners or other persons concerned in the management of the licensed activities within 14 days of such change.		Not tested in covert visit.
3	The Licensee shall admit authorised officers to the Premises at all reasonable times and at any time when the Premises are providing sexual entertainment. The Licensee shall provide in a timely fashion copies of any documents reasonably required by an authorised officer to prove compliance with this Licence.		Not tested in covert visit.
4	The Licensee must give written notice to the Council if s/he wishes to surrender the licence.		Not tested in covert visit.
5	A suitable and sufficient number of door supervisors and trained staff will be employed (based on a risk assessment) when sexual entertainment is offered. Their duties will include monitoring customers to ensure that the Code of Conduct for Performers and the House Rules are being obeyed.	<input type="checkbox"/>	On entering the premises, the customer was greeted by a door supervisor that was sat in the foyer to the venue.  Inside the venue there was a second member on the security team seated near the entrance to the entertainers changing room  Both were dressed in black and clearly identifiable as security staff and they were displaying their accreditation.
6	The Licensee is to implement a suitable policy for the safety of the performers when they leave the Premises.		Not tested in covert visit.
7	The Council reserves the right to amend or alter these conditions (provided that such change will not prevent the operators from viably carrying on the business of the Premises) following consultation with the licensees.		Not tested in covert visit.
	<b>Premises</b>		
8	The approved layout of the Premises shall not be altered without prior consent of the Council.	<input type="checkbox"/>	The venue was exactly as set out in the plan. This customer has been to the venue on previous occasions and there had been no alterations to the venue.

9	The Licensee shall ensure that the interior of the Premises where sexual entertainment is offered shall not be capable of being seen from the outside of the Premises, and that the exterior is maintained with a suitable level of decorum (i.e. that it does not have anything that depicts, indicates or suggests that sexual entertainment takes place on the Premises).	<input type="checkbox"/>	The covert customer walked around the area and during the walkabout he was not touted, and he did not find any literature relating to the venue. There was nothing placed on the venue that depicted that there was nudity in the venue.  There was some abstract graffiti on the building that did not reflect the type of venue. The only visible sign was a large sign indicating that the venue is called The Nags Head.
10	Sexual entertainment shall take place only in the designated sexual entertainment areas.	<input type="checkbox"/>	The entertainment was confined to the entertainment areas that are set aside and the stage at the end of the bar.
11	No member of the public shall be permitted to go anywhere outside the public areas. The public shall not be permitted access to the performers' changing rooms.	<input type="checkbox"/>	Customers remained in the bar and the dance areas. One member of the security staff was supervising the entry and exit of the dancers from the changing room.
12	Without prejudice to condition 13 below CCTV shall be installed to cover the inside and the outside of the Premises, covering all public areas, including private performance areas and booths, entrances and exits, but excluding the interior of toilets. All cameras must be maintained in working order. All cameras shall continually record whilst the Premises are open to the public and the recorded images shall be kept available for a minimum of 31 days. Recorded images shall be made available to an authorised officer together with facilities for viewing. The recordings for the preceding 2 days shall be made available immediately upon request. Recordings outside this period shall be made available on 24 hours' notice		Not commented on.
13	CCTV cameras shall be installed and maintained at the locations shown on the attached plan, to the reasonable satisfaction of the licensing authority.		
14	Members of the public may not enter or remain in the toilet cubicles in the company of any performer. Only one person at a time to enter a toilet cubicle.	<input type="checkbox"/>	Only customers used the toilets, and no dancers were seen to enter or loiter by them.
15	The number of persons to be accommodated in the premises at any one time shall not exceed a 100 persons	<input type="checkbox"/>	There were only 2 customers in the venue when the covert customer entered the venue. The venue remained quite quiet throughout the visit and there were around 10 customers when the visit ended.
16	The licence must be prominently and visibly displayed inside the entrance to the premises	<input type="checkbox"/>	As the covert customer entered the venue he could see the licence, house conditions, age policy, and tariffs on the wall in the foyer. All of them were pointed out to him by the door supervisor and he was asked if he had visited the venue before. The payment for each stage dance was explained to him.
17	The licence together with the standard conditions must be available at the premises at all times	<input type="checkbox"/>	The covert customer could see a copy of the licence and the standard conditions on the wall of the foyer as he had the conditions of entry explained to him by the door supervisor.
<b>Admission to the Premises</b>			
18	No person under the age of 18 years shall be admitted to nor permitted to remain on the Premises when sexual entertainment is being offered, and a clear notice to this effect will be displayed at each entrance to the Premises.	<input type="checkbox"/>	The notice was clearly displayed at the entrance.
19	Customers who appear to be under the age of 21 must be asked to provide a Pass-scheme approved photographic card, their passport or photographic driving licence to prove their age. Prominent notices must be clearly displayed to this effect at each entrance to the Premises.	<input type="checkbox"/>	Not tested as the customer was over 21.  There were no customers that appeared under the age of 18.
<b>House Rules</b>			
20	The Licensee shall prepare House Rules governing the conduct of customers.		The house rules were pointed out to the customer in the foyer of the venue by the door supervisor.

2 1	The House Rules shall be prominently and legibly displayed close to each entrance of the Premises.	<input type="checkbox"/>	The notices are very clearly displayed at the entrance to the venue. There was a large notice on the main door. The rules were pointed out to the covert customer in the foyer.
2 2	The House Rules must be made known to customers prior to their admission to the Premises when sexual entertainment is provided	<input type="checkbox"/>	The house rules were pointed out to the customer in the foyer, at the point of payment to enter the venue.
2 3	Signs must be displayed at appropriate locations advising that any customer attempting to make physical contact with a performer will be asked to leave.	<input type="checkbox"/>	Notices were clearly displayed at the entrance to the venue and the no touching rule was drawn to his attention. As it was by the entertainers.
2 4	No member of the public shall be admitted or allowed to remain at the Premises if they appear to be intoxicated or under the influence of illegal substances.	<input type="checkbox"/>	There were no incidents in the venue. The customers were well behaved
2 5	Customers may not be permitted to photograph, film or electronically record any performance.	<input type="checkbox"/>	There was no use of cameras in the venue.
2 6	The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.	<input type="checkbox"/>	The customer felt that the house rules were being implemented. Security staff were in place, a member of staff was recording the entertainment. The house rules were pointed out upon entry and the entertainers reinforced the no touching rule.
<b>Performers</b>			
2 7	Sexual entertainment will be given only by the performers engaged by or through the Licensee and there will be no audience participation in any performances.	<input type="checkbox"/>	The only entertainment was by the performers in the venue and no member of the audience participated.
2 8	The Licensee shall keep a record of each performer, including their proper name and any aliases, and their residential address. With each record the Licensee shall keep a copy of a photographic form of identity and proof of address of the performer. With each record the Licensee shall keep a clear copy of an authorised document demonstrating that each Performer and each member of the staff is Standard Conditions for Sexual Entertainment Venues as revised 23 June 2015 entitled to work within the UK. A clear copy of this record shall be kept on the Premises at all times and be made immediately available for inspection by authorised officers.		Not tested in covert visit.
2 9	On days when sexual entertainment is provided, the Licensee or their representative shall keep a record of those performers working at the Premises on that day in a daily record. The daily record shall be retained securely for at least 31 days and shall be made immediately available for inspection by authorised officers.		Not tested in covert visit.
<b>Tariffs</b>			
3 0	The Licensee shall prominently and legibly display the drinks tariff at or by the bar and at the entrance. No charge shall be made nor payment accepted for any drink other than in accordance with the tariff, save for clearly advertised discounts to the tariff.	<input type="checkbox"/>	The drinks purchased by the customer for himself were as stated in the tariff displayed beside the bar.
3 1	The Licensee shall prominently and legibly display the entertainment tariff in the entrance area and at key locations within the Premises including entrances to any private performance areas and so far as possible at the place(s) at which payment for any performance or service is transacted as marked on the attached plan. No charge shall be made nor payment accepted by the Licensee for any services other than in accordance with the tariff or clearly advertised discounts to the tariff	<input type="checkbox"/>	There was a tariff clearly displayed on the wall at the entrance to the venue and beside the bar. The charges applied to the entertainment were as advertised.
3 2	The Licensee shall so far as reasonably practicable keep such records as are necessary to prove that the sums charged and payments taken are for products or services advertised on the relevant tariff at the amount shown on that tariff. These records must be made available within a reasonable time if requested by an authorised officer.	<input type="checkbox"/>	On both occasions that the customer was taken for a dance the entertainer passed a male standing at the end of the bar monitoring the entertainment area. He appeared to be recording the entertainment and payment.

	Code of Conduct		
33	The Licensee shall prepare and implement a suitable Code of Conduct for performers.		Not checked during covert visit
34	The Licensee shall ensure that each performer signs the Code of Conduct in their proper name, acknowledging that they have read and understood and are prepared to abide by the Code of Conduct, and signed copies be kept on the premises for inspection by authorised officers.		Not checked during covert visit.
35	During a performance there shall be no intentional physical contact between a performer and the customer other than the transfer of money or token at the beginning, during and at the conclusion of a dance into the hand or a garter worn by the performer. For the avoidance of doubt nothing in this condition shall prevent Performers from acting to prevent, deter or counter any attempts of physical contact by a customer.	<input type="checkbox"/>	There was no contact between the customer and the entertainer. Prior to the entertainment the customer was informed that no touching would be allowed.
36	Without prejudice to standard condition 35 above, at the conclusion of a performance there shall be no intentional physical contact between a performer and the customer, save for a handshake. For the avoidance of doubt kissing is not permitted.	<input type="checkbox"/>	There was no form of contact between the customer and the entertainer at the end of the entertainment.
37	The Licensee must not permit gratuities or any other items to be thrown at performers.	<input type="checkbox"/>	Nothing was thrown towards any of the performers during any performance witnessed by the covert customer.
38	During a performance there shall be no full body physical contact between performers and they are not to touch each other's breasts or genitalia either with their bodies or with objects. Any performance shall be restricted to dancing and the removal of clothes. There must not be any other form of sexual activity, including but not limited to acts or the simulation of acts of personal stimulation.	<input type="checkbox"/>	There were no dual performances seen in the venue. All stage performances consisted of one dancer.  There was no sexual stimulation or simulation during any of the entertainment.
39	Performers shall be provided with a changing room to which the public have no access.	<input type="checkbox"/>	The changing rooms are provided, and they are secure on the first floor of the venue.
40	Performers must remain fully dressed while on the Premises, except while performing in the sexual entertainment areas and in the changing rooms shown on the approved plan. [Without prejudice to this requirement, there is to be no display of nudity in the public areas of the Premises, other than during the course of a performance].	<input type="checkbox"/>	The entertainers were clothed while in the main areas of the venue.  There was no display of nudity in the public area apart from the stage where entertainers performed.
41	Performers must re-dress at the conclusion of a performance.	<input type="checkbox"/>	All performers redressed at the conclusion of each performance.
	<b>Advertising</b>		
42	The Licensee shall neither cause nor permit the display of suggestive advertising content which is directed at or may be seen or heard by any person from within the London Borough of Tower Hamlets: on any public highway, street, waterway or railway; in any place of general public use or access; or in publicly accessible areas of premises open to the public. This condition shall apply to prevent suggestive advertising content being displayed on the exterior of the Premises or handed out as flyers on the street. It shall also apply to prevent suggestive advertising content being displayed on or in street furniture; telephone booths; hoardings, billboards, screens or projections; as well as advertising displayed on or within any vehicles located on or near the highway. The Licensee shall not permit any person to tout for business or encourage other persons to visit the Premises whilst on a public highway. For the avoidance of doubt, this condition shall not be taken to prevent the Licensee from advertising the Premises using suggestive advertising content in media that restrict access to persons over the age of 18 years and would not reasonably be expected to be directed at persons in a public place (for instance, in adult magazines, websites or television channels).	<input type="checkbox"/>	There was absolutely no advertising of any sort on the building, on other buildings, or in the surrounding area.  There were no leaflets, cards, or flyers.  Before each visit there is an environmental audit around the immediate area and the customer did not find any form of advertisement. Nor was he touted.

4 3	All persons engaged or employed to attend to the entrance area or exterior of the Premises must be suitably dressed and conduct themselves so as not to indicate or suggest the availability of sexual entertainment at the Premises.	<input type="checkbox"/>	The door security were smartly dressed and correctly displayed their accreditation.  They did not entice or encourage people to enter the venue. The customer stood opposite the venue for a period observing the conduct of the door supervisor and the door supervisor did not solicit custom.
4 4	Where the Council has given notice in writing to the Licensee objecting to an advertisement on grounds that it would offend public decency or be likely to encourage or incite crime or disorder, that advertisement shall be removed or not be displayed.		N/A

## Additional Conditions added by the Licensing Committee on the 17th October 2017

	An incident log shall be kept at the premises, and made available on request to authorised officers immediately. It must be completed within 3 hours of the incident and shall record the following;  (A) all crimes reported at the venue by a member of the public, a performer or a member of staff; (B) Any breach or alleged breach of either the house rules made by a member of the public of the code of conduct made by a performer, and the action taken by management; (C) Where a person is removed from the premises; (D) Any faults in the CCTV system; (E) Any visit by the relevant authority of emergency service.		Not tested during a covert visit.
	In the event that a performer alleges that they have been sexually assaulted the management will immediately ensure that;  (A) The police ( and where appropriate, the London Ambulance Service) are to be called without delay; (B) All measures that are reasonably practicable are taken to apprehend a suspect pending the arrival of the police; (C) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and (D) Such other measures are taken (as appropriate) to fully protect the safety of all persons present in the premises.		Not tested during a covert visit.
	In the event that during a performance the management or security either witness a member of the public making intentional physical contact with a performer (save as permitted by standard conditions 35 or 36) or a performer makes a similar allegation to management or security, that member of the public shall be removed from the premises without delay. The management or security may use their discretion to allow that member of the public a supervised 10 minute drink up time prior to being removed from the premises.		Not tested during a covert visit.
	Without prejudice to standard conditions 12 and 13, at all times the private performance areas and booths are occupied by performers and members of the public, trained staff shall regularly monitor the CCTVs which cover that area.		Not tested during a covert visit.

