



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (6)**

Meeting Date: **Thursday 29th June, 2017**

Time: **10.00 am**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**

Jean Paul Floru
Aziz Toki

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.

Admission to the public gallery is by ticket, issued from the ground floor reception from 9.30am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.

**Email: jdeacon@westminster.gov.uk Tel: 020 7641 2783
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Committee and Governance Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership and to appoint a Chairman.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

Licensing Applications for Determination

1. MUBAO BEAUTY LTD, 26 WARDOUR STREET, W1

(Pages 1 - 30)

App No	Ward	Site Name and Address	Application	Licensing Reference Number
1.	St James's Ward / not in cumulative impact area	Mubao Beauty Ltd, 26 Wardour Street, W1	New Special Treatment Licence	16/11243/LIM STN

Charlie Parker
Chief Executive
21 June 2017



City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>29th June 2017</i>
Classification:	<i>General Release</i>
Premises:	<i>Mubao Beauty Ltd, 26 Wardour Street, London, W1D 6QL 16/11243/LIMSTN</i>
Wards Affected:	<i>St James's</i>
Financial Summary:	<i>None</i>
Report of:	<i>Operational Director for Premises Management</i>

1. Executive Summary

- 1.1 The Council has received an application for a new special treatment licence from Mubao Beauty Ltd in respect of the premises situated at 26 Wardour Street, London, W1D 6QL.
- 1.2 The report sets out the application details, objections, legal context along with other considerations that the Licensing Sub-Committee requires to determine this application under Part 2 of the London Local Authorities Act 1991 (LLAA1991).
- 1.3 Part 2 of the LLAA1991 requires ‘...any premises in the borough used, intended to be used or represented as being used for the reception or treatment of persons requiring massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light, electric or other special treatment of a like kind or vapour, sauna or other baths...’ to be licensed by the local authority in which it is situated.

2. Options

- 2.1 That following consideration of the information given orally at the hearing and in writing by the applicants and objectors Members may;
 - 2.1.1 Grant the licence as applied for.
 - 2.1.2 Grant the licence subject to any modifications to any part of the application and imposition of any additional conditions or restrictions as they think fit, or
 - 2.1.3 Refuse the application

3. Application

- 3.1 On 17th October 2016 Mubao Beauty Ltd applied for a new special treatment premises licence to allow massage and facials to be provided at the premises to men and woman during separate sessions. A copy of the application is attached as **Appendix A1**.
- 3.2 The application is to provide the massage treatment from 11:00am until midnight on every day of the week (including Sunday).
- 3.3 The premises have previously been licensed to Ms Ping Liang (who is the sole director of Mubao Beauty Ltd). A new special treatment licence was granted to Ms Ping Liang on the 5th January 2016 to allow massage to be provided at the premises. This licence was surrendered by Ms Liang on 17th May 2016.

4. Objections

- 4.1 An objection was received from the City Inspector Team Manager for City Operations detailing their concerns with the previous and proposed operation of the premises and the suitability of the applicant. A copy of the original objection and further submissions are attached to report at appendices B1- B.....
- 4.2 The main issues of the submissions from the City Inspectors are:
- Suitability of the applicant Ms Ping Liang due to lack of compliance and understanding of licence conditions
 - Alleged touting at the premises
 - Suspected use of the premises (and residential flats above) as a brothel
- 4.3 The City Inspector objection also makes reference to meetings held with Ms Ping Liang and details of those discussions.

5 Applicants Submissions

- 5.1 Nothing at the time this report was drafted

6. Legal Implications

- 6.1 Section 8 of Part 2 of the LLAA1991 sets out the grounds for refusing the grant of a premises licence. The subsections relevant to this application are:
- (b) there is a likelihood of nuisance being caused by reason of the conduct, management or situation of the premises or the character of the relevant locality or the use to which any premises in the vicinity are put;
 - (c) the persons concerned or intended to be concerned in the conduct or management of the premises used for special treatment could be reasonably regarded as not being fit and proper persons to hold such a licence;

- (e) the premises have been or are being improperly conducted;

6.2 The Licensing Sub-Committee may determine to:

- (a) Grant the licence as applied for.
- (b) Grant the licence subject to any modifications to any part of the application and imposition of any additional conditions or restrictions as they think fit, or
- (c) Refuse the application.

6.3 Before refusing to grant the licence, the Licensing Authority shall give the applicant an opportunity to appear before it and of being heard by the Sub-Committee.

6.4 Should the Licensing Sub-Committee determine to refuse the application, the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application. If the Licence is granted, the application may also appeal against the imposition of any terms, conditions or restrictions by which she is aggrieved.

7. Equality Implications

7.1 The Council in its capacity as Licensing Authority has a duty to ensure that all applications for Special treatment premises are dealt with in accordance with its public sector equality duty under section 149 of the Equality Act 2010 ("The 2010 Act"). In summary section 149 provides: -

- (1) "A public Authority must, in the exercise of its functions, have **due regard** to the need to-
 - (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.
- (2) A person who is not a public authority but who exercises public functions must in the exercise of those functions, have due regard to the matters mentioned in subsection (1)....."

7.2 Accordingly, section 149 (7) of the 2010 Act defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

7.3 This duty places an obligation on the Committee to ensure that the need to promote equality is taken into consideration with regard to every aspect of its decision making. This will include the circumstances of each individual application and the findings of fact once the application has been considered, including the taking into account of any objection and response the applicant may choose to make.

Appendices

- A1 – Application Form
- A2 – Premises Plan
- B1 – City Inspectors Objection
- B2 – City Inspector Further Submissions 1
- B3 – City Inspector Further Submissions 2

If you have any queries about this report or wish to inspect any of the Background Papers please contact: Steve Rowe on 020 7641 7825 or at srowe@westminster.gov.uk

BACKGROUND PAPERS

London Local Authorities Act 1991
Special Treatment Rules of Procedure
Special Treatment Standard Conditions

Application Form

Westminster
Application to licence premises for massage or
other special treatments
London Local Authorities Act 1991

For help contact
licensing@westminster.gov.uk
 Telephone: 020 7641 6500

* required information

Section 1 of 13

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put 'no' if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name If your business is registered, use its registered name.

* VAT number Put 'none' if you are not registered for VAT.

* Legal status

Continued from previous page..

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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FURTHER DETAILS ABOUT THE APPLICANT

* Are you applying as an individual (includes sole traders)?

Yes No

Former name(s)

If currently or previously known by any other name(s), you must record them here.

Home Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Further Details

* Date of birth

 / /
dd mm yyyy

* Place of birth

* Treatments which you will give personally or supervise

* Details of all relevant qualifications, training and experience (including where undertaken, dates, awarding body, etc)

* Membership of any professional organisation

* Do you need to licence/register your premises and/or other practitioners as well as yourself?

Yes

No

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TYPE OF APPLICATION	
Type of application:	<input checked="" type="radio"/> New <input type="radio"/> Renewal <input type="radio"/> Temporary
Specify the period for which the licence is required (if applicable)	<input type="text" value="1 DECEMBER 2016"/>
Application for licence or registration of:	<input type="radio"/> Premises <input type="radio"/> Practitioners <input checked="" type="radio"/> Both
	Check for local guidance notes which may clarify requirements.
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* required information

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DIRECTORS, PARTNERS, OWNERS AND MANAGERS
You must provide details of all COMPANY DIRECTORS and the SECRETARY (if the applicant is a company), all PARTNERS (if it is a partnership), OFFICE BEARERS (if it is a club or association), all OWNERS of the business or premises and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES. Check for local guidance notes and conditions which may clarify exact requirements.
* Are there any such people for whom you need to provide details? <input type="radio"/> Yes <input checked="" type="radio"/> No
OTHER BUSINESS INTERESTS
* Is the applicant, or any person named in this application, involved in any way with any other similar establishment? <input checked="" type="radio"/> Yes <input type="radio"/> No
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PREMISES TO BE LICENSED

* Name of premises/
trading name

Premises Address

Is the address the same as (or similar to) the address given in section one?

Yes
 No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes
 No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

* Main telephone number

Other telephone number

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DETAILS OF PREMISES

Describe:

* The premises, giving details of treatment rooms, other rooms used for the business and the facilities provided

THERE WILL BE 3 TREATMENT ROOMS , PROVIDED WITH A SPECIALL MASSAGE BED , EACH TREATMENT ROOM WILL BE PROVIDED WITH A SUITABLE WASH-HAND BASIN WITH SUPPLY OF HOT AND COLD WATER TOGETHER WITH SOAP AND A CLEAN TOWEL.

* Provision for cleaning the premises, fittings and equipment and sterilisation of instruments

ALL CLEANING EQUIPMENT WILL BE PROVIDED SECURING THE CLEANLINESS OF ALL INSTRUMENTS TOWELS, MATERIALS AND EQUIPMENT USED IN THE ESTABLISHMENT AND FOR THEIR SAFE DISPOSAL.

* Provision for disposal of waste, used materials, needles, etc

WILL CONTACT THE WESTMINSTER COUNCIL FOR ORDERING APPROPRIATE DISPOSAL BAGS .

Ownership Of The Premises

* In what capacity do you occupy the premises?

- Freehold
- Leasehold
- Tenant
- Other

* Provide details of the lease, tenancy or other arrangement, including the name and address of the landlord

LEASEHOLD SUBIECT TO YEARLY CONTRACT EXTENDED EVERY YEAR BY THE OUTLET PROPERT AGENCY REPRESENTING LANDLORD ON 32 OLD COMPTON STREET W1D 4TP

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OPENING TIMES

State proposed opening times for each day of the week

* Day or days

* From

* To

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TREATMENTS

* Indicate your arrangements for giving treatments:

- Women only
- Men only
- Both sexes, separate sessions
- Both sexes, mixed sessions

* Do you keep a record of the clients who are given treatments?

- Yes
- No

* List ALL treatments to be given at the premises :

FACIAL, VAXING, MASSAGE (TuiNa)

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DETAILS OF PRACTITIONERS

Provide details of ALL practitioners who will give treatments

Name

* First name

* Family name

Former name(s) If currently or previously known by any other name(s), you must record them here.

Home Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Further Details

* Date of birth / /
dd mm yyyy

* Place of birth

* Treatments given personally or supervised by this person

* Details of all relevant qualifications, training and experience (including where undertaken, dates, awarding body, etc)

* Membership of any professional organisation

* required information

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PREVIOUS APPLICATIONS

* Have you, or any person named in or associated with this application, previously applied for a similar licence or registration? (check all that apply)

- No Yes - application granted and revoked
 Yes - application granted Yes - application refused

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CONVICTIONS

* Have you, or any person named in or associated with this application, been convicted of any crime or offence?

Yes

No

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ADDITIONAL DETAILS

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

To apply for a new special treatment premises licence you must pay the correct licence fee.

Licence fee: New Special Treatment Premises Licence (Higher Risk Treatments Provided*): £1185 (initial processing fee with an additional fee of £1300 due on grant of a licence) New Special Treatment Premises Licence (Lower Risk Treatments Provided**): £1081 (initial processing fee with an additional fee of £1300 due on grant of a licence)

* - Higher Risk Treatments: These treatments have been classified by Westminster City Council as having the highest potential risk to cause injury or harm to a customer or the therapists/practitioner providing the treatment. A full list of these treatments is available on the Council's website (www.westminster.gov.uk/mst-premises-licence).

** - Lower Risk Treatments: These treatments have been classified by Westminster City Council as having the least potential risk of causing harm to the customer or therapist/practitioner. A full list of these lower risk treatments is available via the Council's website (www.westminster.gov.uk/mst-premises-licence).

* Fee amount (£)

DECLARATION

I am aware of the regulations of the authority concerning special treatments. The details contained in the application form and any attached documentation are correct to the best of my knowledge and belief.

The only persons I will employ to provide special treatments will be those registered by the Council as a therapist

(practitioner) and I will permit them only to give those treatments specified on their identification card and registration document.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

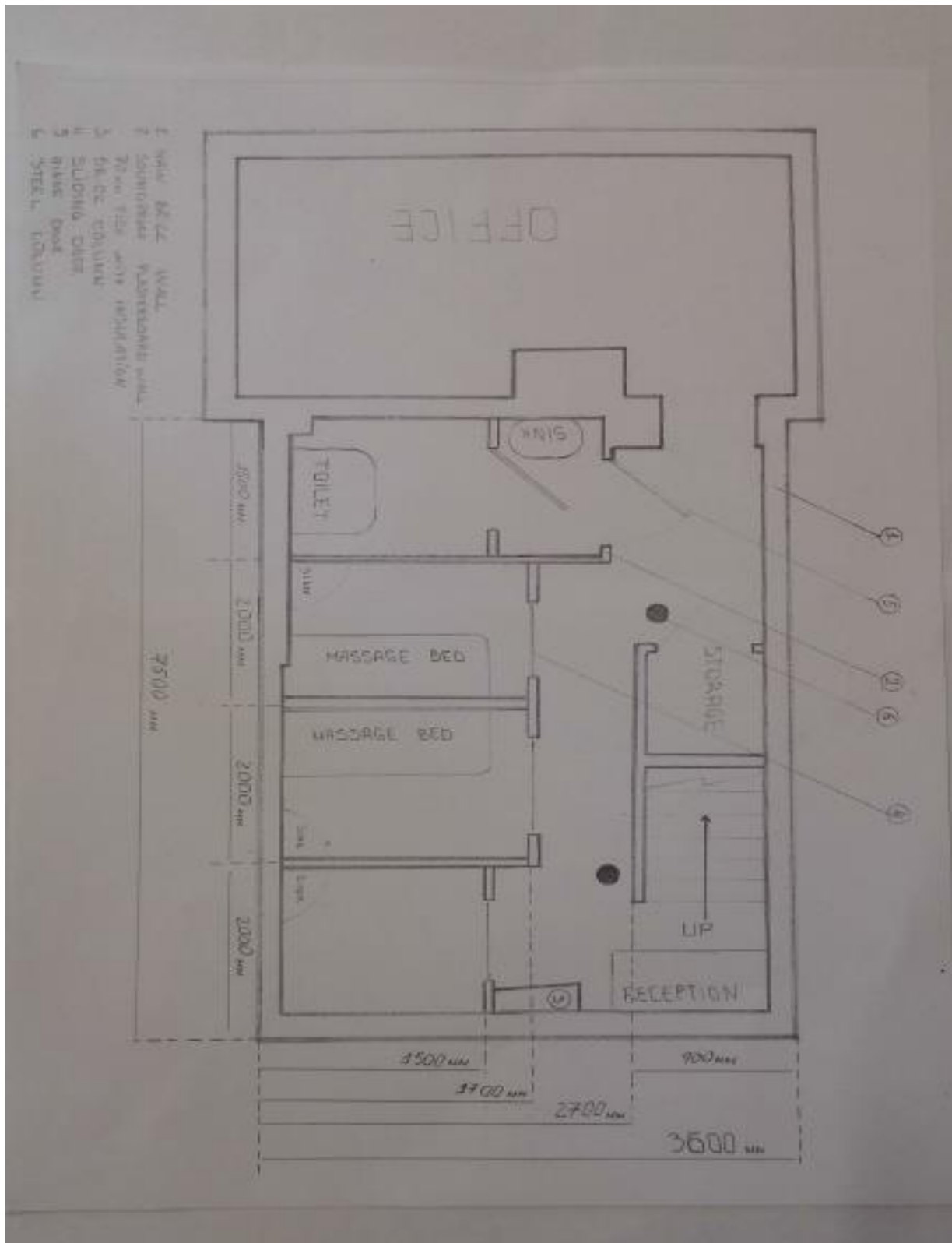
1. Save this form to your computer by clicking file/save as...

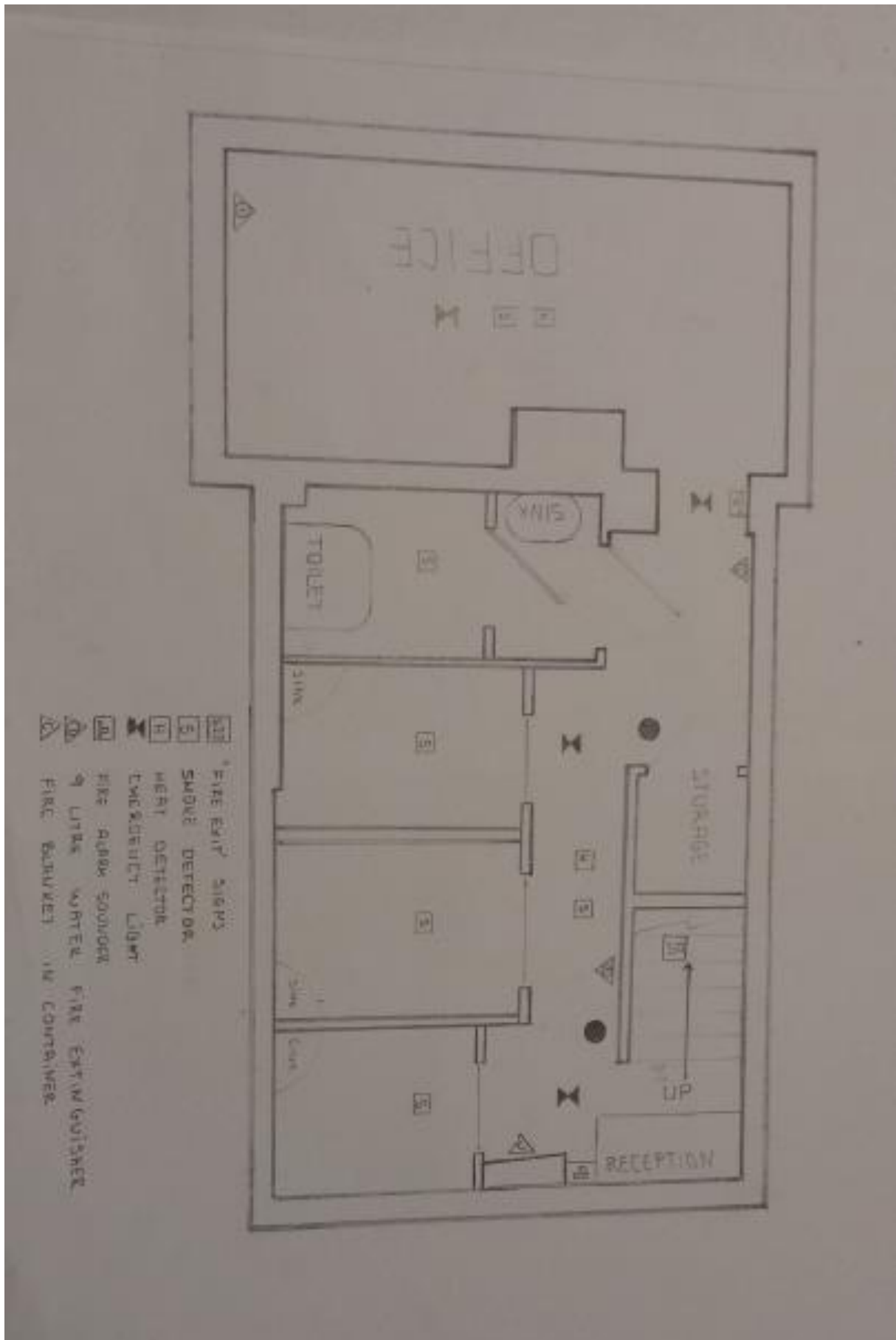
2. Go back to <https://www.gov.uk/apply-for-a-licence/massage-and-special-treatment-premises-licensing-8/westminster/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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Premises Licence





City Inspectors Objection

From: Keegan, Francis: WCC
 Sent: 19 November 2016 04:12
 To: Rowe, Steven: WCC; Paul.Hoppe@met.pnn.police.uk;
 Isabella.Grotto@met.pnn.police.uk; Piper, Roald: WCC
 Cc: Cummings, Kay: WCC; Downes, Ian: WCC; Butterfield, Tim: WCC;
 Castine, Jon: WCC; Nweke, Christopher: WCC
 Subject: RE: Special treatment- 26 Wardour street

Steve,

I refer to the application for a new special treatment licence for the ground floor of 26 Wardour Street (App No 16/11243/LIMSTN)

The applicant is Mubao Beauty Ltd, and the sole officer of this company is Ms Ping Lang

This lady only recently surrendered her licence for the same venue, after having been found to be unable to comply with (or even understand) the licence conditions

Before and after the licence was surrendered, Chinese-looking ladies have been found "touting" (offering "massage") outside 26 Wardour Street through the night, but it was not always clear which address the ladies were taking customers to.

The venue was/is linked with the flats above, where Ms Lang was found to be in charge of what I believe to have been a brothel. Following my interventions, the EHO (Residential team) made contact with the freeholder and it seemed (to him) that the flats above had returned to normal residential use (HMOs).

But from the email from Mr C Nweke (dated 12 Nov – see below) it seemed that ladies touting in the street were again taking customers into the venue upstairs.

And this morning, at 02.25 , Tony Miah and I were touted outside the venue by a lady offering "massage". We engaged with her, but she became suspicious of us, and started to walk away. Just then the door to the flats above opened and a Chinese lady (who I recognized from previous visits) left the venue with a white male. I spoke to the two ladies but they refused to engage with me and just walked off

I wish to oppose this application for a new licence

Sgt Hoppe/ PC Grotto, Can we discuss the soliciting and apparent prostitution associated with this address ?

Mr Piper – has this address come to your attention ?

Francis Keegan
 City Inspector Team Manager – City Operations
 Public Protection and Licensing

From: Keegan, Francis: WCC
Sent: 19 November 2016 05:14
To: Rowe, Steven: WCC; Paul.Hoppe@met.pnn.police.uk;
Isabella.Grotto@met.pnn.police.uk; Piper, Roald: WCC
Cc: Cummings, Kay: WCC; Downes, Ian: WCC; Butterfield, Tim: WCC;
Castine, Jon: WCC; Nweke, Christopher: WCC
Subject: RE: Special treatment- 26 Wardour street

UPDATE

Sorry, my visit was at 02.50, not 02.25

Also, Tim Butterfield advises me that he has tried to contact Ms Ping Lang to discuss the application, by calling [REDACTED] (taken from the application form), but that he got through to a man (Martin Mirus) who said he was the applicant's agent. We have met this man before, and he is linked with the hair salon and also with the basement (licensed) restaurant.

He is generally unhelpful, in my own experience, but Tim tells me that he was very defensive when asked about how the venue would be run if licensed again, and more so when the circumstances of why the former licence was surrendered were raised. He agreed that Ms Lang cannot speak English very well, but he would not assist in making arrangement for Tim to speak to her or to meet her.

He has claimed to be married to the manager/owner of the hair salon. He also claims that Ms Lang holds many licences for various salons in London.

We are not convinced that Ms Lang is even aware of the current application, but if she is then we have no confidence in her.

Francis

From: Keegan, Francis: WCC
Sent: 18 November 2016 23:46
To: Nweke, Christopher: WCC
Cc: Cummings, Kay: WCC; Downes, Ian: WCC; Butterfield, Tim: WCC;
'Isabella.Grotto@met.pnn.police.uk'; Castine, Jon: WCC
Subject: RE: Special treatment- 26 Wardour street
Importance: High

Thanks

Can I have a statement ASAP ? And do you know which floor they went to ? (i.e. the ground floor hair salon, the basement restaurant, or the flats above ?).

The ground floor has just applied for a new licence. The applicant is the same lady who recently surrendered her licence for the same part of the venue (the hair salon), but who was found operating the upstairs "flats" for prostitution also....

Francis Keegan

From: Nwke, Christopher: WCC
Sent: 12 November 2016 04:28
To: Keegan, Francis: WCC
Cc: Cummings, Kay: WCC; Downes, Ian: WCC
Subject: Special treatment- 26 Wardour street

Hi Francis,

I am not sure if 26 Wardour Street falls under you, if not please put me in the right direction.

Whilst on busking patrol today, we (Stephen Richards and myself) noticed two Chinese women outside 26 Wardour-street soliciting. We went towards the two women and Stephen Richards offered massage, of which he declined. I also overheard two men who had been talking to one of the two Chinese women saying "massage and happy ending, for £50, is expensive" as they walk away.

The two women denied offering massage to members of the public passing by and walked away.

I later saw one of the women walk into 26 Wardour Street with an IC1 male.

You may want to look into this premises further.

Regards

Chris

City Inspector Further Submission 1

From: [Kevin Francis WCC](#)
To: [Steve Stevens WCC](#)
Cc: [Candice Jay WCC](#); [Bobby Laurie WCC](#); [Peter Bould WCC](#); [Freeman Clark WCC](#); [Marky Chiles WCC](#); [James Givolis WCC](#); [Suzanne Gindoff/WestminsterCouncil](#); [Butcher/John Tim WCC](#); [Gordon Laidlaw WCC](#); [Catherine Pace WCC](#); [Doreen Jay WCC](#); [Kevin Francis WCC](#); [Elizabeth Allan WCC](#); [Aurora Shaw WCC](#); [Mark Terry WCC](#)
Subject: Basement 26 Wardour Street 16/11243/LIMSTN
Date: 02 April 2017 15:36:57

Steve,

Sorry for the delay.

The basement of 26 Wardour Street is a former "clip joint" and later became a small licensed restaurant

The holder of the premises licence (Miss Jodean May Elliott) vacated the venue and later formally surrendered her licence (see 08/09644/LIPN) on 21 November 2016

Ms Ping Liang had a special treatment licence for part of the ground floor hairdressing shop at 26 Wardour Street (see 15/05369/LIMSTN) but she surrendered the licence on 17/5/16 following a number of failures to comply with, or even understand, any of the terms of her licence (Note : she refused/failed to engage in any meaningful discussion with us as to how she might move towards even partial compliance)

As to the upper floors of 26 Wardour Street, these are set out as a number of flats. For a very long time Chinese ladies were seen outside this address throughout most nights touting for/ offering "massage" to male passers-by. On one occasion a colleague and I, posing as potential customers, managed to access the upper floors where we witnessed a number of rooms occupied by scantily clad women in various rooms, some of which had massage tables in, and other had beds. The male customers present quickly fled the scene. We formed the clear view that the venue was being used as a brothel. None of the ladies would engage with us on any meaningful level once we made it know we were employed by the City Council, but eventually (because we would not leave the venue) Ms Ping Liang presented herself and reluctantly accepted that she was "in charge"

For a while after this incident the touting outside the venue at night stopped, and Mr Jon Castine (EHO) contacted the freeholders (a company represented by an agent) and he had discussions about how the flats (HMOs) were arranged/being used

However, the Chinese touts/prostitutes outside the venue soon returned, and the alleged continued use as a brothel has been reported to the police and to the Planning Department

I opposed the current application at an early stage because I have no confidence whatsoever in the sole Director of the applicant company (i.e. Ms Ping Liang). The venue recently opened and commenced trading, unlawfully advertising "massage" (although the licence had not been granted, and the staff were not "exempt")

On the evening of Friday 20 March 2017 Tim Butterfield and I met at City Hall by prior arrangement with Ms Ping Liang and (to help her with translation) Ms Sophie

YANG , so as to discuss my concerns and to see if the applicant could say anything that may cause me to reconsider my stance

Ms Sophie YANG described herself as being the manager of a Chinese restaurant (not in WCC)

Ms Ping Liang confirmed that she is the sole officer of the applicant company and that she holds the lease (for one year commencing 16 Nov 2016) and that the refurbishment works started 3 months ago

We then discussed the role of "Martin", who had contacted me by email (muboa.beauty@gmail.com) and presented himself as being the "husband of one of the partners for Mubao Beauty Ltd based in 26 Wardour Street (Basement)". I asked him to confirm his full name for the record, but he failed to do so. I put it to Martin that in fact Ms Ping Liang was the sole officer of the company. We subsequently discovered that "Martin" was (likely to be) Martin MIRUS, who helped fill out the licence application form and had discussions with Jenny Wilson (Licensing Surveyor) after the application was submitted

On 20 February 2017 Martin wrote to WCC to say " *Today my staff had a visit from the Westminster Council ...The man told them to close the shop , because we did not get the approval of the special treatment licence yet . My staff got scared and closed the shop. I heard last time that we can open the shop for waxing and facial which dose not required a special treatment licence , so we had the shop open. Just want to make sure , because the licence takes ages and we have to pay the rent and Business Rates , we can not just close the shop and wait for the licence .Do you have any idea how to talk to this man when he comes back again . I heard he was there already 3 times or so .I am coming back any way on the 2/03 so it's couple of days so it's going to be more easy for me to take care of the shop".*

In fact the officer who visited was Tim Butterfield, and he advises me that he found the premises open and he entered the basement and asked to speak to a manager or supervisor, but the three women seen all claimed they did not work there. He went to the ground floor "barber shop" and got no help from there either. At this point he left the venue.

[Martin later said on 21 February " I believe it was a misunderstanding from my staff." , suggesting that he employs the (rather unhelpful) staff found in the basement]

Tim and I had dealings with Martin Mirus in 2016, and he was generally unhelpful and confrontational. In November he told Tim that he was the applicant's "agent", but refused to discuss how the venue would be run if the licence is granted, or to help arrange a meeting with Ms Ping Liang

At our meeting Ms Ping Liang said she did not know Martin's surname, but that he is the husband of Li Ty "who used to operate downstairs". She has known Martin for 3 years

I put it to Ms Ping Liang that Martin's surname is MIRUS. This was a surprise to her. I asked why Martin had claimed to be married to one of the partners for Mubao Beauty Ltd, but she said she did not know

She confirmed that she meant to apply for WAXING (not VAXING as mentioned on the form) - in addition to Facial and Massage (TuiNa) – and that this was simply a spelling

error. I confirmed that waxing is not a licensable treatment.

Ms Ping Liang claimed to operate several licensed special treatment venues outside of WCC (no details provided) and claimed that she complies with the terms of those licences, but could offer no explanation for her failure to comply with the terms of her now surrendered licence for the ground floor

Looking at the application form, we asked her to confirm her home address (as recorded twice on the form i.e. 30 Goodge Street), but she had no idea why this address appeared on the form, and said she had never lived there... She blamed Martin for putting false information on the form, and could offer no explanation as to why he would do so

Ms Ping Liang claimed to have no involvement with another nearby venue of concern (19 Newport Court which trades in a similar way. The holder of that licence lives in one of the flats above 26 Wardour Street, and he very recently sacked one of his managers following our discovery of several incidents of touting/prostitution at night)

She accepted she had been in charge of the flats when I visited (see above) but denied it was being run as a brothel. She accepted however that unlicensed "massage" was being provided, and that there were touts operating from the venue at that time. She denied any involvement with the current activities on the upper floors, or to know anything about the on-going touting outside her venue at night

She accepted that her history was poor, but feels that she should be given a new licence and a chance to prove herself. I put it to her that she had had a chance (ground floor licence) but had failed completely, so in my view another chance was not appropriate.

I asked why the venue was already advertising "massage" and she said she thought this was OK after Martin spoke to Jenny Wilson (WCC). I said this had not been said (by WCC), and was not correct. She agreed to remove all signs advertising massage.

We discussed at length the nature of the "facials" being provided, and it was later agreed that if there is no element of "massage" then this treatment can continue (and of course exempt treatments can be provided)

During the meeting the applicant gave a number of contradictory and misleading/confusing answers to our questions, and she became rather heated on occasion. The meeting ended with me saying I did not intend to withdraw my objection, and that the venue would be monitored for licensing offences.

It was clear to me that Ms Ping Liang had played no part in filling in the licence application form, and that her command of the English language is minimal.

We also discussed certain emails sent to me, on the face of it from the applicant, but which turned out to have been written by "Sophie"

After the meeting I asked you to set a hearing date to determine the application. I was also informed that the applicant had instructed Mr Nigel Carter (Licensing Consultant, and former WCC Enforcement Officer) to advise her. I was told that the operator was seeking exempt status for all of her therapists (Note: if this is obtained, no licence will be required, and the application MAY be withdrawn)

Francis Keegan
City Inspector Team Manager – City Operations
Public Protection and Licensing

-----Original Message-----

From: Keegan, Francis: WCC
Sent: 14 March 2017 12:21
To: Rowe, Steven: WCC
Cc: Butterfield, Tim: WCC
Subject: Basement 26Wardour street 16/11243/LIMSTN
Importance: High

Hello

Tim Butterfield and I had a very difficult meeting with the applicant last week, following which I have decided NOT to withdraw my objection

Although the application MAY be withdrawn, could I ask that a LSC hearing date now be set ?

I will prepare tomorrow a file note of the meeting for inclusion in the LSC report, and a summary of the reason for my continued objection

Thanks

Francis Keegan
City Inspector Team Manager – City Operations Public Protection and Licensing
Tel: 020 7641 4429

-----Original Message-----

From: Keegan, Francis: WCC
Sent: 14 March 2017 12:14
To: 'yyuping1988@gmail.com'; 'muboa.beauty@gmail.com'
Cc: Wilson, Jenny: WCC; Butterfield, Tim: WCC; Watson, Ian: WCC
Subject: Basement 26Wardour street

Dear Ping Liang,

Thank you for your email.

I would NOT agree that a "facial" is exempt from the licensing regime merely if it INCLUDES "cleanser, exfoliate and mask".

I would agree, however, if the "facial" is LIMITED to cleanser, exfoliate and mask (and includes NO element of "massage")

Whilst writing, I assume you familiarised yourself with the statutory exemptions from the licensing regime (as set out in the Council's information sheets) before you submitted an application for a licence?

In any event, I understand that you are now in discussions with Mr Nigel Carter about seeking exempt status for all the staff working at your venue. Please confirm if this is the case and (if so) whether the application for a licence is to proceed, or if you intend to withdraw the application? (You will appreciate that I do not want to waste the Licensing Sub-Committee's time by scheduling a case when the application is likely to be withdrawn)

Francis Keegan
City Inspector Team Manager – City Operations Public Protection and Licensing

City of Westminster
4th Floor Westminster City Hall
64 Victoria Street
London
SW1E 6QP
Tel: 020 7641 4429

fkeegan@westminster.gov.uk
www.westminster.gov.uk

Please don't print this e-mail unless you really need to.

-----Original Message-----

From: Yuping Yang [<mailto:yuping1988@gmail.com>]
Sent: 11 March 2017 10:24
To: Keegan, Francis: WCC
Subject: Basement 26, Wardour street

Francis,

1: Please advise if we can do facial treatment which includes cleanser, exfoliate and mask.

Sophie
On the behalf of Ping Liang

City Inspector Further Submissions 2

From: Keegan, Francis: WCC
Sent: 19 May 2017 13:42
To: Rowe, Steven: WCC
Cc: Butterfield, Tim: WCC; Isabella.Grotto@met.pnn.police.uk; Marrison, Sarah: WCC; Piper, Roald: WCC
Subject: FW: Basement 26 Wardour Street 16/11243/LIMSTN Application for new special treatment licence
Importance: High

Dear Mr Rowe,

As discussed recently, I have little to add to my email of 2 April (see below) except the following :

Following our meeting with Ms Ping Liang on 20 March , the venue ceased trading (and the night time touting outside the venue ceased)

After the meeting the applicant's agent (Mr Carter) tried to get exempt status for the therapists working at the venue, but he was unable to do so.

This week Mr Carter asked me if the venue could provide non-licensable treatments (as planning issues have been resolved, it seems) , such as waxing, and I said I had no objection to this.

I am happy for this email to be attached to the LSC report

Tim Butterfield and I will attend the hearing.

Francis Keegan