



City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>13 February 2020</i>
Classification:	<i>General Release</i>
Premises:	<i>Vanity Bar and Night Club, Basement to First Floor, 4 Carlisle Street, London, W1D 3BJ.</i> <i>19/16592/LISEVR</i>
Wards Affected:	<i>West End</i>
Financial Summary:	<i>None</i>
Report of:	<i>Operational Director for Public Protection & Licensing</i>

1. Executive Summary

- 1.1 The council has received an application for the renewal of the sex establishment licence under the Local Government (Miscellaneous Provisions) Act 1982 (the Act) for Vanity Bar and Night Club, Basement to First Floor, 4 Carlisle Street, London, W1D 3BJ. Vanity Bar is licensed to operate as a sexual entertainment venue under the Act. The report sets out the application details, objections, policy and legal context along with other considerations that the Licensing Sub-Committee requires to determine this application.

2. Recommendations

- 2.1 That following consideration of this report, any information given orally at the hearing and/or in writing by the applicants and objectors the Licensing Sub-Committee may determine to:

- 2.1.1 Grant the application in full
- 2.1.2 Grant the application subject to the standard conditions and/or any modifications to any part of the application and imposition of any additional conditions proposed by a party to the hearing, or
- 2.1.3 Refuse the application

3. Relevant history

- 3.1 The Basement to First Floor at 4 Carlisle Street has operated as a sex establishment (Sexual Entertainment Venue) since 2012. In 2014, the licence was transferred to the current Premises Licence Holder. Following the transfer of the Sexual Entertainment Venue Licence in 2014, the grant of the renewal in 2014 was determined by the Licensing Sub-Committee as objections were received and subsequent renewals have been granted under delegated authority. The last renewal application for this venue was submitted on the 11 December 2018 and was granted at the Licensing Sub-Committee on 28th March 2019 (Decision Notice is attached at **Appendix A1**). The current licence (reference 18/15940/LISEVR) expired on the 16 December 2019. A copy of the licence 18/15940/LISEVR is attached as **Appendix A1A**.
- 3.2 A copy of the full sex establishment licence history for this premises since 2012 is attached as **Appendix B1**.

4. Application being considered

- 4.1 On 10 December 2019, Nags Head Limited submitted an application to renew the sex establishment licence to continue to operate the premises as a sexual entertainment venue. The licence permits relevant entertainment Monday to Saturday from 09:00 to 03:00 and Sunday from 09:00 to 23:00.
- 4.2 The applicant has not requested to change the relevant entertainment or to remove any standard conditions to the licence if this application is granted. A copy of the application form is attached as **Appendix C1**.
- 4.3 As a valid application has been received prior to the expiry of the SEV Premises Licence, the licence is deemed to continue until it is determined by the Council.

5. Objections

Objection 1

- 5.1 On 6 January 2020, an objection was received to the renewal application within the statutory 28 day consultation period (attached as **Appendix D1A**). In the objection, the objector issues with a large number of pedicabs congregating outside the club in readiness for closing time at 03:00 till 04:00, creating noise disturbance.

Objection 2

- 5.3 On 7 January 2020, an objection was received to the renewal application within the statutory 28 day consultation period (attached as **Appendix D2**). The objections refers to the Council's SEV Statement of Licensing Police in particular the prevention of public nuisance and promoting improvement in the character and function of the city, having regard to the character of the relevant locality, the regard to the use of the premises in the area and the inappropriate regard to the layout, character or condition of the premises. The objector also refers to the large number of pedicabs congregate outside the club in readiness for closing time at 03:00. The objector has provided photographic evidence which can be seen at **Appendix D2**.

5.4 The objectors have not confirmed to the Licensing Service that they wish to waive their right to anonymity, and for this reason the objector will remain anonymous.

6. Licensing Act 2003 Premises Licence

6.1 The premises currently benefits from a premises licence (reference 15/03179/LIPDPS) issued under the provisions of the Licensing Act 2003. A copy of the current premises licence is provided at **Appendix E1** of this report.

7. Policy Considerations

7.1 Suitability of applicant – SU1

The applicant has stated that no relevant offences have been committed.

7.2 SEV carried on for the benefit of another person – SU2

The applicant has confirmed that they will not be carrying out the functions of regulated entertainment at this premises for the benefit of another person.

7.3 Appropriate number of SEV in a locality – NO1

The appropriate number of sexual entertainment venues in the relevant localities is 25 in the Westminster core CAZ north. As the premises are currently licensed this application, if granted, will not exceed 25.

7.4 Character of the relevant locality – LO1

Carlisle Street is a small cul-de-sac with no through traffic.

7.5 Use of premises in the vicinity – LO2

The main use of the premises in the immediate vicinity is residential with a few licensed premises (Licensing Act 2003). There are no other SEV premises or schools within 100 metres of the premises. There is 1 place of worship within 100 metres of the premises . A map of the relevant locality is attached to this report as **Appendix F1**.

7.6 Layout, character or condition of the venue – LO3

The premises has its main entrance on Carlisle Street. The basement, ground and first floors are included within the licensable areas for Relevant Entertainment purposes.

8. Legal Implications

- 8.1 The Licensing Sub-Committee may determine to:
- (a) Grant the application in full
 - (b) Grant with additional special conditions which the Licensing Sub-Committee deem appropriate; or
 - (c) Refuse the application.
- 8.2 Before refusing to renew an application, the Licensing Authority shall give the licence holder an opportunity to appear before and of being heard by the Licensing Sub-Committee (Para 10(19) Schedule 3 LG(MP)A1982).
- 8.3 In considering this application, the Licensing Sub-Committee shall have regard to any observations submitted to them by the Chief Officer of Police and any objections that have been received in writing within the 28 day consultation period (Para 10(18) Schedule 3 LG(MP)A1982).
- 8.4 The Licensing Sub-Committee may refuse to grant or renew a licence for the following reasons set out in (Para 12(3) Schedule 3 LG(MP)A1982):
- (a) that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
 - (b) that if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
 - (c) that the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
 - (d) that the grant or renewal of the licence would be appropriate, having regard:
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

An applicant whose application for the grant or renewal of a licence is refused on either ground specified in paragraph (c) or (d) above shall not have the right to appeal to the magistrates' court.

- 8.5 If the Licensing Sub-Committee determine to grant a Sexual Entertainment Venue licence, the licence will be subject to the Standard Conditions for Sexual Entertainment Venue licences, unless the Sub-Committee determines that certain Standard Conditions should be expressly excluded or varied (Para 13(4) Schedule 3 LG(MP)A1982).
- 8.6 Should the Licensing Sub-Committee determine to refuse the application for the renewal of a licence under Paragraph 12(3)(a) or (b) Schedule 3 LG(MP)A 1982, 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 (Para 27(1) Schedule 3 LG(MP)A1982). The licence will remain in force until the time for bringing an appeal has expired and, if such an appeal is brought, until the determination or abandonment of that appeal (Para 27(10) Schedule 3 LG(MP)A1982).

9. Human Rights and Equality Issues

- 9.1 In making a decision consideration will need to be given to the applicant's rights under the European Convention on Human Rights. The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant.
- 9.2 The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary section 149 provides that 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; and
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.
- 9.3 Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 9.4 An Equalities Impact Assessment has been conducted and the Council believes that the granting of this application for the sexual entertainment venue licence renewal for Vanity Bar will not have an adverse impact or unlawfully discriminates against any protected characteristics.

Appendices

- A1 – Decision Notice from Hearing 28 March 2019
- A1A – Copy of sex establishment licence 18/15940/LISEVR
- B1 – Sex establishment licence history
- C1 – Application form
- D1 – Objection 1
- D2 – Objection 2
- E1 – Copy of premises licence 15/03179/LIPDPS
- F1 – Map of locality

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Michelle Steward on 020 7641 6500 or at msteward1@westminster.gov.uk

BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009
Sexual Entertainment Venues Statement of Licensing Policy 2012
Sexual Entertainment Venues Guidance and Procedure effective 17 February 2012
Home Office Guidance March 2010

LICENSING SUB-COMMITTEE No. 6

Thursday 28th March 2019

Membership: Councillor Tim Mitchell (Chairman), Councillor Jacqui Wilkinson and Councillor Aicha Less.

Legal Adviser: Barry Panto
Committee Officer: Kisi Smith-Charlemagne
Presenting Officer: Michelle Steward

Objections: Two anonymous objections and two named objectors.

Present: Mr Julian Skeens (Applicant’s Solicitor), Mr Luke Elford (Applicant’s Representative) Mr Manpal Singh Clair (Applicant, Director of Nags Head Limited), Mr Andrew Bamber (Licensing Consultant), Mr Richard Vivian (Acoustics Consultant), Councillor Tim Barnes (Local Ward Member in support of Objector 1) Mr Richard Brown (CAB Project Officer, Representing Local Objectors) and One Local resident (Objector 1).

Vanity Bar and Night Club, Basement to First Floor, 4 Carlisle Street, London, W1D 3BJ (“The Premises”) 18/15940/LISEVR	
1.	Renewal of the Sexual Entertainment Venue Licence
	Monday to Saturday: 09:00 to 03:00 Sunday: 09:00 to 23:00
	Amendments to application advised at hearing: None.

Decision (including reasons if different from those set out in report):

Ms Michelle Stewart (Presenting Officer) confirmed the application, advising the Sub-Committee that this was a renewal of a Sex Establishment Venue license application made by Nags Head Limited. She advised that four objections had been received to the renewal of the application along with one e-mail supporting one of the objectors from a Ward Councillor. Ms Stewart advised the Sub-Committee that the premises were in West End Ward.

Mr Julian Skeens (Applicant's Solicitor) addressed the Sub-Committee and advised that he would not go through all the papers however, he wanted to ensure that everyone had a copy of the letter from TLT Solicitors dated the 15th March 2019 (which appeared at page 3 of the supplementary bundle). He advised the Sub-Committee that the premises were located on Carlisle Street and had been in this location since 2012.

With regard to the objections, Mr Skeens advised that they mainly related to noise in relation to the pedicabs and requested that the Sub-Committee review the photographs that were submitted by the objectors and which showed part of the problem with regards to the pedicabs. Other photographs showed the door supervisor from the Bar, groups of pedicabs and people on the corner of Dean Street and Carlisle Street. Mr Skeens then showed the Sub-Committee a map of the immediate area.

Mr Skeens explained that pedicabs often had loud music blaring out and assumed that this was the music that was being heard by the residents that have complained. He was sure that no music was escaping from the premises itself and advised that in relation to the premises there are conditions which limit noise nuisance. Mr Vivian would be able to help with further detail regarding noise levels within the Bar, as he installed and set the sound limiters in the Bar which cannot exceed a set decibel level. Mr Skeens informed the Sub-Committee that the noise limiters were set and could not be changed or tampered with and the decibel levels were agreed with Environmental Health Services.

Mr Skeens advised that his client had been trying to manage the outside area with door staff moving pedicabs and pedestrians away from Carlisle Street. With regard to Mr Brown's letter (at pages 83 to 86 of the additional bundle), his client was happy to meet with local residents to demonstrate how the noise limiters work and that the noise was not coming from the Bar. The letter stated that the noise levels had been better recently, and Mr Skeens felt that the best way forward was for residents to monitor the noise levels and report any breaches to WCC as suggested by Objector 1. Mr Skeens informed the Sub-Committee that pedicabs had been a problem in Westminster and his client has been effective in keeping pedicabs away from Carlisle Street. However, his client was unable to stop the pedicabs going up and down Carlisle Street and if they do

stop outside his client's premises, his client does not have the power to make them move. He can only encourage them to move on. He advised that his client does not want to upset his neighbours and had tried to maintain a good relationship with his neighbours.

Richard Brown (CAB Project Officer, representing Objectors 1, 3 and 4) addressed the Sub-Committee. He advised that two of the objectors wished to protect their anonymity and would be referred to as Objector 1 and Objector 4. Jane Doyle (Objector 2, representing the Soho Society), waived her right to anonymity. Mr Brown referred to his submission dated 25th March, which detailed the events over the last year. He advised that Objector 1 had lived in her flat since 1987 and Objector 4 for a similar amount of time and both had witnessed the development of the premises over time, including the previous use as the Candy Bar. Mr Brown informed the Sub-Committee that there had been problems with loud music for over a decade and that was resolved by a review of the basement operation in the Candy Bar.

Mr Brown advised that the renewal of the SEV licence in 2018 was objected to due to the nuisance being caused by the pedicabs. He agreed that this was not an issue with an easy solution. He advised that during the SEV renewal process in 2018, WCC helpfully arranged a mediation meeting attended by the applicant and their legal team, and Objector 1 and himself. The meeting was productive and resulted in Objector 1 withdrawing her objection. He advised that Objector 1 met the DPS and was shown around the premises and the settings for the music controls on the mezzanine floor. He also informed the Sub-Committee that, at that time, Objector 1 was told that the area would be caged, so that no one would be able to tamper with the agreed settings for the music system.

Mr Brown advised the Sub-Committee that the noise nuisance was sporadic, and his clients suspected that it emanated from the first-floor private dance area. He refuted Mr Skeens comments that the music was from the pedicabs. While they do play music, Objector 4 is only disturbed by the pedicabs as he does not have partitioning walls with the premises, but he does not have a complaint about music being played too loudly. Mr Brown advised that the noise heard in Objector 1's flat has currently ceased due to Mr Vivian's interjection, and it was hoped that this would be a permanent resolution, however Mr Brown advised that for residents this was a reoccurring issue that gets resolved and then reoccurs again and again. He advised that the residents were happy to meet with the Applicant in order to find a way forward.

With regards to the pedicabs, Mr Brown advised the Sub-Committee that Objectors had submitted accounts and photographs of the problems. He recognised that these were not isolated incidents and that it was a Soho wide issue. Mr Brown advised that meetings held in 2018 and the procedures that management had put into place did improve the pedicab issues for a time. Mr Brown advised that both Objectors 1 & 4 had

noted improvements recently but queried why his clients could not have a long-term resolution, instead of sporadic periods of improvement. Mr Brown also queried the acoustics report, questioning the need for Mr Vivian having to tweak the musical amplification system which was meant to be secured so as to prevent the settings being altered.

Mr Brown advised the Sub-Committee that with regard to the SEV application specifically, the existence and recurrence of these issues required the Licensing Sub-Committee to examine whether or not the operation of the premises engages the provisions of Schedule 3 para 12(3) of the Local Government (Miscellaneous Provisions) Act 1982 (“the Act”) i.e. that granting the renewal of the licence would be inappropriate, having regard:

- i) To the character of the relevant locality;
- ii) To the use to which any premises in the vicinity are put;
- iii) To the layout, character or condition of the premise, in respect of which the application is made.

With regard to policy, Mr Brown referred the Sub-Committee to the Entertainment Venues Statement of Licensing Policy 2012’ (“the SEV Policy”) i.e. LO1 (character of relevant locality’; LO2 (use of premises in the vicinity); L03 (layout, character or condition of the venue).

Mr Brown referred to Mr Elford’s point that nothing had changed since the last application, however asked the Sub-Committee to consider that Carlisle Street is a small cul-de-sac with little or no traffic to mask the noise from pedicabs and no other late-night premises in the vicinity. Mr Brown asked the Sub-Committee to consider why the pedicabs gather where they do, pointing out that it was not because of any of the other nearby premises as these operate to core hour or close at around 12:00 when the pedicabs become a nuisance. Mr Brown advised that it was a reasonable assumption to make that a significant reason for them to be there was because of the Vanity Bar. Mr Brown advised that that the Applicant could do more to improve the pedicab issue as shown last year when there was an improvement. There was no objection to the premises operating as an SEV per se, provided the noise escape and pedicab issues were resolved once and for all.

The Sub-Committee briefly heard from Mr Richard Vivian (Acoustics Consultant), who confirmed that he first visited the premises in January 2019. The sound system had previously been set by Ian Watson (WCC Environmental Health Officer). Mr Vivian advised that he had introduced some tweaks so that the system was electronically set at 4 including bass level. The system was then calibrated, and a certificate issued. It

would then be impossible for the volume to be increased above that level.

The Sub-committee queried the nature of the entertainment on the first floor, ground floor and basement of the premises. Mr Skeens advised that the first floor was open with no booths and was used for VIP entertaining. Mr Clair (Applicant) advised that the ground floor was the main bar and dancing area, and the basement was used as another VIP dancing area. All three floors were used for dancing and entertainment. The Sub-Committee raised questions regarding additional sound proofing on the first floor and the annual reissuing of the volume calibration certificate. In response to the Sub-Committee query, Mr Skeens advised that sound proofing had been completed on the first floor. Mr Vivian advised that it would be best to renew the certificate if there were any changes to the equipment.

Objector 1 addressed the Sub-Committee and spoke of the age of the building and the noise transference and attempts to apply monitors. The Objector also spoke of the many issues with the previous tenant Candy Bar which played music in the basement and the need to have the basement soundproofed. However, there were concerns regarding the soundproofing of the remainder of the premises. The Objector advised that the noise had improved since the beginning of the year and she would continue to monitor the situation. Objector 1 advised the Sub-Committee that the issue with the pedicabs has improved, however voices carry, and she could still hear arguing and chatting to such an extent that it led to her being woken at 03:30 on 13th March and again at 02:00 on 26th March.

Councillor Tim Barnes on behalf of Councillor Glanz, his fellow ward member, addressed the Sub-Committee in support of local residents. Councillor Barnes drew the Sub-committee's attention to a number of wider issues relating to points already raised, the first being the nature of an older building stock and the complications that can bring when associated with a narrow street and the noise transference which has been seen elsewhere. The second point was in regard associated activities such as antisocial behaviour and pedicabs. Councillor Barnes informed the Sub-Committee that he wanted to highlight the problems and express the wider support that exists for the residents. He felt that it was also important to consider the nature of Soho with its pockets of quiet residential areas.

The Sub-Committee made further queries regarding the fixed noise levels and sought assurances from Mr Vivian that there would be no increase to the set noise levels. Mr Vivian advised that each floor (zone) had been set electronically and was tamper proof. Referring to condition 38 (the noise limiter condition), Mr Skeens advised that this condition on the licence could not be changed without consulting with Environmental Health. The Sub-Committee made further queries, regarding members of staff heard congregating outside the premises late at night and Mr Brown queried whether there was signage inside the premises with regard to dispersal and being quiet on egress. Mr

Skeens advised that members of staff do not congregate outside the premises and as per the photographs, the noise could be attributed to members of staff asking Peditaxi drivers to move on. He also confirmed that there was 'quiet on egress' signage displayed inside the premises and advised that staff members are trained to deal with dispersal issues.

The Sub-Committee made further enquiries into the number of patrons visiting the bar, where taxis and cabs drop off and pick up patrons and the general route for egress and dispersal at the end of the night. Mr Clair confirmed that there were approx. 30-40 people in the premises at any given time, with a maximum capacity of 10 persons in the basement, 70 on the ground floor and 9 on the first floor. He also confirmed that taxis and cabs tended to drop people off at Oxford Street and they would walk through to Carlisle Street. He also described this as the main route for dispersal and egress from the premises. With regard to pedicabs, Mr Skeens advised that his client was happy to help and would hold conversations with residents and try to put further measures in place to help with the problem.

The Sub-Committee advised that this was a SEV application and not a premises licence application and that the narrative had been reviewed in respect of the SEV licence. It was felt that the Objectors would have been advised that any issues that they have concerning the premises licence can best be dealt with by a review of that licence and that avenue is open to them in the future. The Sub-Committee thanked the Objectors for attending and presenting their concerns regarding the operation of the venue and their pragmatic view regarding the nature of their concerns and how the Sub-Committee might address them. The Sub-Committee felt that it was beneficial to hear from the noise consultants regarding the operation of the noise limiters and referred to the existing conditions.

The Sub-Committee again wanted to thank all the parties for their pragmatic view on pedicabs and the ability to work together on further resolving the issues. The Sub-Committee granted the application but noted the objections regarding the noise escape from the premises and the noise disturbance associated with the pedicabs. It also noted the measures the Applicant had made to address the concerns but wanted to make it absolutely clear that those measures had to be implemented and maintained so as to avoid the regular recurrence of the noise problems that local residents had been experiencing. The Sub-Committee noted the touting and pedicab policy that had been produced by the applicant and it was decided that a number of elements contained within that policy could be added to the conditions on the existing licence, though it was also noted that Mr Skeens had expressed concern as to whether the third condition imposed was actually enforceable. The three additional conditions to be imposed were as follows:

1. The licence holder will employ a designated member of staff who will work in

Carlisle Street outside the venue during the early hours of the morning, up until closure and a period thereafter for dispersal of customers and staff.

2. The designated member of staff will be tasked with encouraging pedicab drivers that look for fares in the Dean Street area to respect the needs of local residents by being quiet and also ask them to move away /not congregate in Carlisle Street or near the venue.
3. The designated member of staff will record any unresolved disputes with rickshaw or pedicab drivers in the venue's incident log. The venue will share information with Westminster City Council in furtherance of any specific enforcement work by the authorities around nuisance caused by pedicabs in the Soho area.

SEX ESTABLISHMENT LICENCE
Sexual Entertainment Venue

Premises licence number:

18/15940/LISEVR

Original Reference:

12/02594/LISEVN

The CITY OF WESTMINSTER, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

hereby licences:

Nags Head Limited

to use the premises:

Vanity Bar and Nightclub
4 Carlisle Street
London
W1D 3BJ

as a Sexual Entertainment Venue.

This licence commences on 16 December 2018 and will expire on 16 December 2019.

Relevant Entertainment (namely table dancing and pole dancing and involves implied nudity, full and partial nudity) may be provided during the following times:

Monday to Saturday	09:00 to 03:00
Sunday	09:00 to 23:00

Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

This licence is granted subject to the conditions attached at Appendix 2.

DATE: 1 JULY 2019

SIGNED:

Appendix 2 – Conditions

Standard Conditions:

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and

this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.

12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer.
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.

21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.
23. Performers must redress fully immediately after each performance.

Additional Conditions:

24. No Relevant Entertainment shall take place unless CCTV adequately covers and monitors the stage area to the satisfaction of the Environmental Health Consultation Team and the Licensing Service.
25. Relevant Entertainment shall be restricted to the area outlined in red. On the ground floor performers may only perform on the stage area.
26. Whilst Relevant Entertainment is taking place at the premises, the maximum number of persons accommodated at any one time (excluding staff and dancers) shall not exceed 10 persons in the basement, 70 persons on the ground floor and 9 persons on the first floor.
27. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works

- ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. There shall be at least one SIA registered door supervisor on duty on every floor where Relevant Entertainment is provided for the entire time the Relevant Entertainment is provided.
36. All windows and external doors shall be kept closed at any time when Relevant Entertainment takes place, except for the immediate access and egress of persons.
37. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence Holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
38. No sexual entertainment performances will take place which will involve the passing round of a glass or jar or any other container that has to be filled with money before the performers remove any clothing.
39. The licence holder will employ a designated member of staff who will work in Carlisle Street outside the venue during the early hours of the morning, up until closure and a period thereafter for dispersal of customers and staff.
40. The designated member of staff will be tasked with encouraging pedicab drivers that look for fares in the Dean Street area to respect the needs of local residents by being quiet and also ask them to move away /not congregate in Carlisle Street or near the venue.
41. The designated member of staff will record any unresolved disputes with rickshaw or pedicab drivers in the venue's incident log. The venue will share information with Westminster City Council in furtherance of any specific enforcement work by the authorities around nuisance caused by pedicabs in the Soho area.

Sex establishment licence history**Appendix B1**

Application reference	Details of application	Date of determination	Decision
12/02694/LISEVN	Application for a new Sexual Entertainment Venue licence.	Granted by Licensing Sub-Committee	12 June 2012
14/01806/LISEVT	Transfer of SEV licence from Allied Promotions Ltd to Nags Head Ltd	Granted under delegated authority	16 June 2014
14/06704/LISEVV	Application to vary Sexual Entertainment Venue licence	Granted by Licensing Sub-Committee	18 December 2014
14/11173/LISEVR	Application to renew Sexual Entertainment Venue licence	Granted by Licensing Sub-Committee	12 February 2015
15/11556/LISEVR	Application to renew Sexual Entertainment Venue licence	Granted under delegated authority	01 March 2016
16/13696/LISEVR	Application to renew Sexual Entertainment Venue licence	Granted under delegated authority	11 January 2017
17/14637/LISEVR	Application to renew Sexual Entertainment Venue licence	Granted under delegated authority	07 March 2018
18/15940/LISEVR	Application to renew Sexual Entertainment Venue licence	Granted by Licensing Sub-Committee	28 March 2019



City of Westminster

APPLICATION TO RENEW A SEXUAL ENTERTAINMENT VENUE LICENCE

IMPORTANT: This form is open to inspection by the public.

I/ We **NAGS HEAD LTD**
(Insert name(s) of applicant)

apply to renew the Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982 for the following premises:

Premises name: **VANITY BAR & NIGHTCLUB**

Premises address: **4 CARLISLE STREET, LONDON W1D 3BJ**

Licence reference number: **18/15940/LISEVR**

Important Note: Before completing this application, please read the following:

- WCC's Statement of Licensing Policy for Sexual Entertainment Venues
- WCC's Standard Conditions for Sexual Entertainment Venues
- WCC's Rules of Procedure governing Sexual Entertainment Venue applications

PART 1 – Applicant Details

Please state whether you are renewing the Sexual Entertainment Venue licence as:

- a) an individual or individuals complete section (A)
- b) a person other than an individual:
- i. as a body corporate complete section (B)
- ii. as an unincorporated body complete section (B)

Section B – Body Corporate or Unincorporated Body Details

Business Name: (If your business is registered, use its registered name)	NAGS HEAD LTD
Is your business registered in the UK with Companies House?	Yes <input checked="" type="checkbox"/> Registered Number: 05251735
	No <input type="checkbox"/>
Is your business registered in another EEA state:	Yes <input type="checkbox"/> EEA State: Registered Number:
	No <input checked="" type="checkbox"/>
Legal Status: (e.g. Company Partnership, etc)	PRIVATE LIMITED COMPANY
Home Country: (the country where the headquarters of your business is located)	UNITED KINGDOM
Registered Address:	17 - 19 WHITECHAPEL ROAD, LONDON
Postcode:	E1 1DU
Directors, Partners, Owners and Managers	
You must provide details of all DIRECTORS (if the applicant is a company), all PARTNERS (if it is a partnership), and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES.	
Have there been any changes to the directors, partners or managers involved with the premises?	Yes <input type="checkbox"/> (please see below) No <input checked="" type="checkbox"/>
If yes, please provide details of the changes on a separate sheet, including the full name, private address and capacity of each director, partner and manager involved with the operation of the premises.	

Other Business Interests

Is the applicant, or any person named in this application, involved in any way with any other sex establishment (e.g. sexual entertainment venue, sex shop, sex cinema, hostess bar)?

Yes (please complete below) No

Please provide details, including the name and address of the establishment and the nature and extent of the interest. (If necessary please provide a separate sheet).

THE NAGS HEAD GENTLEMAN'S VENUE
(LICENSED BY WAY OF AN SEV LICENCE)
17 - 19 WHITECHAPEL ROAD
LONDON E1 1DU

PART 2 – Premises Details

Premises name:	VANITY BAR & NIGHTCLUB
Premises address:	4 CARLISLE STREET LONDON
Postcode:	W1D 3BJ
Premises telephone number:	0207 287 5041
Email:	INFO@VANITY-SOHO.CO.UK
Website address:	WWW.VANITY-SOHO.CO.UK
Where the licence is for a vehicle, vessel or stall, state where it is used as a sexual entertainment venue:	N/A
Have there been any changes to the nature of the relevant entertainment since the licence was last granted / renewed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide details below.

--

PART 3 – Convictions / Disqualifications

Have you, or any person named in or associated with this application, been convicted of any crime or offence?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, please provide details on a separate sheet	
Have you been refused the renewal of a licence for this premises, vehicle, vessel or stall within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, has the refusal been reversed on appeal?	
Yes <input type="checkbox"/>	No <input type="checkbox"/> n/a
Have you had a sex establishment licence revoked in Westminster within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

PART 4 - Checklist

Please tick as appropriate:

All relevant sections of the application form have been completed in full	<input checked="" type="checkbox"/>
Payment of the fee has been made in full (refer to Part 6 of this form)	<input checked="" type="checkbox"/>
Notice of this application has been published in a local newspaper / will be published in a local newspaper within the next 7 days, a full copy of the newspaper to be provided to the Licensing Authority as soon as possible	<input checked="" type="checkbox"/>
Notice of this application has been displayed at the premises	<input checked="" type="checkbox"/>

Section A – Individual Licensee Details [INTENTIONALLY BLANK]

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Additional Licensee Details (if necessary) [INTENTIONALLY BLANK]

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

The application has been served on the Metropolitan Police Service	<input checked="" type="checkbox"/>
--	-------------------------------------

PART 5 - Declaration

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE RENEWAL OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TWENTY THOUSAND POUNDS (£20,000).

I LUKE ELFORD declare that the information given above is true and complete in every respect.

Signed	
Date:	3/12/19 <small>LUKE ELFORDS</small>
Capacity:	SOLICITORS FOR THE APPLICANT

For joint applications:

Signed	
Date:	
Capacity:	

Agent Details

Are you an authorised agent acting on behalf of the applicant?

Yes No

If yes, please provide the following:

Agent name:	LUKE ELFORD
-------------	-------------

Objection comment

Appendix D1

Objection 1

██████████
████████████████████

Further to your letter.

As I have before, I strongly object to the Renewal Premises licence application for the above.

The reasons are the same - it attracts endless pedicabs that clearly bring business and collect clients and staff up as late as 4.00am.

For some reason during December they were open all night !! not just until 3.00am - They park directly under my bedroom, how can one sleep ?

The pedicabs have music playing whilst waiting - there is no end of shouting, quarrelling and scuffles.

Could you please confirm that you have received this objection.

Objection 2

██████████
████████████████████

I am writing to object to the renewal of the Sexual Entertainment Venues licence on the following grounds:

- That the aims and objectives of the City Council's SEV Statement of Licensing Policy 2012 will be harmed, particularly 'prevention of public nuisance' and 'promoting improvement in the character and function of the city, or areas of it'.
- That accordingly, the grant would be inappropriate, having regard to the character of the relevant locality;
- That accordingly, the grant would be inappropriate, having regard to the use of premises in the area;
- That accordingly, the grant would be inappropriate, having regard to the layout, character or condition of the premises.

The club is located in the basement, ground and first floor mezzanine of 4 Carlisle Street, beneath three occupied flats, with residential at no 5 next door and the landlord and his partner live above the Nellie Dean pub on the other side, The situation of the club seems inappropriate in that this part of Carlisle Street ends in a cul-de-sac and is a relatively quiet area of Soho. The upper part of Dean Street has been closed to traffic since 2010 (due to Cross Rail) and therefore acts as another cul-de-sac. Once the pubs (Nellie Dean and Toucan), Pizza Express and the Piano Bar close after midnight there is very little noise apart from that generated by Vanity. The other premises in this part of Carlisle Street are residential or office with the Nadler hotel at the end, which does not have bars or restaurants open to the public. Apart from Vanity there is no attraction for passing trade on the street. Venues of this type are more suited to the buzzy atmosphere of the southern parts of Dean St (Sunset strip), Old Compton St and Brewer Street area.

My principal objection to the renewal of the club's licence is the noise in the street. The club attracts pedicabs which hang around outside the club particularly near closing time – the club normally closes at 3am but the pedicab noise invariably starts earlier as they congregate. It was, however, open until 5am in December during the run up to Christmas. The SEV licence has a terminal hour of 3am Mon-Sat, 11pm Sunday for 'relevant entertainment'. The only reason the pedicabs are in Carlisle Street is the presence of the club. No Club, no noise. There was a blissful time between the closing of the Candy Bar and the opening of Vanity when if you woke in the night or came home late there was silence in the street. Apart from Vanity there are no very late venues nearby so after everywhere else closes the possibility of picking up a fare is limited hence the attraction of Vanity.

The pedicab drivers congregate in Carlisle Street, opposite our windows, 4-5 (sometimes more) lined up across the road and on corner of Carlisle & Dean Street (see photo 31 Oct 19, 508,509,510, 524 view outside club). They either sit in their pedicabs or stand around underneath the awning of the Nellie Dean pub next door to number 4. They laugh, chat, argue etc with no care to the residents who are trying to sleep. The fact that both Carlisle Street and Dean Street are dead ends so there is no passing

traffic which lends to its appeal as a pedicab park, where they can leave their vehicles and lurk undisturbed. On occasions you see a customer leaving Vanity only to be harassed by a number of drivers, each trying to entice them into their vehicle which adds to the noise. All this is clearly audible despite [REDACTED], which was fitted to [REDACTED] the behest of a WCC licensing committee in the late 1980's. (Image 273 shows a view of the awning outside the Nellie Dean and across the corner of Carlisle and Dean Street where the road is closed off to traffic.)

In February 2018 there was a meeting with the club management under the auspices of WCC and for a while the problem with noise and the pedicabs improved but the problem returned. Another Carlisle St/Dean St resident and I objected to the renewal of the SEV licence and it went to the Licensing Sub-Committee on 28th March 2019. Three additional conditions were added to the Vanity Club licence relating to controlling the noise from pedicabs in the street. Since then there has been no real change to the street noise though the problem with the internal noise where music could be heard in through the building has largely been solved for which I am most grateful to the club.

The management and the doormen seem to tolerate the pedicabs rather than actually doing anything to discourage them. You see members of staff chatting amicably to the drivers at some length, maybe they are asking them to politely move but it does not have any effect. You see and hear the same drivers night after night so they are obviously undeterred by the 'designated member of staff encouraging them to look for fares in Dean Street and to respect the needs of local residents and also to ask them to move away/not congregate in Carlisle Street or near the venue' (Condition 2 added to licence 2019). I have seen pedicab drivers delivering food & packages to the doorman (see images 0511, 269), who then stands in the street eating and chatting with the drivers. We are lucky in that the Club Staff do seem to stop the pedicabs playing music in Carlisle Street which is a definite plus, though they are not always so successful with the mini cabs or Ubers (not London taxis) which wait for clients in Carlisle Street.

Some of the noise outside does come from members of staff including the dancers who hang around outside the club to chat and smoke, beside the outside heater or the doorman listening to music or programmes on his phone (which is clearly audible 3 floors up) despite Mr Skeens' assertion at the Licensing Hearing 'that members of staff do not congregate outside the premises'. There is even a stool on the doorstep for the dancers to sit on. Whilst this does not appear to be directly in breach of any conditions on the SEV licence, it could jeopardise compliance with condition 7, 18, and 22. It is also contrary to previous assertions that there is a designated smoking area for performers on the first floor.

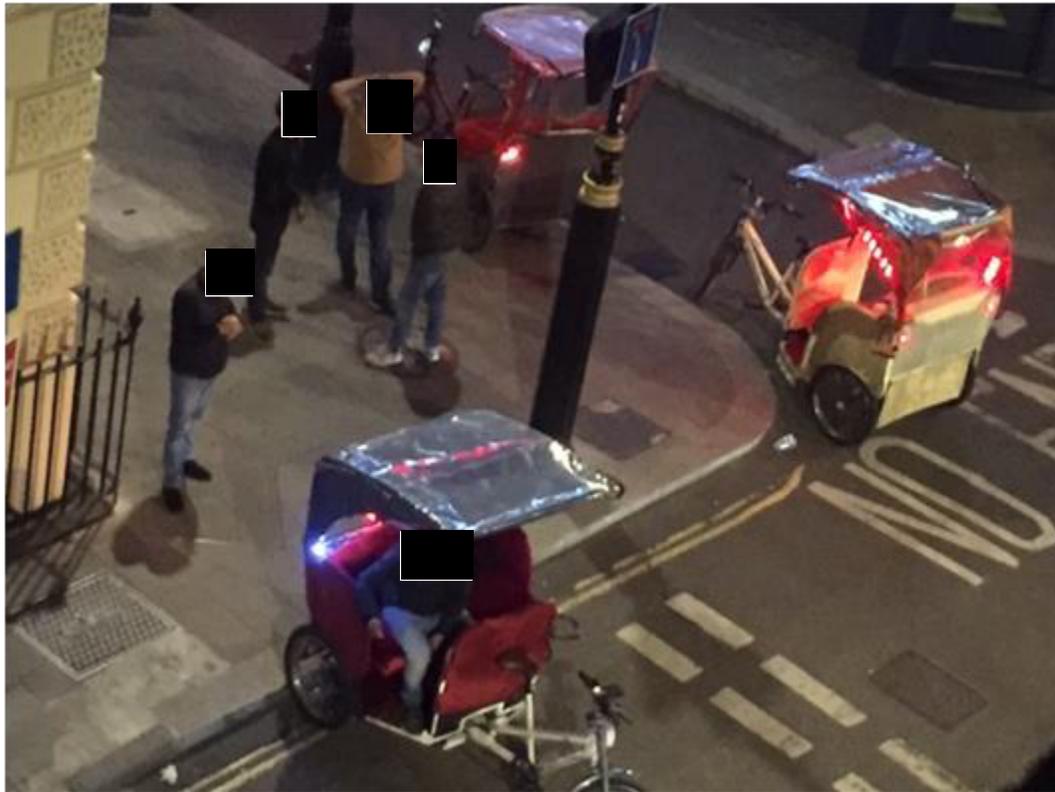
During December it was noisier than usual and certainly on one occasion there was fighting in the street. The fight seemed to relate to the club as I saw the doorman and the manager trying to separate the combatants, who were shouting at each other about spoiling each other's evening at the venue.

On Wednesday 13th November 2019 [REDACTED], owner of the club, attended a meeting with the managing agent at 4 Carlisle Street. After the meeting, I mentioned to him that local residents were still having a problem with the noise from pedicabs. He replied that he was sorry about that but he had no control over noise happening in the street outside the club and could do nothing to help. If I didn't like that he could always open a disco like the Candy Bar with more people in the street. I replied that we had survived outside noise from previous clubs but the noise associated with the pedicabs was more persistent and disturbing.

I am continuing to object to the renewal of the SEV licence of Vanity as the premises are an inappropriate location for a club of this type both as to the location in a quiet area away from the main

areas of nightlife of Soho and to the nature of the building with 3 flats above, and residents on both sides.















**City of Westminster
64 Victoria Street, London,
SW1E 6QP**

**Schedule 12
Part A**

**WARD: West End
UPRN: 010033531502**

Premises licence

Regulation 33, 34

**Premises licence
number:**

15/03179/LIPDPS

Original Reference:

05/03985/LIPCV

Part 1 – Premises details

Postal address of premises:

Vanity Bar And Nightclub
Basement To First Floor
4 Carlisle Street
London
W1D 3BJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00

Performance of Live Music

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00

Late Night Refreshment

Monday to Saturday:	23:00 to 03:30
Sunday:	23:00 to 01:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 03:00
Sunday:	12:00 to 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1 & 3

The opening hours of the premises:

Monday to Saturday:	09:00 to 03:30
Sunday:	09:00 to 01:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Nags Head Limited
17-19 Whitechapel Road
London
E1 1DU
Electronic Mail : manpal_singh-clair@hotmail.com

Registered number of holder, for example company number, charity number (where applicable)

06251735

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Lorraine Forman

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: BAS/PM/005409
Licensing Authority: Basildon District Council

Date: 26 October 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions reproducing the effect of conditions subject to which the relevant existing licenses have effect.

Conditions relating to regulated entertainment:

10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
11. The entertainment provided at the premises shall be of the type commonly known as discotheque, karaoke and striptease.
12. Only activities which have previously been agreed by the council shall take place.
13. The basement door going onto the street shall be kept closed at all times, except for emergency use.
14. All doors giving access/egress to the premises shall not be fixed open after 23:00.

Conditions for Sale of Alcohol

15. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
16. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

17. Alcohol shall not be sold, supplied or consumed in or taken from the premises except during permitted hours.
 - (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following, except that -
 - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;
 - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
 - (i) with the substitution of references to 04.00 for references to 03.00.
 - (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.30 on the morning following, except that-

- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning following, except that-
- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
 - (iii) The terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hours for the sale of alcohol set out in d(i) and (ii) above.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 18. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

- 19. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
- 20. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

21. No Noise or vibration shall emanate from the premises in to adjacent residential premises.

Annex 3 – Conditions attached after a hearing by the licensing authority

22. The licensee will adopt a street management plan to be agreed with the Environmental Health Officer. Such plan to include the following:
 - Ordering taxis from inside the premises
 - Encouraging patrons waiting for taxis to remain inside the premises
 - Asking taxi drivers to turn off their engines whilst waiting
 - Control of smokers
 - Control of patrons leaving the premises.
23. At least one Personal Licence Holder shall be present during the whole time alcohol is sold, supplied or consumed.
24. The sale of alcohol shall be ancillary to the use of the premises for either i) music and dancing and substantial refreshment or ii) Relevant Entertainment and substantial refreshment.
25. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
26. Where the premises is used for Licensable Activities other than Relevant Entertainment, SIA registered security staff are to be employed on a 1:50 ratio (staff/customers).
27. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
28. Except where Relevant Entertainment is provided The number of persons accommodated (excluding staff) shall not exceed:

Basement - 70,
Ground Floor - 80,
First Floor - 25.
29. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall

be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

30. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
31. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
32. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 7 persons at any one time.
33. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
34. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
35. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
36. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
37. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
38. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
39. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
40. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
41. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.

42. Works:

a. Applying to the basement only:

- i. Licensable activity is not to take place until Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
- ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

b. Applying to the ground floor only:

- i. Licensable activity is not to take place until Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
- ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

c. Applying to the first floor/mezzanine only:

- i. Licensable activity is not to take place until Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
- ii. Before this area opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.



City of Westminster
64 Victoria Street, London,
SW1E 6QP

Schedule 12
Part B

WARD: West End
UPRN: 010033531502

Premises licence
summary

Regulation 33, 34

Premises licence
number:

15/03179/LIPDPS

Part 1 – Premises details

Postal address of premises:

Vanity Bar And Nightclub
Basement To First Floor
4 Carlisle Street
London
W1D 3BJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00

Performance of Live Music

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00

Late Night Refreshment

Monday to Saturday:	23:00 to 03:30
Sunday:	23:00 to 01:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 03:00
Sunday:	12:00 to 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1 & 3

The opening hours of the premises:

Monday to Saturday:	09:00 to 03:30
Sunday:	09:00 to 01:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:

Nags Head Limited
17-19 Whitechapel Road
London
E1 1DU

Registered number of holder, for example company number, charity number (where applicable)

06251735

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Lorraine Forman

State whether access to the premises by children is restricted or prohibited:

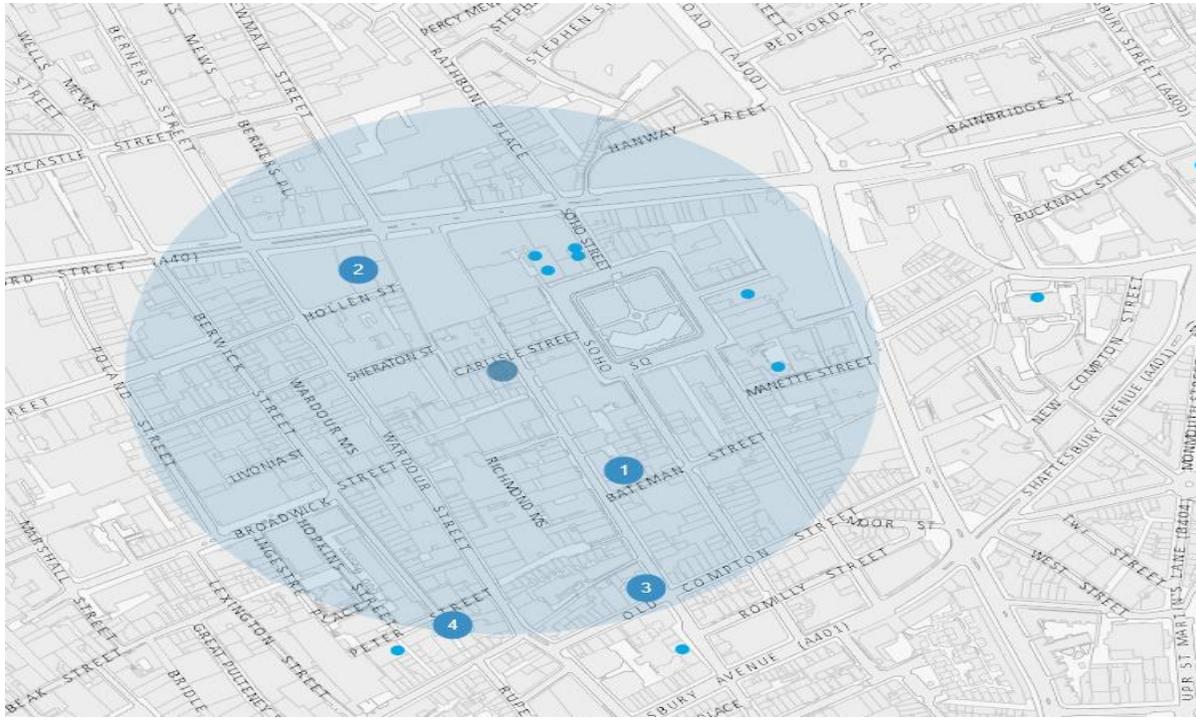
Restricted

Date: 26 October 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.

Map of locality

Appendix F1



Locality within 250 metres of the premises:

Faith Groups – 6

Sexual Entertainment Venues - 4